



**TOWN OF SMYRNA
BOARD OF ZONING APPEALS**



AGENDA

The Town's Public Comment Period shall be reserved for those citizens that have signed up to address a Board or Committee, at least 24 hours in advance of the meeting, pursuant to the Town's Public Comment Policy. Speakers are limited to 3 minutes. Additional comments may be submitted in writing.

February 19, 2026

5:00 PM

Smyrna Town Hall

- 1. Call to Order**
 - Prayer
 - Pledge of Allegiance
- 2. Citizen Comments**
- 3. Approval or Correction of Minutes**
 - a. January 15, 2026 regular meeting
- 4. New Business**
 - a. Special Exception
 1. Lamont Brown
104 Edison Circle
- 5. Staff Comments and/or Other Business**
- 6. Adjournment**



**TOWN OF SMYRNA
BOARD OF ZONING APPEALS**



MINUTES

January 15, 2026

5:00 PM

Smyrna Town Hall

1. Call to Order

The meeting was called to order by Jay Michaelson, Chairperson at 05:00 PM in the Council Chambers at Smyrna Town Hall, 315 South Lowry Street, Smyrna, Tennessee.

The following Board of Zoning Appeals members and staff were present:

Members:

Jay Michaelson, Chairperson
Scott Demonbreun
Jerome Dempsey, Council Member
Tyler Short
Don Hyde

Staff:

Mitchell Wensman, Planner
Kevin Rigsby, Town Planner
Kathryn Smith, Office Coordinator
Benjamin Groce, Staff Attorney
Todd Spearman, Asst. Town Manager
David Santucci, Town Manager
Kristi Worrell, Building Official

Prayer

The invocation was given by Don Hyde.

Pledge of Allegiance

The Pledge of Allegiance was led by Scott Demonbreun.

2. Citizen Comments

3. Approval or Correction of Minutes

3.a. November 20, 2025 regular meeting

Following a review of the Minutes of the November 20, 2025 meeting, Council Member Jerome Dempsey made a motion to approve the minutes; the motion was duly seconded by Board Member Scott Demonbreun. The motion was approved 5-0.

4. New Business

4.a. Special Exception

4.a.1. Michael Woods

1068-1070, 1072-1084 & 1088 Courier Place

Michael Woods

Special Exception

Location: 1068-1070, 1072-1084 & 1088 Courier Place	Property Owners: Charles Higgins & Michael Woods
Tax Map/Group/Parcel: 50N/A/8.01	
Zoning: I-1	

Request: For a special exception to allow contract construction services, consumer repair services, general business service and general retail trade uses within an I-1 zoning district.



Staff Analysis

The applicant has requested a special exception to allow contract construction services, consumer repair services, general business services and general retail trade uses within the I-1 zoned property at 1068-1070, 1072-1084 & 1088 Courier Place. The property is zoned I-1, and currently has a variety of tenants ranging from contractors, a food market, suppliers, warehouse and shipping, security system sales and install and a staffing

agency, among others. A majority of the tenants on site have low, if any, customer visits, rather primarily office spaces for the employees with business related product storage. This request is to formalize compliance for those tenants, who operate on site and future tenants, whose business operations necessitate a special exception as per the Zoning Ordinance.

Previous BZA requests have been presented in 2005 for a bar/restaurant, and in 2023 for the existing food market and staffing agency. The request in 2005 was denied due to inadequate parking concerns and the request from 2023 was approved.

Section 7.060 B of the Zoning Ordinance details the requirements for authorizing special exceptions. These are detailed below.

Special Exception Requirements

Section 7.060 of the Municipal Zoning Ordinance lists general requirements for a zoning variance request. Those requirements and staff's findings are as follows:

Section 7.060 Procedure for authorizing special exceptions

The following procedure is established to provide procedures for review of a proposed use as a conditional use or special exception by the Board of Zoning Appeals. The procedure shall be the same whether review is required under Section 13-7-206 of the Tennessee Code Annotated, by this ordinance, or whether a review is requested by the Building Official to determine whether a proposed use is potentially noxious, dangerous or offensive.

