



**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.

April 16, 2026

5:00 PM

Smyrna Town Hall

- 1. Call to Order**
 - Prayer
 - Pledge of Allegiance
- 2. Citizen Comments**
- 3. Election of Officers**
- 4. Approval or Correction of Minutes**
 - a. March 19, 2026 regular meeting
- 5. New Business**
 - a. Special Exception
 1. Teresa Bankston
1101 Chorleywood Court
- 6. Staff Comments and/or Other Business**
- 7. Adjournment**



**TOWN OF SMYRNA
BOARD OF ZONING APPEALS**



MINUTES

March 19, 2026

5:00 PM

Smyrna Town Hall

1. Call to Order

The meeting was called to order by Jay Michaelson, Chairman at 05:01 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, Chairman
Scott Demonbreun
Don Hyde
Tyler Short

Staff:

Mitchell Wensman, Principal Planner
Kevin Rigsby, Town Planner
Kathryn Smith, Office Coordinator
Mark Crosslin, Planning Technician
Benjamin Groce, Staff Attorney
David Santucci, Town Manager

Prayer

The invocation was given by Tyler Short.

Pledge of Allegiance

The Pledge of Allegiance was led by Scott Demonbreun.

2. Citizen Comments

- 2.a. Pat Selley
509 Lake Farm Road
Smyrna, TN 37167
Project: Lake Farm Road
Neither**

At this time, Chairperson, Jay Michaelson recognized Pat Selley to speak. Mrs. Selley spoke regarding concerns of work being conducted on properties fronting Lake Farm Road pertaining to increased noise, light, possible fence installation and the visual appearance of the industrial properties on Nissan Drive.

3. Approval or Correction of Minutes

3.a. February 19, 2026 regular meeting

Following a review of the Minutes of the February 19, 2026 meeting, Board Member Scott Demonbreun made a motion to approve the minutes; the motion was duly

seconded by Board Member Don Hyde. The motion was approved 4-0.

4. New Business

4.a. Special Exception

**4.a.1. Randall Nelson
521 Williamsport Drive**

**Randall Nelson
Special Exception**

Location: 521 Williamsport Drive	Property Owner: Randall & Amy Nelson
Tax Map/Group/Parcel: 28O/F/19.00	
Zoning/Use Classification: R-3/Single Family Detached Residential	

Request: For a special exception to allow an attached accessory apartment.



Staff Analysis

The applicant has requested a special exception to allow an attached accessory dwelling unit at 521 Williamsport Drive. The property is 16,575 square feet, or 0.38 acres, in size and zoned R-3, Medium Density Single Family Residential. The proposed addition would be approximately 500-700 square feet in size based on the site plan submitted to the Codes Department. This addition would serve as separated housing for a family member from the primary living quarters. The structure would be located on the west side of the dwelling and would be required to meet all applicable setback requirements. In addition, the extreme northwestern quadrant of the parcel contains both 100-year and 500-year floodplain. The area containing the floodplain would not be affected as a result of this request. Proposed to be included in the addition would be a bedroom, bathroom, living area with a kitchenette and closet.

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 an attached 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 5.051.3 C of the Municipal Zoning Ordinance lists accessory apartments as a special exception within the R-3 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 Williamsport Drive.
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 approximately 50’ in length for parking and a two car garage.

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 as it will be attached to the existing dwelling.
7. Required yard and other open space.
 - Staff finds that this yard has the necessary yard and open space for the addition as they would be meeting all applicable setback requirements as shown on the site plan submitted to the Codes Department.
8. General compatibility with adjacent properties and other property in the district.
 - Staff finds that the use may be compatible with adjacent properties. Other properties in the subdivision have received approval and been denied various BZA requests, primarily for setbacks, but at least one request approved in 2020 for an ADU in the basement of the existing home.
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 attached accessory apartment and would recommend the following conditions if approved:

- 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.

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, Board Member Scott Demonbreun made a motion to approve the Special Exception for 521 Williamsport Drive with staff comments. Board Member Tyler Short seconded the motion. Following no further discussion, the motion was approved 4-0.

5. Staff Comments and/or Other Business

6. Adjournment

Without objection, the meeting was adjourned at 5:13 p.m.

Town of Smyrna, Tennessee

Jay Michaelson, Chairperson

Attest:

Kevin Rigsby, Secretary



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

**Agenda Item Number 5.a.
Department: Planning
Date: April 16, 2026**

Subject:
Special Exception
Summary:

Attachments:
None



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

**Agenda Item Number 5.a.1.
Department: Planning
Date: April 16, 2026**

Subject:

