



The Columbia Board of Zoning Appeals will meet on Monday, March 27, 2023 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

1. January 2023

III. Old Business

IV. New Business

1. Case #23-0047 Request from Adam Crunk for a variance regarding outdoor display standards at [Tax Map 75 Parcels 11.04 and 31.01](#) off Nashville Highway.

Documents:

1. All Documents
 2. Location Map
2. Case #23-0084 Request from Bristol Development for exception to the amount of required commercial frontage along East 7th Street for property at 714 Woodland Street.

V. Other Business

1. Case #23-0026 2022 BZA Annual Report

Documents:

1. BZA_2022_Report

VI. Adjourn

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

The 2023 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
BOARD OF ZONING APPEALS
January 19, 2023

CALL TO ORDER:

Chairman Jimmy Dugger called the January meeting of the Board of Zoning Appeals for the City of Columbia to order at 9:00 a.m. The meeting was held in the Council Chambers at City Hall.

ROLL CALL:

All present and included the following:

Present were: Mr. Eddie Ables
Mr. Jimmy Campbell
Mr. Jimmy Dugger
Ms. Kristi Martin
Mr. George Vrailas

Other attendees: Mr. Austin Brass, City Planner
Mr. Glenn Harper, City Engineer
Mrs. Sandra J. Richardson, Secretary
Mrs. Melissa Sanders, Planning Associate I

APPROVAL OF MINUTES:

The December minutes were presented for approval. Mr. Ables moved to approve the minutes, with Mr. Vrailas seconding. Motion to approve passed five to zero.

AGENDA ITEM #3

Case #22-0183

Request from Jimmy Fleming, Jr. on behalf of Vulcan Land Inc. for Conditional use approval in order to permit the expansion of an existing extractive use (a mining operation) at Tax Map 66 Parcels 20.25 and 20.26.

Staff Review:

Mr. Brass presented the details of the staff report. This is a case of the Vulcan Quarry that has existed for quite some time. They are proposing to expand operation on an adjacent parcel. Staff did meet with the applicant on Tuesday, to discuss the condition of approval. Going over the changes condition number two, that the applicant installs a landscaped berm or other physical barrier along the eastern boundary of the site that, as determined by the Zoning Administrator, equals or exceeds the all-seasons buffering accomplished by the .80 capacity Alternative three. The previous condition had a wall, and in discussing with the applicant the wall was not seen as a conducive, they agreed that maybe the berm could better achieve the requirement. The other change is condition number eight, the applicant provides an automatically-renewing financial surety in the

City of Columbia
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January 19, 2023

amount of \$62,000 no later than February 28, 2023 that is deemed satisfactory by the City Attorney and the City Engineer in form, sufficiency, and manner of execution. This change just changes the date and some of the language that the zoning code had in the definition of bond and per the City Engineer a surety is more accepted. Condition number nine is the applicant ensures the financial surety does not expire prior to February 28, 2029. Condition number ten, the applicant executes an agreement to make all improvements necessary to realign Columbia Rock Road and install a signal at the intersection of Nashville Highway before February 28, 2024; the applicant shall coordinate with the City Engineer, Zoning Administrator, and City Attorney to establish the exact scope of work and financial commitment; the applicant shall provide financial surety in a form acceptable to the City Engineer and City Attorney to ensure these improvements are completed; the City Engineer is authorized to grant sixty-day extensions of this deadline provided the applicant is working expeditiously; cumulative extensions shall not exceed 180 days without Board approval. This condition does allow the City Engineer to grant extension if the applicants do have some delays in the process of working out the agreement. Condition number eleven, the Conditional Use approval shall become effective on March 1, 2023, provided the Zoning Administrator or his designee determine that all other conditions of approval have been met; execution of a binding Memorandum of Understanding to perform required tasks shall be sufficient to establish the proposed use. Condition twelve, the Conditional Use approval shall expire on February 28, 2028. Condition thirteen, the Conditional Use approval shall automatically renew for a period of five years, for up to four renewals, provided the Zoning Administrator finds that operation remains in compliance with these conditions, and that the Conditional Use approval shall expire on February 28, 2048, at which time the mining operation must cease, absent approval of an extension by the City of Columbia Board of Zoning Appeals. Staff is going to grant an automatic renewal for four times up to five years. That puts a twenty-five year allowance without coming back to the Board of Zoning Appeals.

