



**City of Millersville Board of Zoning Appeals  
Regular Meeting Agenda  
Tuesday, November 6, 2018 5:30 pm  
Millersville City Hall**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Disclosure of Ex-parte Communications
5. Approve the Minutes of the Board of Zoning Appeals Meeting(s) for the following dates:
  - a. September 11, 2018
6. Public Comments (Limited to 3 minutes per speaker for item[s] on this agenda)
7. Action Items:
  - a. Special Exception Request to allow for a duplex on 146 Henry Rd (SC Map 118 Parcel 114.08) zoned Residential R-3
8. Development Services Department Report
  - a. BZA Member State Required Training – November 26, 2018 5:00 pm
  - b. Update on 201 Glenwood Dr Setback Encroachments
  - c. Planning & Zoning Activities.
9. Board Members Comments & General Discussion
10. Public Comments (Limited to 3 minutes per speaker only for items not on this agenda)
11. Next Board of Zoning Appeals Meeting TBD
12. Adjournment

***In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Recorder at 615-859-0880 at least 72 hours prior to the meeting.***



**City of Millersville Board of Zoning Appeals  
(Joint Meeting with the Planning Commission)  
Meeting Minutes  
Tuesday, September 11, 2018 5:00 pm  
Millersville Community Center**

1. **Call to Order:** Chairperson Coleman called the Meeting of the Board of Zoning Appeals to order at 5:05pm.
2. **Pledge of Allegiance:** Lead by Chairman Fox; followed by Innovation lead by Secretary Gregory.
3. **Roll Call:** Lead by Secretary Uldrich

**Present:**

**Mrs. Bonnie Coleman  
Mr. Larry Petty  
Mr. Sam Uldrich  
Mr. Gary Bolton  
Mrs. Helen Nash**

**Staff:**

**Mr. Robert Wheeler  
Mr. Michael Barr  
Mrs. Michelle Bernard**

4. **Disclosure of Ex-parte Communications:** Chairperson Coleman asks the board members if anyone has anything to disclose. Mrs. Nash commented that she had spoken with a fellow neighbor about the meeting. No comments were made.
5. **Approve the Minutes of the Board of Zoning Appeals Meeting(s) for the following dates:**
  - a. **June 5, 2018:**  
Chairperson Coleman requests the Board to approve the June 5, 2018 minutes. Secretary Uldrich made the motion to “approve the June 5, 2018 meeting minutes as presented.” Vice Chairman Petty seconded the motion. **Motion carried (4-aye, 0-nay, 1-abstain; Chairperson Coleman abstained as she was absent for that meeting).**
6. **Public Comments (Limited to 3 minutes per speaker for item[s] on this agenda):**  
One member of the audience asked if the developers are putting up apartments. Mr. Barr stated at this time that plans have not been determined as of yet.

The Developers of the proposed Bethel Ridge Multi-use and Multi-density Commercial and Residential project present their Conceptual Plan with development details to the BZA and the Planning Commission.

**7. Action Items:**

**a. Special Exception Request to allow for Multifamily Residential in Commercial C-3 Zoning on a 27 ac portion of the Bethel Road Parcel known as RC Map 126 Parcel 079.00:**

Mr. Barr stated that the applicant is requesting a Special Exception to allow for Multifamily Residential development on the 27 ac +/- portion of the parcel that is zoned Commercial C-3. The property is located on Bethel Road approximately 0.25 miles east of Interstate 65 Exit 104. The owner is proposing as many as 260 multifamily units to be located to the rear of this C-3 portion of the parcel. The portion of this C-3 zoned parcel abutting Bethel Rd will be developed as Commercial. This front C-3 portion may include as much as 120,000 sq ft of interchange and highway commercial buildings.

The City recently amended its Zoning Ordinance to allow for multifamily development in certain Commercial Districts by Special Exception approval from the Board of Zoning Appeals. After BZA approval of this special use, the project will follow the normal commercial and multifamily development processes for permitting and approval including review by the Planning Commission. A related Development Agreement must be approved by the City Commission for this project.

Chairperson Coleman asks about the size of the homes, whether the homes would be siding or brick and if the homes would be sold or rented? Chairperson Coleman also comments on the possibility of having an assisted living within this project. Chairperson Coleman also states some concerns such as the increase of traffic on the roadways. To which the developer stated that TDOT would have to do a traffic study before approval. Mr. Bolton asks regarding fire safety. Mrs. Nash asks the developers if they would be building the commercial portions or would someone else build? To which the developer replied they would be the one building these.

Mr. Barr recommended approval of this Special Exception request to allow for multifamily residential development in addition to commercial development on the C-3 zoned portion of the parcel known as RC Map 126 Parcel 079.00.

