



City of

SPRING HILL

TENNESSEE

est. 1809

AGENDA PACKET
Board of Zoning Appeals

Board of Zoning Appeals

January 21, 2026

05:30 pm

CITY OF SPRING HILL



**BOARD OF ZONING APPEALS
BOARD OF ZONING APPEALS**

**January 21, 2026
05:30 pm**

A. CALL TO ORDER

B. ROLL CALL

C. GENERAL ANNOUNCEMENT

The procedural rules for public comment will be as follows: The items will be taken in the order of the agenda. Audience members wishing to speak in regards to an agenda item must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed. Public Comment has also been provided through the BOZAPublicComment@springhilltn.org email address.

D. PUBLIC COMMENT (NON-AGENDA ITEMS)

E. APPROVAL OF THE SEPTEMBER 16, 2025, BOARD OF ZONING APPEALS MEETING MINUTES

Attachment: [BOZA Meeting Minutes 9-16-25.pdf](#)

F. OLD BUSINESS

G. NEW BUSINESS

1. BZA 1977-2025 Heavy Retail Legacy Pointe, Signage

Submitted by South Star Company, the property is located at the corner of Legacy Point Boulevard and Crossing Circle and is zoned PD with a base zoning of C-5. The site contains approximately 19.30 acres. The applicant is requesting a variance to allow for two monument signs that exceed UDC allowable height, area, and number. Planner Kyle Spires

Attachment: [BZA 1977-2025_Sign Variance_Legacy Point Heavy Retail_.pdf](#)

Attachment: [Legacy Point Heavy Retail Sign_Sign Variance.pdf](#)

H. OTHER BUSINESS

DISCUSSION OF BYLAWS

Attachment: [BZA BYLAWS 2026 draft.pdf](#)

I. ADJOURN

**SPRING HILL
MUNICIPAL BOARD OF ZONING APPEALS
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 16, 2025
5:30 PM**

A. CALL TO ORDER

Vice Chairman Art Davis called the meeting to order at 5:33 PM.

B. ROLL CALL

Members present for the Meeting were: Vice Chairman Art Davis, Board Member Lisa Parker and Alderman Alex Jimenez.

Staff present: Senior Planner Gilles Morin, City Attorney Patrick Carter, Kali-Flynn Burke Associate Planner, Kyle Spires Assistant Planner and Planning Technician Lucretia Sappington.

C. GENERAL ANNOUNCEMENT - *The procedural rules for public comment will be as follows: The items will be taken in the order of the agenda. Audience members wishing to speak in regards to an agenda item must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed. Public Comment has also been provided through the BOZAPublicComment@springhilltn.org email address.*

D. PUBLIC COMMENT (NON-AGENDA ITEMS)

E. APPROVAL OF THE JULY 15, 2025, BOARD OF ZONING APPEALS MEETING MINUTES

Lisa Parker made a motion to approve July 15, 2025, meeting minutes. Motion seconded by Vice Chairman Art Davis. Motion to approve July 15, 2025, meeting minutes passed 3-0.

F. OLD BUSINESS

G. NEW BUSINESS

1. **BZA 1881-2025 Wells Fargo:** Submitted by Timmons Group, the property is located at 4933 Main Street, west of Main Street, east of Belshire Village, and is zoned C-4 (General Commercial District). The site contains approximately 1.20 acres. The applicant is requesting a special use permit to allow for a drive-through facility within a C-4 zoned property.

Vice Chairman Art Davis made a motion to approve BZA 1881-2025. Motion to approve according to adopt the findings of fact and conclusions of law and approve BZA 1881-2025 subject to staff conditions of approval as set forth in staff report. Motion seconded by Lisa Parker. Motion to approve BZA 1881-2025 passed by a vote of 3-0.

2. **BZA 1897-2025 Whataburger:** Submitted by Kimley-Horn Associates, the property is located at 3004 Belshire Village Drive. The site contains approximately 1.12 acres and is zoned C-4 (General Commercial District). The applicant is requesting a variance from the minimum off-street parking requirements established in the Unified Development Code (UDC).