Discussion and Motion:

Mr. Jim Murphy, Vulcan Attorney, and Jimmy Fleming, Jr., Vice President of permitting for Vulcan Materials, were present to answer questions. Mr. Jim Murphy the attorney for Vulcan, expressed his appreciation working through the delays. He also stated that they met with staff on Tuesday to discuss some of the concerns. They are fully supportive of the changes. Discussion included traffic study, right-of-way, rough graded road, total cost, the apartments project, road separates, design and construct the road, the result of this will be a much better intersection for the community, Vulcan is looking at running out of rock, transportation, 33,000 truck load of rock, having rock in close proximity, meeting requirements under the Ordinance, address concerns, this Quarry has been there a long time, safety, no increase of traffic, and increase of duration. Mr. Jimmy Fleming stated that they want to continue to work with the City on this project. Mr. Vrillas stated right now with the traffic at the first light that you come to which is

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Burt Drive, today it backs up way past that light. If you have a light there when you are turning right you are turning into already stopped traffic. He is wondering how that is going to be resolved. Mr. Glenn Harper, City Engineer, stated that the signals are closer than staff typically desires. Staff will coordinate the signals to run together, so they will work together. It is a coordination of things that will take some time to work out, but overall it is much more beneficial than not having the signal. Further discussion included James Campbell, modernization grant, signal coordination improvements, a unit that communicates signal to signal, and safety. Ms. Martin asked staff if they feel that the measures that have been called forward will satisfy. Mr. Brass stated that he does confidently with the acceptance of the traffic signal. Currently there are trucks coming from the Rock Quarry utilizing Nashville Highway, and Bear Creek Pike regardless of this expansion. Therefore, with the new traffic signal it will help with safety from the trucks pulling onto Nashville Highway, likewise other auxiliary traffic that would use the corridor to have a safer means of reaching Nashville Highway. Further discussion included timing on the traffic study, timeline for the thirty-three thousand, loads, they have been shipping material to that area for a long time, shipping between four hundred to six hundred tons per year, the number of trucks, the left hand turn on Nashville Highway is difficult to do, and safety. Ms. Martin asked about the operational hours if they are Monday through Friday, or seven days a week. Mr. Fleming stated the typical hours would be Monday through Friday, with maintenance on Saturday with the typical hours seven to five, and in the summers when things get busy they may go until seven. Ms. Martin asked if the road construction measures would be completed prior to the expanded mining operation. Mr. Brass stated yes, and keep in mind that the staff report does allow the City Engineer to make an extension if there is a situation where there is a delay in mast heads for traffic equipment. Further discussion included accessing more reserves that are next to them, and trucks move at demand. Mr. Vrailas asked why is the conditional approval on March 1, 2023, but they need to have that intersection completed by February 20, 2024, shouldn't it be the opposite. Shouldn't they get that in first before you give them the conditional use. Mr. Brass stated that the conditional use would be effective, but the road would have to be put in as an agreement of the condition of use. The road wouldn't necessarily come first, and then they would ask for the condition of use. With this building they would have to have the road in before the operations begin. Mr. Vrailas stated the conditional use that is just giving them permission to start on the intersection first. Mr. Brass stated that is correct, that is the agreement. Mr. Vrailas stated that they cannot do anything else until that road is complete. Mr. Brass stated that is correct. The applicant stated that the condition of use does allow them to get the further permits that they need from the state in order to eventually operate. That is a TDEC thing. Mr. Vrailas stated that is just permits. The applicant stated correct. Further discussion included construction of the berm on the site, truck projections, moving four hundred to six hundred thousand per year access twenty thousand load per year, roughly twenty-three tons or a little over, and each truck carries about twenty-three tons. Further discussion included a thirty

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January 19, 2023

day extension, and sixty day extension up to one hundred and eighty days. Mr. Vrailas stated as of now they can only operate in their current position until that road is complete, and then they can start working on expansion. Mr. Brass stated correct. Mr. Fleming stated that he doesn't think that they have a total truck number. The engineer did not count trucks out of the Quarry, they counted trucks at the peak hour at the light signals. Further discussion included heavy percentage at the signal, and the road has a lot more traffic than heavy truck traffic. Mr. Vrailas stated that he was speaking specifically to Mr. Fleming's trucks. Mr. Flemings stated that he doesn't have those numbers, but they can get them. Additional discussion included roughly one hundred trucks a day, twenty tons of rock, they average one hundred trucks in and one hundred out, and lights. Mr. Campbell moved to approve, with accepting all conditions as noted. Mr. Ables seconded the motion. Ms. Martin stated that she is trusting that staff has satisfied the question, over all she is having to look to staff and the research that they have done to guide this process. Motion to approve passed five to zero.

OTHER BUSINESS:

Mr. McCarthy stated that yesterday staff presented some information to the Planning Commission about updating the review fees, they are taking that item to City Council in the next two months. That included increasing the fees for applicants coming to this Board. He discussed the process involved.

Election of Officers:

Mr. Dugger stated that at this time he would entertain a motion for the election of the chair. Mr. Campbell moved to elect Mr. Jimmy Dugger as chairperson, with Ms. Martin seconding. Motion passed four to zero, with Mr. Dugger abstaining.

Discussion included nominating a vice chair.