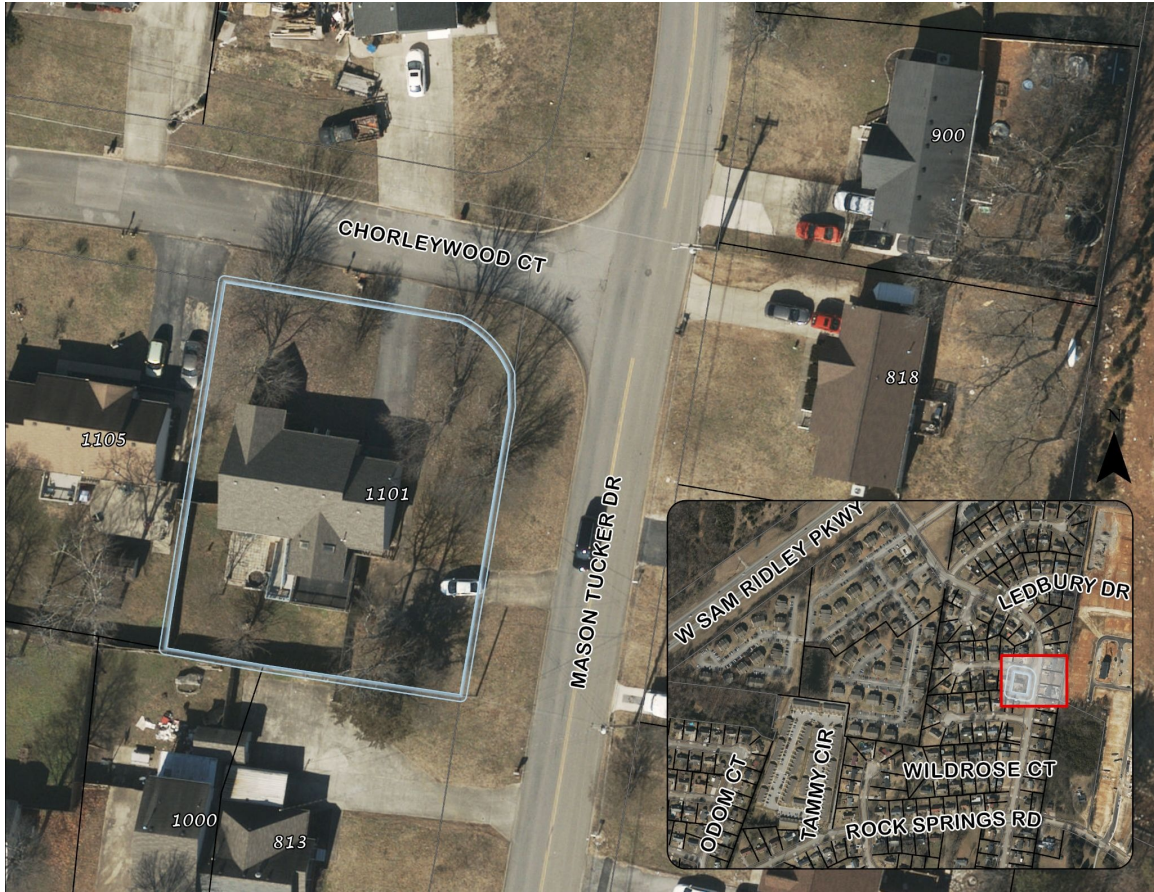
Teresa Bankston
1101 Chorleywood Court

Summary:

Teresa Bankston
Special Exception

Location: 1101 Chorleywood Ct.	Property Owner: Teresa Bankston
Tax Map/Group/Parcel: 28C/A/61.00	
Zoning/Use Classification: R-4/Single Family Detached Residential	

Request: For a special exception to allow an attached accessory apartment.



Staff Analysis

The applicant has requested a special exception to allow an attached accessory dwelling unit at 1101 Chorleywood Court. The property is 12,571 square feet, or 0.28 acres, in size and zoned R-4, Medium Density Residential. This addition would serve as separate living quarters for family members while visiting and taking care of the applicant's family. The addition would be located on the south side of the dwelling and would be required to meet all applicable setback requirements. Proposed to be included in the addition would be new bedrooms, bathrooms and a kitchen.

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 an attached 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 5.051.4 C of the Municipal Zoning Ordinance lists accessory apartments as a special exception within the R-4 zoning district. Accessory apartments may only be considered by the Board of Zoning Appeals within the R-4 zoning district if the principal use is one detached single-family dwelling, which is the case for the requested property.
- 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.
 - The current residence has two existing driveways; one off of Mason Tucker Drive and one off of Chorleywood Court that would continue to be used as the primary points of access to the site.
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 driveways are approximately 65' in length, each.
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 as it will be attached to the existing dwelling.
7. Required yard and other open space.
 - Staff finds that this yard has the necessary yard and open space for the addition as they would be required to meet all applicable setback requirements. A plan submitted by the applicant shows the proposed addition would not encroach upon the setbacks.
8. General compatibility with adjacent properties and other property in the district.
 - Staff finds that the use may not be compatible with adjacent properties as there have been no previous requests for accessory apartments within this subdivision. Other variance requests have been presented, but not pertaining to accessory dwellings.

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 attached accessory apartment and would recommend the following conditions if approved:

- 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. BankstonApp_Redacted



Town of Smyrna

Board of Zoning Appeals Application

APPLICANT INFORMATION:	APPLICANT IS:	THE PROPOSAL PERTAINS TO:
Name: TERESA BANKSTON	Owner <input checked="" type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Phone Number: [REDACTED]	Contractor <input type="checkbox"/>	Existing Structure <input checked="" type="checkbox"/>
Email: [REDACTED]	Other <input type="checkbox"/>	Signage <input type="checkbox"/>

THIS REQUEST IS FOR:

Zoning Variance <input type="checkbox"/>	Sign Variance <input type="checkbox"/>	<i>PDF All plans sent by Formal email to Mr. Wensman from Tom Mayhugh (Contractor)</i>
Setback Variance <input type="checkbox"/>	Special Exception <input checked="" type="checkbox"/>	
Temporary Use Permit <input type="checkbox"/>	Administrative Review <input type="checkbox"/>	

PROPERTY INFORMATION

Street Address: 1101 Chorleywood Ct, SMYRNA		
Tax Map: 28C	Group: A	Parcel: 61.00
Zoning: R-4	Lot Area: 12,571 sf	

DESCRIPTION OF APPEAL

Describe your request and why a variance is needed. Please submit a site plan and/or photographs if applicable to your request.

I would like to have the apartment for 32 yr old disabled daughter
She will have lifetime living benefits.
I will be in home. The main house has no steps. My husband (74)
and I (72) will need care for time. We can all care for each other.
I have no plans or desire to rent the house, or apartment.
No desire to use it as a A B+B. It is for out of town guest
and friends to visit.

ALL APPLICANTS OR THEIR REPRESENTATIVES ARE REQUIRED TO ATTEND THE MEETING

Approval by the Board of Zoning Appeals does not remove any requirements or prohibitions that may be in place because of any restrictive covenants affecting your property. Violation of restrictive covenants could result in legal action against you by a homeowner's association or individual homeowners within your neighborhood. The Town of Smyrna will not be liable if action is taken against you due to violation of such covenants.

