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# M E M O R A N D U M

## Rutherford County Regional Planning Commission

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**DATE:** January 18, 2013

**TO:** Rutherford County Public Works Committee and Board of Commissioners

**FROM:** Rutherford County Regional Planning Commission

**RE:** Public Hearing Scheduled for the Following Requests—to be heard at the **February 14, 2013** Board of Commissioners Meeting

The Rutherford County Regional Planning Commission acted on the following requests at its scheduled meeting on January 14, 2013:

### Planning Department - 13-A001 – Multiple Rezonings

Recommendation for **Approval** (9 for, 0 against)

1. Location: 5700 Epps Mill Road & Miller Road (Map: 156, Parcel: 47.00)  
Proposal: From RM to Employment & Activity Center (EAC)  
Commissioner: Joe Frank Jernigan
2. Location: Lascassas Pike (Map: 61, Parcel: 29.05)  
Proposal: From RM to Commercial Services (CS)  
Commissioner: Jack Black
3. Location: 8100 Franklin Road (Map: 94, Part of Parcel: 53.00)  
Proposal: From RM to Planned Unit Development (PUD)  
Commissioner: Tiffany Phillips
4. Location: West Jefferson Pike (Map: 26, Part of Parcel: 24.00)  
Proposal: From RM to Employment & Activity Center (EAC)  
Commissioner: Will Jordan
5. Location: 4024 Barfield Crescent Road (Map: 137, Parcel: 18.01)  
Proposal: From RM to Agricultural Residential (AR)  
Commissioner: Gary Farley
6. Location: 3199 Franklin Road (Tax Map: 920, Group: A, Parcel: 17.00)  
Proposal: From RM to Office Professional (OP)  
Commissioner: Gary Farley
7. Location: 2887 Barfield Road (Tax Map: 124, Parcel: 15.00)  
Proposal: From RM to Rural Center (RC)  
Commissioner: Gary Farley



# Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: February 14, 2013

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Case Number:	13-A001
Planning Commission Recommendation:	<b>APPROVE (9 For, 0 Against)</b>
Request by:	Planning Department
Commission Districts:	2 (Jack Black), 3 (Will Jordan), 6 (Joe Frank Jernigan), 7 (Gary Farley), and 8 (Tiffany Phillips)

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## Background

The Planning Commission recommended approval of the new Zoning Ordinance and Map on August 13, 2012. On November 15, 2012, the Board of Commissioners voted to approve the new zoning effective January 1, 2013. During the approval process, the new Zoning Map was a static document that could not be amended.

Several rezoning requests that were processed during this time now need to be properly shown on the new Zoning Map. There are seven applications in all that are being combined and sent through the rezoning process again.

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## Details about Previous Applications and Proposed New Zones

- 1) Application 12-A009 by Rhodes Development was approved by the Board of Commissioners on August 16, 2012. The property was rezoned to Industrial with a list of commercial and industrial uses.  
Location: 5700 Epps Mill Road & Miller Road  
Map: 156, Parcel: 47.00  
Size of Site: Approximately 84 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Employment and Activity Center (EAC)
  - 2) Application 12-A010 by Montgomery Turner was approved by the Board of Commissioners on August 16, 2012. The property was rezoned to Services with a list of commercial uses.  
Location: Lascassas Pike  
Map: 61, Parcel: 29.05  
Size of Site: Approximately 5.67 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Commercial Services (CS)
  - 3) Application 12-A011 by Springhouse Development, LLC was approved by the Board of Commissioners on November 15, 2012. The property was rezoned to the Planned Unit Development District to allow a PUD called Nature Walk.  
Location: 8100 Franklin Road
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Map: 94, Part of Parcel: 53.00  
Size of Site: Approximately 74.95 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Planned Unit Development

- 4) Application 12-A012 by G & B Partnership was approved by the Board of Commissioners on October 11, 2012. The property was rezoned to Industrial with a list of commercial and industrial uses.

Location: West Jefferson Pike  
Map: 26, Part of Parcel: 24.00  
Size of Site: Approximately 187.6 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Employment and Activity Center (EAC)

- 5) Application 12-A013 by Dave Shupe was approved by the Board of Commissioners on October 11, 2012. The property was rezoned to Agricultural Services for an agricultural paint sales store.

Location: 4024 Barfield Crescent Road  
Map: 137, Parcel: 18.01  
Size of Site: Approximately 54 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Agricultural Residential (AR)

- 6) Application 12-A014 by Nidal Abbas was approved by the Board of Commissioners on December 13, 2012. The property was rezoned to Services for a professional office space or beauty salon.

