

Staff Analysis: Special Exception Request for Life Christian Academy

Property Address: 3012 Highway 31 W

Applicant: Life Christian Academy – Beth Johnstone, Director/Principal

Zoning District: C-1 (Central Commercial District)

Request: Special Exception to allow a preschool and private Christian school in the C-1 zoning district

Background

The applicant, Life Christian Academy, is requesting a special exception to operate a preschool and private Christian school at 3012 Highway 31 W. BOMA recently approved a text amendment allowing schools in C-1 zoning by special exception, making this request eligible for BZA review and approval. This would be going in the existing TN Flea Market.

In addition to local zoning requirements, the State of Tennessee regulates schools and establishes requirements for licensing, safety, and building compliance. The applicant will be responsible for meeting all state-regulated criteria in these areas.

Analysis of Special Exception Standards

1. Consistency with the Zoning Ordinance & Recent Amendments

- The C-1 district is primarily intended for commercial uses, but with the recent text amendment, schools are now allowed by special exception.
- The proposed school use aligns with the intent of the amended C-1 zoning regulations, provided it meets specific conditions set by the BZA.

2. Traffic Impact & Parking Considerations

- Traffic Assessment: Staff has evaluated the size of the school in relation to traffic generation.
 - Traffic impact is expected to be similar to a daycare, given the smaller class sizes.
 - While there will be increased traffic at specific times (drop-off/pick-up), the overall impact will be minimal and not consistent throughout the day.
 - This is not a large-scale traffic generator, and impacts should remain manageable within the existing road infrastructure.

- **Parking & Circulation:**

- The site must have adequate onsite parking to accommodate staff and student drop-offs.
- Traffic flow should be designed to prevent congestion on Highway 31 W.

3. Compliance with State of Tennessee Regulations

- The State of Tennessee regulates all licensing, safety, and building code compliance for private schools.
- The applicant is responsible for obtaining all state-required approvals related to:
 - Building Safety & Fire Code Compliance – Ensuring the facility meets state-mandated safety standards for educational institutions.
 - School Licensing & Accreditation – Adhering to Tennessee Department of Education regulations for private school operations.
 - Health & Safety Standards – Compliance with state health codes, student safety protocols, and facility requirements.
- These state-mandated regulations will govern operational and safety standards, separate from local zoning approval.

4. Compatibility with Surrounding Properties

- **The property is located in a commercial corridor, and the presence of a school would not conflict with existing land uses.**
- **The school would provide a beneficial community service while still being compatible with the character of the C-1 district.**

5. Precedent & Special Exception Criteria

- This is one of the first school requests under the new C-1 zoning amendment.
- The BZA may wish to establish conditions to ensure future requests follow a similar framework.

Staff Recommendation

Staff recommends conditional approval of the special exception request, with the following considerations:

1. **Traffic & Parking Plan** – The applicant must submit a detailed traffic and parking plan for staff review, demonstrating adequate onsite parking and traffic circulation to prevent congestion on Highway 31 W.
2. **State Licensing & Regulatory Compliance** – The applicant must obtain and maintain all necessary approvals from the State of Tennessee regarding school licensing, health, safety, and building compliance.
3. **Signage Compliance** – Any proposed signage must comply with the C-1 district sign ordinance.
4. **Operational Limits** – The BZA may wish to set operational hours or enrollment limits to minimize impact on nearby commercial properties.
5. **Alcoholic Beverage Sales Distance Restrictions** – The City of White House municipal code may include distance restrictions between schools and establishments selling alcoholic beverages

Since the state regulates licensing, safety, and building compliance, the city's role is primarily to ensure zoning compatibility and site considerations, such as traffic and parking. Given that the traffic impact is comparable to a daycare and the applicant must meet state requirements, staff finds that the school can operate in this location without undue burden on the surrounding area.

Board of Zoning Appeals (BZA) - Special Exception Rules

1. Authority to Grant Special Exceptions

- The BZA has the authority to approve, deny, or conditionally approve special exceptions based on specific criteria outlined in the zoning ordinance.
- Decisions must align with public health, safety, and general welfare.

2. Standards for Approval

A special exception must meet the following general conditions:

- The proposed use must be compatible with surrounding properties.
- It should not create undue traffic congestion or overburden public infrastructure.
- It must meet all specific zoning district requirements.
- It should be consistent with the city's comprehensive plan.

3. Process for Special Exceptions

- The applicant submits a request detailing the proposed use.
- The BZA holds a public hearing, allowing for community input.
- The BZA reviews compliance with the zoning ordinance and may impose conditions to mitigate potential impacts.

4. Possible Conditions Imposed by BZA

- Operational limits (e.g., hours of operation, capacity restrictions).
- Traffic and parking requirements (such as submission of a traffic study).
- Buffering or screening requirements to protect adjacent properties.
- Compliance with state regulations, including safety and health codes.

