

Maury County Board of Zoning Appeals
Wednesday
May 10, 2023 – 4:30 p.m.

Minutes

A meeting of the Maury County Board of Zoning Appeals was held on Wednesday, May 10, 2023 at 4:30 p.m. in Building #1, 3rd Floor Conference room. With a quorum being present the meeting was called to order by Chairman Bob Morgan.

The following members were in attendance: Robert (Bob) Morgan, Mike Sharpton, Ivan Jones, and Kim Willis. Absent: Roger Kelly.

Staff present: Deborah J. Boehms, Zoning Coordinator
Robert Caldiraro, Director of Building and Zoning
Kristi Dunlap Ransom, Attorney for Building and Zoning

Approval of the Agenda-A motion was made by Mike Sharpton to approve the agenda. The motion was seconded by Kim Willis. The motion carried unanimously

Approval of the Minutes-A motion was made by Ivan Jones to approve the minutes from the April 12, 2023 meeting. The motion was seconded Mike Sharpton. The motion carried unanimously.

Applicant: L. Bruce Peden, Attorney with Moore and Peden P. C. is requesting approval of a “Special Exception Use” and a lot size variance to establish a Landscape business for LA Scapes LLC. The property (1.37 acres) is located at 1571 Lasea Road, Columbia, Tennessee and is further identified as being on County Tax Map 073, Parcel 021.00. This request was first heard at the February 8, 2023 meeting of the Board of Zoning Appeals. The Board voted to postpone the application to the March 8, 2023 meeting at the request of the applicant. The applicant further asked for an extension to the May 10, 2023 meeting.

L. Bruce Peden, Attorney was present to answer questions.

Property owners, Letisia Smit and Ashley Smit were present to answer questions.

A motion was made by Mike Sharpton to approve the Special Exception Use, the Board approved a lot size variance of 1.37 acres, the minimum lot size is 2 acres, the required front setback in a C-3 Special Commercial District is 100 feet, the Board approved a 55 foot variance, the required side setback is 50 feet in a C-3 Special Commercial District, the board approved a 14 foot side setback variance and the required rear setback in a C-3 Special Commercial District is 50 feet, the Board approved a 19 foot rear setback variance. The motion was seconded by Kim Willis. The motion carried unanimously.

Public Comment from Doyle Collins, an adjacent property owner, stated he has no problem with the request for LA Scapes LLC to operate from this location.

Applicant: IMI Concrete (Scott Nichols) and property owner Steven McCanless are requesting approval of a “Special Exception Use” to locate a concrete batch plant. The property (11.89 acres) is located at 874 Blue Springs Road, Columbia, Tennessee and is further identified as being on County Tax Map 114 Parcel 095.01.

A portion of this property (4.75 acres) is currently zoned C-3 Special Commercial District, the request is to obtain a “Special Exception Use” in order to change the zoning from C-3 to M-3 Special Industrial District. This request was first heard at the February 8, 2023 meeting of the Board of Zoning Appeals. The Board voted to postpone the application to the April 12, 2023 meeting at the request of the applicant. The applicant further asked for an extension to the May 10, 2023 meeting.

Allen O’Leary with W.E.S. Engineering was present to answer questions.

Scott Nichols with IMI – Tennessee was present to answer questions.

Amanda, IMI

Property owner, Steven McCanless

Several members of the public made comments in opposition:

Michael West, Jeffrey Newsom, Wesley Walker, Ben Waldridge, Jennifer Allen, Debbie Turner, and David Johnson.

A motion was made by Kim Willis to deny the “Special Exception Use” for a proposed rezoning from C-3 Special Commercial District, A-2 Rural Residential District to M-3 Special Industrial District based on the comments heard and information received as well as environmental concerns, safety concerns and because it is in the middle of a residential area.

The motion was seconded by Mike Sharpton. The motion carried unanimously.

Applicant: Dean Irvin Ryder property owner is requesting approval of a 5 foot south side setback variance. The property is located at 2266 Tindell Lane, Columbia, Tennessee and is further identified as being on County Tax Map 087, Parcel 016.00.

Mr. Ryder explained that a recent survey of the property discovered the encroachment to the side setback. A motion was made by Bob Morgan to approve the 5 foot south side setback variance because of the preexisting condition. The motion was seconded by Mike Sharpton. The motion carried unanimously.

Applicant: Colton and Jessica Carroll-property owners are requesting approval of a Variance to Article 4.070 Swimming Pool Restrictions regarding the placement of a swimming pool in the front yard. The property is located at 2120 New Highway 7, Santa Fe, Tennessee and is further identified as being on County Tax Map 039, Parcel 028.04. Mr. and Mrs. Carroll were present to answer questions. A motion was made by Mike Sharpton to approve the Variance to Article 4.070 of the Maury County Zoning Resolution due to topography of the land, this would allow the property owners to place the swimming pool in their front yard. The motion was seconded by Ivan Jones. The motion carried unanimously.

Applicant: TKC Architecture and Engineering LLC and property owners, Victor Tate and Ardiss Armstrong are requesting approval of a “Special Exception Use” for the purpose of rezoning 24.05 acres from A-2 Rural Residential to C-3 Special Commercial District, for a proposed gun range, V & A Range and Training Center Retreat. The property is located off of

Williamsport Pike, Columbia, Tennessee and is further identified as being on County Tax Map 078, Parcel 050.01.

Cole Newton an Engineer, with TKC Architecture and Engineering LLC was present to answer questions. Also present to answer questions was Victor Tate, one of the property owners.

Public comments in opposition were made from nearby residents: Tom Apker, handed out a 13 page document stating as to why he was in opposition. Mr. Apker's presentation also included a letter of opposition from John A. Fite and family.

Others in the audience stated opposition to the proposal: Horst Kelterborn, Jamie Brandonburg, and Paul Keefrider. The Building and Zoning Office received an email of opposition from Julie Hudson-Bowley and Bill Bowley. The Building and Zoning Office received an email in opposition form Attorney, Kimbra Spann on behalf of Williamsport Estates, LLC.

A motion was made by Mike Sharpton to deny the Special Exception Use and proposed rezoning from A-2 Rural Residential to C-3 Special Commercial District request. The denial was based on this location would be considered spot zoning and doesn't fit into the County's Comprehensive Growth Plan.

Public Comment-no other public comments were made.

Other business-none

Adjournment: A motion was made by Mike Sharpton to adjourn the meeting at 6:25 p.m. The motion was seconded by Ivan Jones. The motion carried unanimously.

Respectfully,



Robert (Bob) Morgan
Chairman