Location: 3199 Franklin Road  
Tax Map: 92O, Group: A, Parcel: 17.00  
Size of Site: approximately 0.45 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Office Professional (OP)

- 7) Application 12-A015 by Lucas Nemeth was approved by the Board of Commissioners on December 13, 2012. The property was rezoned to Services with a list of commercial uses.

Location: 2887 Barfield Road  
Tax Map: 124, Parcel: 15.00  
Size of Site: approximately 6 acres  
Existing Zoning: Medium Density Residential (RM)  
Proposed Zoning: Rural Center (RC)

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### **Staff Recommendation**

Staff recommends approval. These requests have all been approved by the Planning Commission and Board of Commissioners in the last six months. The new proposed zones

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were chosen to best fit the recommendations from the Comprehensive Plan and the uses previously requested by the applicants.

The new proposed zones were included in each of the previous staff reports so that the applicant and the commission would be aware the changes to be made in the future.

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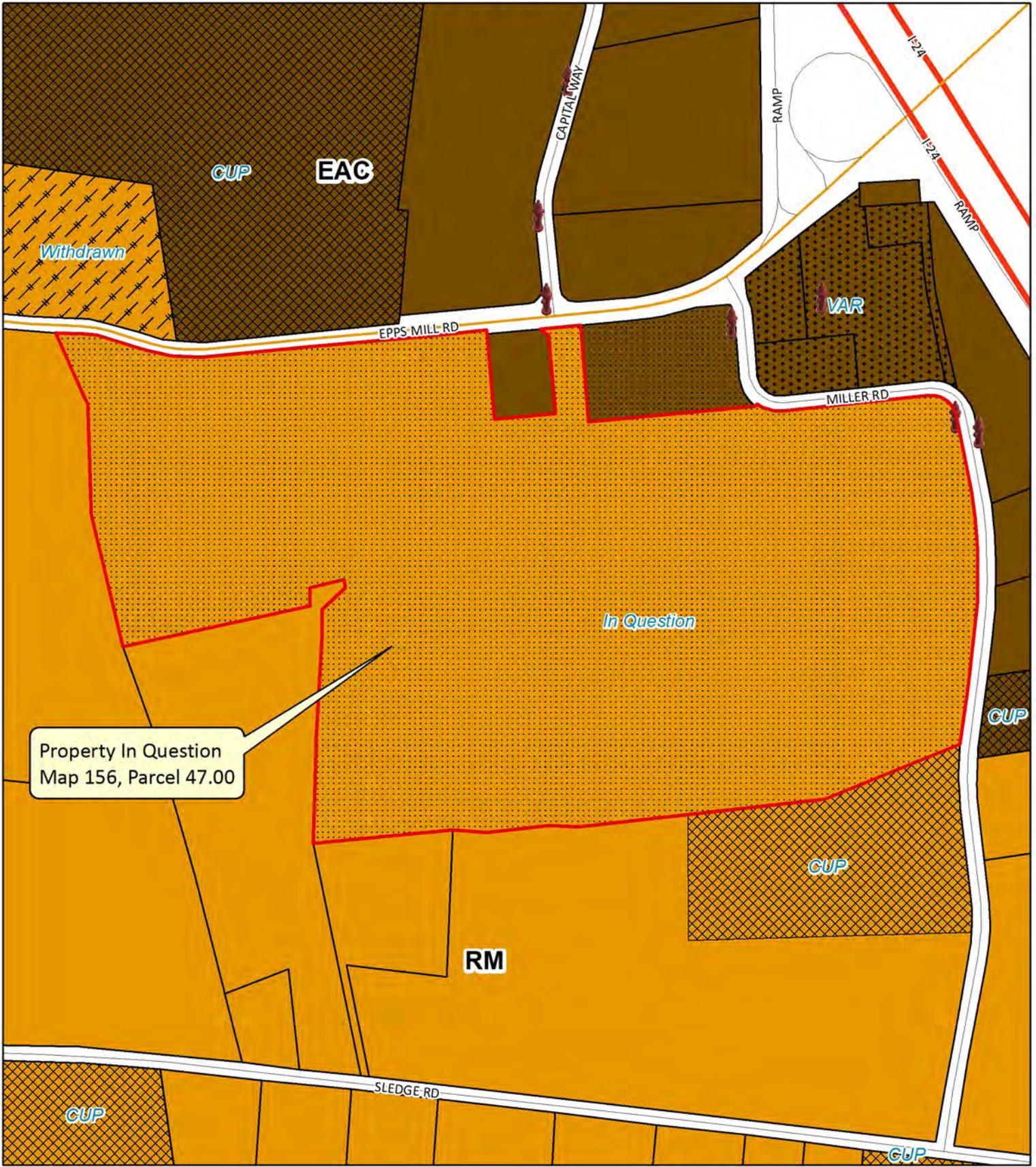
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## **Attachments**