Mr. Vrailas moved to elect Mr. Jimmy Campbell as Vice Chairman, with Ms. Martin seconding. Motion passed four to zero with Mr. Campbell abstaining.

Ms. Martin inquired about an update on the terms of service. Mr. Brass will check with the City Manager's office and send an email to the Board.

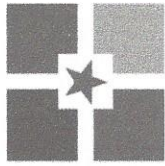
Mr. Dugger asked about education. He asked that Mr. McCarthy present the education session like last year at City Hall.

ADJOURNMENT:

Mr. Ables moved to adjourn with Ms. Martin seconding. The meeting adjourned at 9:40 a.m.

Board of Zoning Appeals, Chairman
Jimmy Dugger

Date



BOARD OF ZONING APPEALS: APPLICATION AND CHECKLIST
SUBMITTAL REQUIREMENTS

*10 copies of plan + PDF
Fold all submittals larger than 8½"x11"*

1. Applicants must complete this application, include required supporting materials, & pay the required fee (\$200.00-each request is considered separate & requires a separate fee) by the monthly submittal deadline. It shall be the responsibility of the applicant to become familiar with the regulations, policies, and procedures of the City of Columbia. Please contact the Columbia Development Services Department with any questions or to discuss any concerns during the BZA submittal & review process: Austin Brass, City Planner, abrass@columbiatn.com or (931) 560-1560.
2. Please provide the following information, depending on the request:

Ten (10) copies of each document and/or plan shall be submitted.

- a. Completed application.
 - b. **For a setback variance only:** The length of the boundaries of the lot measured to the nearest foot. Locations, square footages, and exterior dimensions, measured from outside wall to outside wall, of all existing and proposed buildings and structures. *A plot plan may satisfy this requirement.*
 - c. **For a sign variance only:** The measurements and total square footage of the permitted and requested signage. If a wall or gasoline pump sign, provide the linear footage of the front façade of the building for which the signage is proposed.
 - d. **For all variances requests:** Completion of the Requirements of Variance Sheet on this application or a Justification Letter addressing those seven (7) criteria.
 - e. **For a Conditional Use Permit only:** Complete of Description of requested Use or submit a separate Request Letter to the Board of Zoning Appeals. In either case, address each of the following:
 - i. Explain in detail the proposed use for the property, including long-term plans; and
 - ii. Explain how your proposal will be designed, located, and operated so that the public health, safety, and welfare will be protected; and
 - iii. Explain how your proposal will not adversely impact other properties in the area in which it is located (this includes addressing access and parking for the site, if applicable).
 - f. Submit applicable drawings, illustrations, and so forth, to accompany the request.
 - g. The appellant shall provide any additional information as determined by the Department of Development Services that will be necessary to fully complete a review by City Staff and/or by the Board of Zoning Appeals.
3. Submit the final request to the Department of Development Services according to the established Board Deadline and Meeting schedule. A representative must attend the BZA Meeting.

BOARD OF ZONING APPEALS APPLICATION COLUMBIA, TENNESSEE					
SUBDIVISION: N/A			LOT: N/A		
LOT ADDRESS: Nashville Hwy Map 75 Parcels 11.04 & 31.01					
ZONING: SD-LI		LAND USE: Sub. Corridor		LOT ACREAGE: 8.16	
LOT SQUARE FOOTAGE: 355449 sf			BUILDING SQUARE FOOTAGE: Proposed 38,000 sf		
ESTABLISHED/EXISTING SETBACKS: FRONT: <u>40</u> ft. SIDE: <u>40</u> ft. REAR: <u>20</u> ft.					
OTHER INFORMATION:					

TYPE OF REQUEST

COMPLETE APPLICABLE REQUEST FOR BOARD TO CONSIDER

APPEAL OF ADMINISTRATIVE DECISION
Indicate the decision/interpretation under appeal, including the City Official with Title and Department, and the applicable section(s) of the <i>Zoning Ordinance</i> in question.
APPEAL OF:
ZONING ORDINANCE SECTION:
CITY OFFICIAL WITH TITLE AND DEPARTMENT:

EXCEPTIONAL HARDSHIP VARIANCE REQUEST		
1. If requesting a Setback Variance, indicate below which yard the setback variance is located within and provide an exact measure of the distance of the new setback in feet. 2. If requesting a Sign Variance, indicate below which type of sign the variance is for and provide the permitted signage, in addition to the requested amount of signage. 3. If requesting a Variance of any other provision of the <i>Zoning Ordinance</i>, provide a detailed explanation below in "Other Variance Request."		
SETBACK VARIANCE <i>Check applicable yard</i>	☐ FRONT YARD ☐ SIDE YARD ☐ REAR YARD	REQUESTED SETBACK (ft):
SIGN VARIANCE <i>Check applicable sign</i>	☐ FREESTANDING SIGN ☐ WALL SIGN ☐ GASOLINE PUMP SIGN ☐ OTHER SIGN	PERMITTED SIGNAGE (ft or ft ²):
		REQUESTED SIGNAGE (ft or ft ²):
OTHER VARIANCE REQUEST	ZONING ORDINANCE SECTION: Table 4.3.1-I	
	REASON FOR REQUEST: To permit the sales and display of automobiles for sale	

