

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

November 22, 2021

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MINUTES OF THE CITY OF MURFREESBORO BOARD OF ZONING APPEALS

City Hall, 111 W. Vine Street, Council Chambers

November 22, 2021, 1:00 PM

Members Present:

Davis Young, Chair
Ken Halliburton, Vice-Chair
Misty Foy
Tim Tipps
Julie King

Staff Present:

Marina Rush, *Principal Planner*
Joel Aguilera, *Planner*
Matthew Blomeley, *Assistant Planning Director*
Greg McKnight, *Planning Director*
Roman Hankins, *Assistant City Attorney*
Serena Harris, *Recording Assistant*

1. Call to order:

Chair Young called the meeting to order at 1:06 pm.

2. Determination of a quorum:

Chair Young determined that a quorum was present.

3. Consideration of Minutes:

With there being no objection by any of the Board members, the minutes of the August 25 and September 22 BZA meetings were approved as submitted.

4. New Business:

Zoning application [2021-026] for North Shore Medical Labs, represented by Brey Oalmann, North Shore Medical Labs, requesting a special use permit to operate a temporary outdoor vending establishment (mobile Covid-19 testing site) at 1630 South Church Street. Property is zoned Commercial Highway (CH). (Project Planner: Joel Aguilera)

Joel Aguilera 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 reviewed lease termination date stating exhibits show end date as April 30, 2021 not 2022.

Brey Oalmann with North Shore Medical Labs came forward to offer additional information regarding the project. Ms. Oalmann confirmed that the lease termination date of 2021 is a typo and should read 2022 and will be revised.

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Chair Young inquired about process for reapplying for the SUP after the end of February 2022.

Mr. Aguliera confirmed that the applicant would be allowed to reapply after February 2022 and must go thru the full process again. The City of Murfreesboro Zoning Ordinance allows 70 days within a 12-month period, to allow site and operational review to ensure there is no adverse impact to the center, traffic flow, safety, etc.

Julie King inquired about the limitations and reapplication process within a 12-month period.

Marina Rush offered further clarification of the zoning ordinance for temporary vendors is 70 days within a 12-month period and is not based the calendar-year period.

Ms. Rush stated that lease allows more time than what the BZA can approve for this application for a temporary vendor. Ms. Rush also stated that the applicant may need to amend their lease to ensure that it is for 2022 and that they are not leasing or paying for more days than the Board can grant approval of.

Chair Young requested further clarification on reapplication options when the initial permit expires on January 31, 2022.

Ms. Rush stated that November 23, 2022 is the next date the applicant can reapply.

Vice-Chair Ken Halliburton inquired if the applicant understands the reapplication options.

Ms. Oalman replied that she understands the reapplication terms.

Vice-Chair Halliburton requested clarification on restroom access.

Ms. Rush stated that the restroom would have to be open to the public, and be accessible to both patrons & employees.

Ms. Oalman reiterated that restrooms are available to the public.

Chair Young opened the public hearing.

There being no one else to speak for or against the request, Chair Young closed the public hearing.

There being no further discussion, Tim Tipps moved to approve the special use permit application subject to all staff recommendations; The motion was seconded by Misty Foy and carried by the following vote:

Aye: Tim Tipps
Julie King
Misty Foy
Vice-Chair Ken Halliburton

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Chair Davis Young

Nay: None

5. Staff Reports and Other Business:

None.

6. Adjourn.

There being no further business, Chair Young adjourned the meeting at 1:18 p.m.