Lisa Parker made a motion to approve BZA 1897-2025. Motion to adopt findings of fact and conclusions of law and approve BZA 1851-2025 subject to staff conditions of approval as set forth in the staff report. Motion seconded by Vice Chairman Art Davis. Motion to approve BZA 1897-2025 passed by a vote 2-1. Alex Jimenez cast the opposing vote.

H. OTHER BUSINESS

DISCUSSION OF BYLAWS

Senior Planner Gilles Morin discussed Bylaws of BOZA that were adopted in 2021 to be reviewed by Board Members and to bring forth any updates in a subsequent meeting for discussion and adoption.

I. ADJOURN

Lisa Parker made a motion to adjourn. Motion seconded by Vice Chairman Art Davis. Motion to adjourn September 16, 2025, Board of Zoning appeals meeting passed by a vote of 3-0. Meeting adjourned at 6:15 PM.

Rob Roten, Chairman

Spring Hill Board of Zoning Appeals

TO: Spring Hill Board of Zoning Appeals
FROM: Kyle Spires, Associate Planner
MEETING: January 21, 2025
SUBJECT: BZA 1977-2025 (Sign Variance – Legacy Point Heavy Retail)



BZA 1977-2025: Submitted by SouthStar Company, the property is located at the corner of Legacy Point Boulevard and Crossing Circle. The site contains approximately 19.3 acres. The applicant is requesting a sign variance to allow for two monument signs, both exceeding UDC height and square footage requirements.

Request: The applicant is requesting a variance from the sign requirements in Article 12 of the UDC to allow for:
a) an additional freestanding sign; b) additional sign height; and c) additional sign area.

Property Description and History: The site currently contains vacant land that was recently approved for heavy retail building and associated gas pumps. This site is part of the overall Legacy Point Planned Development. Planned Developments are an opportunity for the applicant to slightly adjust the UDC to better their project. The property is zoned Planned Development (PD) with a base zoning of C-5. The PD does not have any sign regulations stated, therefore the UDC regulations apply.

The site is located at the current terminus of Crossings Circle, across the street from the movie theater. It is flat and at grade with the roadways around it. In 2025, the Planning Commission approved a site plan for the site with a large building containing approximate 166,000 square feet and approved to be 28’ tall with facades longer than 100’ facing all roadways around the site.

These expansive building façades will be highly visible from a substantial distance on Crossings Circle, Legacy Point Trail, Legacy Point Boulevard, and Saturn Parkway. This site plan approval also included a 17’ tall gas canopy covering 12 dispensers, which will also be visible from all sides. The UDC allows for wall signs that are determined by the façade length which will allow for four (4) wall signs over 100 square feet in this case, as well as gas displays on all sides of the canopy, and directional signs dictating entry points for the site.

Proposed Signage: The applicant is proposing two monument signs 15’ tall with 56 square feet of sign face. The UDC allows for one monument sign at a maximum of 8’ tall with 32 square feet of sign face. See the UDC requirements summarized in the table below.

Proposed Signage		
	UDC Requirement	Proposed
Number of freestanding signs	1 per lot	2
Height	8’	15’
Square Footage (sf)	32 sf	56 sf

Analysis: The purpose of sign regulations is to establish a comprehensive system of sign controls city-wide to:

- a. Promote and protect the health, safety, and welfare of the City by ensuring compatibility of signs with surrounding structures and land uses.
- b. Create a more attractive business and economic climate by enhancing and protecting the orderly and effective display of signs and discouraging clutter.
- c. Protect the public from hazardous conditions that result from the indiscriminate use and placement of signs, structurally unsafe signs, signs that obscure the vision of pedestrians or motorists, and signs that compete or conflict with necessary traffic signals, government signs, and warning signs.

Signs are recognized by the U.S. government as a form of speech protected under the First Amendment to the United States Constitution. While cities may not regulate the content or message of a sign, they are permitted to regulate its size, placement, and aesthetic characteristics in order to maintain fairness and protect the First Amendment rights of all property owners.