CONDITIONAL USE PERMIT
If requesting a Conditional Use Permit , indicate the requested use.
REQUESTED USE (be detailed):
DOES THE REQUESTED USE HAVE REQUIRED PARKING?
HOURS OF OPERATION:

APPLICANT

NAME	Adam Crunk, PE	PHONE	615-873-1795
ADDRESS	7112 Crossroads Blvd. Suite 201 Brentwood, TN 37027	EMAIL	adam@crunkeng.com

PROPERTY OWNER

NAME	Andrew & Linda Sisk	PHONE	931-224-0232
ADDRESS	PO Box 317 Columbia, TN 38402	EMAIL	awsisk1@hotmail.com

In filling out this application, I attest that (1) I am familiar with the rules, regulations, and procedures of the City of Columbia & (2) all information contained herein is accurate & true to the best of my knowledge.

<u>Adam Crunk, PE</u> APPLICANT NAME	 APPLICANT SIGNATURE	<u>12/16/2022</u> DATE
<u>Andrew & Linda Sisk</u> PROPERTY OWNER NAME	 PROPERTY OWNER SIGNATURE	<u>12-16-2022</u> DATE

STAFF USE ONLY

DOCKET NO.		FEE PAID	
RECEIPT NO.		REQUESTED AGENDA	
DATE NOTICES SENT TO ADJACENT PROPERTY OWNERS			
DATE OF PUBLIC NOTICES IN DAILY HERALD			
BOARD ACTION			

REQUIREMENTS FOR A VARIANCE
Section 3.15.10 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>1. 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> |
|---|

The property is located adjacent to two streets with a steep rock bluff at the rear of the property. The two adjacent streets require parking to be located adjacent to, or behind the proposed building. The developer of the project wishes to be able to park or store cars as inventory adjacent to the streets for visibility. This code requirement is peculiar to this business and the strict enforcement of the code creates a hardship.
--

- | |
|---|
| <p>2. That the variance is the minimum variance that will relieve such difficulties or hardship and thereby make possible the reasonable use of the land, building, or structure.</p> |
|---|

The requested variance to allow for one bay of parking (access drive and parking on both sides) would be the minimum amount of parking allowed between the building and street.
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- | |
|--|
| <p>3. That the variance will not authorize activities in a zone district other than those permitted by this ordinance.</p> |
|--|

This request is specific to this lot, and the proposed automobile sales activities on the lot are in conformance and permitted by the existing zoning district.
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4. That financial returns alone shall not be considered as a basis for granting a variance.

Financial returns are not the sole basis for this request. This request is to prevent a hardship due to the nature of the business and the fact that the inventory they sell is not permitted between the building and the street.

5. That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the general provisions of this Zoning Ordinance.

Locating parking between the proposed building and the streets would not harm the public, and is a common existing pattern along Highway 31.