5. Denial or Revocation of Special Exceptions

- The BZA may deny a special exception if it finds the use inconsistent with zoning laws or harmful to the community.
- A granted special exception may be revoked if the applicant fails to comply with the conditions imposed.

Staff Analysis: Variance Request – Burrus Ridge Development

Property: Burrus Ridge Development, Phases 3B & 4

Applicant: Walton Tennessee, LLC / CESO, Inc.

Zoning District: R-20 (Residential)

Variance Request: Reduction of Minimum Lot Width & Lot Area

Background & Request Overview

The Burrus Ridge Preliminary Plat was approved in 2022, establishing a subdivision layout in compliance with R-20 zoning requirements. The applicant now requests a variance to reduce the minimum lot width from 70 feet to 50 feet and reduce the minimum lot area from 8,500 sq. ft. to 6,200 sq. ft. on 35% of the total lots in Phases 3B & 4.

The applicant is not adding any additional units beyond what was originally approved. Instead, the request is to adjust the lot configuration to accommodate the removal of Phase 5 from the development plan due to topographical constraints.

The site south of Mill Creek (originally planned for Phase 5) contains steep slopes, significant grading requirements, and infrastructure challenges, including a proposed 15-foot span bridge and 20+ ft retaining walls. Rather than proceed with costly and environmentally disruptive construction, the applicant seeks to eliminate Phase 5 and redistribute those lots within Phases 3B & 4, while dedicating 75 acres as public community open space with walking trails, a dog park, gathering areas, and preserved natural vegetation.

Hardship Justification (as stated by applicant)

The applicant cites the following hardship in support of the variance request:

- **Topographical Challenges:** The original Phase 5 site has steep terrain that would require significant earthwork, tree clearing, and the construction of large retaining walls, making development unfeasible.
 - **Environmental Concerns:** Grading and construction in Phase 5 would cause severe disturbance to natural areas, contradicting conservation goals.
 - **Infrastructure Limitations:** A 15-foot bridge span would be needed to cross Mill Creek, adding substantial engineering costs and potential environmental impacts.
 - **Alternative Approach:** By relocating Phase 5 lots into Phases 3B & 4 (with reduced lot sizes), the applicant can preserve a large natural area for public benefit while maintaining the project's density.
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Analysis of Variance Criteria

1. Unusual Hardship or Practical Difficulty

- The steep terrain, required bridge construction, and grading challenges create a legitimate hardship that prevents full development of the originally planned Phase 5 area.
- The developer is proposing a reasonable alternative that maintains overall density while preserving a large portion of the site for public use.

2. Impact on Surrounding Properties

- The requested lot size reduction applies only to 35% of lots in Phases 3B & 4, meaning the majority of the development will still meet R-20 lot standards.
- The reduced lot widths and areas will be located in the least visible parts of the development, minimizing potential visual or neighborhood character concerns.

3. Public Benefit & Open Space Contribution

- The applicant is committing to dedicating 75 acres of open space, which would benefit the entire community.
- Features such as walking trails, seating areas, and a dog park add long-term recreational value.

4. Consistency with Comprehensive Plan

- The White House Comprehensive Plan encourages conservation of sensitive natural areas and providing recreational amenities.
- This plan aligns with open space and environmental protection goals.

5. Precedent & Special Considerations

- If approved, this variance could set a precedent for other developments seeking lot reductions.
- However, this request is specific to the extreme topographical and environmental challenges of this site.