Notification: The applicant has met UDC requirements regarding the U.S.P.S. First Class mailing of notices to all adjacent property owners and at least ten days in advance of the first scheduled action. City staff placed a notice in the newspaper and a sign on the subject property. No email public comments were received via the BOZAPublicComment@springhilltn.org email address regarding this request.

Findings of fact: The findings listed below represent staff’s response to the approval standards required by Article 13.4.E, to be considered by the Board of Zoning Appeals prior to approving a variance and a review of the applicant’s justification statements.

1. Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Code.

Staffs Findings: The property does not have any topographic or size constraints that require an additional sign or a larger sign. There are no unique features of the property or other extraordinary conditions of the property that would prevent the project from complying with the City’s sign regulations.

The site is flat and highly visible from all surrounding streets, commercial developments, and neighborhoods. The 28-foot building presents an opportunity to identify the business’ location within the Legacy Pointe project area, and the building is allowed a wall sign on each façade of more than 100 square feet per sign. All entry ways are allowed directional signs at entry ways to dictate entry points for the site.

For these reasons, exception topographic conditions and other extraordinary and exception conditions do **not** that would justify granting the requested variances, and the property is able to comply with the regulations as required under the Code.

Per the applicant: *The applicant did not provide a response for this section.*

2. The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property.

Staffs Findings: Strict application of the sign provisions of the Code does not enact any undue hardship onto the applicant. All other commercial developments with similar site conditions and street frontages have complied with the City’s sign regulations. Further, this property would enjoy larger wall signs by right, in comparison to other commercial properties and developments, due to the size of the approved building.

Strict application of the sign provisions of the Code also allow for directional signage delineating the locations of all site entry points. Additionally, the maximum speed permitted on Crossings Circle, the project’s street frontage and primary entrance to the site, is 20 miles per hour. Due to the low rate of speed permitted along the project frontage, a large sign is not required to signal to drivers from a greater distance that they have arrived at their destination.

Per the applicant: *The denial of this variance would place undue hardship on the applicant in that the retail building would not be clearly marked at distinct entry points due to the large nature of the site. The signs would both delineate a clear point of entry into the retail site to the public and would, by addition of the digital price readers, inform the public of the most current price for gasoline, thus preventing the necessity of the public traveling the site to the fuel station to discover the price. The relief of the above hardships will also serve to aid in more efficient traffic flows both in and around the site.*

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this Code.

Staffs Findings: Signs are recognized by the U.S. Supreme Court as a first amendment right. If this variance is approved, the Board of Zoning Appeals will be granting this property owner and business more First Amendment rights than other commercial property owners they are granted and enjoy. Disparities can undermine public trust in governing bodies and create an uneven playing field that favors certain individuals or groups, over others.

Therefore, staff finds that granting this variance would be substantially detrimental to the public good and to other businesses and properties in the City, and it would substantially impair the intent and purpose of the sign provisions in the Code, which are outlined in the "Analysis" section of this code.

Per the applicant: *The denial of this variance would make site navigation of this large retail site more difficult both on the perimeter of the site and in the retail parking area. This would also result in increased site traffic to the fuel station where the price for fuel would be displayed. The granting of the variance would thus not be a detriment to the public good but would actually be a net benefit. The variance would not substantially impair the intent and purpose of the zoning map and development code. The two additional signs are spread out over a large retail site and thus would not be a contributor to the appearance of excessive signs. The signs would also compliment in style and materials the signs in the rest of the development and would thus contribute to the design unity of the site.*

Recommendation: If the Board of Zoning Appeals agrees with staff's findings and determines that the request does not meet the requirements for a variance, staff recommends that the Board of Zoning Appeals adopt staff's findings of fact and conclusions of law found in this report and **deny** BZA 1977-2025.

BYLAWS OF THE CITY OF SPRING HILL BOARD OF ZONING APPEALS

1.1 ENABLING LEGISLATION

Pursuant to the Tennessee Code Annotated, Section 13-7-205, the Board of Zoning Appeals of the City of Spring Hill, Tennessee, hereinafter referred to as "the City", hereby enacts these Bylaws.