6. That the purposed 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.

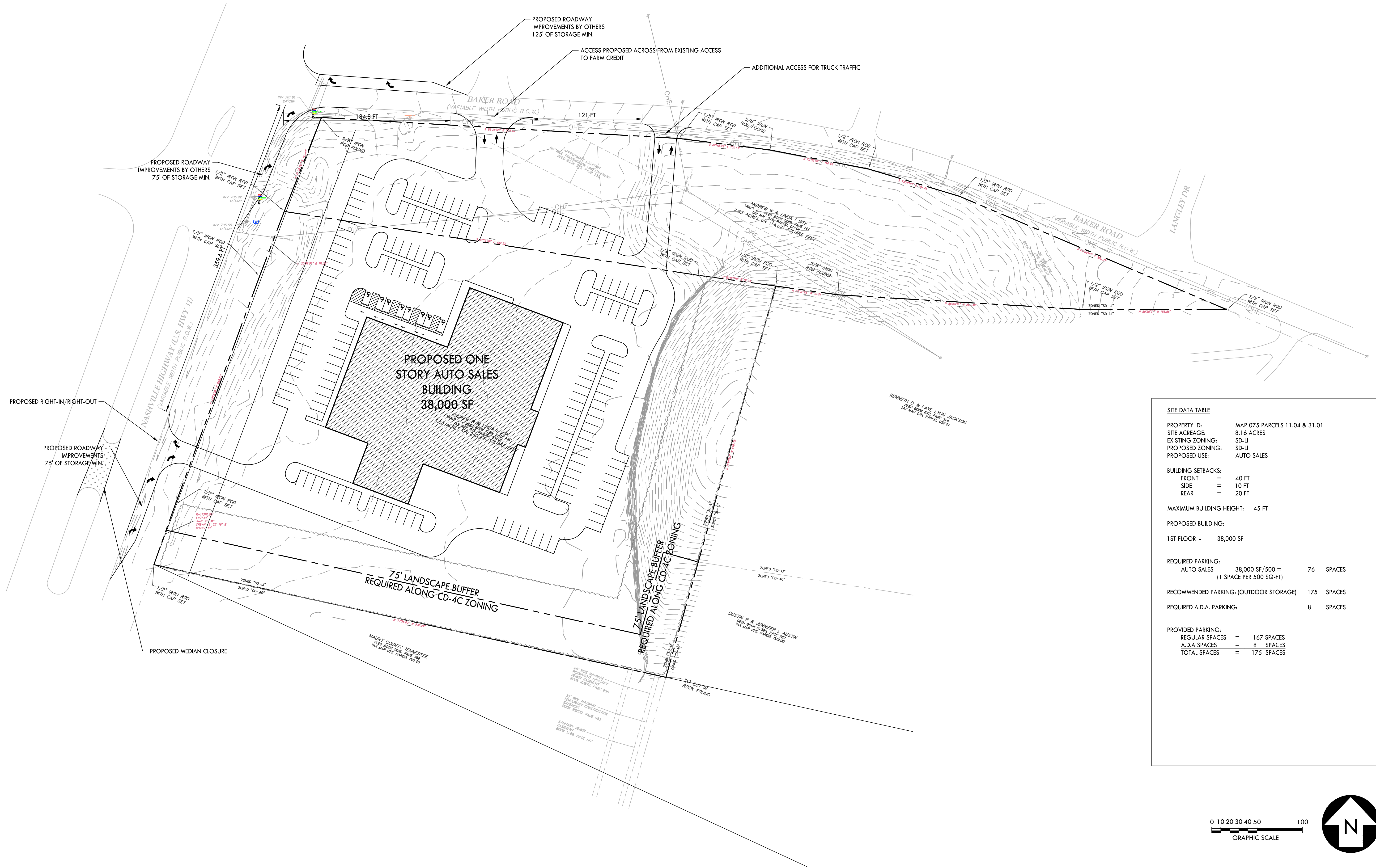
Locating parking between the proposed building and the streets would not impair the adequate supply of light and air to the adjacent property, which in this case is the street. This request would not increase the danger to fire or public safety as we understand the code intention to have parking located adjacent to or behind the building is less a concern of safety and more of one for aesthetics.

7. That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this ordinance.

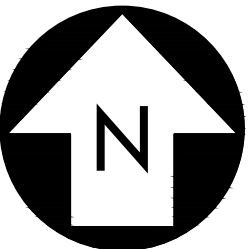
This hardship request is being made with full knowledge of the code, in advance of a development plan submittal. This hardship has not been intentionally created by any person having interest in the property.

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Crunk Engineering, Inc. 12/19/22 2:21 PM - McNabb Auto Dealership - Columbia, TN - Construction - C1.0.dwg



SITE DATA TABLE			
PROPERTY ID:		MAP 075 PARCELS 11.04 & 31.01	
SITE ACREAGE:		8.16 ACRES	
EXISTING ZONING:		SD-LI	
PROPOSED ZONING:		SD-LI	
PROPOSED USE:		AUTO SALES	
BUILDING SETBACKS:			
FRONT	=	40 FT	
SIDE	=	10 FT	
REAR	=	20 FT	
MAXIMUM BUILDING HEIGHT:		45 FT	
PROPOSED BUILDING:			
1ST FLOOR -		38,000 SF	
REQUIRED PARKING:			
AUTO SALES	38,000 SF/500 =	76	SPACES
	(1 SPACE PER 500 SQ-FT)		
RECOMMENDED PARKING: (OUTDOOR STORAGE)		175	SPACES
REQUIRED A.D.A. PARKING:		8	SPACES
PROVIDED PARKING:			
REGULAR SPACES	=	167 SPACES	
A.D.A. SPACES	=	8 SPACES	
TOTAL SPACES	=	175 SPACES	



