

**SPRING HILL
MUNICIPAL BOARD OF ZONING APPEALS
REGULAR MEETING
Tuesday, January 26, 2016
AGENDA
5:30 PM**

Call meeting to order:

Stipulation of Members present.

Consider approval of the October 6, 2015 Board of Zoning Appeals meeting minutes.

General Announcement – The procedural rules for public comment will be as follows: The items will be taken in the order of the agenda. Audience members wishing to speak must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed

1. **BZA 120-2015:** (Gospel Light Baptist Church): Submitted by Bill Adams, Pastor. The request is for approval of a variance for gravel parking and for use of property for a church in the AG Zoning District
2. Concerned citizens
3. Adjourn

**SPRING HILL
MUNICIPAL BOARD OF ZONING APPEALS
REGULAR MEETING MINUTES TUESDAY,
OCTOBER 6, 2015
5:30 P.M.**

Chairman Cantrell called the meeting to order.

Members present were: Terry Cantrell; Rob Roten; Jim Hagaman; Kayce Williams and Mario Milani. Also present were: Dara Sanders and Bonnie Turnbow.

Jim Hagaman moved to approve the July 21, 2015 BOZA minutes. Motion seconded by Mario Milani. Motion passed 5/0.

General Announcement – The procedural rules for public comment will be as follows: The items will be taken in order of the agenda. Audience members wishing to speak must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed.

AGENDA

1. **BZA 95-2015** (Deck Enclosure): Submitted by Bill and Lyn Chatman for property located at 1008 Rudder Drive. The property is zone R-2 PUD and lot size is 60.98 X 126.69. The request is for approval of a variance from the rear setback requirement.

Jim Hagaman moved to approve **BZA 95-2015**. Motion seconded by Kayce Williams. Motion passed 5/0

2. **BZA 96-2015** (Meadowbrook Phase 4-Section 4): Submitted by the City of Spring Hill. The property is zoned R-2 PUD and contains approximately 6.359 acres. The request is for approval of a variance from the front setback requirement.

Kayce Williams made a motion to approve **BZA 96-2015, BZA 97-2015, BZA 98-2015, BZA 99-2015 and BZA 100-2015**. Motion seconded by Rob Roten. Motion passed 5/0

3. **BZA 97-2015** (Meadowbrook Phase4-Section 5): Submitted by the City of Spring Hill. The property is zoned R-2 PUD and contains approximately 4.163 acres. The request is for approval of a variance from the rear setback requirement.
4. **BZA 98-2015** (Copper Ridge Phase 3-Section 1): Submitted by the City of Spring Hill. The property is zoned R-4 and contains approximately 4.773 acres. The request is for approval of a variance from the rear setback requirement.
5. **BZA 99-2015** (Copper Ridge Phase 7): Submitted by the City of Spring Hill. The property is zoned R-4 and contains approximately 5.085 acres. The request is for approval of a variance from the front setback requirement.
6. **BZA 100-2015** (Arbors at Autumn Ridge Phase 10): Submitted by the City of Spring Hill. The property is zoned R-2 PUD and contains approximately 9.718 acres. The request is for approval of a variance from the front setback requirement.

There were no concern citizens comments.

Kayce Williams made a motion to adjourn the meeting. Motion seconded by Rob Roten.
Motion passed, 5/0

Meeting adjourned.

Terry Cantrell, Chairman

Spring Hill Board of Zoning Appeals



TO: Spring Hill Board of Zoning Appeals
FROM: Dara Sanders, City Planner
MEETING: January 26, 2016
SUBJECT: BZA 120-2015 (Gospel Light Baptist Church)

BZA 120-2015: (Gospel Light Baptist Church): Submitted by Bill Adams, Pastor. The request is for approval of a variance for gravel parking and use of property for a church in the AG Zoning District.

Property description: This property is located at 4213 Kedron Road, southeast of the intersection of Kedron Road and Port Royal Road, and is was developed originally for a single-family. In 2007, the City annexed the subject property and, by default, the property has remained zoned AG, Agricultural. It remains to be located at the southern edge of the city limits.

