



The Columbia Board of Zoning Appeals will meet on Thursday, December 11, 2025 at 9:00 AM in Council Chambers on the basement level of City Hall, 700 N. Garden Street, to consider the following:

- I. Roll Call
- II. Approval of Minutes
- III. Public Comments
- IV. New Business
 1. Request from 9th & Main LLC for Variance approval regarding Screening requirements in Article 4 Table 4.3.1.J for a SD-LI (Light Industrial Special District) property located at [200 Cemetery Avenue, being Tax Map 99I Group D Parcel 25](#).
- V. Other Business
 1. Election of Officers
- VI. Adjourn

Anyone requesting accommodations due to disabilities should contact the City's ADA Coordinator at 931-560-1570 prior to the meeting.

The 2025 meeting schedule can be found on the City of Columbia Board of Zoning Appeals webpage.

For other questions, please contact the Department of Development Services at 931-560-1560.



CITY OF COLUMBIA TENNESSEE
 BOARD OF ZONING APPEALS
 STAFF REPORT

CONTACT INFORMATION

Austin Brass, AICP abrass@columbaitn.gov 931-560-1545

DOCKET/CASE/APPLICATION
 NUMBER

25-0421

APPLICANT/ PROPERTY OWNER

9th & Main LLC, Sam Gray

PUBLIC HEARING DATE

December 11th, 2025

PROPERTY ADDRESS/LOCATION

200 Cemetery Ave

REQUEST: Variance to allow for Chain Link Fencing at Frontage of property within an SD-LI Zoning District & Relief of Screening Requirement for the use of outdoor storage on site.



Existing Zoning:	Existing Land Use:	Surrounding Zoning/Land Use:	Site Improvements	Lot Size:
SD-LI	Vacant Lot	SD-LI/ Single-Family Residential	N/A	.72+/- acres

REVIEW STATUS:

- The Zoning Ordinance requires all fencing within an SD-LI District to be chain link at the sides and rear only. Natural wood, brick, stucco over masonry, and wrought iron or aluminum are the permitted fence types located at the frontage of a property. The applicant seeks to utilize chain link at the frontage of the property as installed. In addition, fencing materials are required to be a maximum height of 4ft at the frontage. The applicant has installed a chain link fence that is 5ft in height at the frontage and thus seeking relief from this required standard. *See Exhibit 2.*
- The Zoning Ordinance requires as a standard for the use of Outdoor Storage where permitted to be at least 15 ft from a public right-of-way and any abutting residential use. In addition, the ordinance requires that areas utilized for outdoor storage should be screened from view from the public right-of-way. The SD-LI Zoning district allows



screening to consist of a wall screen or hedge screen at the frontage of a site. Materials for a hedge screen are required to consist of evergreen plants with a min 80% opacity or a brick, natural stone or stucco over masonry wall. The applicant has requested to seek relief from this standard for the use of outdoor storage on the subject property by not installing the required screening for such proposed use. *See Exhibit 3.*

REVIEW & ASSESSMENT:

8.5.16. L VARIANCE REQUIREMENTS

1. Standards:

The Board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

- a. That by reason of exceptional narrowness, shallowness, or shape of a particular piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other exceptional and extraordinary situation or condition of such piece of property, the strict application of any regulation contained within this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of such property.
- b. That the Variance is the minimum Variance necessary so as to relieve such difficulties or hardship and thereby make possible the reasonable use of the land, Building, or Structure.
- c. That the Variance will not authorize uses or activities in the applicable District other than those permitted by this Ordinance.
- d. That financial return alone shall not be considered as a basis for granting a Variance.
- e. That the granting of the Variance will not be substantially detrimental to the public good or substantially injurious to other property or improvements in the area in which the subject property is located, and will not substantially impair the intent and purpose of the general provisions of the City's zone plan and this Ordinance.
- f. That the proposed Variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.
- g. That the alleged difficulty or hardship has not been caused or created by the act or omission of the applicant or any person having an interest in the property

