

Mt. Juliet, Tennessee Board of Zoning Appeals Agenda

Thursday, November 13, 2025

6:00 PM

Commission Chambers

Members: Chairperson Ray Wallace, Jim Pustejovsky, Larry Searcy, David Heflin, David Rast

Resources: Jon Baughman, Deputy Planning Director, Jill Johnson, Planning, Samantha Burnett, City Attorney

1. Call to Order

2. Approval of Minutes

Review the Minutes from the October 9, 2025, Board of Zoning Appeals Meeting.

3. New Business

Review the Zoning Variance Request to exceed the minimum lot size requirements for a religious facility for Faith is the Victory Church of Mt. Juliet, located at 2564 N. Mt. Juliet Rd.

Review the Conditional Use Permit to allow for a 300 seat capacity sanctuary for Faith is the Victory Church of Mt. Juliet, located at 2564 N. Mt. Juliet Rd.

Review the Zoning Variance Requests to vary from the minimum building envelope spacing for Tate's Landing, located at 212 Paul Dr.

4. Adjourn



2425 North Mt. Juliet Rd Mt. Juliet, TN 37122

File #: 1471 **Agenda Date:** 11/13/2025 **Agenda #:**

Title:

Review the Minutes from the October 9, 2025, Board of Zoning Appeals Meeting.

Mt. Juliet, Tennessee Thursday, October 9, 2025 6:00 PM Board of Zoning Appeals Meeting Minutes - Draft



Members: Chairperson Ray Wallace, Jim Pustejovsky, Larry Searcy, David

Heflin, David Rast

Resources: Jon Baughman, Deputy Planning Director, Jill Johnson, Planner I,

Present Vice Chairman/Board Member Larry Searcy, Board Member Jim

Pustejovsky, and Board Member David Rast

1. Call to Order

2. Approval of Minutes

Adopt the Minutes from the July 10, 2025, Board of Zoning Appeals Meeting. The motion carried by the following vote:

RESULT: APPROVED
MOVER: Jim Pustejovsky
SECONDER: David Rast

Aye: Board Member Pustejovsky, Board Member Rast, and Board

Member Searcy

3. New Business

a. Review the lot coverage and rear setback zoning variance request for 4595 Boxcroft Circle.

Staff reviewed the application, and answered questions from the commission.

A motion was made that this action item be approved as follows – the rear setback variance request was denied. The lot coverage variance was approved. The motion carried by the following vote:

RESULT: Rear setback variance denied, Lot coverage variance approved.

MOVER: David Rast SECONDER: Jim Pustejovsky

Aye: Board Member Pustejovsky, Board Member Rast, and Board Member Searcy

b. Review the side setbacks zoning variance request for 104 Spring Hill Road.
 Staff reviewed the application and answered questions from the commission.
 A motion was made that this action item be denied. The motion carried by the following vote:

RESULT: Denial
MOVER: David Rast
SECONDER: Larry Searcy

Aye: Board Member Pustejovsky, Board Member Rast, and Board Member Searcy

4. Adjourn

The motion carried by the following vote:

RESULT: APPROVED

MOVER: David Rast

SECONDER: Jim Pustejovsky

Aye: Board Member Pustejovsky, Board Member Rast, and Board Member

Searcy

Larry Searcy, Vice-Chairperson

Jill Johnson, Planner I



2425 North Mt. Juliet Rd Mt. Juliet, TN 37122

Agenda Date: 11/13/2025 **Agenda #:**

Title:

Review the Zoning Variance Request to exceed the minimum lot size requirements for a religious facility for Faith is the Victory Church of Mt. Juliet, located at 2564 N. Mt. Juliet Rd.

Faith is the Victory Church 2564 N Mt. Juliet Rd Map 072H, Group B, Parcel 015.00





2425 North Mt. Juliet Rd Mt. Juliet, TN 37122

File #: 1474 Agenda Date: 11/13/2025 Agenda #:

Title:

Review the Conditional Use Permit to allow for a 300 seat capacity sanctuary for Faith is the Victory Church of Mt. Juliet, located at 2564 N. Mt. Juliet Rd.



