



May 3, 2022 Board of Zoning and Sign Appeals 5:00 PM City Hall - Massie Chambers

Agenda:

1 Approval of Meeting Minutes

1. Approval of April 5, 2022, Meeting Minutes

Agenda Items

2. **(PUBLIC HEARING)** Metro Baptist Church of Nashville Inc, Property Owner, requests a 0.3 feet variance from the minimum finished floor elevation requirement for a non-residential building addition in a FEMA designated floodplain on 24.16 acres at 322 E. Cedar Street. Property referenced as Davidson County Tax Map/Parcel# 01913009400 and is zoned IR, Industrial Restricted. Zoning Ordinance Section 14-209 (b)(ii)

For more information regarding this agenda, please contact the city recorder by email at:

amccormick@goodlettsville.gov

A government committed to operating with efficiency and integrity in all we do as we strive to enhance the quality of life for the community we serve.

105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212

www.goodlettsville.gov

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS

April 5, 2022

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Chairman Cisco Gilmore, Mike Broadwell, Brian Rager

Absent: Mark Writesman

Also Present: Addam McCormick (Staff), Russell Freeman-City Attorney, and Sharon Reed (Staff)

Chairman Gilmore called the meeting to order at 5:00 pm and declared a quorum. McCormick stated no changes to the agenda.

Approval of February 1, 2022 Meeting Minutes: Rager made a motion to approve the minutes of the February 1, 2022 meeting, Broadwell seconded the motion. Motion was approved unanimously.

AGENDA

Item #1 Aaron Allen: Request a variance from the minimum side setback requirements in the CS, Commercial Services zoning district for a proposed addition on 1.22 acres at 608 N. Main Street. Property referenced as Davidson County Tax Map/Parcel# 01812006200 and is zoned CS, Commercial Services. Property Owners: Aaron and Kimberly Allen. Zoning Ordinance Section 14-206 (4)(e)

Staff Discussion:

- The property CS, Commercial Services zoning district includes the requirement for ten (10') feet minimum side lot building setbacks.
- Due to the angled property line dimension along the existing building, the applicant is requesting a side setback variance ranging from one (1') to four (4') feet with the proposed building setback ranging from six (6') to nine (9') feet.
- The existing buildings on the property total 5,847 square feet which is eleven (11%) percent building lot coverage.
- The CS zoning districts permits forty (40%) percent building lot coverage.
- The applicant's basis for a variance is based on the existing building and site parking and access design.
- The requested building setback variance to be reviewed based on the Standards for Variance (discussed standards)
- Staff would recommend approval of the requested variance with the existing building and parking/access design and elevation differences at the property limiting noise onto the adjacent (southern property) would be a reasonable use of the property and connection and use with the existing building design.
- Staff recommended approval with the following stipulations:
- Stipulation - Building exterior wall design to meet the City's adopted Building Code requirements including minimum fire ratings, opening limitations, and construction requirements for exterior building wall including roof materials when the building is less than ten (10') feet from a property line.

Applicant: Aaron Allen

-Allen discussed the limitations on the North side of the property.

Public Hearing Opened:

Public Hearing Closed: No one else requested to speak.

Motion: Broadwell made a motion to approve the request with the stipulations referenced in meeting, seconded by Rager. The motion passed unanimously.

Item #2 Caitlin LaBonte: Request a variance from the minimum lot size and dimension requirements in the R25 Low Density Residential zoning district regarding the proposed property line alterations for two (2) adjacent properties including a 0.18 acre non-conforming property and 0.91 acre property at 307 Dorr Drive to construct a detached one-family dwelling unit. Properties referenced as Davidson County Tax Map/Parcel# 01812005600 and 01812005700 and are zoned R-25, Low Density Residential. Property Owner: Oviedo Properties LLC. Zoning Ordinance Sections: 14-205 (4)(a) and 14-212 (3)

Staff Discussion:

- The 0.18-acre property is a non-conforming property/lot of record.
- The property/lot was created per the Mansker Heights Subdivision plat recorded July 1959.
- The property is a non-conforming property/lot of record due to the referenced subdivision plat including the property/lot as a reserve property and the 0.18-acre area does not meet the R-25 Low Density Residential zoning district minimum requirement of 0.57 acre/ 25,000 square feet.
- The City's Zoning Ordinance defines a review process for non-conforming lot of records.
- The adjacent 0.91-acre property was also a reserve lot created per the Mansker Heights Section Two (2) Subdivision plat recorded April 1961.
- The 0.91-acre property was permitted for a two-family dwelling unit (duplex) in 1986.
- The two (2) properties/lots are owned by one property owner and the 0.18-acre property/lot provides the public roadway frontage for the adjacent 0.91-acre property/lot.
- The request is to alter the existing 0.91-acre property/lot containing the 1986 permitted non-conforming two family detached unit (duplex) to reduce the property/lot area to 0.75 acre and expand the adjacent 0.18-acre non-conforming property/lot of record to 0.34 acres to create a usable property with dimensions to permit the construction of a one-family dwelling unit.
- The proposed subdivision plat also includes the City's requirement for a dedicated fifty (50') feet access easement for the adjacent property.
- The proposed variance would include the following:
 1. Minimum lot size in the R-25 Low Density Residential zoning district- 14,810 sq. ft (0.34 acres) proposed/ 25,000 sq. ft (0.57 acres) per zoning requirements
 2. Minimum lot width at building setback in the R-25, Low Density Residential zoning district- ninety-two (92') feet proposed / 100 feet per zoning requirements
- The requested variance to be reviewed based on the Standards for Variance (discussed standards)
- Staff would recommend approval based on the non-conforming lot of record provision of the Zoning Ordinance and the requested variance would make the existing 0.18-acre property more usable and remove the existing hardship on the property due to the limited property size and dimensions for construction of a one-family dwelling unit per the R-25 Low Density Residential property zoning and including a fifty (50') feet dedicated access easement to the adjacent property/lot.
- Staff recommended approval with the following stipulations:

- Stipulation - Final subdivision plat prepared by a State licensed surveyor to be approved by City staff prior to recording
- Stipulation - The one-family dwelling unit to meet the minimum square footage and two (2) car garage requirement per the R-25 Low Density Residential Zoning District

Applicant: Caitlin LaBonte, 307 Dorr Drive

-LaBonte agrees with the staff comments and confirmed the garage requirement could be included as part of a two (2) story unit. Staff confirmed yes the second story would be permitted

Public Hearing Opened:

Public Hearing Closed: No one else requested to speak per Chairman's offer for additional comments.

Board Discussion:

- Freeman asked if this was the first application for this property
- McCormick responded yes.
- Freeman discussed the required easement and setbacks for the property
- McCormick responded with easement and setback requirements
- Freeman discussed the existing driveway and existing structure
- McCormick responded and explained the share driveway within the required access easement

Motion: Broadwell made a motion to approve the request with the stipulations referenced in meeting, seconded by Rager. The motion passed unanimously.

With no further business, Rager made the motion to adjourn, seconded by Broadwell. The motion passed unanimously.

The meeting adjourned at 5:18 pm.

Cisco Gilmore, Chairman

Sharon Reed, Planning Assistant

CITY OF GOODLETTSVILLE
BOARD OF ZONING AND SIGN APPEALS
GOODLETTSVILLE CITY HALL – 105 SOUTH MAIN STREET
GOODLETTSVILLE, TENNESSEE 37072

MEETING APPLICATION

Applicant BARGE CAUTHEN & ASSOCIATES Date 4/1/2022

Owner METRO BAPTIST CHURCH OF NASHVILLE, INC. Map No. 019-13

Address 322 E. CEDAR STREET, GOODLETTSVILLE, TN 37072 Parcel No. 094

Application Type: (Check Types that apply)

Conditional Use ☐ Variance ☒

Administrative Appeal ☐ Temporary Use ☐

Request Summary:

REQUESTING VARIANCE FROM ARTICLE V, SECTION B.2 OF THE FLOODPLAIN ORDINANCE NO. 21-1020
SEE ATTACHED LETTER FOR EXPLANATION

at (physical address) 322 E. CEDAR STREET, GOODLETTSVILLE, TN 37072

The undersigned agrees to appear at the public hearing for the request and shall furnish all required plans and data.