B. General Requirements:

A conditional use permit (a special exception) shall be provided the Board finds that it:

- a. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.
 - Staff finds the requested uses should not negatively affect the health, safety and welfare of the public as the uses presented as part of this request are present on site today.
- b. Will not adversely affect other property in the area in which it is located.
 - Staff finds that the proposed use should not adversely affect other properties in the surrounding area as the surrounding properties have a variety of commercial and industrial uses.
- c. Is within the provisions of "Special Exceptions" as set forth in this ordinance.
 - Section 5.053.1 C lists "contract construction services", "consumer repair

services”, “general business service” and “general retail trade” as special exceptions within the I-1 district.

- d. Conforms to all applicable provisions of this ordinance for the district in which it is to be located as well as the provisions cited in Sections 7.060 and 7.061, and is necessary for public convenience in the location planned.
 - Staff finds that this site may be able to conform to all provisions of the Municipal Zoning Ordinance as listed in Criteria Review Section 7.060 C.

C. Criteria for Review:

Prior to the issuance of a special exception, the Board shall make written findings certifying compliance with the specific rules governing individual special exceptions (Section 7.061), and that satisfactory provisions and arrangement has been made concerning all the following where applicable:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - Access to the site would continue to utilize the existing driveways off of Courier Place.
2. Off-street parking and loading areas where required, with particular attention to the items in item 1. above, and the economic, noise, vibrations, glare, or odor effects of the special exception on or by adjoining properties and properties generally in or near the district.
 - Staff finds that the lot could provide sufficient space for off-street parking, as there are approximately 112 striped parking spaces on this parcel to support all tenants. Due to the nature of the businesses, staff does not foresee high traffic volumes to impact this property.
3. Refuse and service areas, with particular reference to the items in 1. and 2. above.
 - Refuse collection would proceed in the same manner as currently exists.
4. Utilities, with reference to locations, availability, and compatibility.
 - This location has access to the necessary utilities including water and sewer.
5. Screening and buffering with reference to type, dimensions and character.
 - Not applicable.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic,

safety, economic effect, and compatibility and harmony with properties in the district.

- Staff finds that the proposed business could meet the signage and lighting requirements as stated above.

7. Required yard and other open space.

- Staff finds that this yard has the necessary yard and open space to meet setback requirements as the structures to be used for operations currently exist on site.

8. General compatibility with adjacent properties and other property in the district.

- Staff finds that the use may be compatible with other properties in the vicinity and other property in the district. Properties in the area contain a variety of uses that are commercial and industrial in nature.

9. The following additional rules apply for upper story residential development proposals:

- a. All upper story residential development proposals shall require a certified statement demonstrating a firm agreement for parking reserved exclusively for the use of the upper story residential development.
- b. All upper story residential development proposals shall be in compliance with all Building, Utility, and Housing Codes within the Smyrna Municipal Code.

- Not applicable.

Conclusion

Staff finds that this lot provides sufficient space to allow for the uses of contract construction services, consumer repair services, general business services and general retail trade in addition to uses as allowed by right within the I-1 zoning district. Other properties in the area are zoned a mixture of commercial and industrial with a variety of uses.

At this time, Chairperson, Jay Michaelson closed the Board of Zoning Appeals meeting and opened the Public Hearing. Nobody spoke at the Public Hearing. Chairperson, Jay Michaelson closed the Public Hearing and resumed the Board of Zoning Appeals meeting.

Following discussion, Council Member Jerome Dempsey made a motion to approve the Special Exception for 1068-1070, 1072-1084 & 1088 Courier Place. Board Member Scott Demonbreun seconded the motion. Following further discussion, the motion was approved 5-0.

5. Staff Comments and/or Other Business

At this time, Jay Michaelson, Chairperson welcomed new board member Tyler Short to the Board of Zoning Appeals.

6. Adjournment

Town of Smyrna, Tennessee

Jay Michaelson, Chairperson

Attest:

Kevin Rigsby, Secretary



**Town of Smyrna
Board of Zoning Appeals Meeting
Agenda Summary**

**Agenda Item Number 4.a.
Department: Planning
Date: February 19, 2026**

Subject:
Special Exception
Summary:

Attachments:
None



**Town of Smyrna
Board of Zoning Appeals Meeting
Agenda Summary**

**Agenda Item Number 4.a.1.
Department: Planning
Date: February 19, 2026**

Subject:
Lamont Brown
104 Edison Circle

Summary:

Lamont Brown
Special Exception

Location: 104 Edison Circle	Property Owner: Lamont Brown
Tax Map/Group/Parcel: 13K/B/6.00	
Zoning/Use Classification: R-1/Single Family Residential	

Request: For a special exception to allow a detached accessory apartment.