STAFF REPORT

Date: November 13, 2025

To: Board of Zoning Appeals

From: Jon Baughman, City Planner

Jill Johnson, Planner I

Re: Faith is the Victory Church

2564 N. Mt. Juliet Road Conditional Use Permit Lot Area Variance

Map – 072H Parcel – 015.00

Request: The applicant seeks a lot area variance and a conditional use permit for a religious facility in RS-40 zoning on a parcel located at 2564 N. Mt. Juliet Road in District 1.

Overview & History: The property consists of the following one (1) parcel: map 072H parcel 01500, consisting of 3.35 acres. Access to the site will be via N. Mt. Juliet Road. The property is currently zoned RS-40. The church is proposing to construct a new building in two phases on the lot that formerly housed Mt. Juliet AME Church. The previous church was demolished as it was in severe disrepair, rendering the lot vacant. Conditional use permits have been previously granted for this development in July 2017 and October 2020, both of which have since expired. A site plan was submitted and reviewed at the October 16th 2025 Planning Commission meeting where it was approved with a condition that another conditional use permit be re-approved before permits are pulled. An additional request is presented at this time for a variance from supplemental lot area regulations described below.

Analysis: Three hundred (300) seats are being proposed upon the completion of Phase 2, and 100 parking spaces are provided, meeting code requirements (1/3 seats). The requirements of Article 3-104.6.8b, minimum acreage requirements are not met, and a variance is being requested. Highlighted code sections that apply, and how they are violated, are shown below:

Zoning Ordinance Article 3-104.6

- 8. Religious facilities. Land use development standards apply to religious facilities according to seating capacity ranges. For existing facilities located within residential districts, a conditional use permit shall be required for any proposed increase that upgrades the range of seats. THE PREVIOUS CUP WAS GRANTED FOR 115 SEATS, 300 ARE PROPOSED
 - a. Religious facilities with a maximum sanctuary capacity of 50 seats shall be classified as a principal use permitted with supplemental provisions (SUP) activity and shall meet the following standards:
 - i. No such facilities shall be permitted on a zone lot, unless it contains twice the lot area requirements of the district or one acre, whichever is less.
 - ii. Religious facilities within this grouping may have driveway access on any street.

- iii. Religious facilities within this grouping shall be screened along all property lines adjoining any AR, RS or R residential district.
- iv. The Board of Zoning Appeals, upon a showing by the applicant that the waiver will not be detrimental to the public health, safety and welfare, may waive any of the above referenced requirements.
- b. Religious facilities with a maximum sanctuary capacity in excess of 50 seats that are located in a newly constructed structure, or in an existing structure that is being expanded in size by 20 percent or more shall be classified as a conditional use (C) activity and shall meet the standards established for facilities within its seating capacity range:
 - i. The minimum lot size shall be based on the number of seats.

Seating Capacity	Minimum Lot Size
51 to 200	2 acres + 0.5 acre/100 seats
201 to 400	5 acres + 0.5 acre/100 seats 300 SEATS ARE PROPOSED
more than 400	10 acres

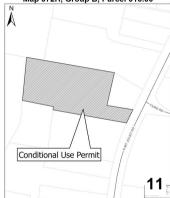
- ii. If the site area exceeds three acres in size, such facilities shall be located only on designated arterial or collector streets as shown on the official major thoroughfare plan.
- iii. The facility must meet adequate parking requirements for the applicable zoning classification of the property and provide a sufficient amount of parking to avoid conflicts with other uses that share the same parking lot.
- iv. The Board of Zoning Appeals, upon a showing by the applicant that the waiver will not be detrimental to the public health, safety and welfare, may waive any of the above referenced requirements.

<u>Article 14-106.3:</u> General requirements are established for a conditional use permit under Article 14-106.4 general provisions as listed below:

- 1. Burden of proof: As determined by the Board of Zoning Appeals.
- 2. Ordinance Compliance: Applicant's site plan shall meet all applicable regulations of the City of Mt. Juliet zoning, building and public works ordinances and standards.
- 3. General Plan: The future land use plan is consistent with the current zoning for the proposed development which is RS-40. A religious facility is allowed as a conditional use within any zoning district.
- 4. Traffic Impact: Adequate vehicular and pedestrian circulation has been provided.
- 5. Parking Adequacy: Minimum parking for a religious facility is one space per three seats. The sanctuary will consist of 300 seats which equates to a minimum of 100 spaces. The site plan shows 100 parking spaces.
- 6. Special Conditions: Any conditions as deemed necessary by the Board of Zoning Appeals.