Owner Signature (if Different from Applicant)

Applicant (Signature)

6606 CHARLOTTE PIKE, SUITE 210
Address

NASHVILLE, TN 37209

City ST Zip

615-356-9911

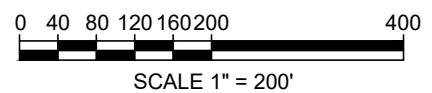
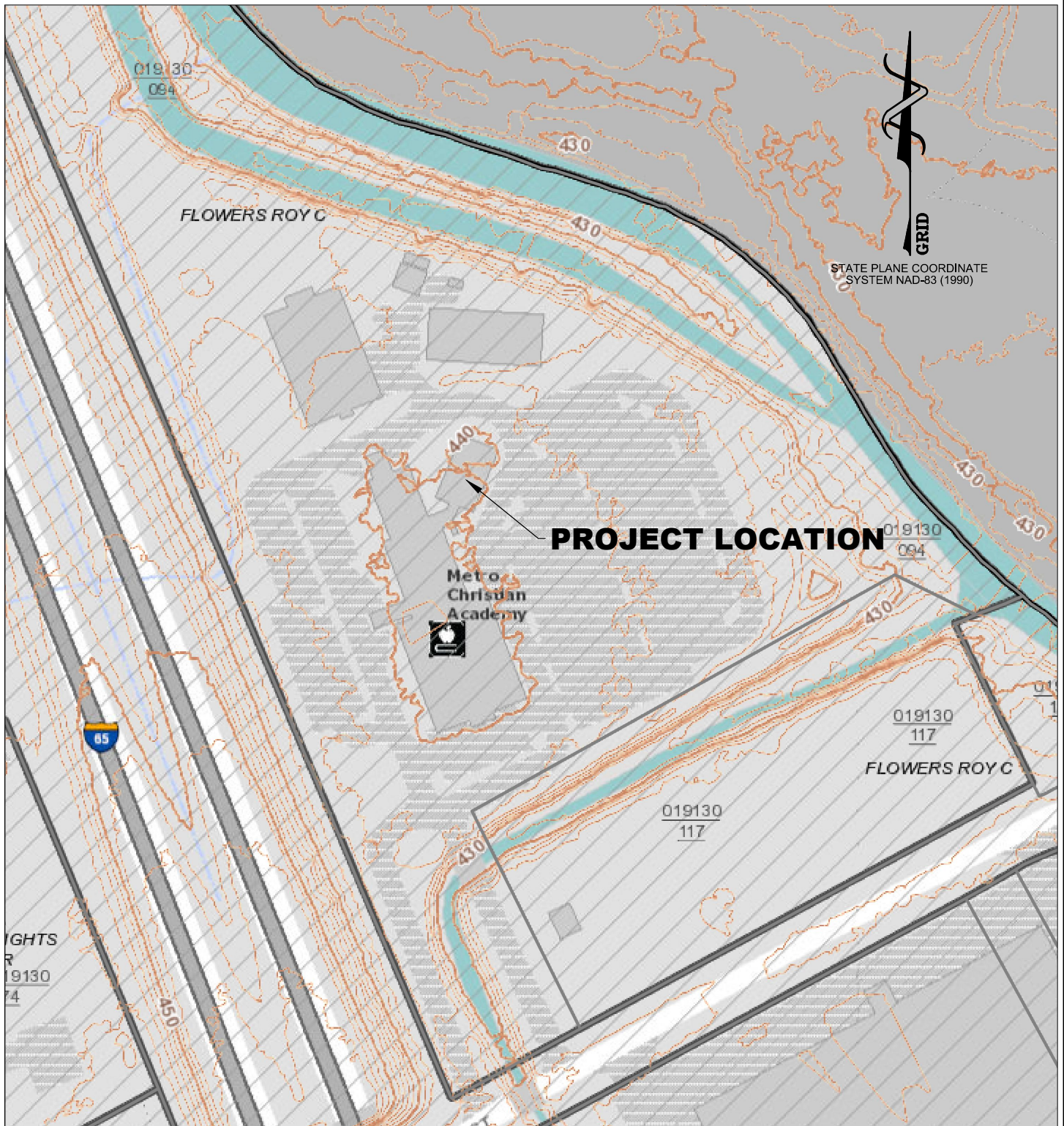
Phone (Daytime)

