

RESOLUTION 2023-R-02

RESOLUTION GRANTING REQUEST FOR TEMPORARY USE

Whereas, the City of Oak Hill, Tennessee, is a Tennessee municipality chartered and operating pursuant to T.C.A. § 6-18-101 et seq. (the “City”); and

Whereas, the City governs land use within its boundaries and administers various regulations regarding planning and zoning; and

Whereas, the Brentwood Hills Church of Christ Inc. is a Tennessee non-profit religious corporation, with an address of 5120 Franklin Pike, Nashville, Tennessee 37220, which owns a 9.93 acre parcel of land in the City, improved with buildings designed and used for church purposes as defined by the ordinance of the City ; and

Whereas, Covenant Presbyterian Church of Nashville, is a Tennessee non-profit religious corporation, with an address of 33 Burton Hills Boulevard, Nashville, Tennessee 37215; and

Whereas, Covenant Presbyterian Church owns and operates The Covenant School, a grade school serving children from kindergarten through the sixth grade; and

Whereas, on March 27, 2023, The Covenant School suffered a tragic event causing the need to repair its facilities in the aftermath of the event, and in light of the time required to complete the repairs, is unable to complete the school year in its facilities; and

Whereas, the Brentwood Hills Church of Christ desires to host The Covenant School at its property on Franklin Pike for the remainder of the school year; and

Whereas, the Brentwood Hills Church of Christ and The Covenant School have asked the City to permit the Brentwood Hills Church of Christ to temporarily house The Covenant School in its facilities at 5120 Franklin Pike for the remainder of the school year; and

Whereas, the Covenant School has advised that it is able to occupy the Brentwood Hills Church of Christ without the construction of any additional buildings or parking; and

Whereas, the City has considered the request and believes that it is in the public interest to permit the Brentwood Hills Church of Christ to house The Covenant School on the property of the Brentwood Hills Church of Christ for the remainder of the school year but not to extend past May 31st, 2023.

Now, therefore, in consideration of the foregoing, it is hereby Resolved as follows:

The City of Oak Hill will not prohibit the occupancy of the Brentwood Hills Church of Christ by The Covenant School on the basis that the Brentwood Hills Church of Christ does not have a permit for a private school at its property at 5120 Franklin Pike.

The City of Oak Hill makes this limited exception to its land use, planning, and zoning regulations to allow the temporary use of the Brentwood Hills Church of Christ property by The Covenant School for the remainder of the school year but not to extend past May 31st, 2023.

The City makes no representations or promises to The Covenant School or the Brentwood Hills Church of Christ's regarding the adequacy or suitability of the property for The Covenant's School or the compatibility of the shared use by the two entities.

The City's allowance and exception to its land use, planning, and zoning laws, is limited to matters within the scope of the City's authority, and is not a satisfaction of permissions or waivers that may need to be obtained by the Brentwood Hills Church of Christ or The Covenant School from governmental authorities or agencies which may have jurisdiction over the operation of The Covenant School on the property of the Brentwood Hills Church of Christ.

The City Manager is authorized to take further actions necessary to effect the accomplishment of this Resolution.

This resolution takes effect upon its passage.

ADOPTED: APRIL 4, 2023.

12.17 Minutes
MAYOR

[Signature]
CITY RECORDER/CLERK

APPROVED AS TO FORM:

Date Notice Published:

[Signature]
CITY ATTORNEY

April 3, 2023