Zoning Maps

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# 13-A001



Property In Question  
Map 156, Parcel 47.00

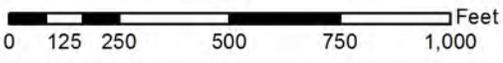
 In Question

### ZONING COMMENTS

-  In Question
-  Conditional Use Permit
-  Variance
-  Withdrawn

### ZONING

-  RM
-  EAC



# 13-A001



Property In Question  
Map 61, Parcel 29.05

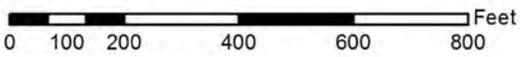
 In Question

### ZONING COMMENTS

-  Conditional Use Permit
-  TCUP

### ZONING

- |   |   |
|---|---|
|  |  |
|  |  |



# 13-A001



Property In Question  
Part of Map 94, Parcel 53.00

**RM**

*In Question*

*CUP, VAR*

*CUP*

*VAR*

### ZONING COMMENTS

 In Question

 In Question

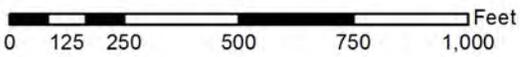
 Conditional Use Permit; Variance

**ZONING**

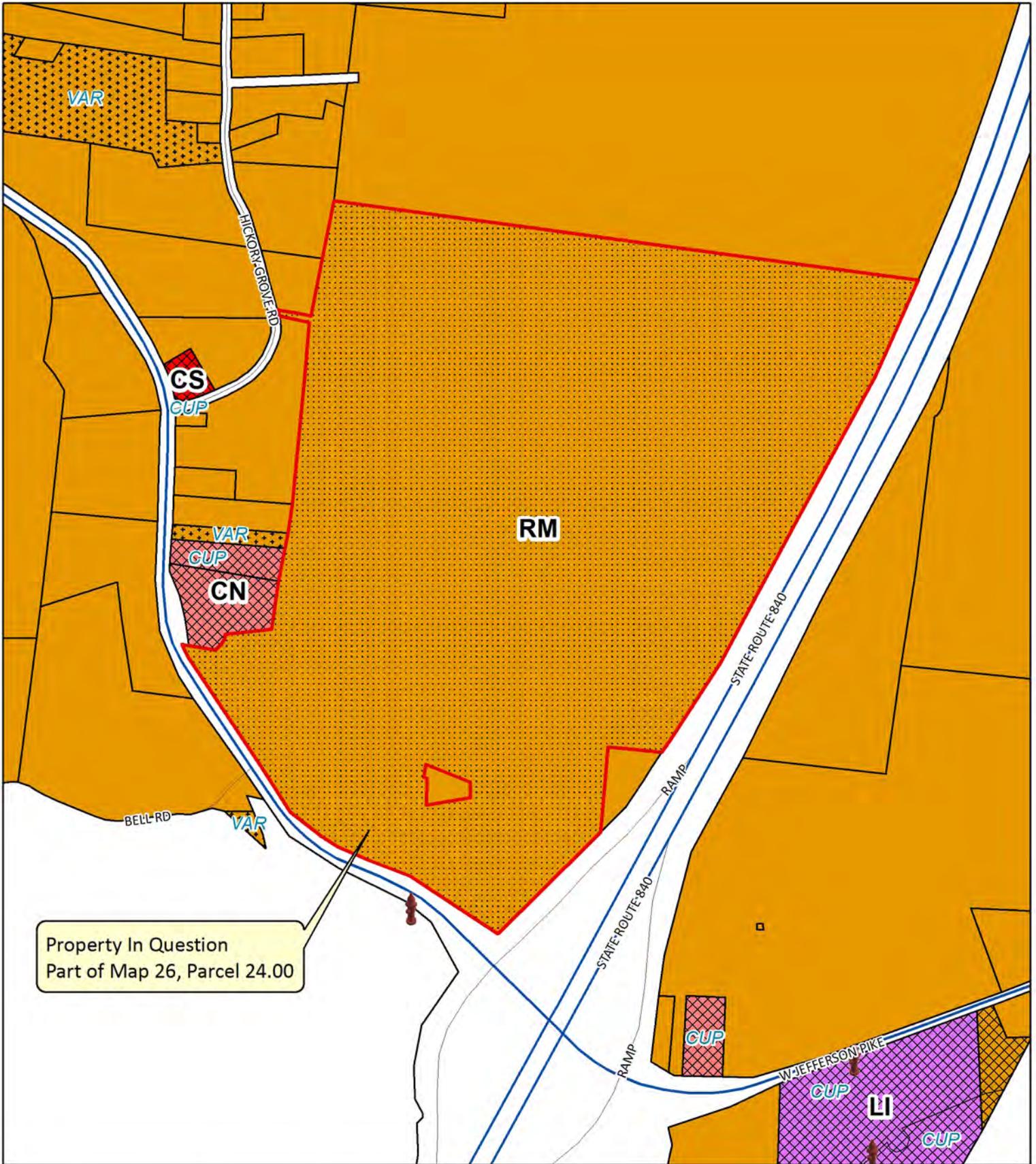
**RM**

 Variance

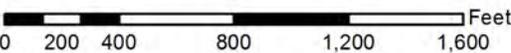
 Conditional Use Permit



# 13-A001



Property In Question  
Part of Map 26, Parcel 24.00

	 In Question	 In Question	 Conditional Use Permit; Variance	<b>ZONING</b>  RM  CN  CS  LI
	 Variance	 Conditional Use Permit		
				