Prior to being annexed into the city limits, the property was used by a previous church, which began construction of a new and larger nonresidential building on the site in addition to the residential structure. Construction ceased for several years, and the property was purchased by another church.

The new owner of the property would like to commence construction of the new building. The purpose of this new building is to expand the church's use of the property. Because construction of the structure began prior to annexation of the property, the site does not meet the City's zoning and development requirements for a nonresidential use, specifically driveway and parking lot requirements. When the use of the property changed from single-family to a church, the front yard was made a gravel parking lot, which does not meet the pavement material, dimensional, or number requirements Article IV of the Zoning Ordinance, and the existing 10' wide gravel driveway was not expanded to accommodate two-way traffic.

Additionally, places of worship are permitted only by Board of Zoning Appeals approval in the AG zoning district. Staff has not found information or records indicating that the Board of Zoning Appeals has granted use approval of the property for places of worship; therefore, the existing church is considered nonconforming and must be brought into compliance in order to expand the use.

Request: The applicant requests approval of the following:

1. Use approval to allow for a church in the AG zoning district.
2. Variance from the City's parking lot requirements to allow for continued use of the nonconforming gravel parking lot and driveway

The applicant has stated in his letter that he intends to submit a site plan application to improve the parking lot within two years of completion of the new structure.

Findings: The findings below are required to be made by the Board of Zoning Appeals pursuant to Tennessee Annotated Code and the City of Spring Hill Subdivision Regulations.

1.16(1) – The granting of the variance will not be substantially detrimental to the public good. Staff finds that the church, driveway, and gravel parking lot have been used as they are today for more than a decade without any known incident or negative impact. Staff finds that the continuation of the use of the property, driveway, and parking lot will not be detrimental to the public good.

1.16(2) – The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other properties. Staff finds that the basis for the variance request is unique to the history of this property. Installation of the gravel driveway and initial construction of the second structure occurred

prior to the property being annexed into the City and subject to the City's zoning ordinance. Had the construction of the second structure been completed, the site would have continued to be considered nonconforming but permitted to operate. Because construction ceased for several years, the applicant is now required to meet the City's standards or request a variance from the City's standards in order to proceed with the use and plans arranged prior to annexation.

1.16(3) – Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of these regulations or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, peculiar and exceptional practical difficulties or undue hardship would result. *There are no issues or conditions of the property that would prevent the applicant from meeting the City's parking lot and driveway requirements. As discussed in other sections of this report, staff finds that the unique circumstances that warrant consideration of a variance are a result of the property's jurisdictional history and location at the edge of the city limits. The applicant has agreed to improve the parking lot within two years of completion of the new structure. Staff has included this as a condition of approval.*

1.16(4) – The variance will be consistent with the general community character of the subdivision. *The surrounding area is primarily rural, with some properties inside the city limits and others in the county, and gravel driveways are widely used. Staff finds that permitted the continued use of the property as it exists today will be in character with the surrounding area.*

1.16(5) – The variance will not in any manner vary the provisions of the Zoning Ordinance, Comprehensive Plan, City Road or Major Thoroughfare Plan of the City of Spring Hill. *Staff finds that this variance will delay the application of the parking lot requirements of the Zoning Ordinance.*

Recommendation: Based on the findings herein, staff recommends approval of the request, subject to the following conditions of approval:

1. Within two years of the issuance of a certificate of occupancy for the multi-purpose structure, the applicant shall be required to submit the appropriate application at the time to improve the gravel parking lot and driveway to city standards. Failure to meet this condition of approval will nullify this variance approval and the property will be considered nonconforming.
2. Any further expansion of the church use on the subject property may require Board of Zoning Appeals approval.

gospellight

BAPTIST CHURCH

A place of God's glory and grace.

12-3-15
City of Spring Hill

To Whom It May Concern

The Gospel Light Baptist Church, located on 4213 Kedron Road, requests a meeting with the Zoning Appeals Committee for the December meeting. We requests a variance for gravel parking and use of property in the AG Zoning District. The Gospel Light Baptist Church purchased this property in 2012 from another church (Four Square Gospel). Gospel Light Baptist Church and Rhodes Engineering firm have submitted plans to finish an existing building started before the annex of this property by the city of Spring Hill. This building previously permitted by Maury County had completed four out of ten building inspections. After submitting these drawing we were informed by Dara Sanders that Gospel Light Baptist Church has not been granted a "right of use" by the city for a church to operate under the current zoning specifications.

