

# **Mt. Juliet, Tennessee**

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



## **Agenda**

**Thursday, July 9, 2026**

**6:00 PM**

**Commission Chambers**

**Board of Zoning Appeals**

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

Resources: Jon Baughman, City Planner, Jill Johnson, Planner 1, Samantha Burnett, City Attorney

- 1. Call to Order**
- 2. Approval of Minutes**
  - 2.A.** Review and adopt the Minutes from the April 9, 2026, Board of Zoning Appeals Meeting.
- 3. New Business**
  - 3.A.** Review the Variance to the Landscape Screening Requirements along Residential Zoning for New Tribe Church, located at 260 Clemmons Rd.
- 4. Adjourn**



# Mt. Juliet, Tennessee

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

## Staff Report

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**File #:** 1760

**Agenda Date:** 7/9/2026

**Agenda #:** 2.A.

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**Title:**

Review and adopt the Minutes from the April 9, 2026, Board of Zoning Appeals Meeting.

# Mt. Juliet, Tennessee

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



## Meeting Minutes - Draft

Thursday, April 9, 2026

6:00 PM

Commission Chambers

**Board of Zoning Appeals**

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

Resources: Jon Baughman, City Planner, Jill Johnson, Planner 1

**Present** Board Member Dave Heflin, Board Member David Rast, Chairperson Ray Wallace, Board Member Jim Pustejovsky

**1. Call to Order**

**2. Approval of Minutes**

**2.A.** Review and adopt the Minutes from the January 8, 2026, Board of Zoning Appeals Meeting.

A motion was made by Board Member Pustejovsky, seconded by Board Member Rast, that these Minutes be approved. The motion carried by the following vote:

**RESULT:** APPROVED

**MOVER:** Jim Pustejovsky

**SECONDER:** David Rast

**Aye:**Board Member Heflin, Board Member Rast, Chairperson Wallace, and Board Member Pustejovsky.

**3. New Business**

**3.A.** Review the Conditional Use Permit for Providence Church located at 2293 S. Rutland Rd, increasing the seating capacity from 750 seats to 1600.

Staff reviewed the application and answered questions from the commission.

A motion was made by Board Member Rast, seconded by Board Member Pustejovsky, that this Action Item be approved. The motion carried by the following vote:

**RESULT:** APPROVED

**MOVER:** David Rast

**SECONDER:** Jim Pustejovsky

**Aye:**Board Member Heflin, Board Member Rast, Chairperson Wallace, and Board Member Pustejovsky.

**3.B.** Review the Conditional Use Permit for Special Group Care located at 14270 Lebanon Road.

Staff reviewed the application and answered questions from the commission.

A motion was made by Board Member Pustejovsky, seconded by Board Member Heflin, that this Action Item be approved. The motion carried by the following vote:

**RESULT:** APPROVED  
**MOVER:** Jim Pustejovsky  
**SECONDER:** Dave Heflin

**Aye:**Board Member Heflin, Board Member Rast, Chairperson Wallace, and Board Member Pustejovsky.

**4. Adjourn**

A motion was made by Board Member Rast, seconded by Board Member Heflin, that this be approved. The motion carried by the following vote:

**RESULT:** APPROVED  
**MOVER:** David Rast  
**SECONDER:** Dave Heflin

**Aye:**Board Member Heflin, Board Member Rast, Chairperson Wallace, and Board Member Pustejovsky.

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Ray Wallace, Chairperson

\_\_\_\_\_  
Jill Johnson, Planner 1



# Mt. Juliet, Tennessee

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

## Staff Report

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**File #:** 1761

**Agenda Date:** 7/9/2026

**Agenda #:** 3.A.

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**Title:**

Review the Variance to the Landscape Screening Requirements along Residential Zoning for New Tribe Church, located at 260 Clemmons Rd.



**Staff Report**

**July 9, 2026 – Board of Zoning Appeals**

**Project Name:**

New Tribe Church

**Address:**

260 Clemmons Road

**Legal Description:**

Map(s) - 072

Parcel(s) – 074.00

**Applicant:**

Jessica Gore,

Para Design, LLC.

**Property Owner:**

New Tribe Church Inc.

**Request:**

Variance – Landscape

Transitional Protective Yards

**Current Zoning:**

RS-40, Low Density Residential

**Current Land Use Designation:**

Business Development Ctr.

**Attachments:**

Plan exhibits (site plan)

Jon Baughman, City Planner

Jill Johnson, Planner I

**Request:** The applicant seeks a variance from the landscape screening requirements for New Tribe Church, located at 260 Clemmons Road, in District 3.

**Description/History:** The property, approximately 12.26 acres owned by New Tribe Church, is located at 260 Clemmons Road and currently has a site plan, for a 750 seat, 29,795sf footprint religious facility, that was heard at the April 2026 PC meeting. The applicant subsequently deferred at the meeting to request relief from a landscape screening requirement for religious facilities adjacent to residential and industrial zoned properties via this Board.

**Zoning:** The property is zoned RS-40, low density residential. A conditional use permit was approved by the BZA, in March 2024, for the Church to utilize this property for a religious facility. The church is classified as a community facility level 1 for landscape buffer purposes. Surrounding zoning includes RS-40, I-R and Wilson County R-1 and I-2.