AMADDOX@BARGECAUTHEN.COM

E-Mail Address

1. REQUIRED APPLICATION FEE \$200.00.
2. ATTACH ALL REQUIRED PLANS AND SUPPORTING DOCUMENTS.

ACTION TAKEN: _____ DATE: _____



Barge Cauthen & ASSOCIATES

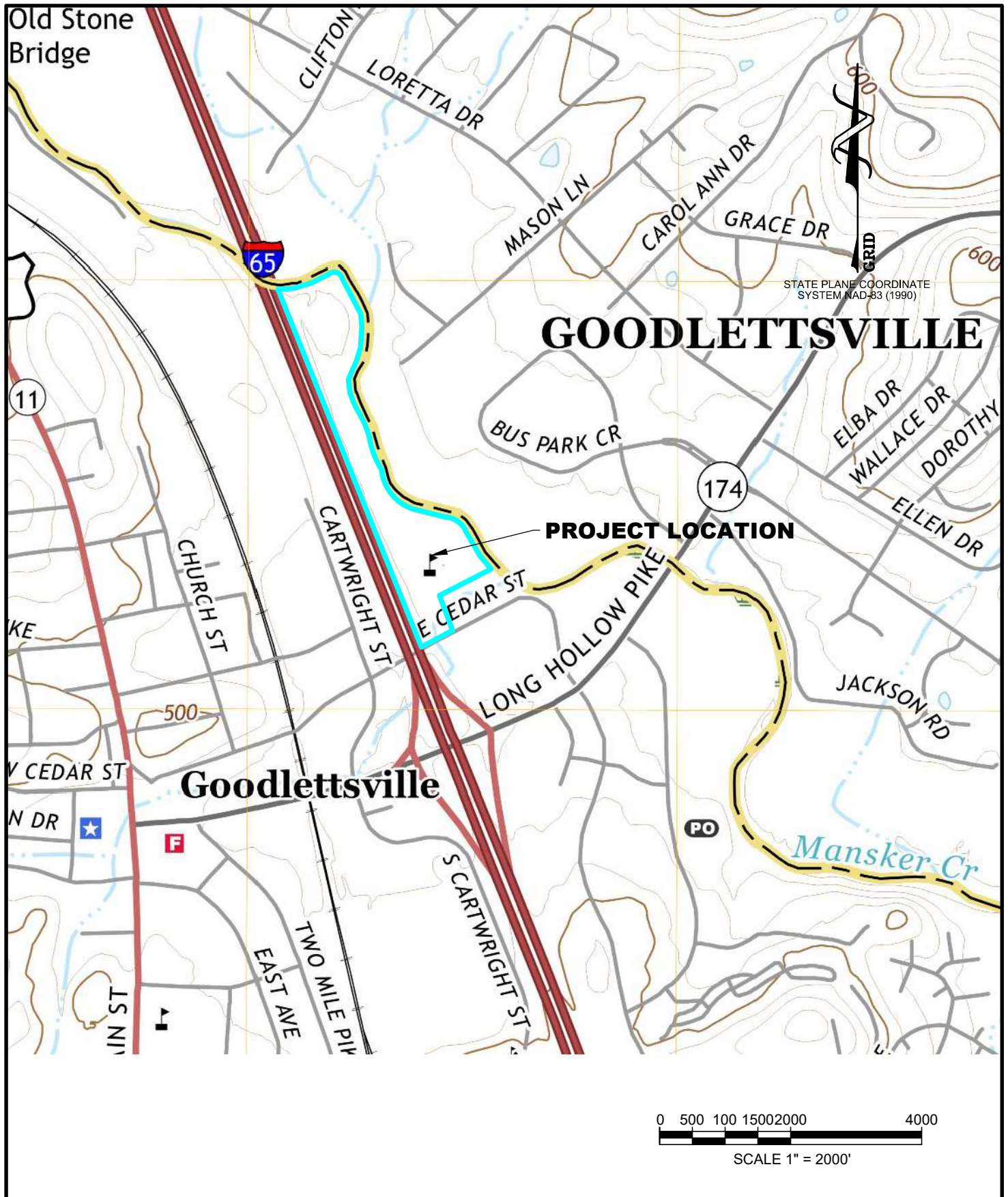
CIVIL ENGINEERS
6606 CHARLOTTE PIKE, STE 210
NASHVILLE, TENNESSEE 37209
615.356.9911 PHONE
615.352.6737 F A X