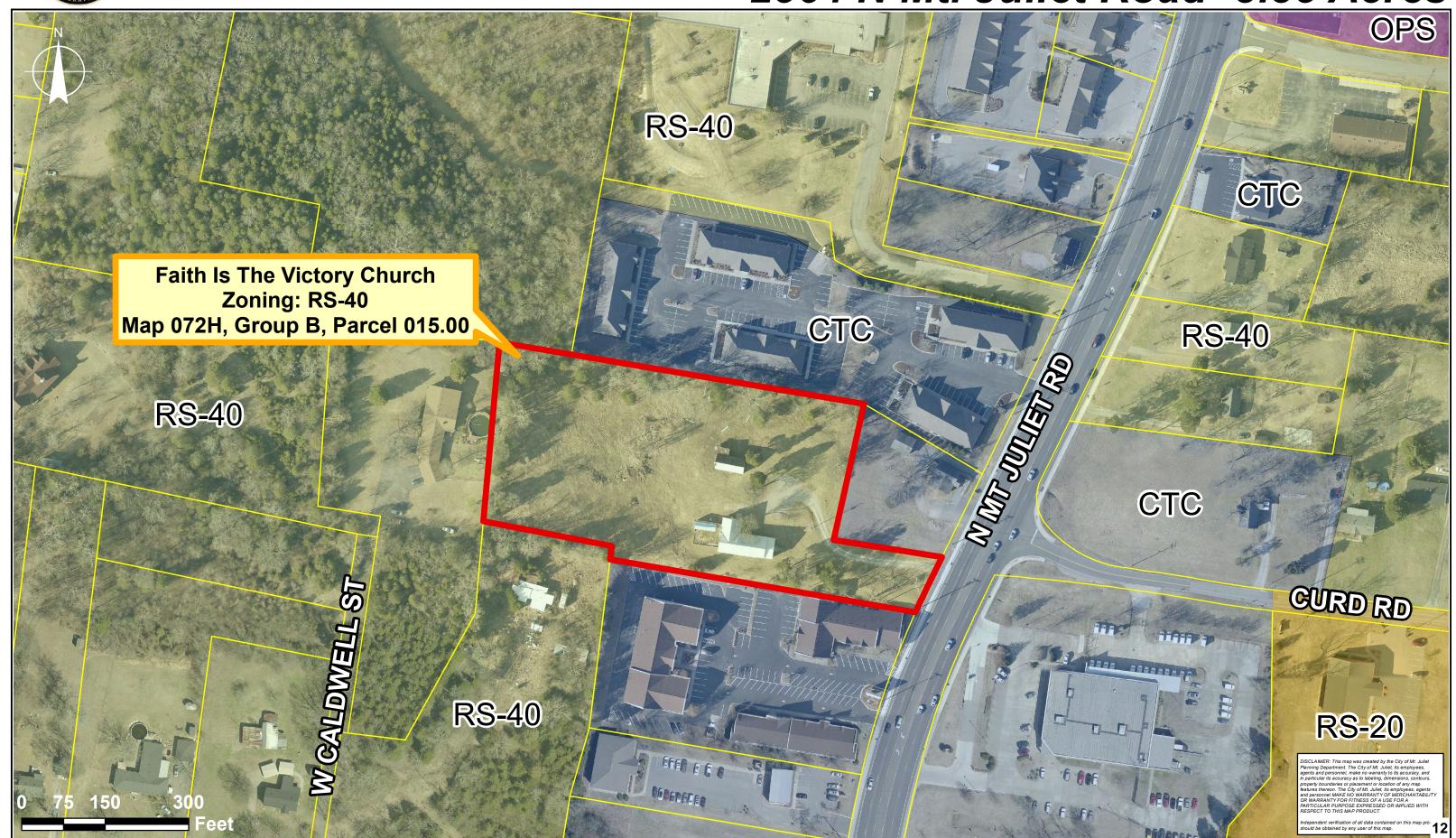
Recommendation: Staff recommends approval of the conditional use permit request for a religious facility in RS-40 zoning and denial of the lot area variance request, subject to all ordinances, codes and standards as required by the City of Mt. Juliet.

