

**Town of Thompson's Station  
Remote Board of Zoning Appeals  
Special Called Meeting Agenda  
January 21, 2021**

**Meeting Called To Order- Roll Call To Determine Quorum And Attendance**

**Statement By Chair Relating To Conducting The Board Of Zoning Appeals Meeting  
By Electronic Means Of Due To COVID-19 State Of Emergency**

Documents:

[INTRODUCTION STATEMENT FOR TS BZA JAN 21 2021.PDF](#)

**Consideration Of The Minutes Of The January 6, 2021 Meeting.**

Documents:

[BZA MINS\\_01\\_06\\_2021.PDF](#)

**Agenda:**

- 1. Item 1 (BZA 2021-002) – A Request For Approval Of A Sign Variance To Permit An 11ft 10in High, 35.44 Square Foot Sign With An Electronic Message Board As Part Of The Overall Sign Located At 1776 Declaration Way. (Roll Call Vote On Motion)**

Documents:

[ITEM 1 - INDEPENDENCE HS SIGN STAFF REPORT 1-14-21.PDF](#)  
[WILLIAMSON COUNTY SCHOOLS INDEPENDENCE SIGN VARIANCE 1-21-21.PDF](#)  
[VICINITY\\_INDEPENDENCEHIGH SCHOOL \(002\).PDF](#)

**Adjourn**

*This meeting will be held remotely due to the Public Health Emergency related to COVID-19 & will be live-streamed via our website at [www.thompsons-station.com](http://www.thompsons-station.com)*

STATEMENT FOR THE RECORD AT START OF MEETING  
Thompson's Station Board of Zoning Appeals

Hello and welcome to this the January 21st, 2021, Board of Zoning Appeals meeting for the Town of Thompson's Station.

Pursuant to the Guidance from the Office of the Comptroller for the State of Tennessee and in accordance with Governor Lee's Executive Order # 71 (which was previously extended by Executive Order # 16, 34, 51, 60, and 65): due to the treatment and containment of COVID-19.

This Town of Thompson's Station Board of Zoning Appeals meeting, with notice, is being held virtually and being recorded to protect the public health, safety, and welfare of the Citizens of Thompson's Station in light of the coronavirus and to continue to allow the Town to function and operate.

Further, it is the desire of the Board of Zoning Appeals to include this determination in the minutes for this meeting.

We understand that we, the Thompson's Station Board of Zoning Appeals, serves the Town of Thompson's Station, which is why we are currently recording this virtual meeting, broadcasting it live for public viewing and uploading and preserving it for future viewing.

Town of Thompson's Station  
Board of Zoning Appeals  
Minutes of the Meeting  
January 6, 2021

Call to Order.

The meeting of the Board of Zoning Appeals of the Town of Thompson's Station was called to order at 6:00 p.m. on Wednesday, January 6, 2021 via electronic means under the authority of the Governor's Executive Order related to public meetings during the COVID-19 emergency with the required quorum.

The following statement was read by BZA Vice Chairman Lori Clemons:

Hello and welcome to this the January 6, 2021, Board of Zoning Appeals meeting for the Town of Thompson's Station.

Pursuant to the Guidance from the Office of the Comptroller for the State of Tennessee and in accordance with Governor Lee's Executive Order # 65 (which was previously extended by Executive Order # 16, 34, 51, and 60): due to the treatment and containment of COVID-19.

This Town of Thompson's Station Board of Zoning Appeals meeting, with notice, is being held virtually and being recorded to protect the public health, safety, and welfare of the Citizens of Thompson's Station in light of the coronavirus and to continue to allow the Town to function and operate.

Further, it is the desire of the Board of Zoning Appeals to include this determination in the minutes for this meeting.

We understand that we, the Thompson's Station Board of Zoning Appeals, serves the Town of Thompson's Station, which is why we are currently recording this virtual meeting, broadcasting it live for public viewing and uploading and preserving it for future viewing.

Members and staff virtually present were: Chairman Mary Herring (arrived in meeting late), Vice Chairman Lori Clemons, Board Member Lori Clemons, Board Member Bryce Levet, Board Member Jeff Riden; Planning Director Micah Wood, Planning Technician Jennifer Jones, IT Coordinator Tyler Rainey and Town Attorney Andrew Mills.

Also present Michael Sandifer, applicant 1; Todd Moore, attorney for applicant 1

**Election of Officers**

**Lori Clemons made a motion to keep the officers the same as the last election of officers at the November 4, 2020 meeting (Chair - Mary Herring, Vice Chair - Lori Clemons, . Secretary - Bryce Levet). The motion was seconded and carried by a roll call vote of all present.**

**Roll Call Vote:**

	<u>VOTE</u>	<u>VOTE</u>	<u>VOTE</u>
Chairman Herring	NA	Vice Chair Riden Yea	Board Member Levet Yea

**VOTE**

Board Member Clemons Yea

**Consideration of Minutes.**

The minutes of the November 4, 2020 meeting were previously submitted.