Our request is twofold 1. To gain "right of use" 2. Request a variance for gravel parking in order to finish the building. With our small congregation already meeting in the primary building on site we seek to prevent any further deterioration and finish the building. We are requesting a variance for gravel parking while we seek to raise further funds. We ask to be granted use of this property and finish the multi-purpose building for which we have submitted plans to the city. Once given occupancy of the finished multi-purposed building we plan within two years to submit a full site plan for paved parking.

Thank you in advance for your approval of our request and for your service to the community. God Bless

In Christ,

Bill Adams, Pastor

Pastor Bill Adams Jr.



BEVERLY LANE

PORTROYAL RD

LINCOLN ROAD

Subject property

GREENS MILL ROAD

KEDRON RD



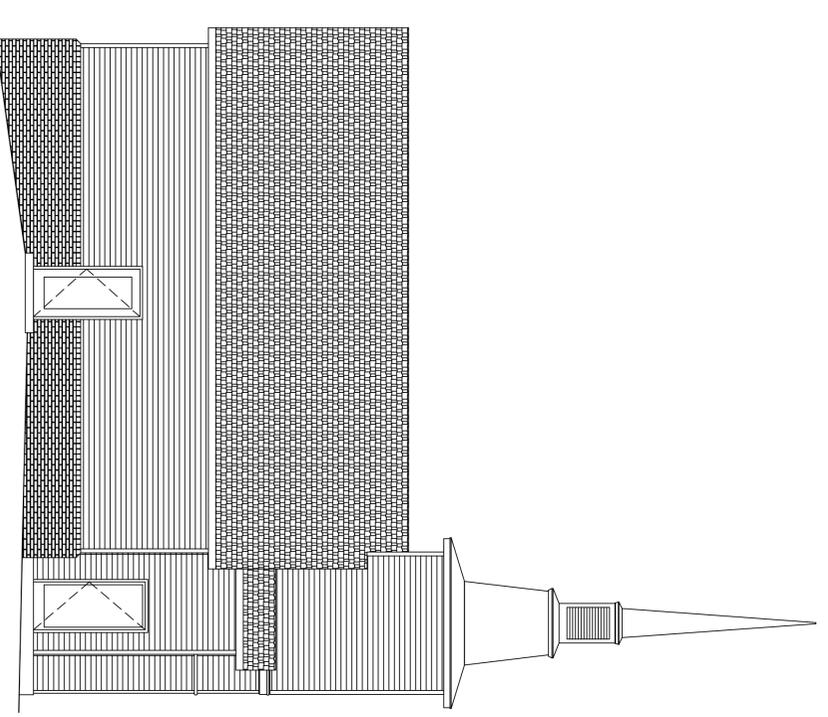


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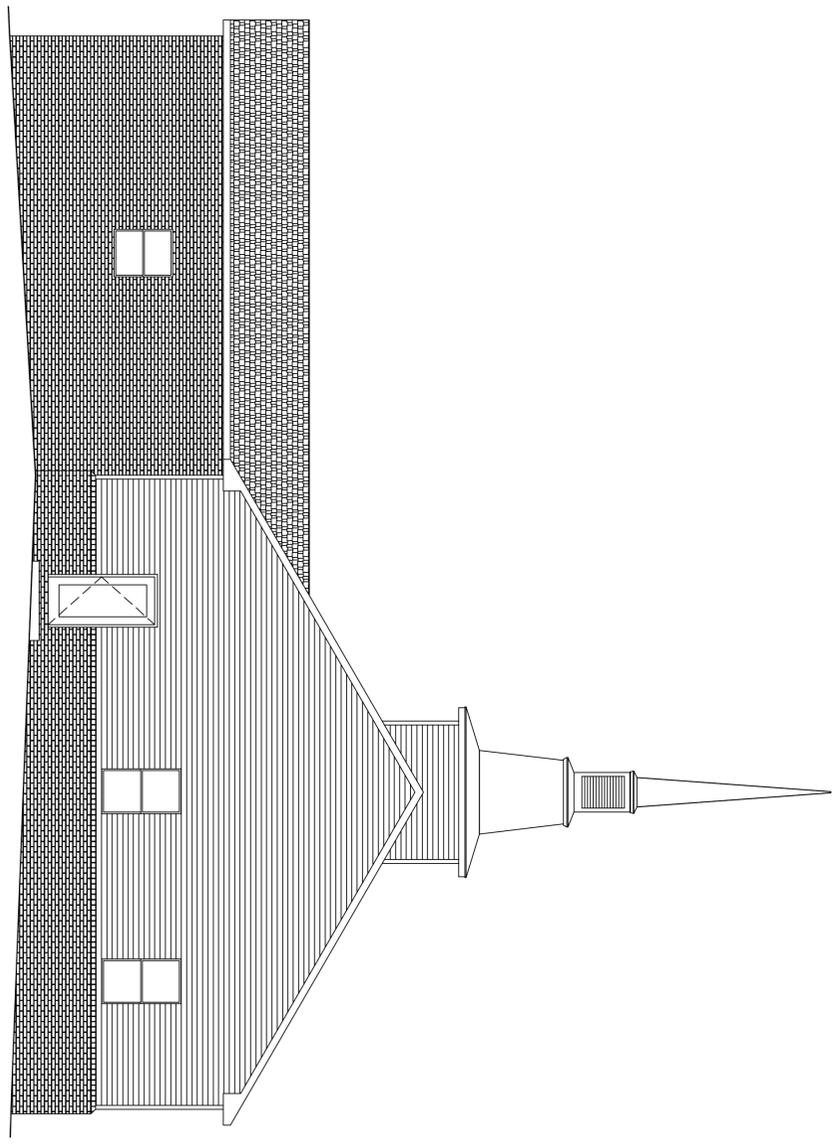
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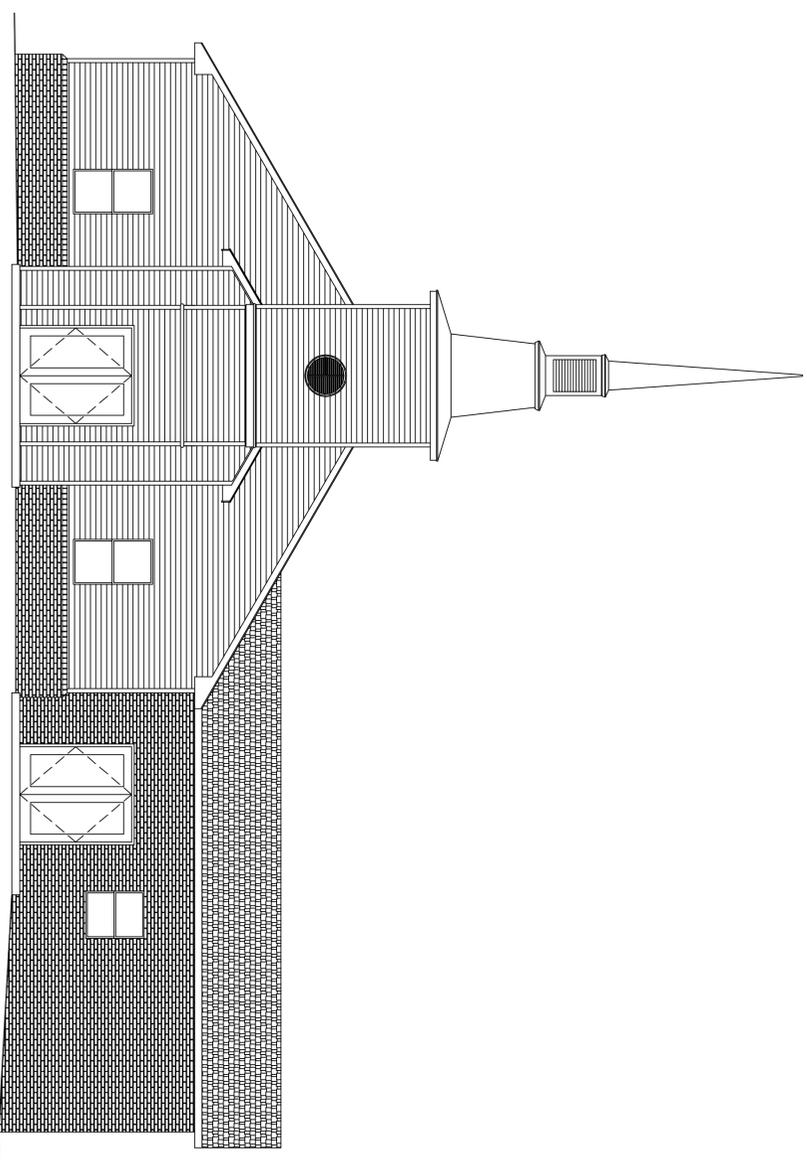