2.1 THE SPRING HILL BOARD OF ZONING APPEALS

2.1.1 BOARD NAME

The name Board shall be the Spring Hill Board of Zoning Appeals, hereinafter referred to "the Board".

2.1.2 BOARD OFFICE

The principal office of the Board shall be at City Hall, 199 Town Center Parkway, Spring Hill, Tennessee 37174.

3.1 PURPOSES AND GENERAL POWERS

3.1.1 APPLICABLE LEGISLATION

The purposes and general powers of the Board shall encompass those purposes and power specified in:

- A. the Tennessee Code Annotated, Section 13-7-205 through 13-7-207, and any amendments and supplements thereto, together with the applicable statutory provisions enacted by the Tennessee Legislature;
- B. the applicable sections of the Spring Hill City Charter and the Spring Hill Municipal Code, and any amendments and supplements thereto; and

- C. the regulations, rules, bylaws, and policies adopted and enunciated by the Board.

4.1 OFFICERS

4.1.1 OFFICERS

The officers of the Board shall be a Chair and Vice-Chair. Aldermen shall not be eligible to serve as Officers on the Board Elections

The Chair and Vice-Chair shall be elected at the first meeting held each year from among the appointed Members and shall serve for a term of one year, with eligibility for reelection. The Chair and the Vice-Chair shall hold office until successors are elected.

4.1.2 DUTIES OF ELECTED OFFICERS

- A. The Chair shall preside at the meetings of the Board and shall vote on the matters coming before it. The Chair shall sign minutes, reports, bylaws, and other instruments made by the Board.
- B. The Vice-Chair shall serve, in all duties, as listed above, in the absence of the Chair.

4.1.3 ABSENCE OF ELECTED OFFICERS

- A. Should the Chair not be in attendance, the Vice-Chair shall serve as Chair of the meeting.
- B. Should the Chair and the Vice-Chair not be in attendance, the Board shall, on the motion of any of its Members, accept nominations, and shall hold an election to appoint an Acting Chair to conduct the meeting during the absence of the Chair and the Vice-Chair.

4.1.4 VACANCY

- A. Should the Chair resign or be unable to continue as Chair, the

Vice-Chair shall serve the remainder of the Chair's term.

- B. Should the Vice-Chair be required to serve the remainder of the Chair's term as provided herein, a new Vice-Chair shall be elected at a meeting of the Board from among the appointed members to serve the remainder of the Vice-Chair term of office.

5.1 MEMBERS

The Board shall consist of five (5) Members (including the Chair), one of which shall be an Alderman not serving on the Planning Commission, who is to be approved by the Board of Mayor and Aldermen, and the remaining four (4) Members shall be appointed by the Mayor. The term of office shall be for a period of four (4) years with the Alderman's term being a period of two (2) years coinciding with the City election at which time a new Alderman representative approved by the Board of Mayor and Aldermen shall be appointed.

5.1.1 TERM

The terms of the Members (except for the Alderman whose term shall be two years coinciding with the City election) shall be two (2) years, provided, however, that the terms shall be so arranged that the term of one (1) Member shall expire each year.

5.1.2 COMPENSATION

Members shall be compensated, as deemed appropriate by the Spring Hill Board of Mayor and Aldermen.

5.1.3 VACANCIES

Vacancies in the terms of appointed Members shall be filled by the Mayor, with the exception of the seat to be held by an Alderman who shall be approved by the Mayor and Board of Aldermen.

5.1.4 ATTENDANCE, ABSENCES, AND VACANCIES

Any Member of the Board who is absent from three (3) consecutive regular meetings or is absent from six (6) or more regular meetings during a twelve-month period may be removed from the Board upon the discretion of the Mayor. Absences related to sickness, death in the family, or other like emergencies shall not affect a Member's status except in the case of a prolonged absence. Any vacancies on the Board shall be filled within sixty (60) days, through appointment by the Mayor, except for the seat to be held by an Alderman which shall be approved by a majority vote of the Spring Hill Board of Mayor and Aldermen.