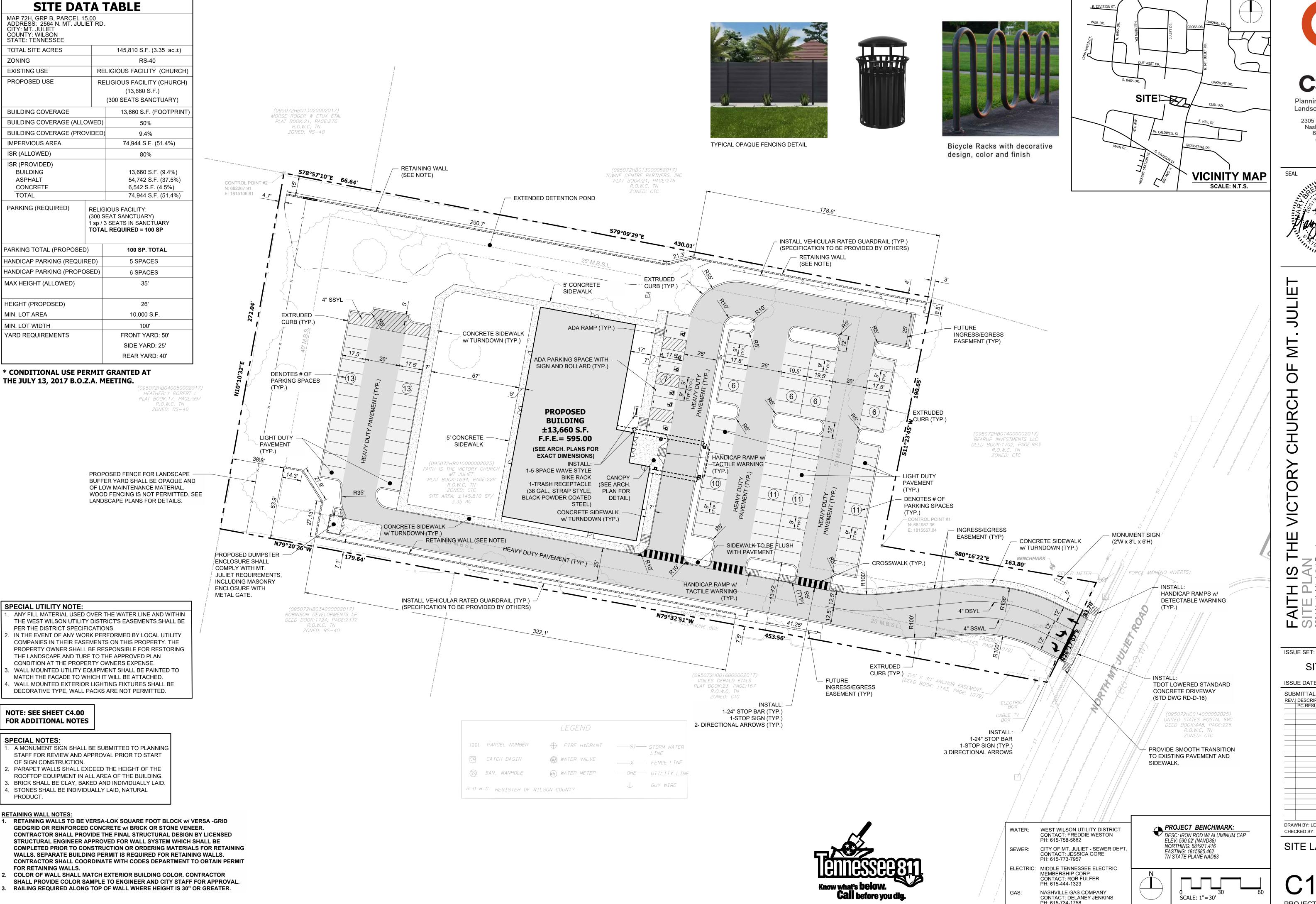
Faith is the Victory Church 2564 N Mt. Juliet Rd Map 072H, Group B, Parcel 015.00