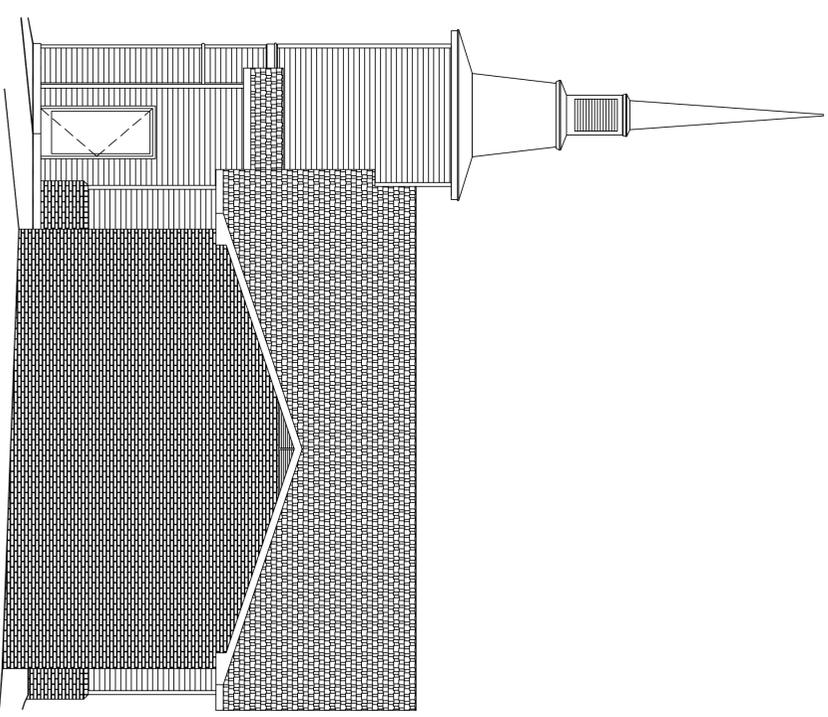
2 West Elevation
 A-2.0 SCALE: 1/4" = 1'-0"



3 North Elevation
 A-2.0 SCALE: 1/4" = 1'-0"



1 South Elevation
 A-2.0 SCALE: 1/4" = 1'-0"

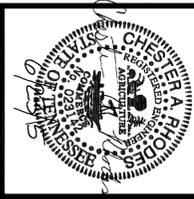


4 East Elevation
 A-2.0 SCALE: 1/4" = 1'-0"

DRWERS
 Gospel Light Baptist Church

ENGINEERS

 RHODES ENGINEERING
 AND ENVIRONMENTAL
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 STATE OF TENNESSEE
 REGISTERED PROFESSIONAL ENGINEER



BUILDING PLANS FOR
 GOSPEL LIGHT BAPTIST CHURCH
 4213 KEDRON ROAD
 SPRING HILL, MAURY COUNTY, TENNESSEE 37174-2203

PROJECT NUMBER:	CAR
PROJECT MANAGER:	AT
DRAWN BY:	CAR
CHECKED BY:	
DRAWING DATE:	5-28-15
DESCRIPTION:	
REVISIONS:	DATE

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ELEVATIONS
 A-2.0