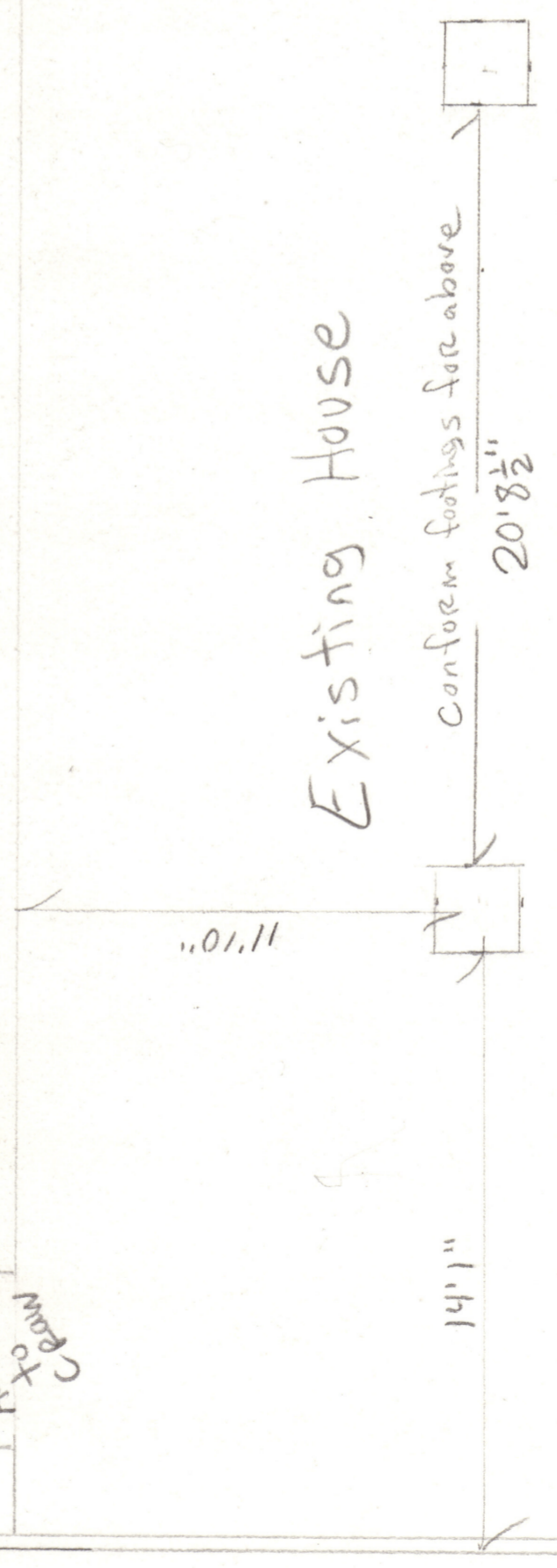
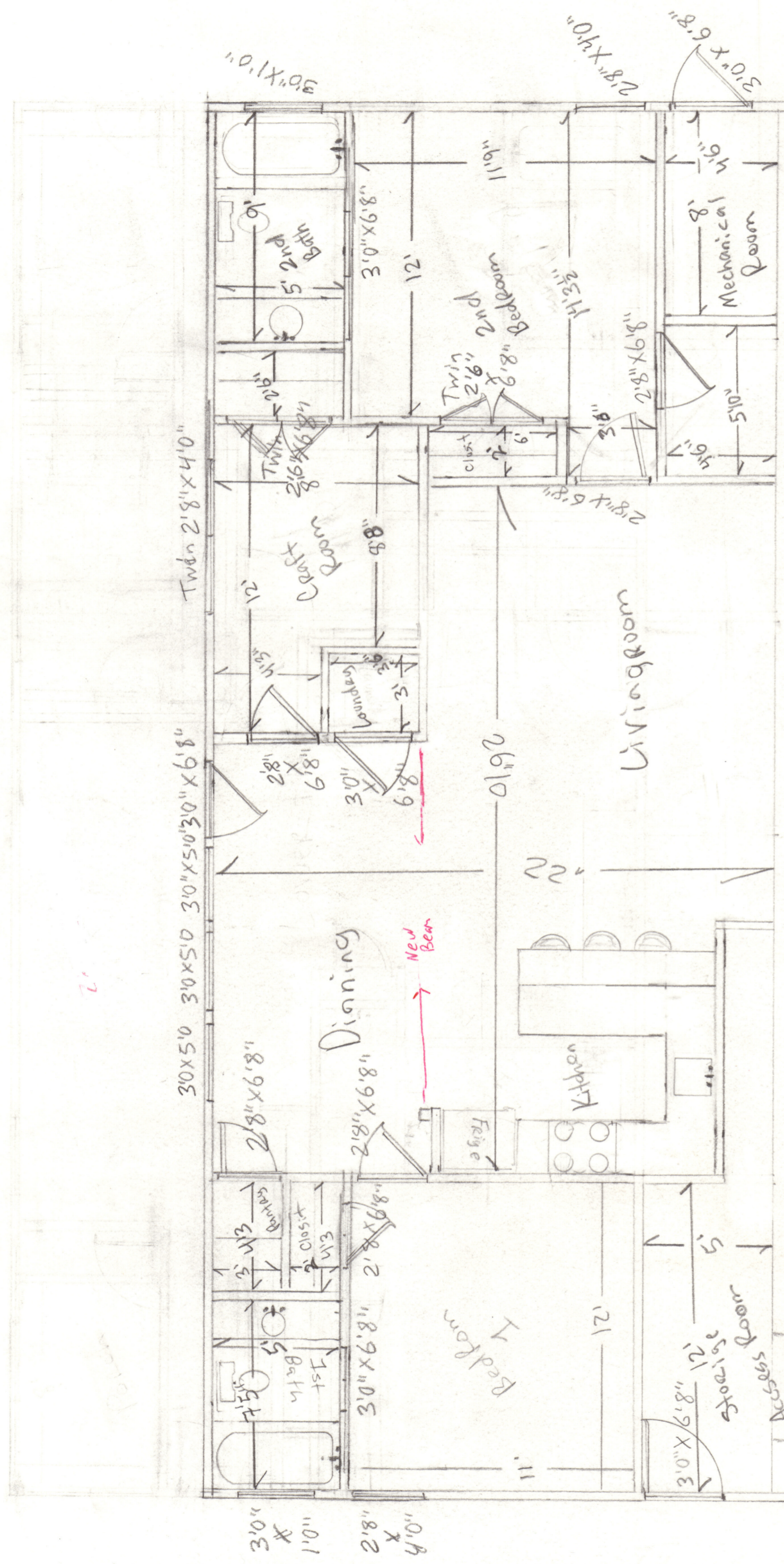
APPLICANT AUTHORIZATION