2. Notwithstanding anything to the contrary contained or implied in Section 8.5.16.L.1, **none of the following shall be deemed or considered to be, or be considered in making a determination whether strict compliance with this Ordinance presents, a peculiar and exceptional practical difficulty** to or exceptional or undue hardship upon the owner of property:



CITY OF COLUMBIA TENNESSEE
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STAFF REPORT

- a. Pecuniary considerations
 - b. Aesthetic considerations
 - c. Historic Preservation
 - d. Public good
 - e. Over-compliance with other provisions of this Ordinance
 - f. Personal Situations
 - g. Proximity to inconsistent or incompatible Uses or Development
 - h. Other Variances that have been granted
 - i. Nonconformities
 - j. District boundaries
 - k. Conditional Uses or Uses Permitted Subject to Limited Use Standards; or
 - l. Deterioration of surrounding area
3. Neither any Nonconforming Use of neighboring lands, Structures, or Buildings in the same District, nor any non-permitted or Nonconforming Use of lands, Structures, or Building in other Districts shall be considered grounds for the issuance of a Variance.
 4. Under no circumstances shall the Board of Zoning Appeals grant a Variance to allow a Use that is not permissible under this Ordinance in the applicable District, or any Use which is expressly or by implication prohibited by the terms of this Ordinance in said District.
 5. The Board of Zoning Appeals may impose such conditions and restrictions upon the premises benefited by a Variance as may be necessary to comply with the provisions set out in Sections 8.5.16.L.1 above to reduce or minimize the injurious effect to such Variance upon surrounding property and better carry out the general intent of this Ordinance. The Board of Zoning Appeals may establish expiration dates as a condition or as a part of any Variances.
 6. The additional requirements of Sections 8.5.16.L.6.a -.c following shall apply to all applications for approval of any Variance from the provisions of Section 6.12:
 - a. Each application for a Variance shall reflect the type of Structure(s) for which the Variance is sought, the size of such Structures, the approximate location upon the parcel and the intended use thereof.
 - b. Due to the extreme hazardous conditions within the floodway and the effect of obstructions to upstream Structures, no Variance shall be issued within the designated Floodway District which would result in any increase in flood levels during the regulatory flood discharge.
 - c. Any applicant to whom a Variance is granted shall be given notice that the proposed Structure will be located in the flood prone area, but the Structure will be permitted to be built with a lowest flood elevation of the number of feet approved by the Variance below the regulatory flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced first floor



elevation, and all subsequent purchasers shall be notified in writing, and same shall be set out in any deed or other writing issued to subsequent purchasers, lessees, mortgagors or vendees.

7. Any person, including without limitation any agency of the City, who is aggrieved by a decision of the Board of Zoning Appeals on a Variance, may appeal by *certiorari* to a court of competent jurisdiction. The judgment and findings of the Board of Zoning Appeals on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Ordinance shall be final and subject to review only for illegality or want of jurisdiction.

STAFF ANALYSIS:

Staff has reviewed this variance request in relation to section 8.5.16.L and finds the following:

Self-Created Hardship (Criterion g & a): The alleged difficulty or hardship is directly and entirely caused by the applicant's actions. The fence has been installed, without staff knowledge or approval, at the frontage, not meeting the fence standards described for an SD-LI district. In addition to the requirements for not applying the proposed screening for outdoor storage is by choice of the applicant. Both of these items have no direct correlation by reason of exceptional narrowness, shallowness, or shape of a particular piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other exceptional and extraordinary situation or condition of such piece of property, and thus staff recommends denial of this request.

PUBLIC NOTICE

Public notice was properly given with the item being advertised as part of the Board of Zoning Appeals agenda in the *Main Street Maury* newspaper on October 29, 2025. Certified letters to this Public Hearing were also mailed to adjoining property owners on October 29, 2025.