**After discussion, Board member Levett made a motion to approve the minutes. The motion was seconded and carried by a roll call vote of all present.**

**Roll Call Vote:**

<b><u>VOTE</u></b>	<b><u>VOTE</u></b>	<b><u>VOTE</u></b>
Chairman Herring NA	Vice Chair Risdien Yea	Board Member Levett Yea

**VOTE**

Board Member Clemons Yea

**1. Administrative Review of conflicting requirements as to the permitted use location for Wireless Communications Facilities within the Land Development Ordinance.**

Mr. Wood reviewed his Staff report and recommends that the Board of Zoning Appeals review the LDO conflicting standards and render a decision to uphold the Staff determination, based on LDO Section 4.11.7(b), that Wireless Communications Towers are permitted exclusively within the Medium Industrial (IM) zone.

Vice Chairman Clemons then opened the floor for public comment. Being none, the Chairman then closed public comment.

Attorney Moore and Mr. Sandifer answered questions on behalf of the applicant.

**After discussion, Board Member Clemons made a motion to uphold the Staff determination based on LDO Section 4.11.7(b), that Wireless Communication Towers are permitted exclusively within the Medium Industrial (IM) zone. The motion was seconded and carried by a roll call vote of all.**

**Roll Call Vote:**

<b><u>VOTE</u></b>	<b><u>VOTE</u></b>	<b><u>VOTE</u></b>
Chairman Herring Yea	Vice Chair Risdien Yea	Board Member Levett Yea

**VOTE**

Board Member Clemons Yea

There being no further business, the meeting was adjourned at 6:53 p.m.

---

Mary Herring, Chairman

---

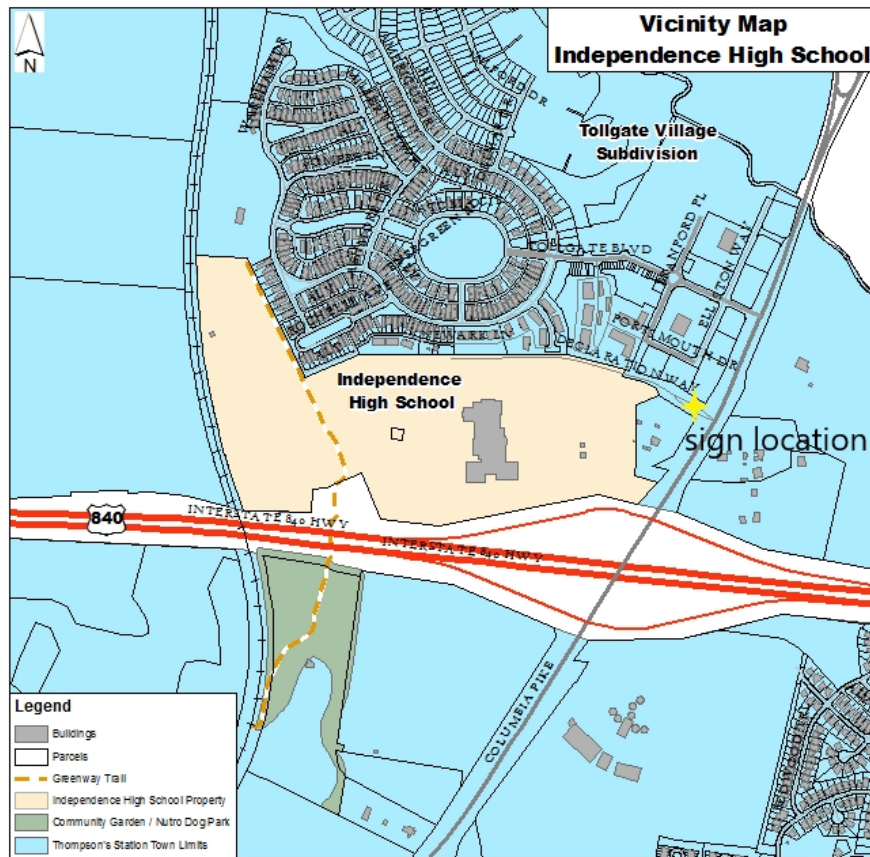
Regina Fowler, Town Recorder

**Thompson's Station Board of Zoning Appeals  
Staff Report - Item 1 (BZA 2021-002)  
January 21, 2021**

**Request for approval of a sign variance to permit an 11ft 10in high, 35.44 square foot sign with an electronic message board as part of the overall sign located at 1776 Declaration Way.**

**PROJECT DESCRIPTION**

The appellant, Williamson County Board of Education, is requesting approval of a sign variance to install a sign, with a portion being an electronic message board, with a height of 11 feet 10 inches and a total sign area of 35.44 square feet. Approximately 19 square feet of the total square footage includes the electronic messaging board. The project site is located at 1776 Declaration Way.



**ANALYSIS**

*Project Site*

This sign is proposed to replace the existing signage in the median of Declaration Way at the corner of Columbia Pike to provide additional signage and messaging for Independence High School. Per the information provided by the School Board, the intent of the new sign is to “better identify the High School’s entrance and to better convey school related activities to the general public it serves.”