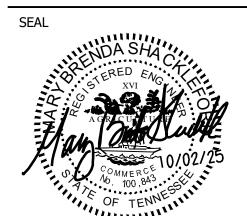


Faith Is The Victory Church Property 2564 N Mt. Juliet Road- 3.35 Acres





Planning | Engineering Landscape Architecture 2305 Kline Ave, Ste 300 Nashville, TN 37211 615.248.9999 csdgtn.com



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SITE PLAN

ISSUE DATE: 09.17.2025 SUBMITTAL HISTORY: REV. DESCRIPTION

PC RESUBMITTAL

DRAWN BY: LEB CHECKED BY: MBS

SITE LAYOUT PLAN

SCALE: 1"=30'

NASHVILLE GAS COMPANY

CONTACT: DELANEY JENKINS PH: 615-734-1758



2425 North Mt. Juliet Rd Mt. Juliet, TN 37122

File #: 1472 **Agenda Date:** 11/13/2025 **Agenda #:**

Title:

Review the Zoning Variance Requests to vary from the minimum building envelope spacing for Tate's Landing, located at 212 Paul Dr.



STAFF REPORT

Date: November 13, 2025

To: **Board of Zoning Appeals**

From: Jon Baughman, City Planner

Jill Johnson, Planner I

Re: **Zoning Variances – 5-104.3a Building Envelopes**

Tates Landing

Map - 73

Parcel - p/o 21.00

Request: Jake Porter with Heritage Civil, on behalf of his client, seeks two building envelope variances for a variable lot subdivision proposed off Watermark Way.

Overview: The property consists of approximately 10.00 acres (432,752 sf) on Watermark Way, which abuts the Nichols Vale property to the north, just east of Tate Lane. This is currently undeveloped agricultural land. The applicant wishes to develop a 17-lot variable lot subdivision with a base zoning of RS-20. An annexation and rezone are currently underway for this property.

Concept Plan: The concept plan proposes 17 lots on 10 acres for a density of 1.7 units/acre (2.2 units/acre permitted with RS-20 base zoning). The minimum lot size is 15,000sf and the average lot size is 16,750sf. The bulk regulations for variable lot subdivisions are adhered to, except the variance request described below. Lot coverage shall not exceed 45% and floor coverage per lot is indicated as at least 3,000sf.

Improved open space totals 1.02 acres (10.24% of the development site) and includes a playground, dog park and walking trails. A mail kiosk is proposed, and a detail is provided and acceptable. Streetlights are required per ordinance 25-24. Four parallel on-street parking spaces are provided in front of the playground and amenity area. Sidewalk is provided on both sides of all streets. The supplied renderings indicate homes with two car garages and masonry and fiber cement facades. All single-family design guidelines, except any waivers granted, shall be adhered to.

Variance Request: The request is to deviate from the bulk standards for variable lot subdivisions (Article V, Section 5-104.3a) as shown highlighted below:

Table 5-104.3a.	Density	and	Bulk	Criteria	for	Standard	Lots	Within	Variable	Lot	Residential
Developments											

Density and Bulk Criteria		Zone District					
		AR- 40	RS- 40	RS- 30	RS-20	RS-15	RS- 10
I.	Density (in dwelling units per acre)	1.1	1.1	1.5	2.2	2.9	4.3

Density and Bulk Criteria		Zone District					
		AR- 40	RS- 40	RS- 30	RS-20	RS-15	RS- 10
II.	Minimum lot size (in 000 sq. ft.)						
	Without public water or sewer	N/A	N/A	N/A	N/A	N/A	N/A
	With public water but w/o public sewer	(1)	(1)	N/A	N/A	N/A	N/A
	With both public water and sewer	30	30		15	11.25	7.5
III.	Minimum lot frontage						
	On street	50	50	50	50	50	50
	On cul-de-sac	35	35	35	35	35	35
IV.	Maximum building envelope (as percentage of lot area)	40	40	40	45	50	55
V.	Minimum building envelope spacing (in feet)						
	Building envelope separation (measured between building envelopes)	50	50	40	30 (10)	20	15
	To on-site street	25	25	20	20	20	15
	To off-site street (2)	50	50	45	40	40	20
	To tract boundary (2)	50	50	45	40	40	20
	To any lot line	25	25	20	20 (5)	15	5
	To lake or stream (3)	100	100	100	100	100	100
VI.	Maximum total lot disturbance	(4)	(4)	(4)	(4)	(4)	(4)