METRO TOPO MAP

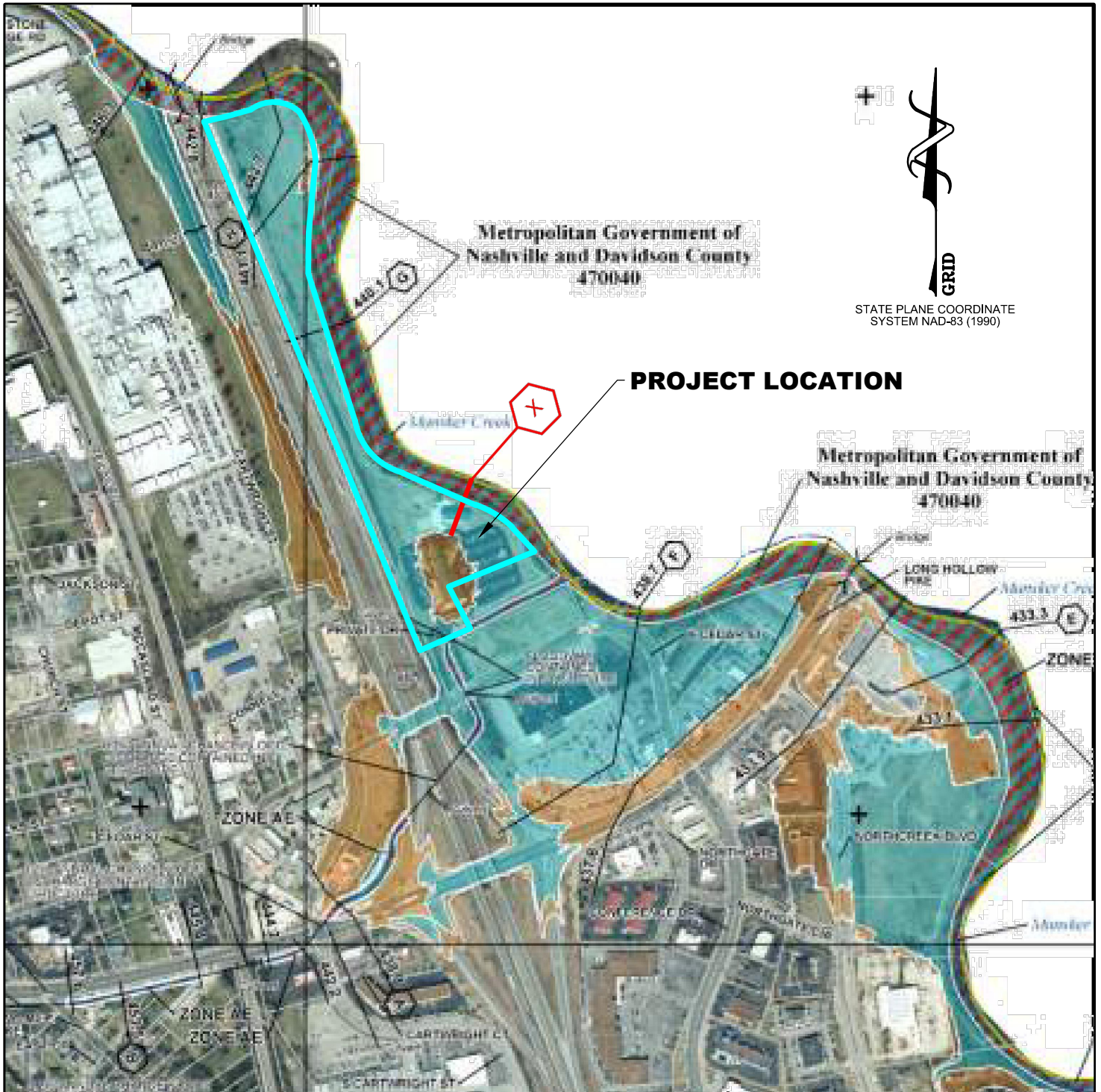
METRO BAPTIST CHURCH
322 E CEDAR STREET
GOODLETTSVILLE, TN 37072

E1.0

BCA JOB NO.
2971-03



 CIVIL ENGINEERS 6606 CHARLOTTE PIKE, STE 210 NASHVILLE, TENNESSEE 37209 615.356.9911 PHONE 615.352.6737 F A X	USGS QUAD MAP METRO BAPTIST CHURCH 322 E CEDAR