

**MINUTES  
OF THE CITY OF MURFREESBORO  
BOARD OF ZONING APPEALS**

**City Hall, 111 W. Vine Street, Council Chambers**

**JUNE 23, 2021, 1:00 PM**

**Members Present:**

Davis Young, Chair  
Julie King  
Tim Tipps  
Misty Foy

**Staff Present:**

Marina Rush, *Principal Planner*  
Matthew Blomeley, *Assistant Planning Director*  
Brad Barbee, *Planner*  
Amelia Kerr, *Planner*  
Roman Hankins, *Assistant City Attorney*  
Serena Harris, *Recording Assistant*

**1. Call to order:**

Chair Young called the meeting to order at 1:00 pm and announced that in accord with the Executive Order of the Governor all votes would be conducted by roll call.

**2. Determination of a quorum:**

Chair Young determined that a quorum was present.

**3. New Business:**

- a. Zoning application [2021-018] for 1144 Fortress Blvd, requesting a variance of the required 8ft side planting yard and a variance of the 15 foot separation required between parking and/or access drives and adjacent property, for a property in the Highway Commercial (CH) and Gateway Design Overlay 1 (GDO-1). (Project Planner: Brad Barbee):**

Brad Barbee presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these minutes by reference.

Matt Taylor of SEC, Inc. 850 Middle Tennessee Blvd, Murfreesboro, TN 37129 offered additional clarification on the project.

Marina Rush advised the board that per the zoning ordinance, the BZA must make written findings both either in favor or against the variance that are specific to the standards and state reason(s) supporting the board's decision. Staff will return findings for signature later.

Chair Young opened the public hearing.

# MURFREESBORO BOARD OF ZONING APPEALS MINUTES

June 23, 2021

Page 2

John Harney offered comments on behalf of applicant Beatty Properties, as the original developer for the property, stating the proposed changes aren't varied from the original master plan.

Chair Young closed the public hearing.

There being no further discussion, Julie King moved to approve the variance application, subject to all staff recommendations; The motion was seconded by Tim Tipps, and upon roll call the motion was approved by the following vote:

Aye: Tim Tipps  
Julie King  
Misty Foy  
Chair Davis Young

Nay: None

**b. Zoning application [2021-019] for requesting a special use permit to operate a temporary outdoor vending establishment (seasonal fireworks retailer) in a Light Industrial (LI) zone for property located at 1950 S. Church Street. (Project Planner: Marina Rush)**

Marina Rush presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these minutes by reference.

Tim Tipps asked if the structure would be anchored down.

Ms. Rush stated the applicant would need to adhere to permitting regulations by the Building and Codes Department.

Applicant, Isaiah Phillips of 436 Nightcap Lane, Murfreesboro, TN 37128 spoke briefly about the project. Mr. Phillips stated the structure will be dropped on site and he will follow all BZA and Building and Codes guidelines.

Chair Young opened the public hearing.

Chair Young closed the public hearing.

There being no further discussion, Tim Tipps moved to approve the special use application subject to all staff recommendations; The motion was seconded by Misty Foy.

Julie King then highlighted the fifth staff comment reads 'tent,' vs structure, as in the 6<sup>th</sup> staff comment.

# MURFREESBORO BOARD OF ZONING APPEALS MINUTES

June 23, 2021

Page 3

Tim Tipps moved to amend 5<sup>th</sup> staff comment to read 'building' and not 'tent'. The motion was seconded by Misty Foy and upon roll call the motion was approved by the following vote:

Aye: Tim Tipps  
Julie King  
Misty Foy  
Chair Davis Young

Nay: None

- c. Zoning application [2021-020] for 210 Rucker Lane, requesting a special use permit for the expansion of an institutional group assembly use by placement of a portable building in a Single Family Residential (RS-15) zone for property located at 210 Rucker Lane. (Project Planner: Amelia Kerr)**

Amelia Kerr presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these minutes by reference.

Julie King inquired if there's a need to include a buffer on the northside of the property. Chair Young inquired at what point does the need for the modular building end.

Matt Taylor of SEC, Inc. offered additional clarification on the project.

Chair Young opened the public hearing.

Chair Young closed the public hearing.

There being no further discussion, Misty Foy moved to approve the application, subject to all staff recommendations; The motion was seconded by Julie King, and upon roll call the motion was approved by the following vote:

Aye: Tim Tipps  
Julie King  
Misty Foy  
Chair Davis Young

Nay: None

**MURFREESBORO BOARD OF ZONING APPEALS MINUTES**

**June 23, 2021**

**Page 4**

**Staff Reports and Other Business**

None

The meeting adjourned at 1:34 P.M.

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CHAIRMAN

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SECRETARY