# 13-A001



Property In Question  
Map 137, Parcel 18.01

**RM**

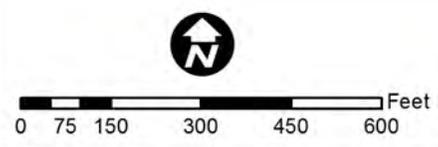
*CUP*

*In Question*

BARFIELD CRESCENT RD

WEBB RD

ADCOCK RD



 In Question

**ZONING COMMENTS**

 In Question

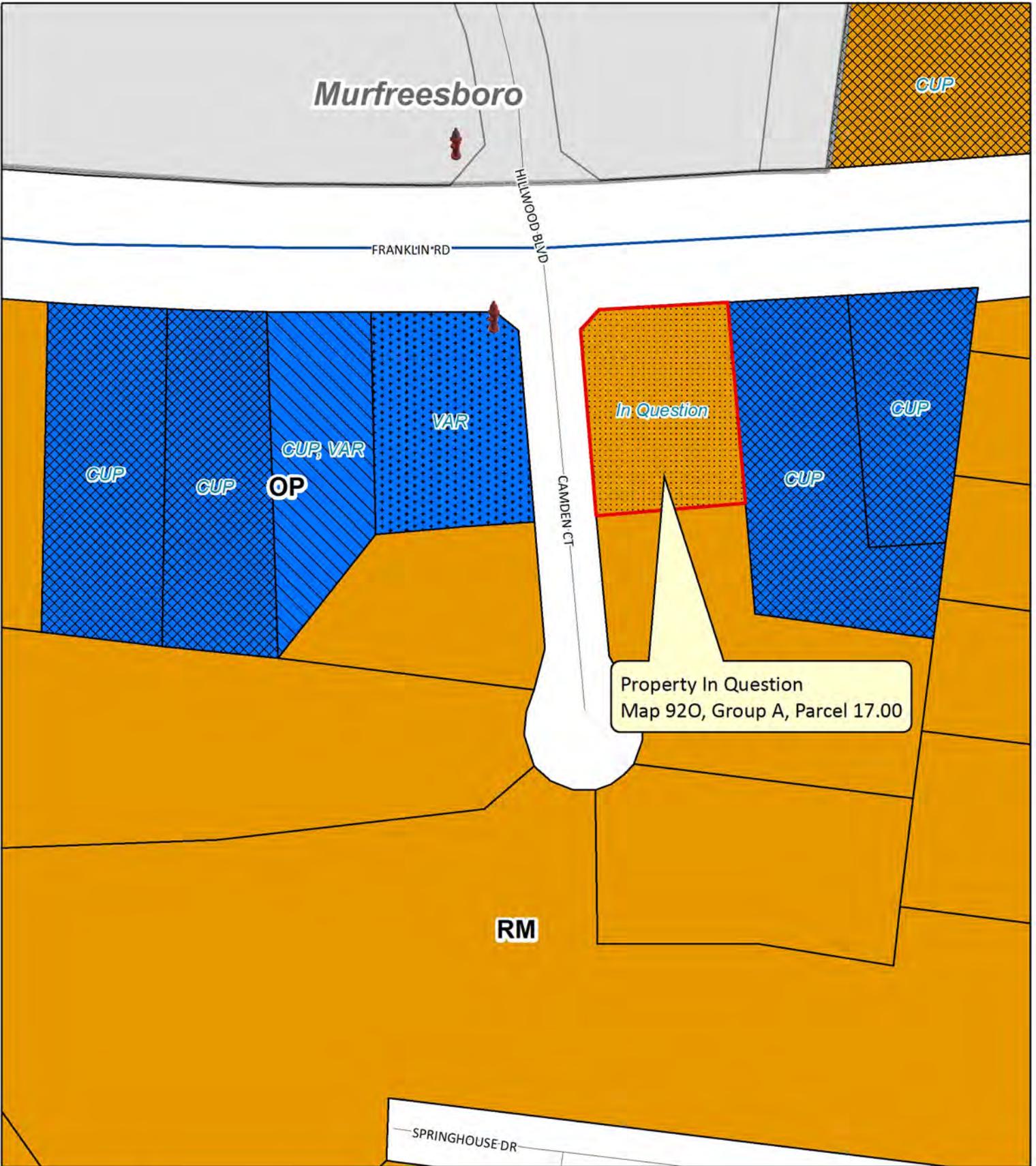
 Conditional Use Permit

**ZONING**

**RM**

# 13-A001

Murfreesboro



Property In Question  
Map 920, Group A, Parcel 17.00



 In Question

 In Question

 Variance

### ZONING COMMENTS

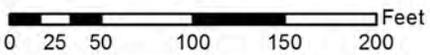
 Conditional Use Permit

 Conditional Use Permit;  
Variance

### ZONING

 RM

 OP



# 13-A001



	 In Question	<b>ZONING COMMENTS</b>		<b>ZONING</b>  
		 In Question	 Conditional Use Permit	
		 Variance	 Conditional Use Permit; Variance	



## RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting, January 9, 2013

Location: Commission Chambers, 2<sup>nd</sup> Floor, Historic Courthouse

### AGENDA

- I. Call to Order: 4:30 PM
- II. Invocation
- III. Pledge of Allegiance
- IV. Deferred Items
  - A. **Avent Lane and Gerald Sullivan – BZA 2013-004**

Appealing the determination of the Planning Director that the Rogers Group's activities at 5920 Burnt Knob Road are a non-conforming use as defined by State and County Law, the Chief Building Official's decision not to cite Rogers Group and Jenny Justice, Property Owner, for violating the Rutherford County Zoning Resolution and the Rutherford County Regional Planning Commission's approval of the Rogers Group Site Plan at their December 10, 2012 meeting.