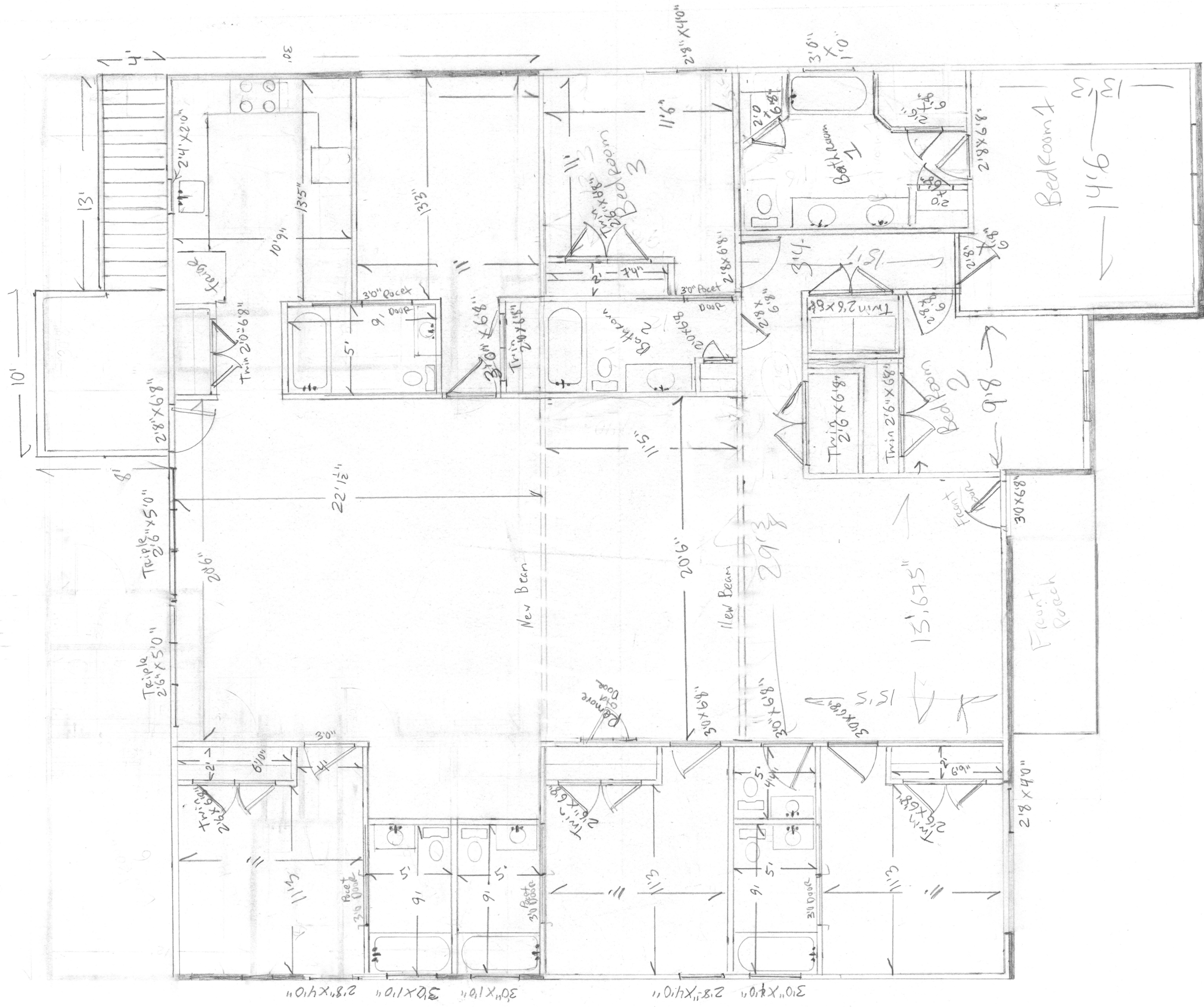
I hereby certify that I am the authorized applicant, representing all property owners involved in this request and am aware that approval received from the Board of Zoning Appeals does not authorize any activities which are prohibited by any Town Ordinance, covenant restrictions, deed restrictions or HOA regulations.