Color: RedGrayscale text, pictures & video.  
 Pitch: 20mm / 0.8"  
 Matrix: 32x112  
 Dimensions: 2'-1" x 7'-4" (Tall x Wide)  
 Max # of Lines: 4  
 Max Letter Per Line: 19  
 Cabinet Size: 2'-6" x 7'-4" (Tall x Wide)  
 Pedestal Size: 7' x 2' (Tall x Wide)

Rendering # 9641

*Variance*

A variance is a request to deviate from the strict adherence to the standards in the code. In this case, the requested sign variance seeks approval to deviate from the sign standards within the Land Development Ordinance, including a variance on prohibited signage, as well as a variance to exceed the maximum height of a monument sign as follows:

1. Section 4.17.3 states that “electronic digital message signs, except as specifically authorized herein” are prohibited. Electronic message display or electronic signs are defined as “any sign that displays still images, scrolling images or moving images, including video and animation, utilizing a series or grid of lights that may be changed through electronic means, including but not limited to cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology” (LDO Section 4.17.1).
  
2. Monument signs are permitted with a “maximum height of eight (8) feet and a maximum square footage of 80 square feet” (Section 4.17.4).

The Board of Zoning Appeals has jurisdiction over this request per section 5.5.4 (c)(iii) which gives administrative review authority to the BZA “to hear and decide applications for variances from the requirements of the Zoning Ordinance” provisions within the LDO.

### *Applicability of Zoning to a Higher Form of Government*

Since this request comes from a component of Williamson County government, this request is different from other requests heard by the BZA. The Town Attorney has provided the following analysis as to the applicability of zoning regulations for a higher form of government:

Based upon prior AG Opinions, specifically including Tenn. Op. Atty. Gen. No. 85-001, the Town cannot require its parent county to adhere to the Town's building code, zoning regulations, or other ordinances. In that opinion, the Attorney's General Office stated that a municipality cannot require the county to obtain a building permit. Counties are political subdivisions of the State to whom has been delegated a portion of sovereign power of the State. The State, and its political subdivisions, are not subject to a statute unless specifically mentioned therein or unless application thereto is necessarily implied. Moreover, this has been confirmed by the courts when the building or structure at issue is a county, public building.

This is also applicable to zoning under the same principles. The authorizing zoning statute (Tenn. Code Ann. 13-7-201 *et seq.*) does not provide for the application of municipal zoning to property of another governmental unit (e.g. a county). Again, the use of the property at issue must be public and not proprietary (i.e. private or only affecting the corporate body [the Town]). One of the primary examples of a public use is a public school building or structure. Additionally, courts have found that entities that have eminent domain power are generally exempt from zoning regulations. In other words, the eminent domain power is greater than the zoning power.

Finally, and as a qualification of the aforementioned, a county may not disregard a local zoning regulation when and if to do so would result in the creation of a nuisance. Therefore, approval of a sign variance for a Williamson County School, while generally required, may be accompanied by reasonable conditions so as to minimize any nuisance. Height and appearance conditions are appropriate in this situation.

### *Reasonable Conditions*

Section 1.2.10 of the LDO sets forth the Town's intent for signage regulations:

#### **1.2.10 Signs**

- a. That signs provide property owners and occupants an opportunity for effective identification and identification of goods sold or produced or services rendered.
- b. That signs reflect the character of their zoning districts.
- c. That signs maintain or improve the aesthetic character of their context, and that they not distract motorists or demand excessive attention.
- d. That signs protect pedestrians and motorists from injury and property damage wholly or partially caused by cluttered, distracting, poorly constructed, or poorly maintained signs.

In Staff's analysis, reasonable conditions to prevent nuisance may be attached by the BZA to the approval of this sign, which is for a governmental purpose, while still working to achieve the purpose and intent of the LDO.



## RECOMMENDATION

Staff recommends that the Board of Zoning Appeals review the project and consider, in its discretion, approval of the signage with the following conditions:

1. The sign shall meet the LDO monument sign requirements for a solid base without a single pylon or column.
2. The sign shall not exceed 10 feet in height.

December 17, 2020

Micah Wood  
Town of Thompson Station Town Planner  
1551 Thompson's Station Rd West  
Thompson's Station, TN 37179

Subject: **New Entry Sign for Independence High School (1776 Declaration Way)**

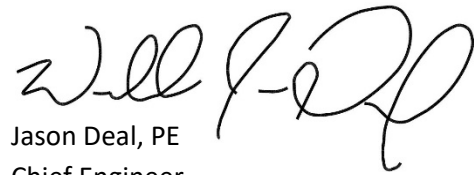
Dear Micah:

Find attached an application to appear before the Board of Zoning Appeals. Our Client, The Williamson County Board of Education is requesting a variance to the town's zoning code to allow the installation of a new electronic reader, pylon sign. The sign is to replace the current one located at the school's entrance. We have included 10 copies of the site plan as well a rendered elevation of the new proposed.

Please let me know if any additional information is required.

Respectfully submitted,

**Collier Engineering Co., Inc.**

A handwritten signature in black ink, appearing to read 'Jason Deal', is written over a white background. The signature is fluid and cursive, with the first name 'Jason' and the last name 'Deal' clearly distinguishable.