- V. Roll Call & Determine Quorum
- VI. Approval of December 12, 2012 Meeting Minutes

**MOTION TO APPROVE**  
**Motion Carried – Unanimous Voice**  
**DECEMBER 12, 2012 Minutes were Approved**
- VII. Old Business
- VIII. New Business
  - A. **Steve Jensen – BZA 2013-001**

Location: 107 Peters Court, Map No.:124K, Group: A, Parcel: 50.00, Request for variance relief to reduce the front yard setback to 20' for a property located in the RM- Medium Density Residential zoning district.

**MOTION TO APPROVE AS PRESENTED BY STAFF**  
**Motion Carried (3 For, 2 Against)**  
**Request was Approved**
  - B. **James P. Wandling – BZA 2013-002**

Location: 8695 Del Thomas Road, Map No.:54, Parcel: 29.07, Request for a special exception approval for an accessory dwelling unit that does not meet the design standards for ADUs for a property located in the RL- Low Density Residential zoning district.

**MOTION TO APPROVE AS PRESENTED BY STAFF**  
**Motion Carried (5 For, 0 Against)**  
**Request was Approved**

C. **George D. Pack – BZA 2013-003**

Location: 3808 Woodbury Pike, Map No.:104, Parcel: 122.03, Request for special exception approval to allow the establishment of a major home-based business permitting the storage of business vehicles used in association with garbage collection in the RM- Medium Density Residential zoning district.

**MOTION TO DENY Due to negative impact on property, traffic and safety concerns**

**Motion Carried (4 For, 1 Against)**

**Request was Denied**

IX. Adjourment