5.1.5 REMOVAL

A Member can only be removed by the Mayor, in his or her sole discretion, in the case of the four (4) seats held by non-Aldermen and a two-thirds ($\frac{2}{3}$) vote in the case of the Alderman appointed to his or her seat by the Board of Mayor and Aldermen.

6.1 STAFF

6.1.1 EMPLOYEES

The Board shall use the services of the City Attorney and City Employees as it shall deem necessary. The Board's Recording Secretary shall be a member of the Planning Department or other designated City Staff member.

7.1 MEETINGS

7.1.1 REGULAR MEETINGS

Regular meetings of the Board shall be held on the third Tuesday of each month at 5:30 p.m. in the City Hall Board Room, or at such other

place as the Board may designate. The deadline for regular meetings shall be set forth in Section 7.1.4.

7.1.2 SPECIAL MEETINGS

The Chair, if necessary, or upon the request of any Board Member, shall call and designate the time and place of a special meeting for the purpose of transacting business designated in the call.

7.1.3 PUBLICATION

Notice of regular meetings shall be published prior to each meeting in at least one local newspaper with an agenda of the items to be considered at the meeting. Meeting agendas are published to the City of Spring Hill website no later than the Friday before the scheduled Board of Zoning Appeals Meeting. If possible, notice of special meetings shall be published prior to each meeting in at least one local newspaper, with an agenda. If notice of a special meeting is not possible in at least one local newspaper, then prior to holding the meeting, notice shall be announced by way of radio, internet, or television announcement, and shall include a brief summary or agenda of the matters to be discussed.

7.1.4 AGENDA

- A. It shall be the duty of the Planning Department to prepare an agenda listing the business and matters to be considered by the Board at each meeting.
- B. In order for items to be considered at a regular meeting, they shall be submitted to the Planning Department as follows:
 1. An appellant wishing to present an item to the Board ~~shall~~ may contact the Planning Department to schedule a pre-

application conference. The appellant will be advised of the details of the review procedures and the information to be submitted to the Planning Department. It shall be the responsibility of the appellant to become familiar with the regulations, policies and procedures of the City. At the pre-application conference, the appellant shall designate one contact person to work with the Planning Department for the duration of the item. ~~The pre-application conferences may be waived at the discretion of staff, provided the appellant concurs.~~

2. Items shall be submitted to the Planning Department by Monday at 12:00 noon, ~~three (3)~~ four (4) weeks preceding the meeting at which the items will be considered. All items shall include fully completed applications, along with any necessary exhibits, as determined at the pre-application conference, or as otherwise communicated by City Staff. All required application fees shall be paid in full at the time the fully completed application and supporting documents are submitted to the Planning Department. Items not submitted or fees not paid in full, as specified in this subsection, shall not be placed on the Agenda.
3. The Planning Department shall make all reasonable efforts to review the items submitted by the deadline date. If the Planning Department is unable to review all of the items submitted, then it will advise the appellant that additional time is needed to review those items. It will then be the decision of the appellant as to whether they wish to withdraw the items from the Agenda until the Planning Department has completed its review of the items. If the appellant chooses to leave those items on the Agenda, the Board shall approve, approve with conditions, disapprove, or defer the items at the meeting at which they will be considered. The Board shall state its reasons for any

decision made.

4. The Planning Department shall use the week prior to the agenda items being delivered to Board Members as ~~processing review~~ time for the items.
 5. The Planning Department shall ~~deliver~~ publish the Agenda, and all exhibits pertaining to the Agenda, one week prior to the meeting at which the agenda items will be considered, ~~unless approval is granted by the Chair to deliver the Agenda according to a different schedule.~~
 6. Items not submitted in accordance with the requirements of this Section shall not be placed on the Agenda unless the appellant makes a personal request to the Board to be considered as a non- agenda item. Non-agenda items shall be considered only upon the unanimous approval of all of the Board Members, present and voting. The Planning Department shall neither review non-agenda items nor make recommendations regarding them. It shall be the responsibility of the appellant to deliver the materials for non-agenda items to the Board.
- C. Items considered at special meetings are limited to those designated by the Chair or at the request of the Board Member calling the meeting.
 - D. The Planning Department shall make copies of the Agenda available to the Board Members, to the City Attorney and to the appellants prior to each regular meeting and at the earliest possible date prior to a special meeting.
 - E. Items deferred by the Board shall be reset for a particular date as determined by the Board.

