

Phone: (615) 794-4333
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www.thompsons-station.com



1550 Thompson's Station Road W.
P.O. Box 100
Thompson's Station, TN 37179

BYLAWS OF THE TOWN OF THOMPSON'S STATION BOARD OF ZONING APPEALS GENERAL PROVISIONS

Section 1. Purpose

The purpose of these bylaws is to provide direction as to the business of the Board of Zoning Appeals (BZA). The BZA is empowered with the authority to make decisions regarding special exception permits, variances, and review of administrative decisions. These bylaws and the procedures to be used in making each of the above decisions are subject to certain principles, standards, rules, and conditions set forth within the Town's Land Development Ordinance.

Section 2. Authority

Pursuant to the Tennessee Code Annotated, §13-7-205, the Town of Thompson's Station Board of Zoning Appeals hereby enacts these rules. The BZA is also empowered by the Town of Thompson's Station Town Charter, by Ordinance, and any amendments and supplements thereto and by any policies or rules adopted by the BZA.

MEMBERSHIP

Section 3. Appointment

The BZA of Thompson's Station, is hereby established and confirmed as a five (5) member Board in accordance with Tennessee Code Annotated § 13-7-205(a)(1). The Board of Mayor and Aldermen shall appoint the members of the BZA for a three (3) year term. The terms of office, succession, removal, filling of vacancies, and their powers and duties, shall be as provided in the Tennessee Code Annotated.

Section 4. Officers

BZA officers shall consist of a Chair and Vice Chair. The officers shall be appointed by a voice vote upon the call of the roll of the members of the BZA and shall serve for one (1) year. The officers shall be elected at the first meeting of the year and shall serve for that calendar year. If the Chair is not present at the meeting, the Vice Chair shall preside. If neither the Chair nor the Vice Chair is present, the Secretary shall call for an election of an Acting Chair.

Section 5. Duties

1. Chair - The Chair shall preside at all meetings and hearings of the BZA and shall vote on the matters addressed before the BZA.

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2. Vice Chair - The Vice Chair shall preside at any meeting or hearing not attended by the Chair and shall assume the duties of the Chair.
3. Secretary - The Secretary, the Town Planning Director or designee, shall keep a full record of all proceedings of the BZA, including minutes. Minutes shall be maintained at Town Hall.

Section 6 Town Staff

1. Town Staff shall perform all functions related to the preparation of the agenda for all meetings and hearings. Town Staff shall also prepare and distribute public notices; minutes; and perform other duties necessary for the effective organization and management of the BZA and all matters that are presented before the BZA.
2. The BZA shall use the services of the Town Attorney, as deemed necessary.

MEETINGS

Section 7 Meetings

1. Meetings will be held on an as needed basis when requests for BZA review are submitted to the Town. All meetings shall be open to the public and pursuant to the Tennessee Open Meetings Act in the Tennessee Code Annotated §8-44-101 *et seq.*
2. The presence of three (3) voting members of the BZA shall constitute a quorum, and a quorum must be present to hear any application. A concurring vote of a majority of the voting members shall be present to approve or deny any application.

Section 8 Publication

No action shall be taken by the BZA on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in Thompson's Station at least ten (10) days before the hearing by the BZA. No hearing shall be considered and heard by the BZA less than thirty(30) days after filing such appeal. If new information is uncovered regarding an action of the BZA that could not have been reasonably presented in a public hearing before the BZA, the BZA shall establish a date for the purpose of rehearing in accordance with the appropriate procedures herein.

Section 9 Agenda

It shall be the duty of Town Staff to prepare an agenda listing the business and matters to be considered by the BZA.

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Section 10 Application

Any applicant wishing to present an item to the BZA shall contact the Community Development Department to schedule a pre-application meeting. It shall be the duty of the applicant to become familiar with the regulations, policies, and procedures of the Town and the BZA. Pursuant to Section 8.1 Publication of these bylaws, Town Staff shall prepare an Agenda and associated materials in the packet for the BZA members and shall distribute the Agenda Packet no less than one (1) week prior to the BZA meeting.

Section 11. Conduct by the BZA Members

1. Site Visits - BZA members may, at their own discretion, make site visits for the evaluation of the request that is to be heard before the BZA.

Section 12. Order of Business

1. Call the meeting to order.
2. Approve the minutes of prior meetings.
3. Announcements.
4. Order of the presentation of agenda items.
 - a. Town Staff presentation of the item, but only if the applicant is present. If the applicant is not present, Staff will recommend deferral of the item.
 - b. **Open the Public Hearing:** Declared open by the Chair.
 - i. Comments by those wishing to speak during the Public Hearing on the item in the following order:
 1. Those speaking on behalf of the agenda item, including the applicant.
 2. Those speaking in opposition of the agenda item.

Public comments shall be according to the adopted Town of

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Thompson's Station Public Meeting Code of Conduct and Public Meeting Rules of Decorum.

- b. **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.
- c. Discussion by the Board Members.
- d. Motion and second by the Board Members.
- e. Discussion on the motion.
- f. Vote of the Board Members.

6. Adjourn.

Section 13. Minutes

- 1. Copies of the minutes from previous meetings shall be provided to the members of the BZA within the Agenda Packet.
- 2. Minutes shall be approved by the majority of the members of the BZA.
- 3. Any proposed corrections of the minutes, with the exception of typographical errors, shall require unanimous consent.

AMENDMENTS

Section 14. Amendments

These rules may be amended at a meeting, but no amendment shall be adopted unless written notice of at least four (4) days is first given to the BZA members.

OTHER RULES OF PROCEDURES

Section 15. Parliamentary Rules

To the extent not inconsistent with these rules and/or the State's enabling legislation, Roberts Rules of Order shall be the parliamentary rules of the BZA.

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Section 16. Conflict with State Law or Town Ordinances

In any conflict between any provision herein with either state law or the ordinances of the Town of Thompson's Station, state law and/or the ordinances shall supersede these rules of procedure.

ADOPTION DATE: 2-2-2023

By: Mary Herring
Chair

Michelle Herring
Secretary