RECOMMENDATION:

DENY

Recommended Motion [Deny]:

Move to deny the requested variance, having found that the variance criteria listed in the City of Columbia Zoning Ordinance have not been sufficiently and fully satisfied.

Alternative Motions:

Motion [Approve]:

Move to find, based on the evidence presented by the applicant and the analysis provided by city staff, that all seven variance criteria listed in the City of Columbia Zoning Ordinance have been sufficiently and fully satisfied and grant the requested variance.



Alternative Motion [Approve Subject to Conditions]:

Move to find that all seven variance criteria listed in the City of Columbia Zoning Ordinance have been sufficiently and fully satisfied and grant the requested variance subject to the following conditions: *[list conditions of approval]*.

Alternative Motion [Defer]:

Move to find that there is insufficient information to make a decision, continue the hearing, and request that the [applicant/staff] provide: *[list additional information]* for review at a future meeting.

When issuing a decision of the board of zoning appeals, the board shall inform, in writing, the parties to the proceeding of their right to seek judicial review of the board's decision pursuant to title 27, chapter 9. (this judicial review is a writ of certioraris).

Below are excerpts of Zoning Ordinance 4400 that outline the requirements for outdoor storage under Article 4 that indicate outdoor storage shall be screened from view from the public right-of-way. Exhibit 1 indicates the limited use of outdoor storage standards in which the applicant proposes for the site. Exhibit 2 indicates the screening requirements and location noting wall screens & hedge screens are required for screening at frontage of sites. As noted, a fence screen is not permitted. Exhibit 3 indicates the requirements for fencing if utilized in an SD-LI district that notes that chain link is not permitted at the frontage of any site.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

gg. **Outdoor Display** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. Outdoor Display shall be permitted only through the Administrative Adjustment process in Section 8.5.8.
2. A binding site plan illustrating the extent of the permitted area for outdoor display shall be required.
3. Vehicles for sale, lease or rent as part of a properly permitted Use (including boats and manufactured housing) shall not be considered merchandise, material or equipment subject to the restrictions of this Section.
4. Plant material at a Plant Nursery or Plant Nursery with Landscape Supply shall not be considered merchandise, material or equipment subject to the restrictions of this Section.
5. Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this Section.
6. Temporary uses permitted by these zoning regulations are not subject to the requirements of this Section.
7. The requirements of this Section do not supersede any previously issued Conditional Use or special exception for outdoor display or storage.
8. The outdoor location of soft drink or similar vending machines shall be considered outdoor display where the location is visible from Adjacent Residential Development.
9. Outdoor acceptance of payment or other remittance (including cash registers or similar devices) shall not be permitted, except for activities permitted through a Temporary Use permit.

hh. **Outdoor Recreation** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The use shall have direct access from a major or minor thoroughfare.
2. Food sales shall be provided for patrons of the recreational activity only.
3. Passive recreational activities may use alternative Parking surfaces as approved by the City engineer.

ii. **Outdoor Storage**, where permitted by this Ordinance, shall be located at least 15 feet from the public right-of-way and any Abutting Residential Use or Residential District. All areas utilized for outdoor storage should be screened from view from the public right-of-way.

Exhibit 1



SD-LI TABLE 4.3.1-J DISTRICT STANDARDS
LIGHT INDUSTRIAL SPECIAL DISTRICT

Screens, Street-Screens & Buffers

Height	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Exhibit 2

SD-LI TABLE 4.3.1-J DISTRICT STANDARDS
LIGHT INDUSTRIAL SPECIAL DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Façade if 1st Layer id > 3 ft. deep, plus if 1st Layer is > 15 ft. deep, 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16

Walls & Fencing (not including Screens)

Height 3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line

Construction Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody

Maintenance Must be well maintained, in upright condition and free of missing or broken parts and graffiti

Materials

Natural Wood	P only picket type allowed at Frontage; other types allowed at sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/ Razor/ Concertina Wire	P at sides and rear only & only if not Adjacent to Residential Use
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Exhibit 3