7.1.5 QUORUM

Three (3) Members of the Board shall constitute a quorum for the purpose of conducting business. See Section 4.1.4 B. if both Chair and Vice Chair are absent from Members present constituting a quorum.

7.1.6 VOTING

A majority of the Board Members present and constituting a quorum shall be necessary to decide items requiring action. At the discretion of the Chair, the voting on questions shall be by roll call, and the ayes, nays and abstentions shall be entered upon the minutes of the meeting, except that, when the vote of all of the Board Members present is unanimous, recording the unanimous vote shall be sufficient. Otherwise, a voice vote shall be sufficient.

7.1.7 ORDER OF BUSINESS

- A. Call the meeting to order.
- B. Approve the minutes of prior meetings.
- C. Announcements.
- D. Order of presentation of agenda items:
 1. Staff presentation of the item, but only if the appellant is present. If appellant is absent, the requested relief shall be deemed deferred to the next scheduled Board of Zoning Appeals Meeting.

~~Discussion: There has been times when the Board has ruled favorably on a case when the applicant has not been present. If we want to continue have that discretion, then we should change the verbiage to reflect this otherwise our hands are tied to what is written.~~

2. **Open the Public Hearing:** Declared open by the Chair.

a. Comments by those wishing to speak during the Public Hearing on the item in the following order:

i. Those speaking on behalf of the agenda item, including the appellant.

ii. Those speaking in opposition of the agenda item.

A total of ten (10) minutes shall be given to each side for testimony, unless extended for due cause by the Chair.

(a) Additional pertinent information from Staff, if applicable.

(b) Rebuttal testimony in the following order:
(i) Those speaking on behalf of the agenda item.

(ii) Those speaking **in** opposition of the agenda item. A total of five (5) minutes shall be given to each side for rebuttal testimony, unless extended for due cause by the Chair.

3. **Close the Public Hearing:** Motion, second, and vote by the Board Members required. This act ends all discussion except from the Members unless the Chair recognizes individuals for further testimony.

4. Motion and second by the Board Members.

5. Discussion on the motion.

6. Vote of the Board Members.

7.1.8 MINUTES

- A. The Board shall speak only through its Minutes, which shall be prepared by the Recording Secretary or designee, who shall, insofar as possible, prepare a verbatim record of the proceedings and prepare the Minutes from the verbatim record of the meeting. The Minutes shall contain the following information:
1. The kind of meeting, such as regular or special.
 2. The name of the assembly.
 3. The meeting date and place.
 4. The fact of the regular Chair and Vice-Chair being present, or, if both absent, the name of the Acting Chair. The attendance or absence of all other Board Members shall be noted.
 5. Whether the Minutes of the previous meeting were approved.
 6. The main motions and name of the Board Member making the motion, and whether the motion was seconded.
 7. The action taken on the motion and the reasons for that action.
 8. The names of the persons addressing the Board, a general statement as to whether they favored or opposed the proposition addressed, and a summary of their statement.
 9. The hours of the meeting and its adjournment.
- B. The Minutes shall be signed by the Chair or the Vice Chair in the absence of the Chair.
- C. The verbatim record shall also remain on file for general reference. The Minutes shall be delivered to the Board Members for examination before the next regular meeting.

8.1 REASONS FOR THE BOARD DECISION

The Board shall state its reasons for any decision made in the form of a Findings of Fact and Conclusions of Law.

9.1 AMENDMENTS

These Bylaws may be amended at a regular or special meeting, but no amendment shall be adopted unless a written notice of at least four (4) days has been previously given to the Board Members.

10.1 PARLIAMENTARY RULES

To the extent not inconsistent with these rules or the enabling statutes and ordinances, *Robert's Rules of Order* shall be the parliamentary rules of the Board.

APPROVED on the _____ day of _____, 2025.

ATTEST:

X _____
Chairman

X _____
Secretary