Jason Deal, PE  
Chief Engineer

Attachments: Application, Site Plan, Rendered Sign Elevation

CC: Client, File

# Town of Thompson's Station Planning Department

P. O. Box 100  
 1550 Thompson's Station Road West  
 615-794-4333



**General Application / Request:**

File No.: \_\_\_\_\_

**Applicant Information:** (Please print)

Company / Business Name: Williamson County Board of Education

Contact: Eric Gardner, Assistant Director of Facilities and Construction Phone # 1: 615-472-4040

Mailing / Street Address: 1320 West Main St, Suite 202

City, State, Zip: Franklin, TN, 37064

E-mail: eric.gardner@wcs.edu Phone # 2: \_\_\_\_\_

**SUBDIVISIONS:**

	<b>RESIDENTIAL</b>		<b>NON-RESIDENTIAL</b>
	Development Concept Presentation		Development Concept Presentation
	Single Lot Site Plan – Lot #: _____		Single Lot Site Plan – Lot #: _____
	Site Plan		Site Plan
	Preliminary Plat		Preliminary Plat
	Final Plat		Final Plat
	Revision to Final Plat		Revision to Final Plat
	Construction Drawing		Construction Drawing

**SIGNS:**

	Master Sign Plan / Program	<input checked="" type="checkbox"/>	Sign Permit / Review
	Billboard Sign Face Replacement	<input type="checkbox"/>	Temporary Sign Permit

**OTHER:**

	Annexation	<input type="checkbox"/>	Change of Use
	Rezone	<input type="checkbox"/>	Residential Business
	Temporary Use/Event permit	<input type="checkbox"/>	Home Occupation
	Special Exception	<input checked="" type="checkbox"/>	Variance Request

**Parcel / Property Information:**

Parcel Location / Address: 1776 Declaration Way

Tax Map & Parcel #: \_\_\_\_\_ Acreage: 106 AC

Owner Name: Williamson County Board of Education

Owner Address (if different from Parcel Address): 1320 West Main St. Suite 125, Franklin TN 37064

Deed Book & Page #: 5499 , 267

Check one :  sewer  septic  n/a

**Project Description Information:**

Subdivision / Project Name: Independence High School Entry Sign Upgrades

Plat Book & Page #: \_\_\_\_\_ Lot #(s): \_\_\_\_\_

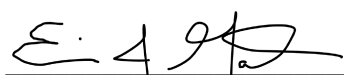
Project Description:

The Williamson County Board of Education proposes to make certain upgrades to the existing sign located at the intersection of Declaration Way and Columbia Pike. Improvements include removal of existing ground mounted sign, install of new pylon sign (35.44 sf sign area , 11'10" ft tall) with a portion of the sign being an electronic reader board. A site plan and related details have been included with this application.

Justification Statement: State why the application(s) should be approved, based on the required findings (if any). Attach additional pages if necessary.

Current Zoning Ordinance prohibits the installation of pylon signs as well as electronic digital message sign. WCS is asking for a variance to allow the proposed sign on the basis the granting of the variance will not be detrimental to the public welfare and will not be injurious to other properties or improvements in the are in which the subject property is located. The intent of the new sign is to better identify the High School's entrance and to better convey school related activities to the general public that it services.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Signature of Applicant

12/17/2020  
\_\_\_\_\_  
Date

**PROPERTY OWNER(S) STATEMENT**

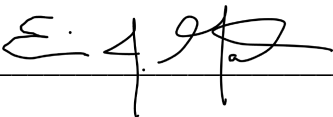
STATE OF TENNESSEE  
COUNTY OF WILLIAMSON  
TOWN OF THOMPSON’S STATION

I / We, The Williamson County Board of Education, declare that I / we am / are the owner(s) of the property described herein and hereby give authorization for the filing of this application. Further, I / we do, by my / our signature(s) on this agreement, absolve the Town of Thompson’s Station of all liabilities regarding any deed restrictions that may be applicable to the property described herein. (Signature of all property owners is required. The owner in escrow is not acceptable.)

I / We declare that all encumbrances on the subject property are shown on the submitted site plan (or are attached on a separate sheet) and that the purpose of all encumbrances (and ownership of all easements) is stated. In the case of a tentative map, I / we further declare that the property involved in this application is free from all encumbrances that would conflict with the project application, particularly dedications of the right to further subdivide to the Town of Thompson’s Station.

I / We hereby grant the Town admittance to the subject property as necessary for processing of the project application.