Table 5-104.3a. Density and Bulk Criteria for Standard Lots Within Variable Lot Residential Developments

Density and Bulk Criteria	Zone District					
	AR- 40	RS- 40	RS- 30	RS-20	RS-15	RS- 10

- (2) Where the provisions of subsection 3.e(1), lots adjacent to conventional residential development apply, setbacks shall be as required for the base zone district.
- (3) This provision shall apply to streams with established floodplains. Along other streams the minimum setback shall be four times the width of the stream.
- (4) See subpart 4.a, tree preservation.

14-105.4 Standards for Variances

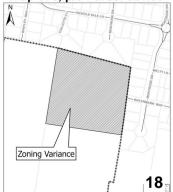
The Board shall not grant a variance, unless it makes findings based upon evidence presented to it as follows:

- 1. 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.
- 2. 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.
- 3. The variance will not authorize activities in a zone district other than those permitted by this ordinance.
- 4. Financial returns only shall not be considered as a basis for granting a variance.
- 5. 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 zoning district wherein such property is located or of the general provisions of this ordinance.
- 6. 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.
- 7. 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.

<u>Summary:</u> The applicant is seeking two variances from the requirements of Article V, Section 5-104.3a for a 5' setback to any lot line in lieu of the required 20' and a building envelope spacing of 10' in lieu of the required 30'. Staff does not support approval of this request as standard #1 above is not met.

Recommendation: Staff does not recommend approval of the setback variance for the Tate Lane subdivision off Watermark Way.