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Cemetery St

synergy
1-800-451-7800





FUGMILL
SYSTEMS

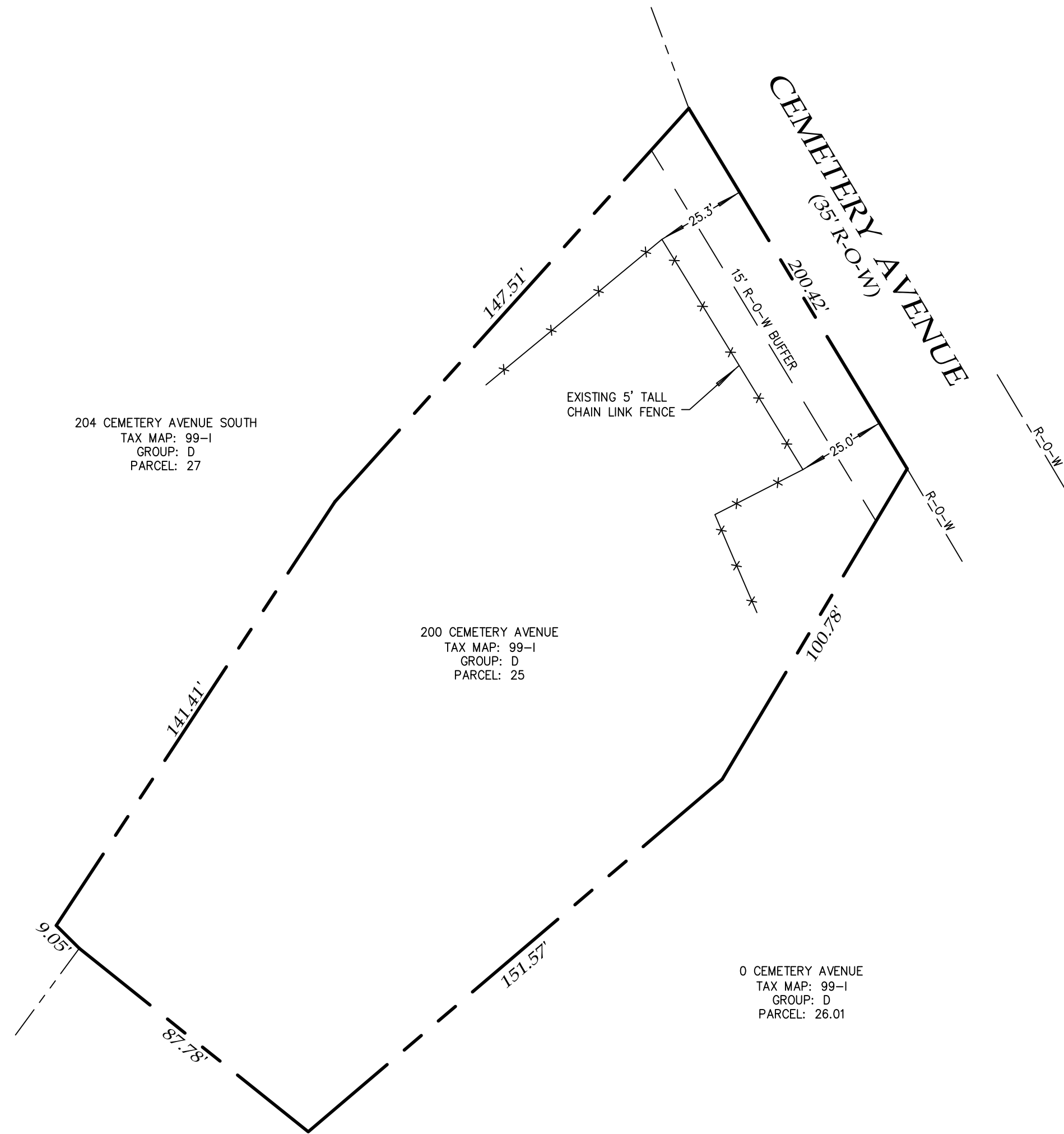




PUGMILL
SYSTEMS



Case #25-0421
200 Cemetery Ave.