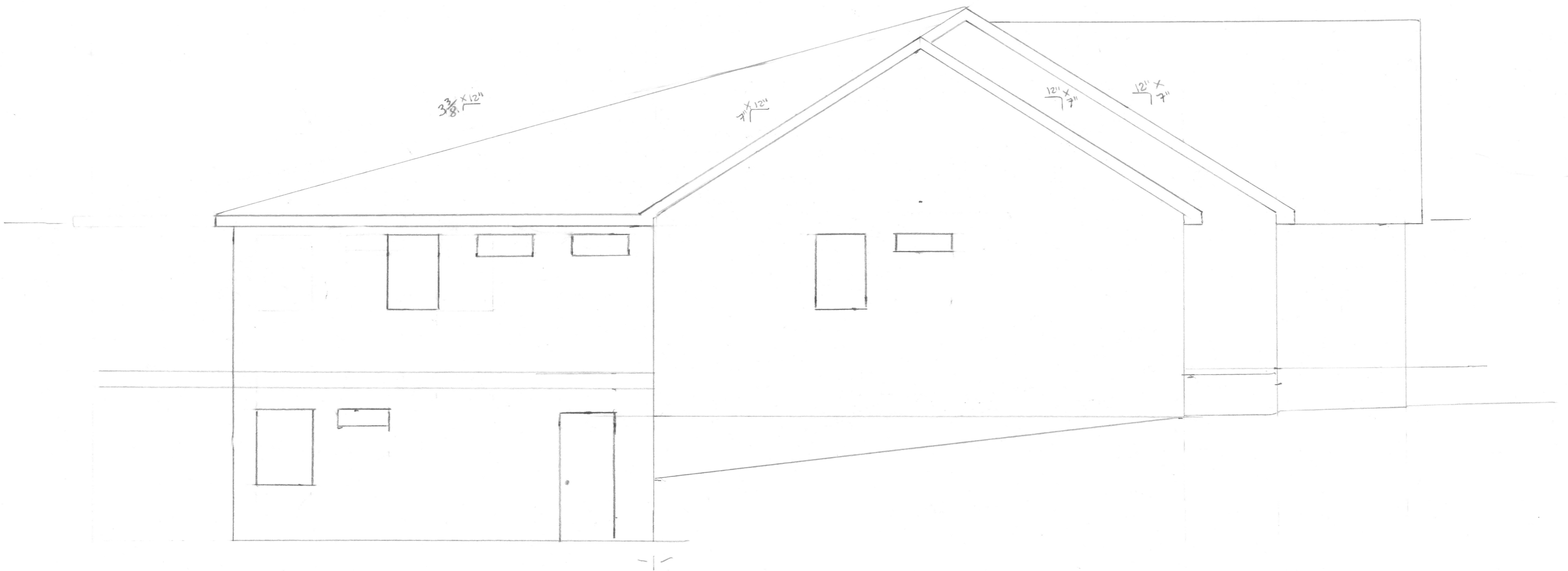
Applicant Signature: <i>Teresa Bankston</i>	Date: 4-6-2026
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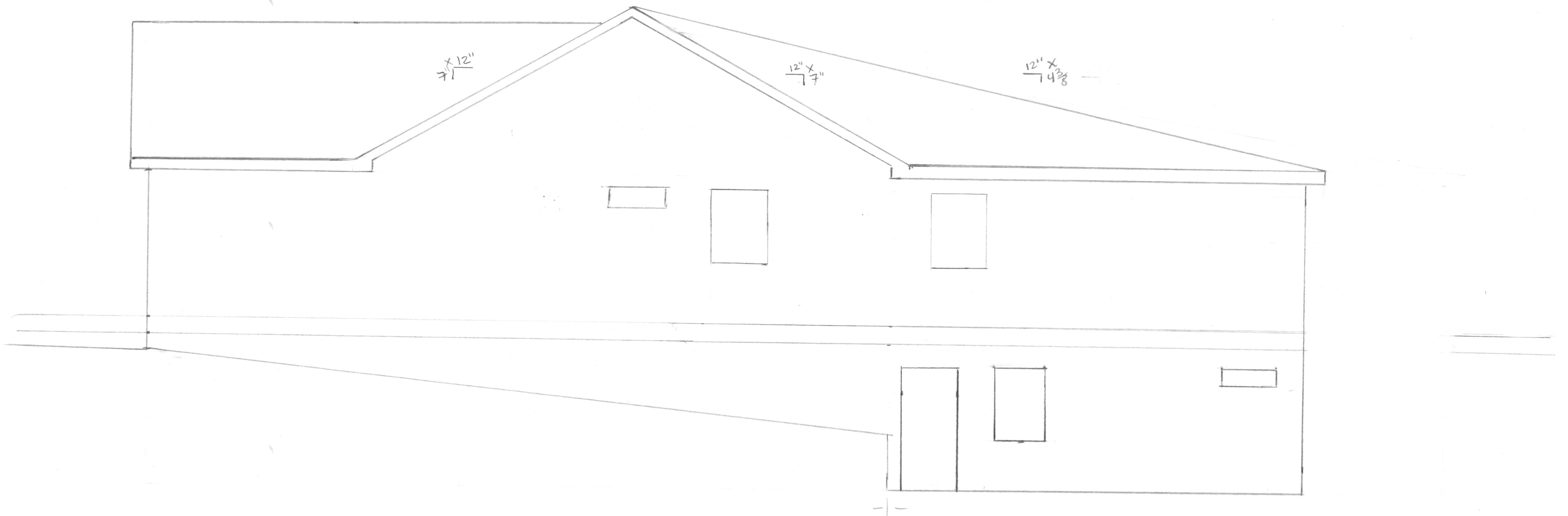
Office Use Only