Tate's Landing Map 073, p/o Parcel 021.00



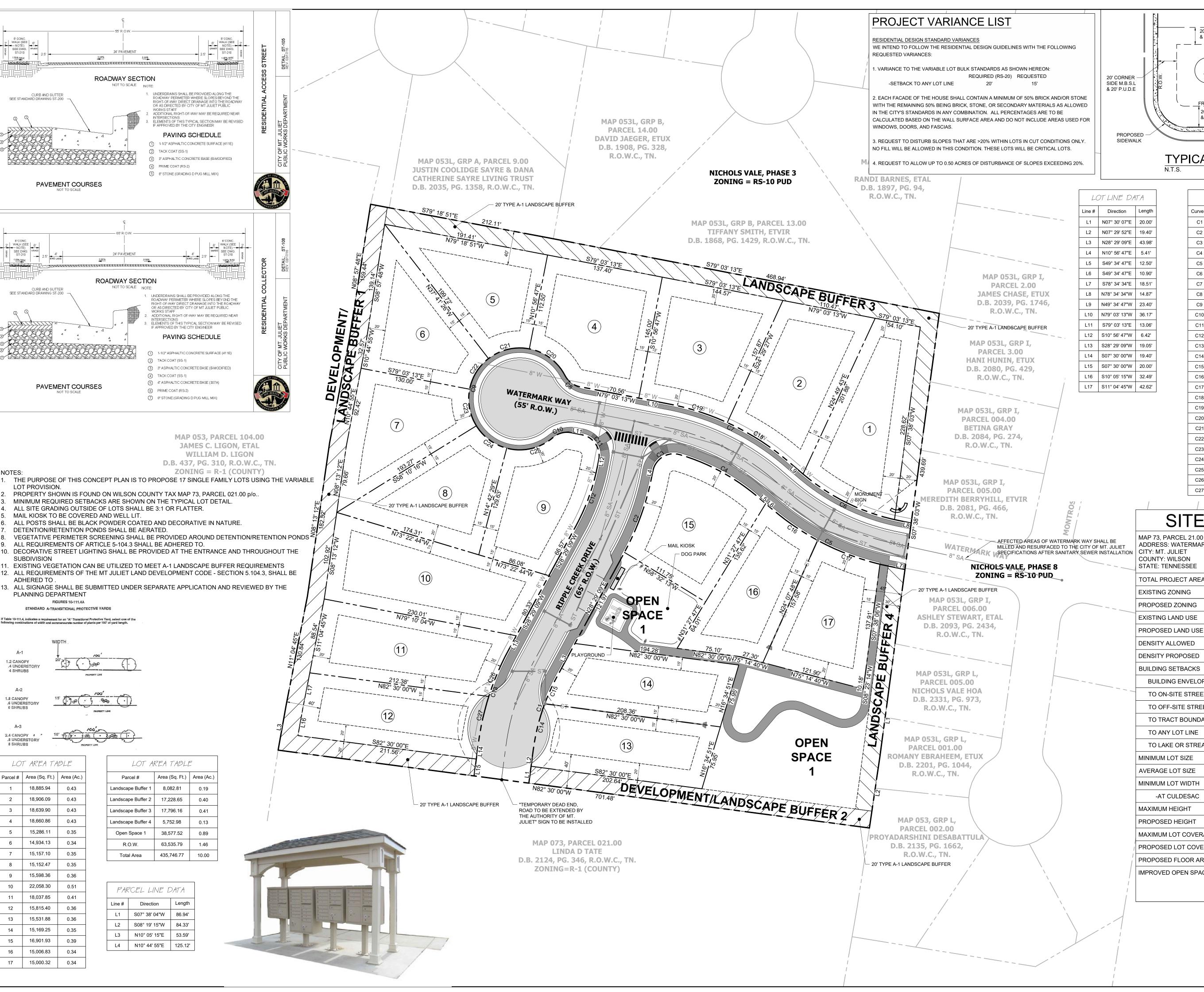
Applicant Statement

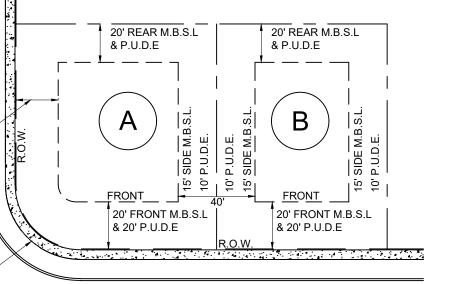
Applicant Intent: The Tate's Landing project intends to deliver lots of similar size, shape, and quality as the surrounding Nichol's Vale community to make the new development feel like a natural extension of the existing community. The adjacent Nichol's Vale average lot size is approximately 0.30 acres per lot, having a 5' side MBSL, 15' rear MBSL, 15' front MBSL, 10' minimum building envelope separation, and average lot width between 55' and 85'.

Current Variable Lot Code Requirements: The current Variable Lot regulations listed in Zoning Code Article IV Section 5-104 provide allowance for a lot width minimum of 50', minimum building envelope to any lot line of 20', and minimum building envelope separation of 30'. These current regulations would hinder the ability to provide a similar lot, layout, and community product as the surrounding Nichol's Vale community. If the current regulations are utilized with a 50' wide lot and 20' MBSLs, the available building envelope would be 10' wide and therefore not a similar product to the existing surrounding community.

Applicant Request: The Tate's Landing project is respectfully requesting the following:

- 1) Request to vary from the Minimum Building Envelope Spacing "To Any Lot Line" of 20' to allow interior lot side setbacks of 5' to match the adjacent Nichol's Vale community.
- 2) Request to vary from the Minimum Building Envelope Spacing "Building Envelope Separation (Measured Between Building Envelopes)" of 30' to allow "Building Envelope Separation (Measured Between Building Envelopes)" of 10' to match the adjacent Nichol's Vale community.