I / We declare under penalty of perjury that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signed: 

Date: 12/17/2020

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Engineer Information:** (Please print)

Company / Business Name: Collier Engineering

Contact: Jason Deal, PE Phone # 1: 615-390-7098

Street / Mailing Address: 2949 Nolensville Pike

City, State, Zip: Nashville TN 37211

E-mail: jason.deal@collierengineering.com Phone # 2: 615-331-1441

**Architect Information:** (Please print)

Company / Business Name: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone # 1: \_\_\_\_\_

Street / Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail: \_\_\_\_\_ Phone # 2: \_\_\_\_\_

**Consultant Information:** (Please print)

Company / Business Name: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone # 1: \_\_\_\_\_

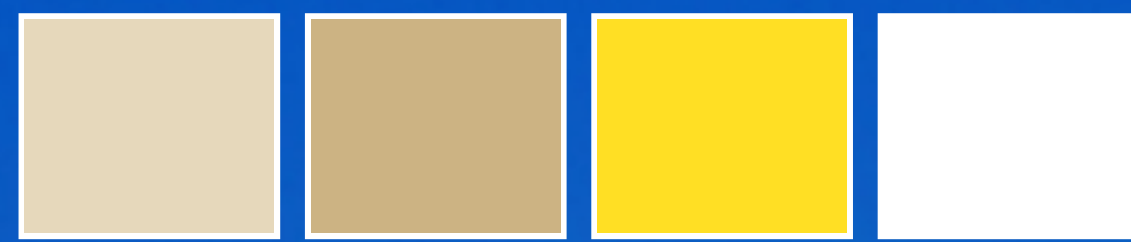
Street / Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail: \_\_\_\_\_ Phone # 2: \_\_\_\_\_



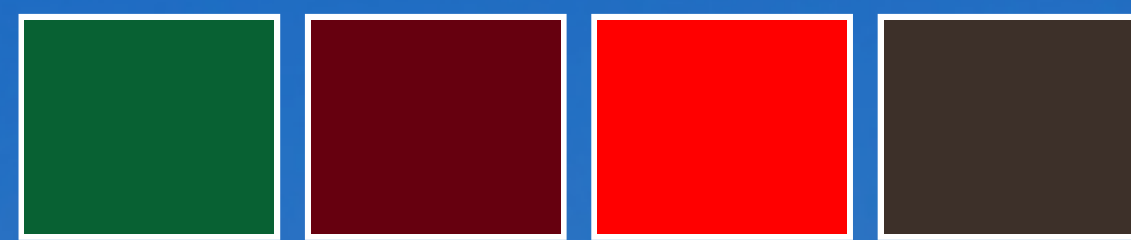
**CABINET COLORS**



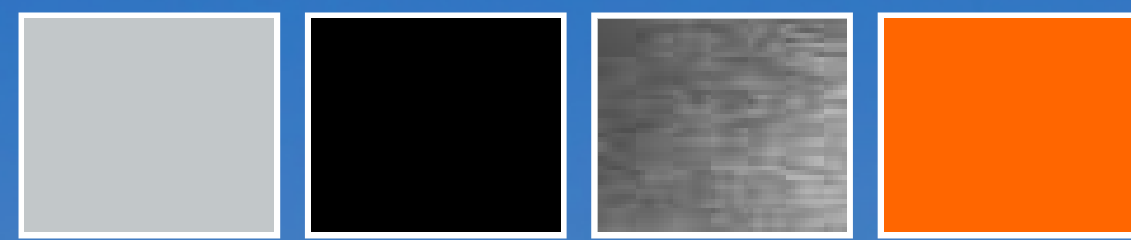
TAN KHAKI YELLOW WHITE



CHEVRON BLUE SUNOCO BLUE HERON BLUE HUNTER GREEN



BP GREEN BURGUNDY RED BRONZE



GRAY BLACK MILL FINISH ORANGE

Color: Red  
 Grayscale text, pictures & video.  
 Pitch: 20mm / 0.8"  
 Matrix: 32x112  
 Dimensions: 2'-1" x 7'-4" (Tall x Wide)  
 Max # of Lines: 4  
 Max Letter Per Line: 19  
 Cabinet Size: 2'-6" x 7'-4" (Tall x Wide)  
 Pedestal Size: 7' x 2' (Tall x Wide)

**Rendering # 9641**





TOLLGATE FARM, LLC  
 MAP 132, PARCEL 1.00  
 DEED BOOK 3130, PAGE 14  
 R.O.W.C., TN

ROGER C. & MAYME KING COTTON  
 MAP 132, PARCEL 41.01  
 DEED BOOK 1872, PAGE 109  
 R.O.W.C., TN

TOLLGATE FARM I, LP  
 MAP 132, PARCEL 41.05  
 DEED BOOK 912, PAGE 870  
 DEED BOOK 3520, PAGE 373  
 R.O.W.C., TN

SIGN LOCATION  
 SEE ENLARGED  
 PLAN THIS SHEET

HIGH SCHOOL

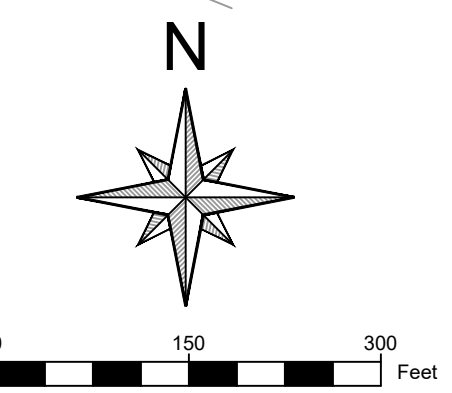
DECLARATION WAY

COLUMBIA PIKE

STATE ROUTE 840

**OVERALL SITE PLAN**

SCALE 1" = 150'

