

November 30, 2022

Born Again Church
858 West Trinity Lane
Nashville, Tennessee 37207

Re: Reasonable Accommodation for Active Senior Community

Dear Pastor Hockett,

Born Again Church has requested a reasonable accommodation for the property at 858 West Trinity Lane, Nashville, Tennessee to use the property and build a 55+ active senior community. The church proposed in its letter to build approximately four hundred units of senior housing and provide on-site services such as health clinic/doctor's office, nurses station, pharmacy, barber and hair/nail salon, exercise facility, along with other amenities. Born Again states that is essential to its religious mission to be able to serve this community with its ministries and programs to the community in furtherance of its work.

Born Again Church states that this property is suitable for such purposes and a substantial burden would be imposed if the church were not able to operate the senior living center at this location.

The Religious Land Use and Institutionalized Persons Act, 42 U.S. C. §2000cc, mandates that no local government shall implement a land use regulation that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates a compelling governmental interest and that such regulation is the least restrictive means of furthering the compelling governmental interest.

The Tennessee Religious Freedom Restoration Act, Tenn. Code Ann. §4-1-407, mandates that no local government shall implement a land use regulation that impinges or curtails the religious exercise of a person, including a religious assembly or institution.

Based upon the facts and law set forth above and advice of legal counsel, I grant the request for the reasonable accommodation for the proposed use. All required permits and approvals will be needed, and this accommodation governs only the land use provisions. All applicable setbacks, life safety and other governmental approvals will still be required. This determination is appealable to the Board of Zoning Appeals within 30 days of the date of this determination above.

Joel K Hargis,
Zoning Administrator