Staff Analysis

The applicant has requested a special exception to allow a detached accessory dwelling unit at 104 Edison Circle. The property is approximately 0.51 acres in size and zoned R-1, Low Density Single Family Residential. The proposed ADU would be 600 square feet in size. There is also an approximate 160 square foot shed that is preexisting in the rear yard. This new structure would serve as housing for a family member and caretaking. The structure would be located in the rear yard and would be required to meet all applicable setback requirements.

Section 7.060 B of the Zoning Ordinance details the requirements for authorizing special exceptions. These are detailed below.

Special Exception Requirements

Section 7.060 of the Municipal Zoning Ordinance lists general requirements for a zoning variance request. Those requirements and staff's findings are as follows:

Section 7.060 Procedure for authorizing special exceptions

The following procedure is established to provide procedures for review of a proposed use as a conditional use or special exception by the Board of Zoning Appeals. The procedure shall be the same whether review is required under Section 13-7-206 of the Tennessee Code Annotated, by this ordinance, or whether a review is requested by the Building Official to determine whether a proposed use is potentially noxious, dangerous or offensive.

B. General Requirements:

A conditional use permit (a special exception) shall be provided the Board finds that it:

- a. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.
 - Staff finds the proposed use of a detached ADU should not negatively affect the health, safety, and welfare of the public.
- b. Will not adversely affect other property in the area in which it is located.
 - Staff finds that the proposed use may not adversely affect other properties in the surrounding area.
- c. Is within the provisions of "Special Exceptions" as set forth in this ordinance.
 - Section 5.051.1 C of the Municipal Zoning Ordinance lists accessory apartments as a special exception within the R-1 zoning district.
- d. Conforms to all applicable provisions of this ordinance for the district in which it is to be located as well as the provisions cited in Sections 7.060 and 7.061, and is necessary for public convenience in the location planned.
 - Staff finds that this site may be able to conform to all provisions of the Municipal Zoning Ordinance as listed in Criteria Review Section 7.060 C.

C. Criteria for Review:

Prior to the issuance of a special exception, the Board shall make written findings certifying compliance with the specific rules governing individual special exceptions (Section 7.061), and that satisfactory provisions and arrangement has been made concerning all the following where applicable:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and

control, and access in case of fire or catastrophe.

- Access to the site would utilize the existing driveway off of Edison Circle.
2. Off-street parking and loading areas where required, with particular attention to the items in item 1. above, and the economic, noise, vibrations, glare, or odor effects of the special exception on or by adjoining properties and properties generally in or near the district.
 - Staff finds that the lot provides sufficient space for off-street parking as the applicant's driveway is over 100' in length for parking.
 3. Refuse and service areas, with particular reference to the items in 1. and 2. above.
 - Refuse collection would proceed in the same manner as currently.
 4. Utilities, with reference to locations, availability, and compatibility.
 - This location has access to water, sewer and gas.
 5. Screening and buffering with reference to type, dimensions and character.
 - Not applicable.
 6. Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.
 - Staff finds that the proposed ADU should fit the compatibility with properties in the same district in reference to the above effects.
 7. Required yard and other open space.
 - Staff finds that this yard has the necessary yard and open space for the additional building as they would not be exceeding the maximum allowed detached accessory square footage for their property of 800 square feet.
 8. General compatibility with adjacent properties and other property in the district.
 - Staff finds that the use may not be compatible with adjacent properties due to other lots in the area not having an ADU. Other properties, however, have received prior BZA approval for other requests in the same subdivision.
 9. The following additional rules apply for upper story residential development proposals:
 - a. All upper story residential development proposals shall require a certified statement demonstrating a firm agreement for parking reserved

exclusively for the use of the upper story residential development.

b. All upper story residential development proposals shall be in compliance with all Building, Utility, and Housing Codes within the Smyrna Municipal Code.

- Not applicable.

Conclusion

Staff finds that this lot provides sufficient space for the detached accessory apartment:

- Putting a condition on this request that the applicant be required to pay all applicable fees associated with an accessory dwelling unit (Rutherford County Development Tax, Town of Smyrna Impact Fees, Codes inspection fees, etc.).
- Adding a condition that the building not be used for rental purposes.
- All applicable Code and Fire Department requirements shall be met.

Attachments:

1. Brown Application