STREET GOODLETTSVILLE, TN 37072	E1.1 BCA JOB NO. 2971-03
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0 40 80 120 160 200 400
SCALE 1" = 200'



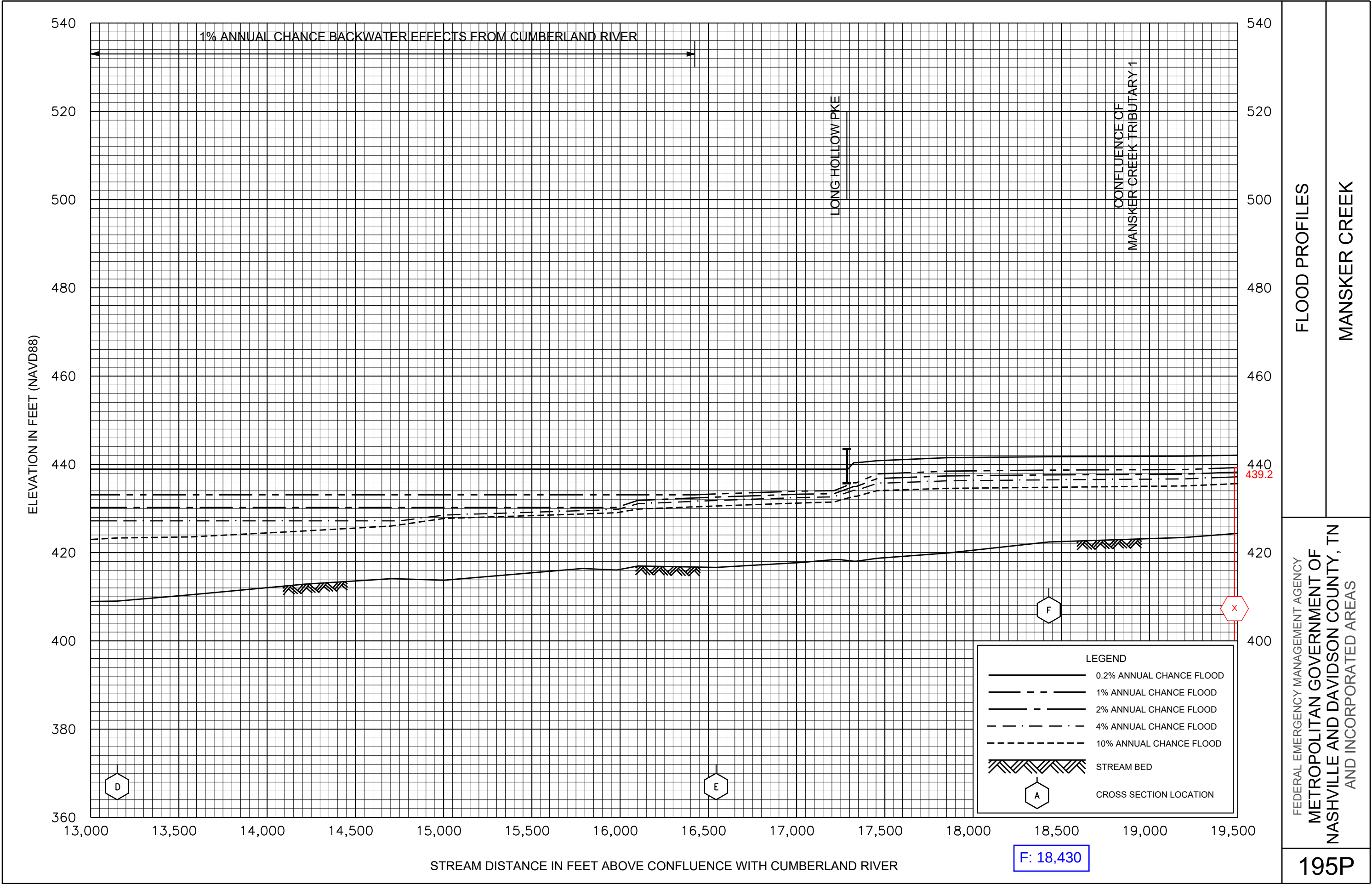
CIVIL ENGINEERS
6606 CHARLOTTE PIKE, STE 210
NASHVILLE, TENNESSEE 37209
615.356.9911 PHONE
615.352.6737 F A X