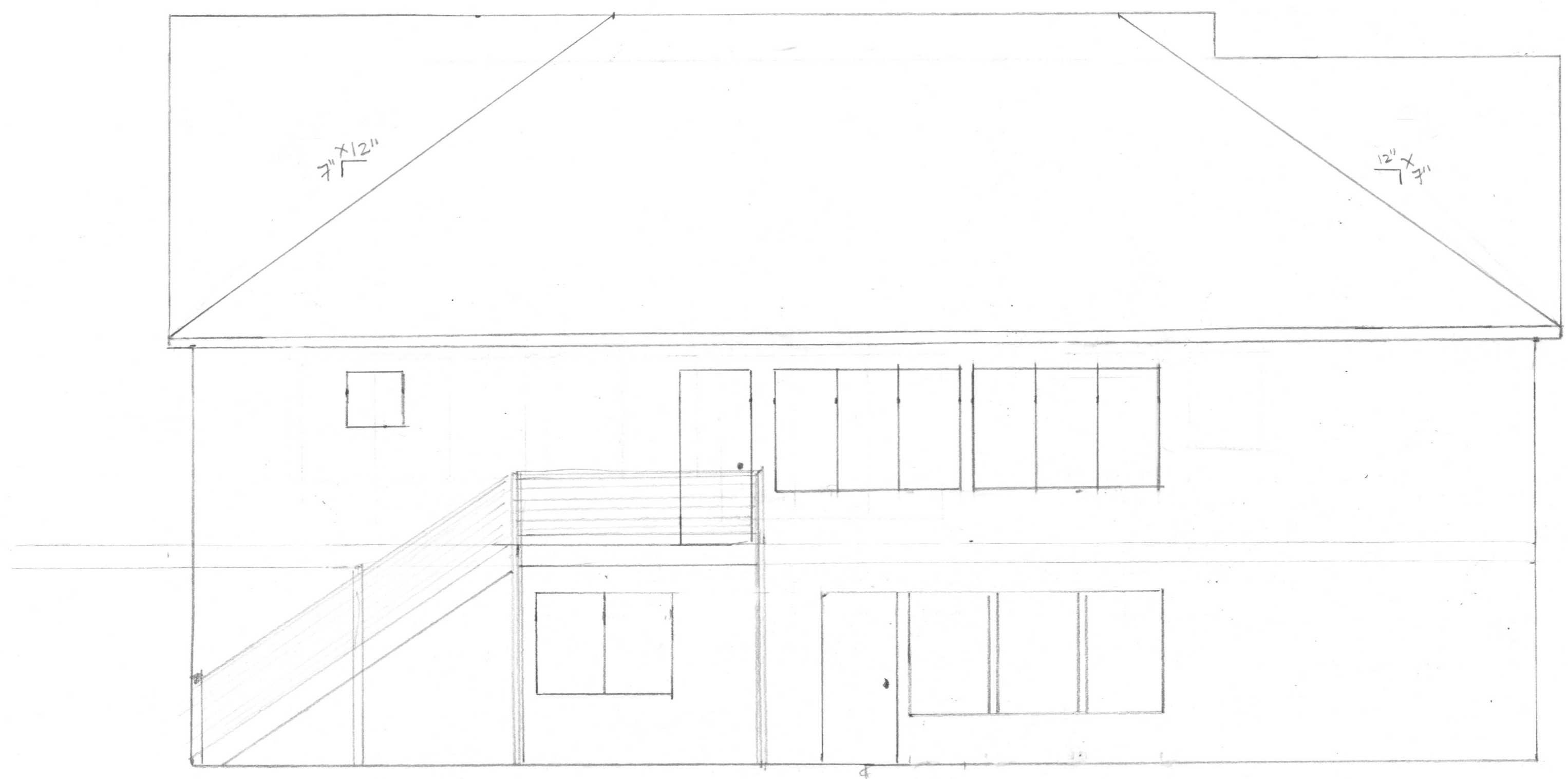
Staff Initials:	Application Fee:	Date:
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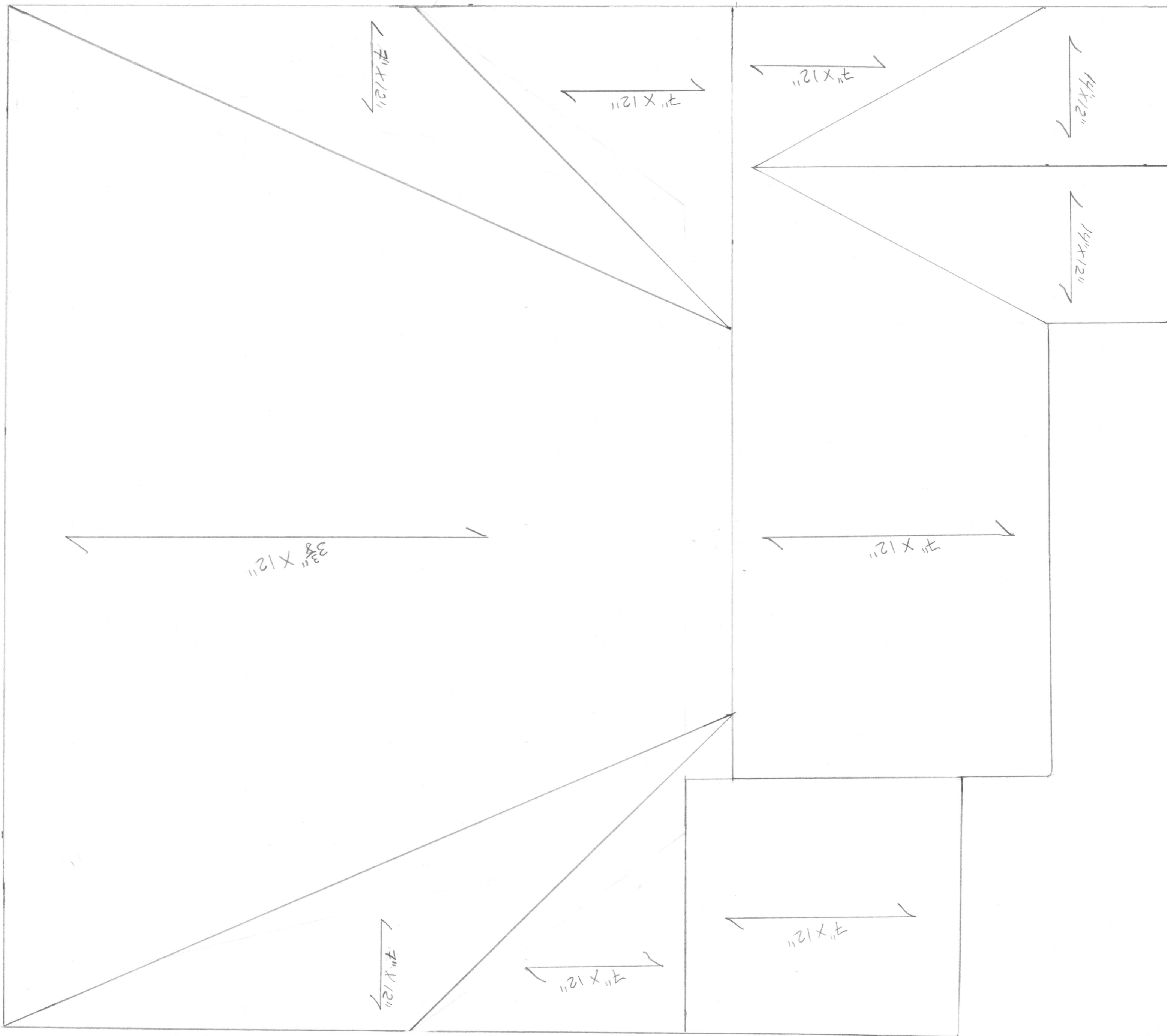