CRUNK ENGINEERING LLC
7112 CROSSROADS BOULEVARD
SUITE 201
BRENTWOOD, TN 37027
(615) 873-1795
WWW.CRUNKENG.COM



McNabb Auto Dealership

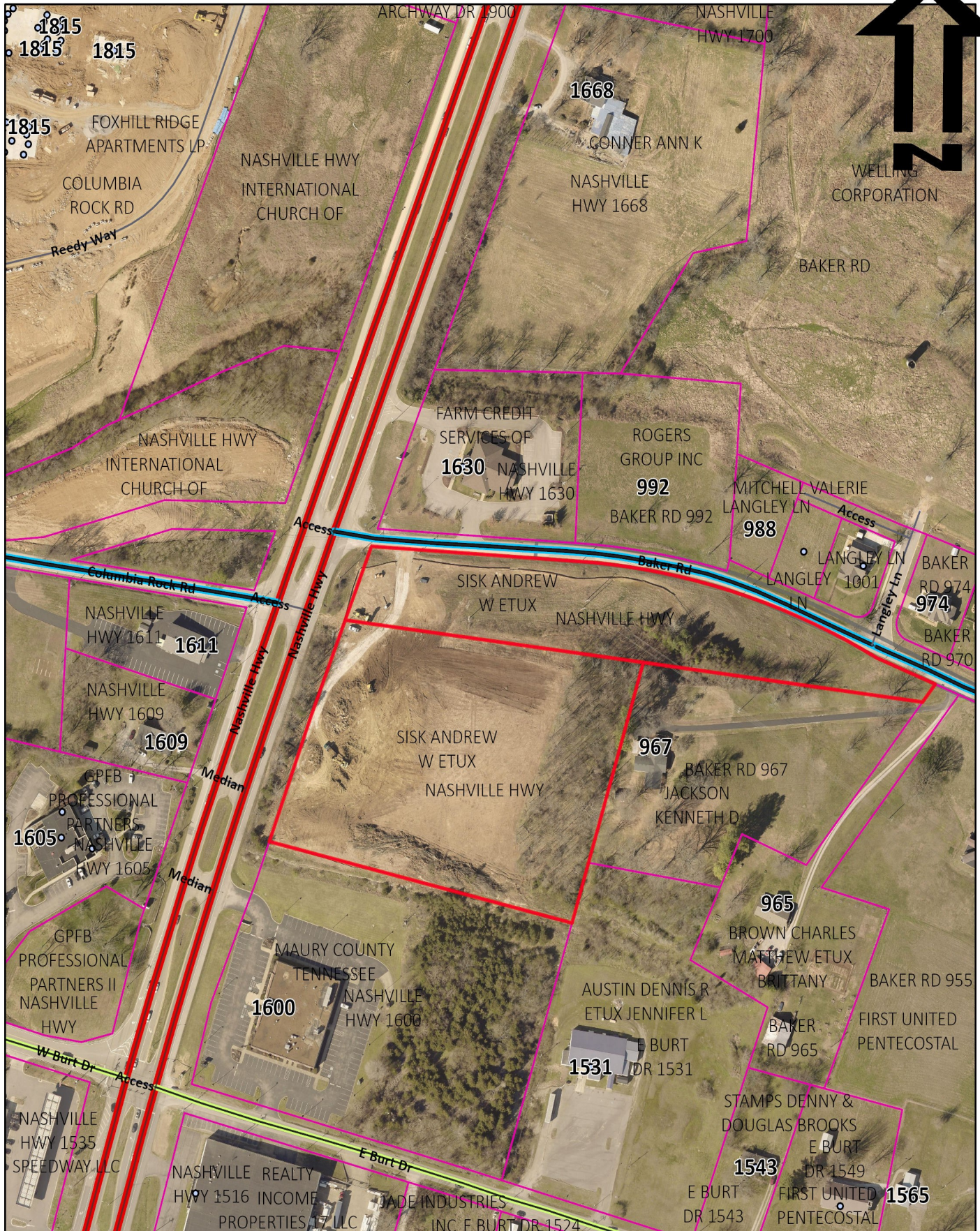
COLUMBIA, TN

REVISIONS	DATE	
	No.	

12/19/22 #22145

C1.0

PRELIMINARY SITE
LAYOUT PLAN



Case #23-0047
Nashville Hwy & Baker Road



CITY OF
COLUMBIA
TENNESSEE

DEVELOPMENT SERVICES
700 NORTH GARDEN STREET
COLUMBIA, TN 38401
PHONE: (931) 560-1560
FAX: (931) 560-1541

WOODLAND & E. 7TH MULTI-FAMILY Bristol Development

WOODLAND & E. 7TH ELEVATIONS

FRONTAGE ACTIVATION: WOODLAND STREET

RETAIL/COMMERCIAL FACADE @ STREET LEVEL = 198' - 10"
 TOTAL STREET LEVEL ACTIVATION PERIMETER = 198' - 10"
 TOTAL STREET LEVEL FACADE PERIMETER = 248' - 10"