TYPICAL LOT LAYOUT

LOT CURVE DATA						
Curve #	Delta	Length	Radius	Chord		
C1	20° 59' 09"	91.57'	250.00'	N17° 59' 35"E	91.06'	
C2	17° 32' 22"	96.43'	315.00'	N19° 42' 58"E	96.05'	
C3	95° 26' 27"	41.64'	25.00'	N58° 40' 01"E	36.99'	
C4	24° 01' 59"	104.86'	250.00'	S61° 35' 46"E	104.10'	
C5	28° 59' 47"	154.35'	305.00'	S64° 04' 40"E	152.71'	
C6	28° 59' 47"	126.52'	250.00'	S64° 04' 40"E	125.17'	
C7	29° 28' 26"	156.90'	305.00'	N64° 19' 00"W	155.17'	
C8	51° 51' 20"	22.63'	25.00'	N53° 07' 33"W	21.86'	
C9	283° 42' 40"	297.10'	60.00'	S10° 56' 47"W	74.12'	
C10	51° 51' 20"	22.63'	25.00'	N75° 01' 07"E	21.86'	
C11	90° 00' 00"	39.27'	25.00'	S34° 03' 13"E	35.36'	
C12	17° 32' 22"	76.53'	250.00'	S19° 42' 58"W	76.23'	
C13	20° 59' 09"	115.38'	315.00'	N17° 59' 35"E	114.73'	
C14	12° 51' 01"	56.07'	250.00'	N13° 55' 31"E	55.95'	
C15	8° 08' 08"	35.50'	250.00'	N24° 25' 05"E	35.47'	
C16	12° 02' 27"	64.10'	305.00'	S55° 36' 00"E	63.98'	
C17	14° 46' 58"	78.69'	305.00'	S69° 00' 43"E	78.47'	
C18	15° 55' 46"	84.80'	305.00'	N57° 32' 40"W	84.52'	
C19	13° 32' 40"	72.10'	305.00'	N72° 16' 53"W	71.93'	
C20	51° 51' 20"	54.30'	60.00'	N53° 07' 33"W	52.47'	
C21	48° 38' 13"	50.93'	60.00'	S76° 37' 41"W	49.42'	
C22	41° 21' 47"	43.32'	60.00'	S31° 37' 41"W	42.38'	
C23	42° 46' 31"	44.79'	60.00'	S10° 26' 28"E	43.76'	
C24	43° 27' 47"	45.51'	60.00'	S53° 33' 37"E	44.43'	
C25	55° 37' 02"	58.24'	60.00'	N76° 53' 58"E	55.98'	
C26	10° 49' 09"	59.48'	315.00'	S23° 04' 35"W	59.39'	
C27	10° 10' 00"	55.89'	315.00'	S12° 35' 00"W	55.82'	

SITE DATA TABLE

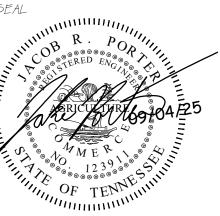
MAP 73, PARCEL 21.00 p/o COUNTY: WILSON STATE: TENNESSEE

TOTAL PROJECT AREA	435,752 S.F. (10.00 A.C.±)				
EXISTING ZONING	R-1 (COUNTY)				
PROPOSED ZONING	RS-20 (CITY)(VARIABLE)				
EXISTING LAND USE	MEDIUM DENSITY RESIDENTIAL				
PROPOSED LAND USE	MEDIUM DENSITY RESIDENTIAL				
DENSITY ALLOWED	10 AC @ 2.2 U/A = 22 UNITS				
DENSITY PROPOSED	10 AC @ 1.7 U/A = 17 UNITS				
BUILDING SETBACKS					
BUILDING ENVELOPE SPACING	30'				
TO ON-SITE STREET	20'				
TO OFF-SITE STREET	40'				
TO TRACT BOUNDARY	40'				
TO ANY LOT LINE	15' REQUESTED				
TO LAKE OR STREAM	100'				
MINIMUM LOT SIZE	15,000 S.F.				
AVERAGE LOT SIZE	16,750 S.F.				
MINIMUM LOT WIDTH	50'				
-AT CULDESAC	35'				
MAXIMUM HEIGHT	35'				
PROPOSED HEIGHT	35'				
MAXIMUM LOT COVERAGE	45%				
PROPOSED LOT COVERAGE	45%				
PROPOSED FLOOR AREA PER LOT	3,000 SF+				
IMPROVED OPEN SPACE	PLAYGROUND 3,064 S.F. DOG PARK 6,342 S.F. 10' WALKING TRAIL 35,220 S.F. TOTAL 1.02 A.C. (10.24%) 44,626 S.F.				

SCALE: 1"=50'

HERITAGE CIVIL 2055 N Mt. Juliet Road, Ste 202 Mt. Juliet, TN 37122 JakeP@HeritageCivil.com 615.943.5666





SITE LAYOUT PLAN