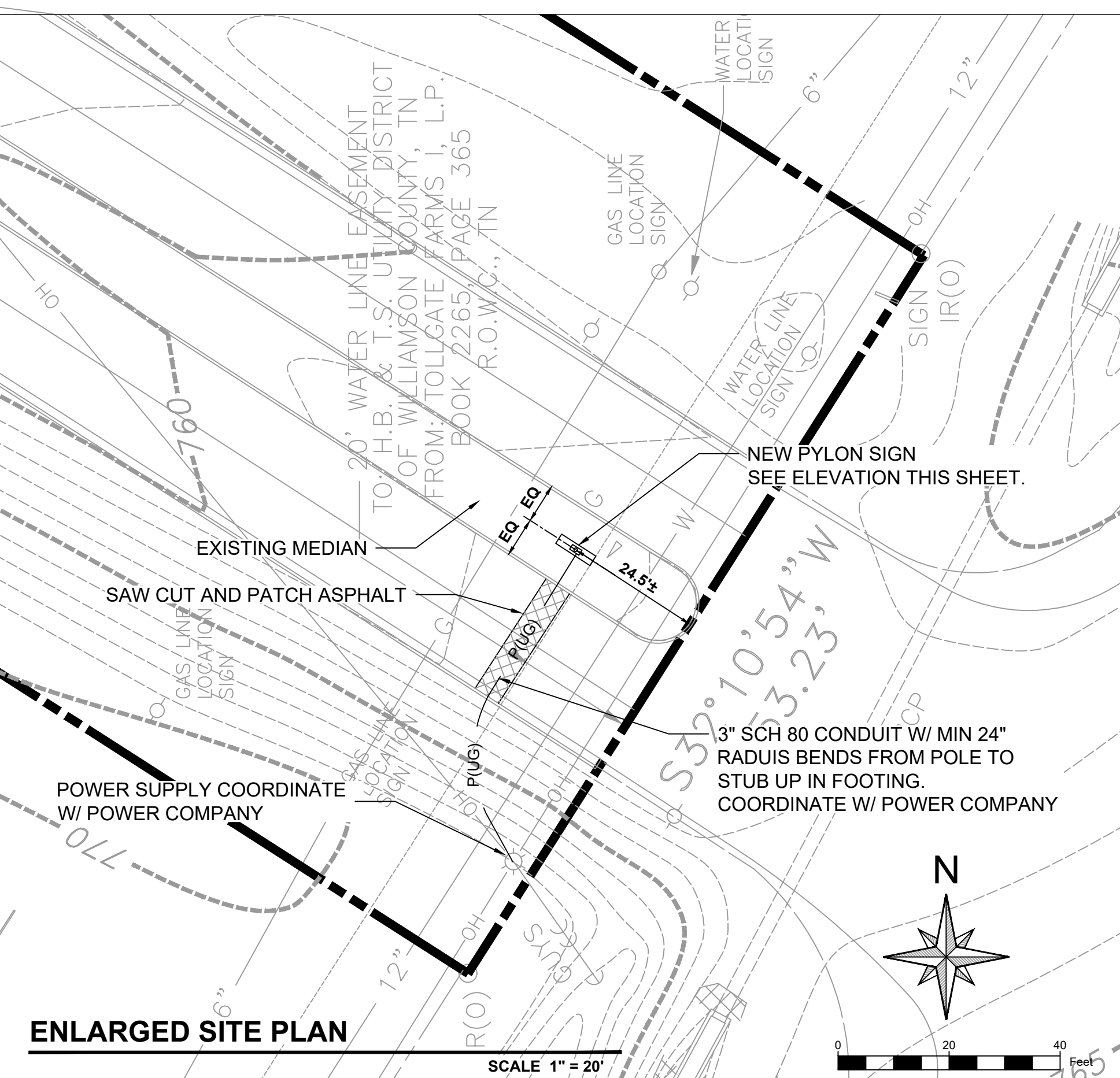
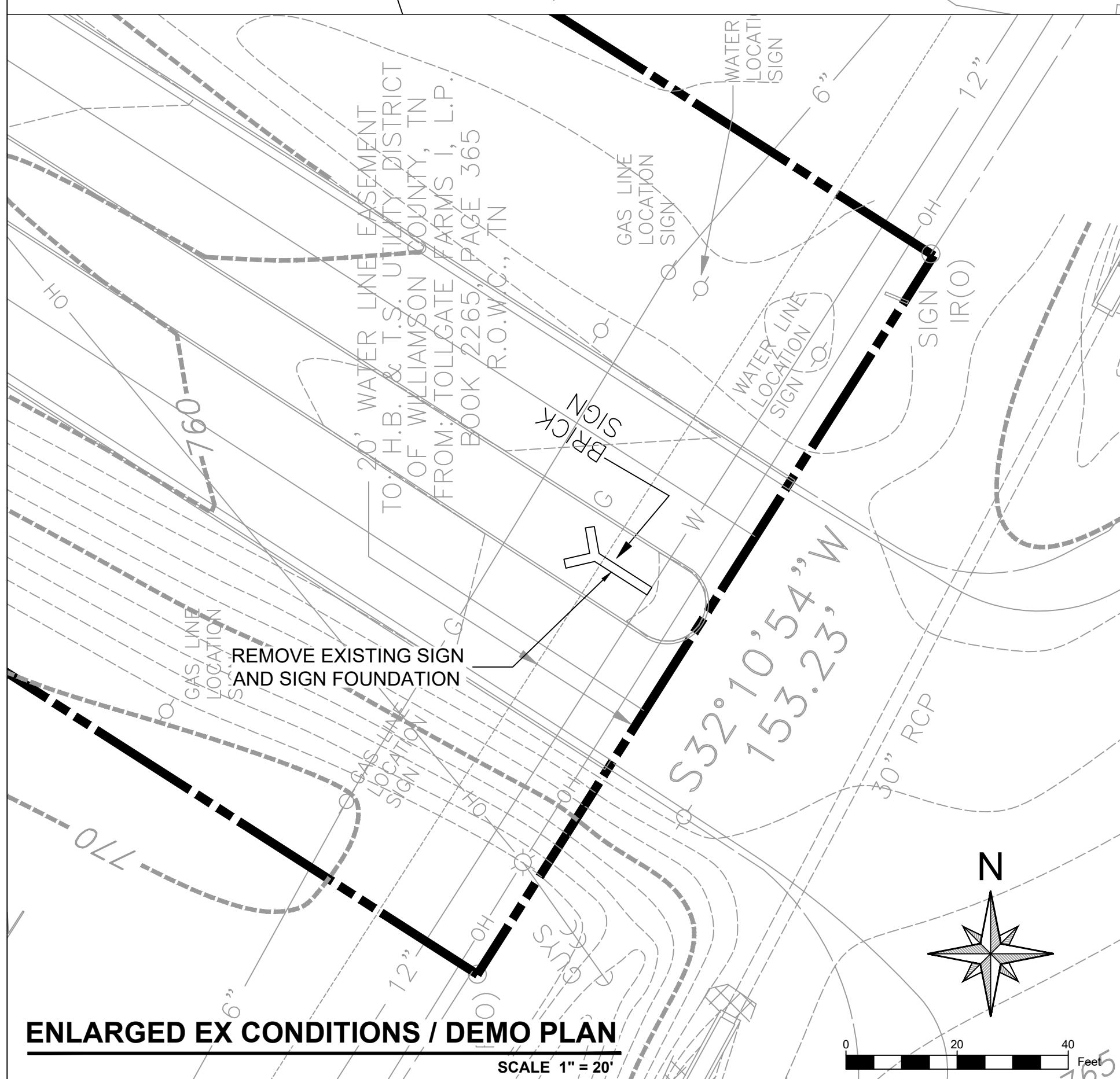