80% ACTIVATION @ WOODLAND ST. ELEVATION

FRONTAGE ACTIVATION: EAST 7TH STREET

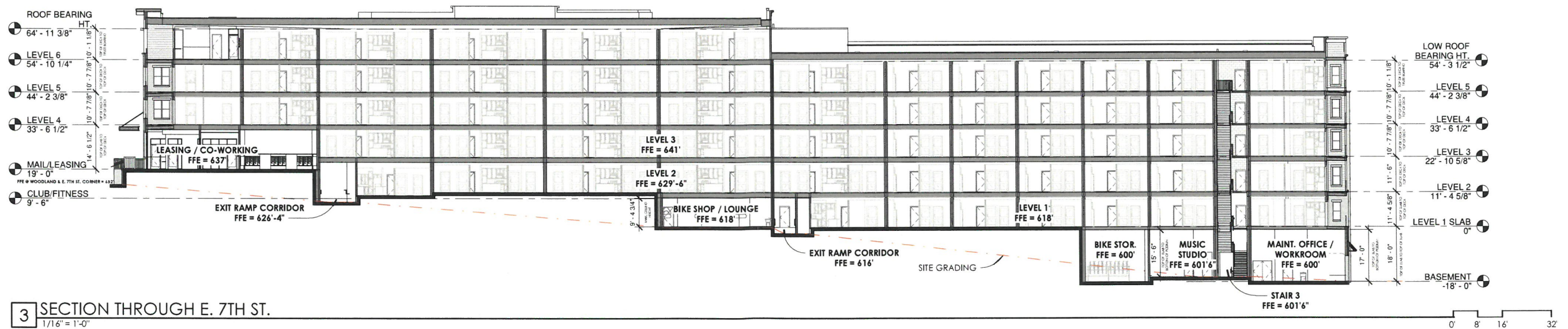
RETAIL/COMMERCIAL FACADE @ STREET LEVEL = 116' - 8"
 MURAL & ENTRY ACTIVATION @ STREET LEVEL = 125' - 1"
 TOTAL STREET LEVEL ACTIVATION PERIMETER = 241' - 9"
 TOTAL STREET LEVEL FACADE PERIMETER = 393' - 6"

61% ACTIVATION @ E. 7TH ST. ELEVATION

1 WOODLAND ST. ELEVATION



2 E. 7TH ST. ELEVATION



3 SECTION THROUGH E. 7TH ST.



Case #23-0075 Woodland & E7th Streets



CITY OF
COLUMBIA
TENNESSEE

DEVELOPMENT SERVICES
700 NORTH GARDEN STREET
COLUMBIA, TN 38401
PHONE: (931) 560-1560
FAX: (931) 560-1541



BOARD OF ZONING APPEALS: APPLICATION AND CHECKLIST
SUBMITTAL REQUIREMENTS

10 copies of plan + PDF
Fold all submittals larger than 8½"x11"

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BOARD OF ZONING APPEALS APPLICATION COLUMBIA, TENNESSEE					
SUBDIVISION:			LOT:		
LOT ADDRESS: 706-714 WOODLAND ST / TAX MAP 99A GROUP K (N SIDE OF E. 7th St from Woodland to Glade)					
ZONING: CD-5		LAND USE: Wholesale Retail		LOT ACREAGE: 2.57 ±	
LOT SQUARE FOOTAGE: 111,949 ±			BUILDING SQUARE FOOTAGE: N/A		
ESTABLISHED/EXISTING SETBACKS:					
FRONT: _____ ft.		SIDE: _____ ft.		REAR: _____ ft.	
OTHER INFORMATION:					

TYPE OF REQUEST

COMPLETE APPLICABLE REQUEST FOR BOARD TO CONSIDER

APPEAL OF ADMINISTRATIVE DECISION
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APPEAL OF:
ZONING ORDINANCE SECTION:
CITY OFFICIAL WITH TITLE AND DEPARTMENT:

EXCEPTIONAL HARDSHIP VARIANCE REQUEST		
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SETBACK VARIANCE <i>Check applicable yard</i>	☐ FRONT YARD ☐ SIDE YARD ☐ REAR YARD	REQUESTED SETBACK (ft):
SIGN VARIANCE <i>Check applicable sign</i>	☐ FREESTANDING SIGN ☐ WALL SIGN ☐ GASOLINE PUMP SIGN ☐ OTHER SIGN	PERMITTED SIGNAGE (ft or ft ²):
		REQUESTED SIGNAGE (ft or ft ²):
OTHER VARIANCE REQUEST	ZONING ORDINANCE SECTION: ARTICLE 4 C - REQUIRED USES	
	REASON FOR REQUEST: RELIEF FROM REQUIREMENT FOR RETAIL USE ALONG E. 7TH ST.	

CONDITIONAL USE PERMIT
If requesting a Conditional Use Permit , indicate the requested use.
REQUESTED USE (be detailed):
DOES THE REQUESTED USE HAVE REQUIRED PARKING?
HOURS OF OPERATION:

APPLICANT Charles Carlisle

NAME	Bristol Development Group	PHONE	615.415.7326
ADDRESS	381 Mallory Station Rd. #201	EMAIL	carlisk@bristoldevelopment.com

PROPERTY OWNER Franklin TN 37067

NAME	John Michael Halloran	PHONE	931-560-1500
ADDRESS	714 Woodland St	EMAIL	

Columbia TN 38401

In filling out this application, I attest that (1) I am familiar with the rules, regulations, and procedures of the City of Columbia & (2) all information contained herein is accurate & true to the best of my knowledge.

