



**TOWN OF SMYRNA  
BOARD OF ZONING APPEALS**



**MINUTES**

---

**April 16, 2026**

**5:00 PM**

**Smyrna Town Hall**

**1. Call to Order**

The meeting was called to order by Jay Michaelson, Chairperson 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:**

**Staff:**

Jay Michaelson, Chairperson  
Wayne Blair  
Jerome Dempsey, Council Member  
Don Hyde  
Tyler Short

Mitchell Wensman, Principal Planner  
Kathryn Smith, Office Coordinator  
Benjamin Groce, Staff Attorney  
Todd Spearman, Asst. Town Manager  
David Santucci, Town Manager

**Prayer**

The invocation was given by Don Hyde.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Tyler Short.

**2. Citizen Comments**

**3. Election of Officers**

Chairman Jay Michaelson requested that the Town Attorney proctor the elections of Chair and Vice Chair. Only one nomination was made by Jerome Dempsey for Jay Michaelson to serve as Chair and nominations ceased. The vote in favor of Jay Michaelson was unanimous. Next, nominations were taken for the position of Vice Chair. Jerome Dempsey nominated Wayne Blair for the position of Vice Chair and there were no further nominations from the floor. The vote in favor of Wayne Blair was unanimous.

**4. Approval or Correction of Minutes**

**4.a. March 19, 2026 regular meeting**

Following a review of the Minutes of the March 19, 2026 meeting, Council Member Jerome Dempsey made a motion to approve the minutes; the motion was duly seconded by Board Member Wayne Blair. The motion was approved 5-0.

**5. New Business**

**5.a. Special Exception**

**5.a.1. Teresa Bankston  
1101 Chorleywood Court**

**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.

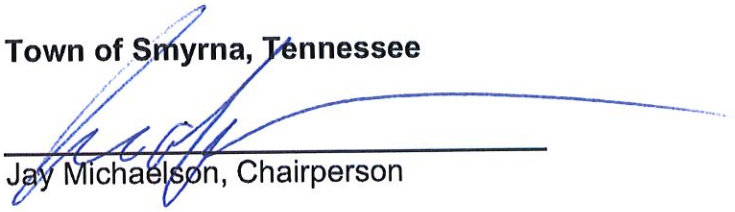
At this time, Chairperson, Jay Michaelson closed the Board of Zoning Appeals meeting and opened the Public Hearing.

Tom Mayhugh spoke regarding the request. With no other speakers, 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 1101 Chorleywood Court with the above listed staff comments. Board Member Wayne Blair seconded the motion. Following further discussion, the motion was approved 5-0.

- 6. Staff Comments and/or Other Business
- 7. Adjournment

Town of Smyrna, Tennessee

  
\_\_\_\_\_  
Jay Michaelson, Chairperson

Attest:

  
\_\_\_\_\_  
Kevin Rigsby, Secretary