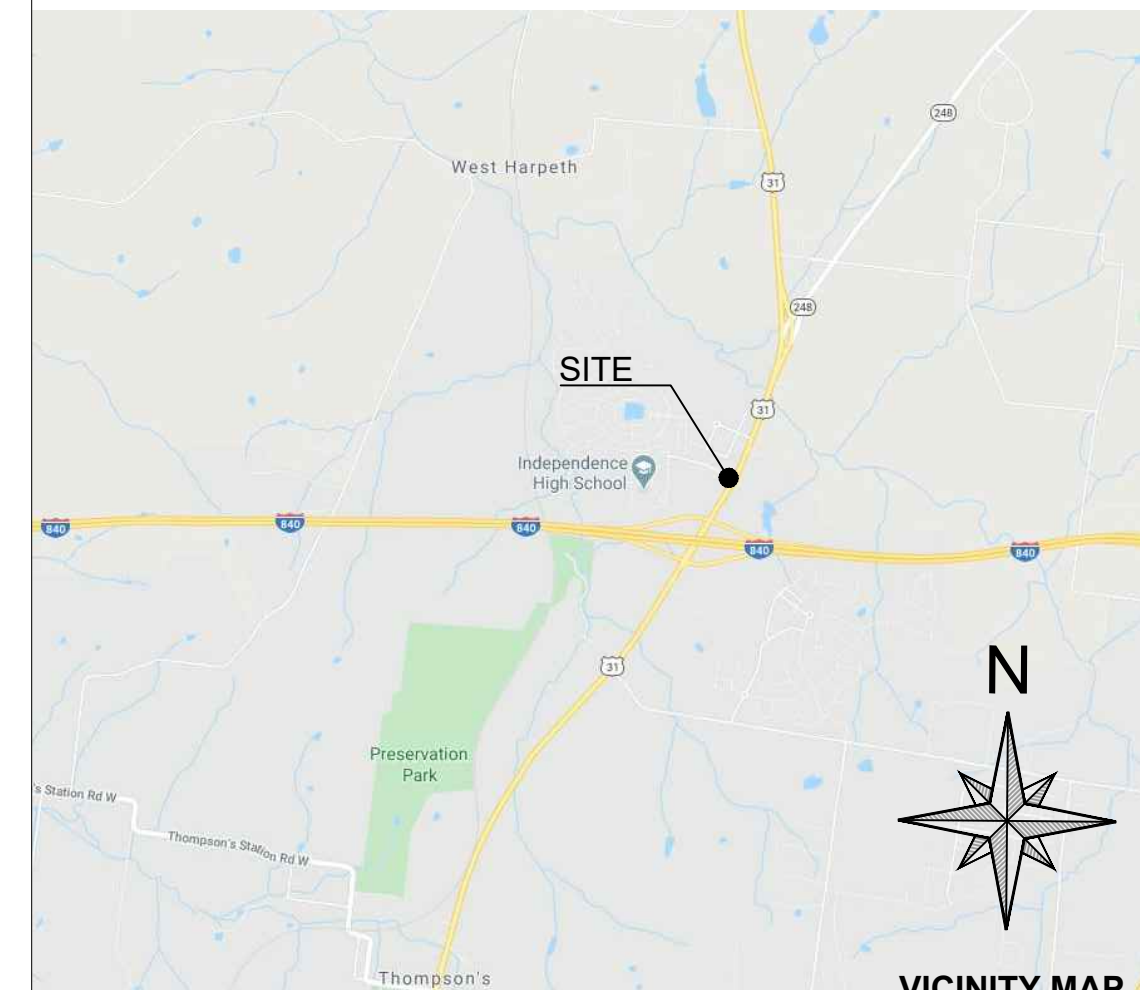
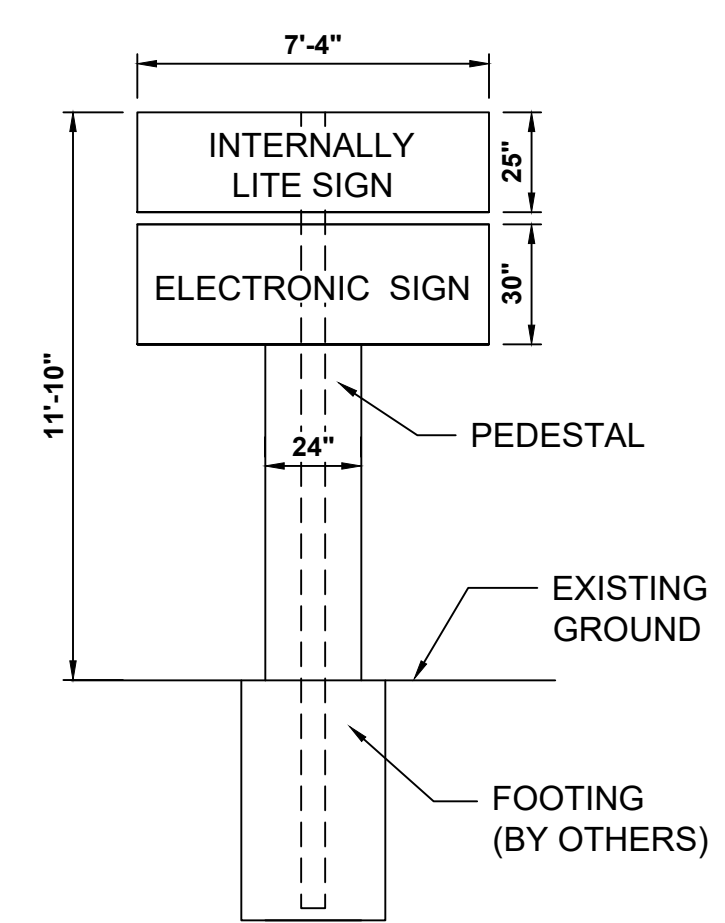