204 CEMETERY AVENUE SOUTH
 TAX MAP: 99-1
 GROUP: D
 PARCEL: 27

200 CEMETERY AVENUE
 TAX MAP: 99-1
 GROUP: D
 PARCEL: 25

0 CEMETERY AVENUE
 TAX MAP: 99-1
 GROUP: D
 PARCEL: 26.01

AS-BUILT FENCE INSPECTION

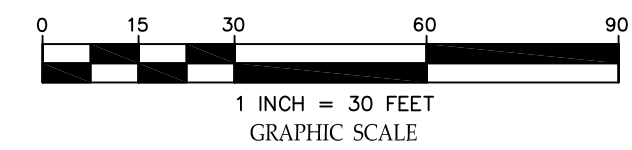
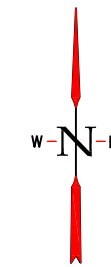
PROPERTY ADDRESS: 200 CEMETERY AVENUE, COLUMBIA, TN 38401.

PROPERTY DESCRIPTION: TRACT 10, PUGMILL SYSTEMS, INC.

RECORDED: PLAT BOOK 21, PAGE 463, R.O.M.C., TENNESSEE.

COUNTY: MAURY

TAX MAP: 99-1 GROUP: D PARCEL: 25



SHEET: 1 OF 1
 DATE: 9-26-25
 FILE NUMBER: 5262



P.O. Box 3447 Brentwood, Tennessee 37024
 voice: 615-837-1595 email: mail@edgroup.co

REQUIREMENTS FOR A VARIANCE
Section 8.5.16.L of the City of Columbia Zoning Ordinance

The Board of Zoning Appeals shall not grant a variance unless it makes a finding, based on the evidence presented, that all of the following seven criteria are sufficiency and fully satisfied.

*The BZA cannot, by law, consider financial or personal matters
in the justification of any of the seven criteria.*

Please demonstrate how your request satisfied each of the following:
(You may use this sheet or attach separate pages)

<p>a. That by reason of exceptional narrowness, shallowness, or shape of a particular piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other exceptional and extraordinary situation or condition of such piece of property, the strict application of any regulation contained within this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of such property.</p> <p>Property at 200 Cemetery Ave is covered in rock and unable to plant landscape buffer.</p>
<p>b. That the Variance is the minimum Variance necessary so as to relieve such difficulties or hardship and thereby make possible the reasonable use of the land, Building, or Structure.</p> <p>We are attempting to provide solutions that would be both acceptable to ourselves and the city by installing a screen, similar to one in a much more visible area, on our property in lieu of planting a landscape buffer which will inevitably perish.</p>
<p>c. That the Variance will not authorize uses or activities in the applicable District other than those permitted by this Ordinance.</p> <p>We are not requesting unauthorized activities.</p>

d. That financial returns alone shall not be considered as a basis for granting a Variance.

Financial returns are not the basis, merely common sense compromise to current zoning requirements in an area that is similar in nature to surrounding properties.

e. That the granting of the Variance will not be substantially detrimental to the public good or substantially injurious to other property or improvements in the area in which the subject property is located, and will not substantially impair the intent and purpose of the general provisions of the City's zone plan and this Ordinance.

The granting of this variance will improve the current state of the area and go above and beyond current requirements of the zoning by including an additional 100' screen to the right of the property.

f. That the proposed Variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.

There is no light or air, or substantial increase of congestion in the public streets, or increase the danger of fire, or endanger the public safety.

g. That the alleged difficulty or hardship has not been caused or created by the act or omission of the applicant or any person having an interest in the property.

The hardship has not been caused or created by the act or omission of applicant or any person having interest in the property.