Secretary Uldrich made the motion to approve the Special Exception Request to allow for Multifamily Residential in Commercial C-3 Zoning on a 27 ac portion of the parcel located on Bethel Road. Mr. Bolton seconded the motion. **Motion carried by Unanimous Vote.**

**b. Special Exception Request to allow for Multifamily Residential in Residential R-5 Zoning on a 127 ac portion of the Bethel Road Parcel known as RC Map 126 Parcel 079.00:**

Mr. Barr stated that the applicant is requesting a Special Exception to allow for multifamily residential development in addition to the permitted single family residential on the 127 ac +/- portion of the parcel zoned Residential R-5. The property is located on Bethel Road approximately 0.25 miles east of Interstate 65 Exit 104. The owner is proposing as many as 142 multi-family units to be located to the front area of this portion of the parcel. The rear area of this portion will remain single family lots with a maximum of 156 homes. This proposed multifamily residential will be less dense than the proposed C-3 multi-family portion.

The City's Zoning Ordinance allows for multi-family development in Residential R-3, R-4, R-5 & R-5M Districts by Special Exception approval from the Board of Zoning Appeals. After BZA approval of this special use, the project will follow the normal multi- and single family development site planning and subdivision platting processes for permitting and approval including review by the Planning Commission. A related Development Agreement must be approved by the City Commission for this project.

Mr. Barr recommended approval for this Special Exception request to allow for multi-family residential development in addition to single family homes on the R-5 zoned portion of the parcel known as RC Map 126 Parcel 079.00.

Vice Chairman Petty made the motion to approve the special exception request. Mrs. Nash seconded the motion. **Motion carried by Unanimous Vote.**

**c. Variance Request for Reduction of the Minimum "Front" Yard Setback and Pool Location Exemption for 7617 Bethel Rd RC Map 134 Parcel 008.00:**

Mr. Barr stated the applicant is requesting a reduction of the minimum front (rear) yard setback distance from the 50 (30) feet requirement per the parcel's zoning designation of Residential R-2. This parcel technically has two front yards as it abuts two public roads. Per Sec. 90-13 of the City's Code of Ordinances *"When the rear yard of a lot abuts a public street, all structures built in that rear yard shall observe the same setback as required for adjacent properties which front on that street."* This request also asks for an exemption to locating pools in the "front" yard. The house's front elevation faces Bethel Rd with the rear of the house facing Darby Rd. This reduction of setback distance and pool location exemption would allow for the pool to be installed to the rear of the house. Additionally, the deck or patio for the pool is proposed to be placed within 10 ft of the property line abutting Darby Rd but within the existing fence.

Mr. Barr recommended approval of this Variance granting a reduction of the minimum "front" yard setback standards and to locate a pool in the "front" yard facing Darby Road.

Mr. Bolton made the motion to approve the variance request for reduction of the minimum "front" yard setback and pool location exemption for 7617 Bethel Rd RC Map 134 Parcel 008.00. Secretary Uldrich seconded the motion. **Motion carried by Unanimous Vote.**

**8. Development Services Department Report:**  
**a. Planning & Zoning Activities – None.**

**9. Board Members Comments & General Discussion:**  
No comments were made.

**10. Public Comments (Limited to 3 minutes per speaker only for items not on this agenda):**  
No comments were made.

**11. Next Board of Zoning Appeals Meeting TBD**

**12. Adjournment:**  
Mr. Bolton makes the motion to adjourn.  
Vice Chairman Petty seconded this motion.  
Meeting adjourn at 6:00 pm  
**Motion carried by Unanimous Vote.**

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**Chairperson Bonnie Coleman**

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**Secretary ~~Sam Uldrich~~**

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**Recording Secretary Michelle Bernard**

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**Approval Date**



## City of Millersville Development Services

## BZA Agenda Item #7a

### Summary & Recommendation

**Date:** November 6, 2018

**Reviewer:** Michael Barr, Development Services Director

**Subject:** A Special Exception to allow a duplex on a parcel zoned Residential R-3 located at 146 Henry Rd aka SC Map 118 Parcel 114.08

**Background:**

The applicant is requesting a Special Exception to allow for a duplex on the subject parcel currently zoned Residential R-3. Duplexes are only permitted by Special Exception in Residential Districts.

***Duplex** means two attached household dwelling units separated by a common wall with separate entrances and under a common roof. Duplexes shall be held in single ownership on a single lot but may have separate utility services and connections.*

All development standards including minimum setbacks shall be maintained for the structure. The parcel's dimensions appear to provide for the construction of the requested duplex.

There are other duplexes located in the vicinity.

**Attachments:** Aerial Image of Subject Parcel

**Public Notice Sign Posted:** n/a

**Recommendation:** Approve this Special Exception request to allow a duplex on the parcel located at 146 Henry Rd and identified as SC Map 118 Parcel 114.08.

**Conditions, if any:** None.



# 146 Henry Rd Aerial



## SUMNER COUNTY, TENNESSEE

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: October 31, 2018

