



**City of Millersville Board of Zoning Appeals  
Meeting Minutes  
Tuesday, May 7, 2019 5:30 pm  
Millersville City Hall**

1. **Call to Order:** Vice Chairman Petty called the Meeting of the Board of Zoning Appeals to order at 5:40pm.
2. **Pledge of Allegiance:** Lead by Vice Chairman Petty
3. **Roll Call:** Lead by Secretary Mr. Bolton

**Present:** Mr. Larry Petty  
Mr. Gary Bolton  
Ms. Helen Nash

**Absent:** Ms. Sierra Munday

**Staff:** Mr. Michael Barr  
Mrs. Michelle Bernard

4. **Disclosure of Ex-parte Communications:** No comments were made by any of the members.
5. **Approve the Minutes of the Board of Zoning Appeals Meeting(s) for the following dates:**
  - a. **April 2, 2019:** Vice Chairman Petty requests the Board to approve the April 2, 2019 minutes. Secretary Bolton made the motion to "approve the April 2, 2019 meeting minutes as presented." Ms. Nash seconded the motion.  
**Motion carried by Unanimous Vote.**
6. **Introduction of newly appointed BZA Member Ms. Sierra Munday:** No introduction as Ms. Munday was absent.
7. **Public Comments (Limited to 3 minutes per speaker for item[s] on this agenda):**  
No comments were made.
8. **Action Items:**
  - a. **Nominations and Election of a Chairman to the Board of Zoning Appeals:**

Vice Chairman Petty called for nominations for Chairman. Secretary Bolton called to nominate Mr. Larry Petty as Chairman. **Motion carried by Unanimous Vote.**

Chairman Petty called for nominations for Vice Chairman. Chairman Petty called to nominate Ms. Helen Nash as Vice Chairperson.  
**Motion carried by Unanimous Vote.**

**Official Results:**

- a) **Chairman: Mr. Larry Petty**
- b) **Vice Chairperson: Ms. Helen Nash**
- c) **Secretary: Mr. Gary Bolton**

**b. Special Exception Request to allow for New and used motor vehicle sales, rental, leasing and repair at 1402 Louisville Hwy (SC 118 136.00):**

Mr. Barr stated that the applicant is requesting a Special Exception to allow for on-site sales of vehicles in conjunction with the existing auto salvage, used vehicle parts sales and vehicle repairs. At this time, the Ace Auto Salvage business is transporting repaired vehicle to a location in Madison for sale. The business owner desires to consolidate all business operations onto one site.

The owner has agreed to begin downsizing the salvage operation on this property. He has agreed to remove all salvage vehicles from the hillside that can be seen from the roadway. He intends to let these areas return to their natural state. Additionally, the owner proposes to reconfigure the business entrances and on-site parking and add a truck loading and unloading area away from the highway shoulder. Also, the owner proposes to remove all salvage vehicles from lower parking areas which can be seen from the highway. New fencing with fabric covers are proposed in areas not open to the public. Other site improvements are planned to bring the property into conformity including updating the stormwater system, cleaning up that property to become more visually appealing for their customers and the public traveling on Louisville Highway.

This parcel is zoned Industrial I-1 (Light Industrial). This property's commercial or industrial use is considered a "legal non-conforming use" as the salvage, parts sales and repair operations have been active since before the city adopted its current Zoning Ordinance in 1999 per T.C.A. 13-7-208. Also, it has been the practice of the city to allow for "less intense" uses in related zoning districts. In this case, a "commercial" use is allowed in "industrial" zoning districts.

The city's current Codes setting Standards and Restrictions for granting Special Exceptions for vehicle sales, repair, etc. are geared for new businesses on smaller parcels in commercial districts. The Board of Zoning Appeals has the authority to establish its own Standards and Restrictions but is cautioned to keep with the "spirit" or vision of the city and its businesses.

Mr. Barr is recommending approval of this Special Exception request to allow for vehicle sales at 1402 Louisville Hwy (SC 118 136.00) on the Condition that the

applicant shall complete the hard surface improvements including new pavement & rocked areas and stormwater system. New fences and any changed fencing shall be completed. And all salvage vehicles shall be removed from the hillsides visible from the highway before a Vehicle Sales Business License is issued by the City of Millersville.

Vice Chairperson Nash asked owner Ben & builder Brian if they were cleaning up behind all the cars taken down. Brian replied that they have cleaning crews going behind him to make sure everything is picked up. Secretary Bolton asked if they were planning on moving the fencing off the road, to which Ben & Brian both stated yes.

Chairman Petty calls for a motion for a Special Exception Request to allow for New and used motor vehicle sales, rental, leasing and repair at 1402 Louisville Hwy (SC 118 136.00) Vice Chairperson Nash made the motion to approve the special exception site plan. Secretary Bolton seconded the motion. Chairman Petty stated that this is conditioned upon the applicant completing the hard surface improvements including new pavement & rocked areas and stormwater system. New fences and any changed fencing shall be completed. And all salvage vehicles shall be removed from the hillsides visible from the highway before a Vehicle Sales Business License is issued by the city of Millersville. **Motion carried by Unanimous Vote.**

**9. Development Services Department Report**

**a. Planning & Zoning Activities:**

Mr. Barr presents the Board Members with a handout of the Development Services Department Report of recent updates pertaining to the City.

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

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

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

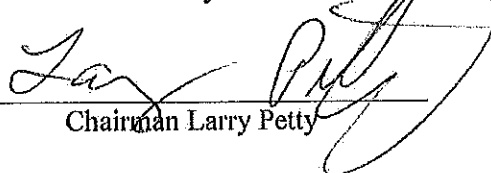
**13. Adjournment:**

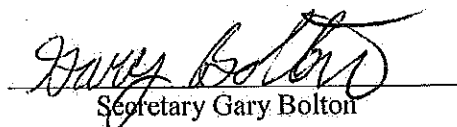
Vice Chairperson Nash makes the motion to adjourn.

Secretary Bolton seconded the motion.

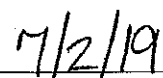
Meeting adjourned at 6:15pm.

**Motion carried by Unanimous Vote.**

  
Chairman Larry Petty

  
Secretary Gary Bolton

  
Recording Secretary Michelle Bernard

  
Approval Date