Charles Carlisle
Bristol Development Group
APPLICANT NAME

[Signature]
APPLICANT SIGNATURE

8/15/23
DATE

John Michael Halloran
PROPERTY OWNER NAME

[Signature]
PROPERTY OWNER SIGNATURE

8/15/23
DATE

STAFF USE ONLY

DOCKET NO.		FEE PAID	
RECEIPT NO.		REQUESTED AGENDA	
DATE NOTICES SENT TO ADJACENT PROPERTY OWNERS			
DATE OF PUBLIC NOTICES IN DAILY HERALD			
BOARD ACTION			

REQUIREMENTS FOR A VARIANCE
Section 3.15.10 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)

1. 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.

SEE ATTACHED

2. That the variance is the minimum variance that will relieve such difficulties or hardship and thereby make possible the reasonable use of the land, building, or structure.

SEE ATTACHED

3. That the variance will not authorize activities in a zone district other than those permitted by this ordinance.

SEE ATTACHED

4. That financial returns alone shall not be considered as a basis for granting a variance.

SEE ATTACHED

5. That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the general provisions of this Zoning Ordinance.

SEE ATTACHED

6. That the purposed 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.

SEE ATTACHED

7. That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this ordinance.

SEE ATTACHED



City of Columbia Tennessee
Board of Zoning Appeals Application

Requirements for a Variance – Responses to pages 5 & 6 of Application and Checklist

Item 1

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.

There is approximately 40 feet of difference between grade height at Woodland Street and that at Glade Street. This exceptional topographic condition along 7th Street makes it extremely challenging to provide retail or commercial use along the entire street. As shown in the attached exhibits, we have placed amenity uses that have the character of commercial space at every location where building finished floor elevation meets the sidewalk elevation. Those uses include a bike shop and a music studio. We also propose art panels to help enliven the street at places indicated on the attached plans.

In an attempt to meet the spirit of the retail/commercial requirement, we have activated more than 80% of our frontage on Woodland Street. Woodland Street has a much more pedestrian friendly grade, and it is more realistic to expect successful retail/commercial uses to flourish on Woodland than on 7th Street. That activation includes approximately 4,322 square feet of retail space and approximately 3,065 square feet of leasing reception and co-working space for residents of the multifamily building. In order to provide activation along East 7th street while accommodating 40 feet of grade change, we provided “retail-like” façade at bike lounge at level 1 and music studio at basement level. We also implemented future mural walls and building entries to make East 7th street more inviting. Attached exhibit shows current activation and relation to site grading.

Item 2

That the variance is the minimum variance that will relive such difficulties or hardship and thereby make possible the reasonable use of the land, building, or structure.

This variance is the minimum variance that will relieve such difficulties and to make possible the reasonable use of the land and building.

Item 3

That the variance will not authorize activities in a zone district other than those permitted by this ordinance.

This variance will not authorize activities other than those permitted in this district.

Item 4

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

This variance request is not based on financial hardship.

Item 5

That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the general provisions of this Zoning Ordinance.

This variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the general provisions of the zoning code.

Item 6

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.

Not applicable to this variance request

Item 7

That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this ordinance.

No person with an interest in the property has created this hardship.



Mayor Molder and City Council:

Section 8.3.3.H of the Zoning Ordinance requires the Board of Zoning Appeals to prepare an annual report and submit it to the City Council. The previous Ordinance, 3638, contained the same language at §2.2.3.E.2. The annual report includes a comprehensive review of the activities, problems, and actions of the Board of Zoning Appeals as well as recommendations for improved zoning administration. Although the current Ordinance was adopted mid-year, all requests for variance, conditional use approval, and appeals of administrative decisions heard during 2022 were subject to the provisions of the previous ordinance.

This document reports the activities of the Board during calendar year 2022. The Board’s case load increased significantly compared to previous years. In fact, the number of requests heard in 2022 exceeded the combined total of the previous two years. The information reported here will be incorporated into the 2022 Annual Report from the Department of Development Services. We will coordinate with planning staff to compile our other observations and recommendations for inclusion in the narrative sections of the Development Services report.

As always, it is an honor to serve the citizens of Columbia. The Board looks forward to a productive 2023.

Jimmy Dugger, Chairman
City of Columbia
Board of Zoning Appeals

Type	Number of Requests	Outcomes
Appeal of Administrative Decision	1	Zoning Administrator’s Interpretation Upheld
Conditional Use	8	6 Approved ¹ 1 Denied
Variance	16	14 Approved 1 Denied 2 Withdrawn

¹ AS a result of multiple deferrals, one of these cases was decided in January 2023.