Staff Recommendation

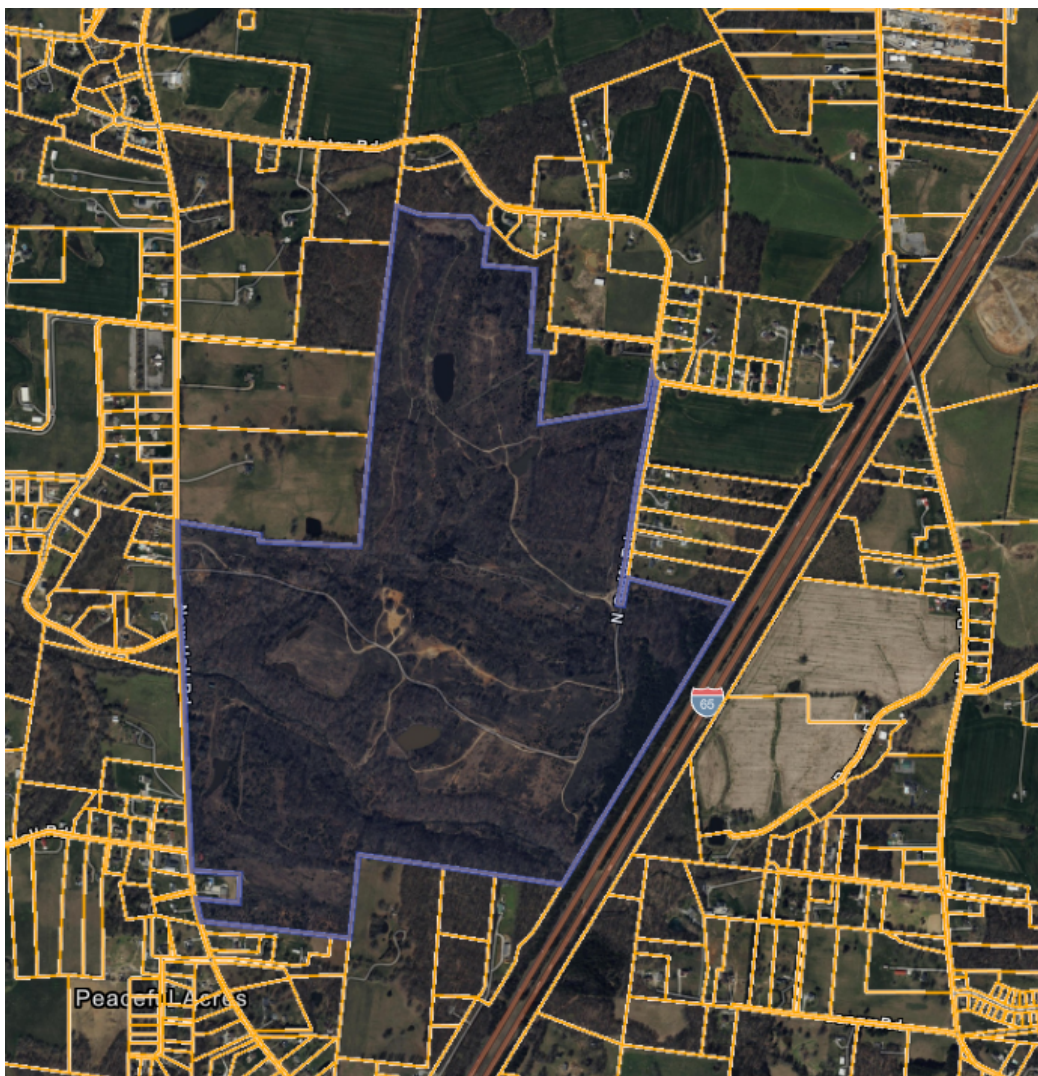
Based on the analysis, staff recommends conditional approval of the variance request, with the following conditions:

1. Lot Reduction Limits – The variance shall apply only to 35% of total lots in Phases 3B & 4.

2. Design Integration – The reduced lot sizes must be evenly distributed within the affected phases to maintain neighborhood continuity.
 3. Community Open Space Dedication – The 75-acre open space area must be formally dedicated and maintained by the HOA.
 4. Infrastructure Considerations – Any future modifications to the subdivision layout must be reviewed to ensure adequate utility, road, and drainage infrastructure is maintained.
 5. No Further Lot Size Reductions – This approval does not establish a general precedent for future reductions; additional modifications would require separate approvals.
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Conclusion

The requested variance is supported by legitimate site constraints and offers a balanced approach to development while preserving natural features. Given the public benefit of added open space and the limited scope of lot reductions, staff believes this request meets the intent of the zoning ordinance and recommends conditional approval.



Board of Zoning Appeals (BZA) – Variance Criteria

The City of White House Board of Zoning Appeals (BZA) follows specific variance criteria when reviewing and deciding on variance requests. Below is a summary of the key criteria that must be met for a variance to be granted:

1. Unusual Hardship or Practical Difficulty

- The applicant must demonstrate a unique hardship that prevents compliance with zoning requirements.
- The hardship cannot be self-created (e.g., purchasing property knowing it does not comply with zoning).
- Economic reasons alone do not justify a variance.

2. No Substantial Detriment to Public Good

- The variance must not harm neighboring properties or negatively impact the public interest.
- The proposed modification should not create traffic hazards, excessive noise, or incompatible land use conflicts.

3. Unique Property Conditions

- The hardship must be due to exceptional topographic conditions, shape, size, or physical constraints of the property.
- If other properties in the same zoning district have similar conditions but comply, a variance is less likely to be justified.

4. Consistency with Zoning Ordinance & Comprehensive Plan

- The variance should not undermine the overall intent of the zoning ordinance.
- It must align with comprehensive land use planning goals and not create an adverse precedent for future development.

5. Minimum Necessary Relief

- The variance should be the least deviation necessary from the zoning standard to address the hardship.
- It should not grant special privileges beyond what is essential to allow reasonable use of the property.

Process for BZA Variance Review

1. Application Submission

- Applicant submits a formal variance request with supporting documentation, including site plans and justification.

2. Public Notice & Hearing

- The BZA holds a public hearing, where affected property owners may provide input.

3. BZA Decision

- The Board determines if the variance meets all criteria before granting, denying, or modifying the request.