**Article III. Supplementary Use Regulations**

**3.104.6.8. Provisions applicable to community facility activities – religious facilities –**

*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.*

<i>Seating Capacity</i>	<i>Minimum Lot Size</i>
<i>51 to 200</i>	<i>2 acres + 0.5 acre/100 seats</i>
<i>201 to 400</i>	<i>5 acres + 0.5 acre/100 seats</i>
<i>more than 400</i>	<i>10 acres</i>

- 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.*

#### **Article X. Landscaping and screening provisions**

**10-111 Transitional protective yard requirements** A buffer is not required adjacent to industrial zoning. Community facilities are typically required a type B buffer against RS-40 or R-1 zoning. The RS-40 zoning adjacent to this site includes another community facility (Public Works) negating the buffer requirement. This leaves only the areas of the site adjacent to Wilson Co. R-1 subject to a B buffer type.

#### **Article XIV Administration and Enforcement**

**14-104.2.2 Board of Zoning Appeals, Powers of the Board – Variances** Pursuant to section 13-7-207(3) Tennessee Code, the Board shall hear and act upon applications for variances to alleviate hardships created by not be able to comply with this ordinance by reason of unique shape, topography or physical features of the zone lot.

**14-105.4 Standards for Variances (1-7)** The requirements for the BZA to grant a variance are as follows, and as submitted, the applicant does not meet the seven (7) requirements set forth to grant a variance.

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.*

**Summary:** The applicant is seeking a variance to gain relief from the transitional protective yard requirements under the City's landscape regulations. The church, in a residential zoning district (RS-40), has already received conditional use approval by the BZA, per the requirements of Article III. The waiver request applies to the two areas of the site adjacent to R-1 County zoning along the southern property line (approx. 885 linear feet).



## City of Mt. Juliet Planning Department

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**Recommendation:** Staff does not recommend approval of the landscape buffer variance for New Tribe Church at 260 Clemmons Road.



PARA Design

May 11, 2026

City of Mt. Juliet – Planning and Zoning Department  
115 Clemmons Rd.  
Mt. Juliet, TN 37122

RE: New Tribe Church  
Waiver request - for BZA Approval

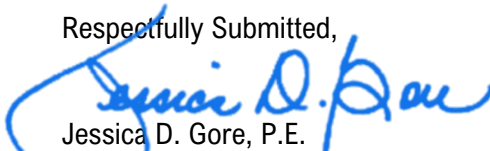
Dear City Staff,

Included with the application is the Site Plan package that was submitted to Planning Commission, a property map with adjacent zoning and uses, and a list of adjacent property owners and mailing addresses. New Tribe Church is seeking relief of the screening requirement for religious facilities against residentially zoned property for the following reasons and/or hardships:

1. The residentially zoned property to the North is the Mt. Juliet Public Works garage and storage yard. The church property along this property line contains an access easement to the Infrastructure Precast Inc.
2. There are existing trees in the front parcel that will remain as the parking lot and church are going to the rear of the parcel.
3. The driveway is pushed to the South property line to avoid the stream, wetland, and buffers that bisect the property.
4. Development of Parcel 77 is highly unlikely to be low density residential.
5. Parcel 75 to the Southeast is surrounded by Industrial zoned property.
6. The portion of Parcel 75 adjacent to New Tribe has a 150' TVA Easement that takes up over half of that abutting property line.

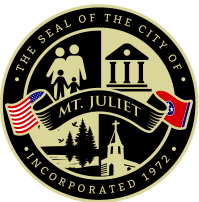
We respectfully ask for a waiver of the landscape screening against residential zones for this project. Please do not hesitate to contact us for further clarification or questions.

Respectfully Submitted,



Jessica D. Gore, P.E.  
Principal

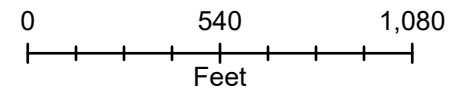
Residential  
Industrial



# CITY OF MT. JULIET, TENNESSEE

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: April 15, 2026



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## 260 Clemmons Road--Landscape Buffer Zoning Variance Request

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From snpgeneralcounsel@gmail.com <snpgeneralcounsel@gmail.com>

Date Wed 6/10/2026 3:37 PM

To Jon Baughman <jbaughman@mtjuliet-tn.gov>

Cc Jennifer Hamblen <jhamblen@mtjuliet-tn.gov>

Mr. Baughman:

My name is Nixon Pressley. My mother-in-law, Jo Stilts, owns the property located at 240 Clemmons Road which adjoins to the south the property that is the subject of the variance request. I represent Ms. Stilts as to various matters so I am reaching out to you on her behalf. Given that I may not be able to attend the BZA meeting tomorrow night, I'm writing this letter in the hope that it will be considered by the BZA in their deliberations concerning this request. Would you be so kind as to read it into the record in my absence?

While we have no issue with our neighbor, New Tribe Church, and their planned church construction we do believe the required landscape buffer screening by the church would indeed be proper. Ms. Stilts' property at 240 Clemmons Road is currently zoned residential. While she has no plans at the moment to develop the property, it is conceivable that it could remain residential. As I understand the church's current plan, their driveway will hug the common boundary line of Ms. Stilts. A 750 seat building that will potentially generate an abundance of vehicle traffic in and out from Division Street at different times on multiple days. Ms. Stilts believes the landscape buffer will provide desirable visual screening and noise dampening for the use of her property. And, I suspect if Ms. Stilts' property is rezoned in the future that she will also be required to include a similar landscape buffer--so the rules should apply both ways. In a nutshell, Ms. Stilts is of the opinion that the landscape buffer should be required. In the alternative if there are exceptions to be made, Ms. Stilts would at a minimum request that the landscape buffer be required for at least the section along the church and Ms. Stilts' common boundary.

Respectfully submitted,  
Nixon Pressley

**S. Nixon Pressley**

Bennett & Pressley, P.C., Attorneys

Shareholder/Secretary

2055 N. Mt. Juliet Road

Suite 202

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(615) 758-6886 Direct

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