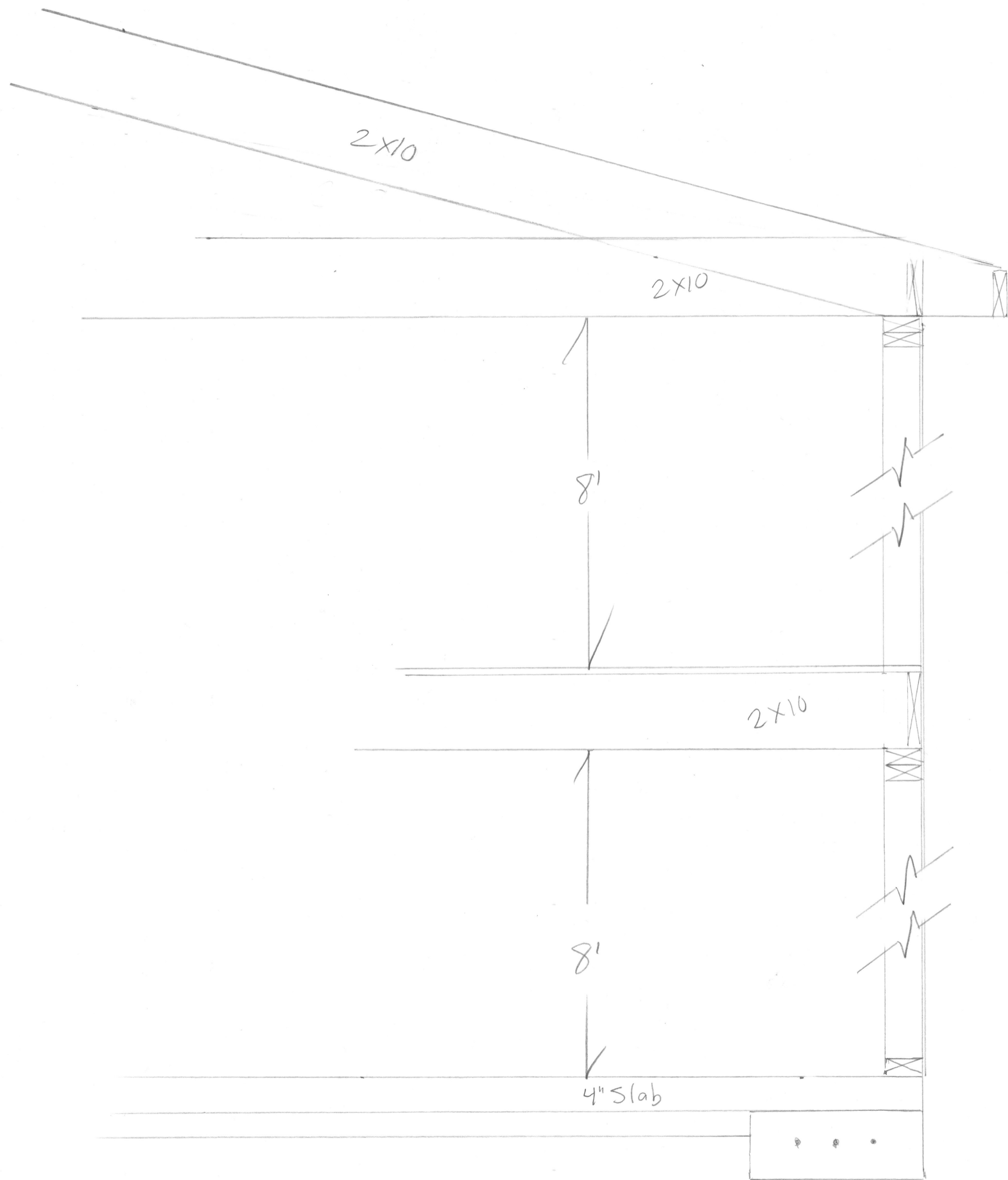






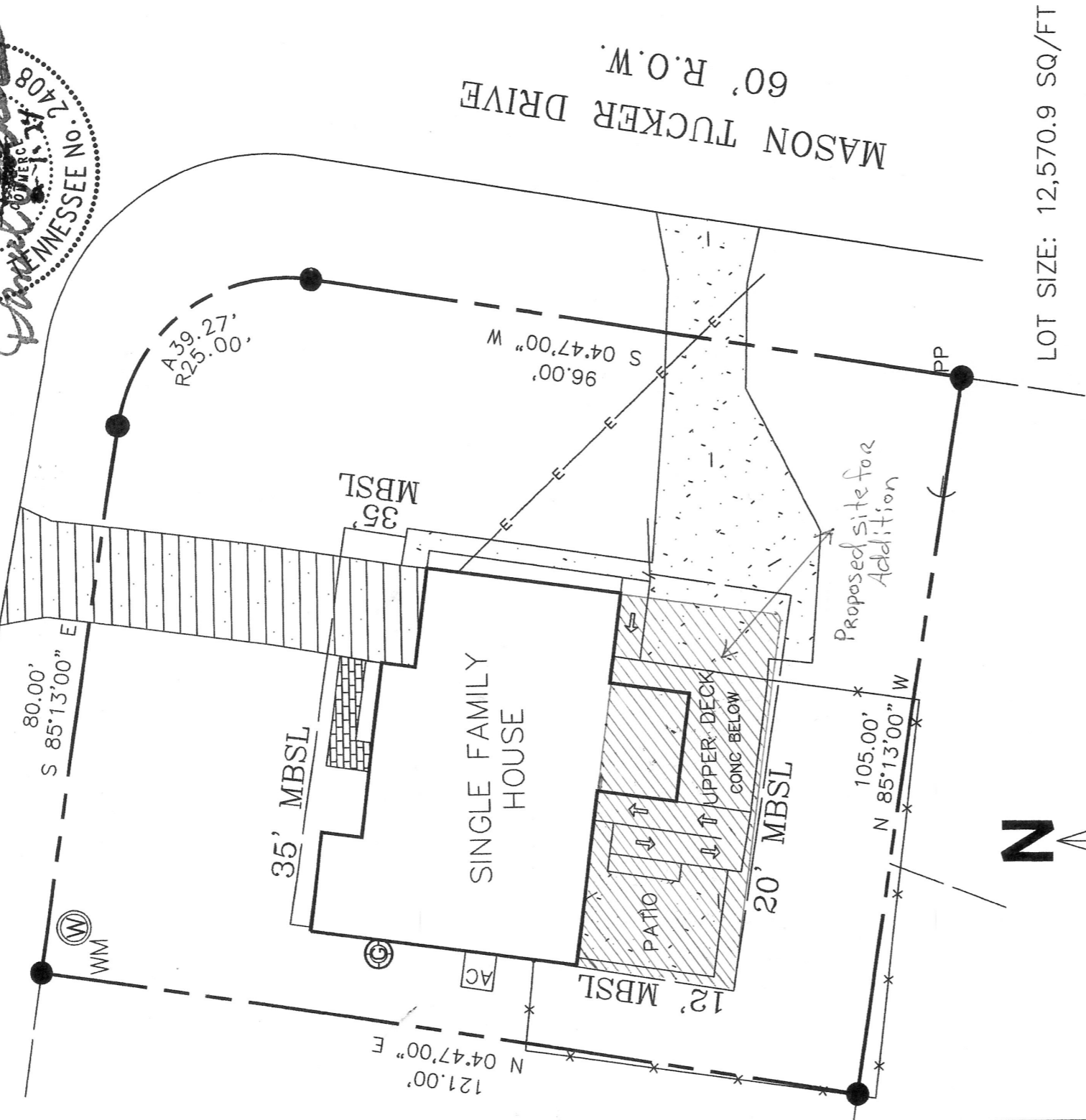








CHORLEYWOOD COURT
50' R.O.W.

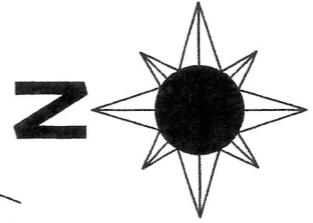


LOT SIZE: 12,570.9 SQ/FT

SURVEYOR'S NOTES

1. THIS SURVEY IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-07.
2. MINIMUM BUILDING SETBACKS SHOWN PER THE RUTHERFORD COUNTY ZONING INFORMATION AND RECORDED SUBDIVISION PLAT. VERIFY ALL SETBACKS WITH ZONING ADMINISTRATOR FOR DESIGN AND CONSTRUCTION PURPOSES.
3. PROPERTY IS ZONED R-4.
4. PARCEL/TAX ID: 028C, GROUP A, PARCEL 061.00
5. PROPOSED IMPROVEMENTS PROVIDED FROM BUILDER. BUILDER TO ENSURE THAT ALL IMPROVEMENTS FIT WITHIN THE MINIMUM SETBACKS AND WILL CONFORM TO CURRENT REGULATIONS.
6. PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA, PER 47149C0106J, EFFECTIVE DATE OF 05/09/2023.
7. NO RESEARCH/INVESTIGATION WAS PERFORMED TO FIND THE LOCATION OF THE SEWAGE DISPOSAL SYSTEM.
8. ALL UTILITIES SHOWN HEREON WERE TAKEN FROM A VISUAL INSPECTION. TENNESSEE ONE CALL SHOULD BE CONTACTED PRIOR TO ANY DIGGING.

BEARING BASIS: TN STATE PLANE
COORDINATE SYSTEM, NAD 1983



SURVEY EXHIBIT

**HICKORY TRACE ANNEX
SECTION 3**

1101 CHORLEYWOOD COURT, TOWN OF SMYRNA
RUTHERFORD COUNTY, TENNESSEE

TAX MAP 028C, GROUP A, PARCEL 061.00
PLAT BOOK 19, PAGE 43, LOT 116
PREPARED FOR: THE BANKSTON'S

	DAN PARKER SURVEYING E: dan@danparkersurveying.com	P.O. BOX 249 SMYRNA, TN 37167 P: 615.785.3661	DATE: 08/01/2024 FILE: CHORLEY	DRAWN BY: CDP SCALE: 1" = 20' SHEET 1 OF 1
	PROJECT # 240728-01			SHEET 1 OF 1