**COLLIER**  
 ENGINEERING CO., INC.  
 CONSULTING & DESIGN • CONSTRUCTION

2949 NOLENSVILLE PIKE, NASHVILLE TN., 37211  
 PHONE: (615) 331-1441 FAX: (615) 331-1050

**NEW ENTRY SIGN FOR  
 INDEPENDENCE HIGH SCHOOL  
 WILLIAMSON COUNTY BOARD OF EDUCATION  
 WILLIAMSON COUNTY, TENNESSEE**

- NOTES:
1. EXISTING CONDITIONS PER AS-BUILT SURVEY PROVIDED BY WCS. NOTIFY ENGINEER OF ANY FIELD CONFLICTS PRIOR TO STARTING WORK.
  2. UNLESS NOTED OTHERWISE DAMAGE TO CURB, PAVEMENT AND LAWN RESULTING FROM CONTRACTOR TO BE REPLACED IN KIND AT CONTRACTOR'S EXPENSE.
  3. UTILITIES SHOWN HAVE NOT BEEN FIELD VERIFIED. CONTRACTOR TO CONTACT UTILITY COMPANY PRIOR TO STARTING CONSTRUCTION. NOTIFY ENGINEER OF ANY CONFLICTS.
  4. SIGN FOUNDATION AND FOOTING BY OTHERS.



Z:\Williamson County Schools\2022 - Independence HS Sign\DESIGN\CADD\2 - REF\CD-XREF\SI\Sign\_CSP.rvt.dwg  
 12/17/2020 4:28:26 PM

DATE: 12/17/2020  
 DESIGNED BY: WJD  
 SUPERVISED BY: CAC  
 CHECKED BY: WJD

**SIGN PLAN**

SHEET NO: C1.00