FEMA FLOOD INSURANCE RATE MAP

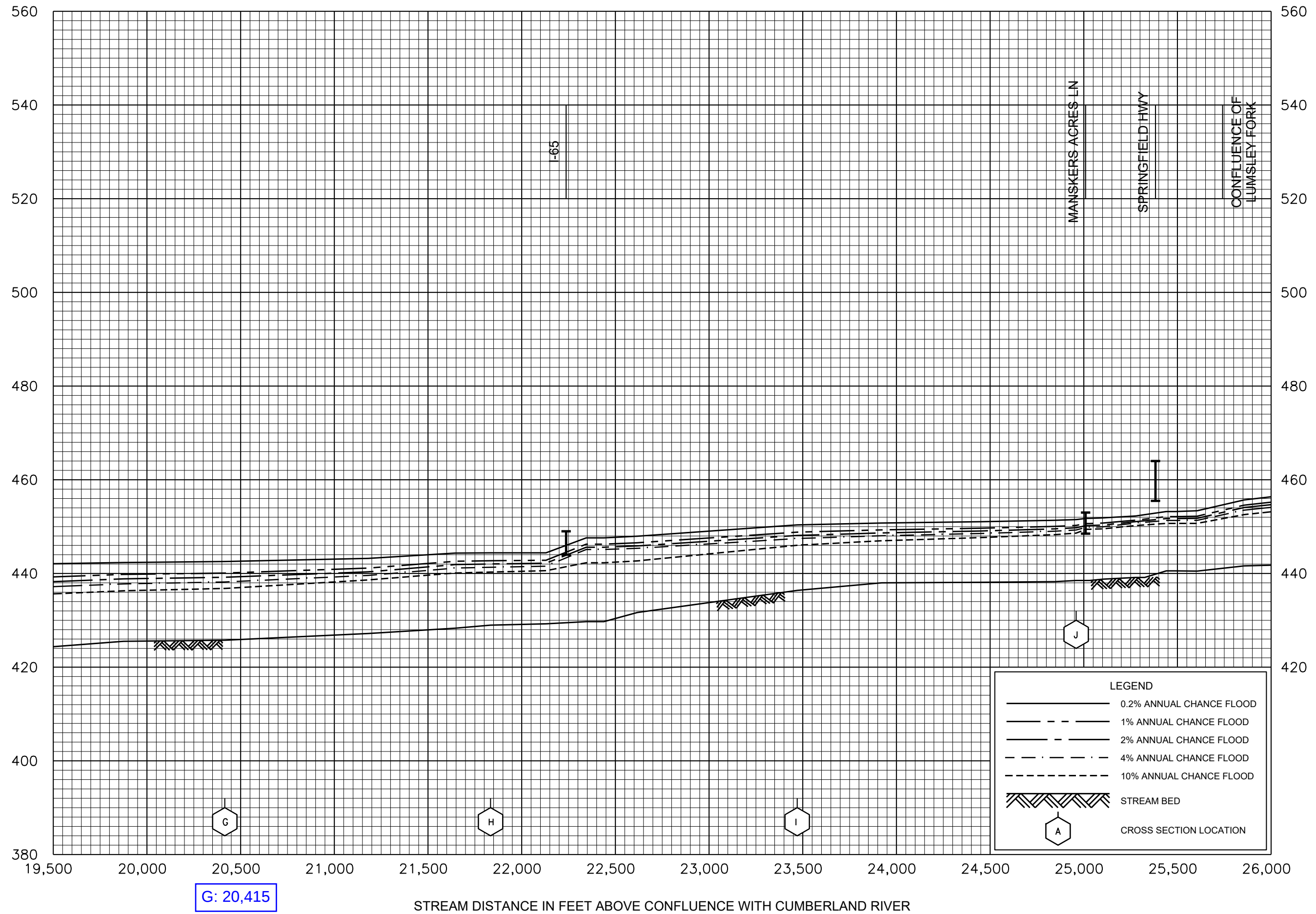
METRO BAPTIST CHURCH
322 E CEDAR STREET
GOODLETTSVILLE, TN 37072

E1.2

BCA JOB NO.
2971-03



ELEVATION IN FEET (NAVD88)



FLOOD PROFILES

MANSKER CREEK

FEDERAL EMERGENCY MANAGEMENT AGENCY
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY, TN
AND INCORPORATED AREAS

196P

NOTES

- 1) THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNER, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE BII 1-800-351-1111.
- 2) PARCEL NUMBERS SHOWN THUS (4) REFER TO TAX MAP 19-13.
- 3) BY MEANS OF GRAPHIC PLOTTING UPON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 47037C0129 H, DATED: 04-05-17, IT HAS BEEN DETERMINED THAT THE PARCEL DESCRIBED HEREON DOES PARTIALLY LIE WITHIN A FLOOD HAZARD AREA. FLOOD ZONE: AE
- 4) THIS SURVEY PREPARED FROM CURRENT DEED OF RECORD AND DOES NOT REPRESENT A TITLE SEARCH OR A GUARANTEE OF TITLE, AND IS SUBJECT TO ANY STATE OF FACTS A CURRENT AND ACCURATE TITLE SEARCH WILL REVEAL.
- 5) THIS PROPERTY IS CURRENTLY ZONED: CITY OF GOODLETTSVILLE
- 6) ALL DISTANCES WERE MEASURED WITH E.D.M. EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
- 7) SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE SIGNATURE APPEARS UPON THIS SURVEY.
- 8) THE WORD 'CERTIFY' OR 'CERTIFICATE' AS SHOWN AND USED HEREON MEANS EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

DEED REFERENCE

DEED BOOK 10733, PAGE 249
REGISTER'S OFFICE OF DAVIDSON COUNTY, TN
OWNER OF RECORD: METROPOLITAN BAPTIST CHURCH OF NASHVILLE, INC.

PLAT REFERENCE

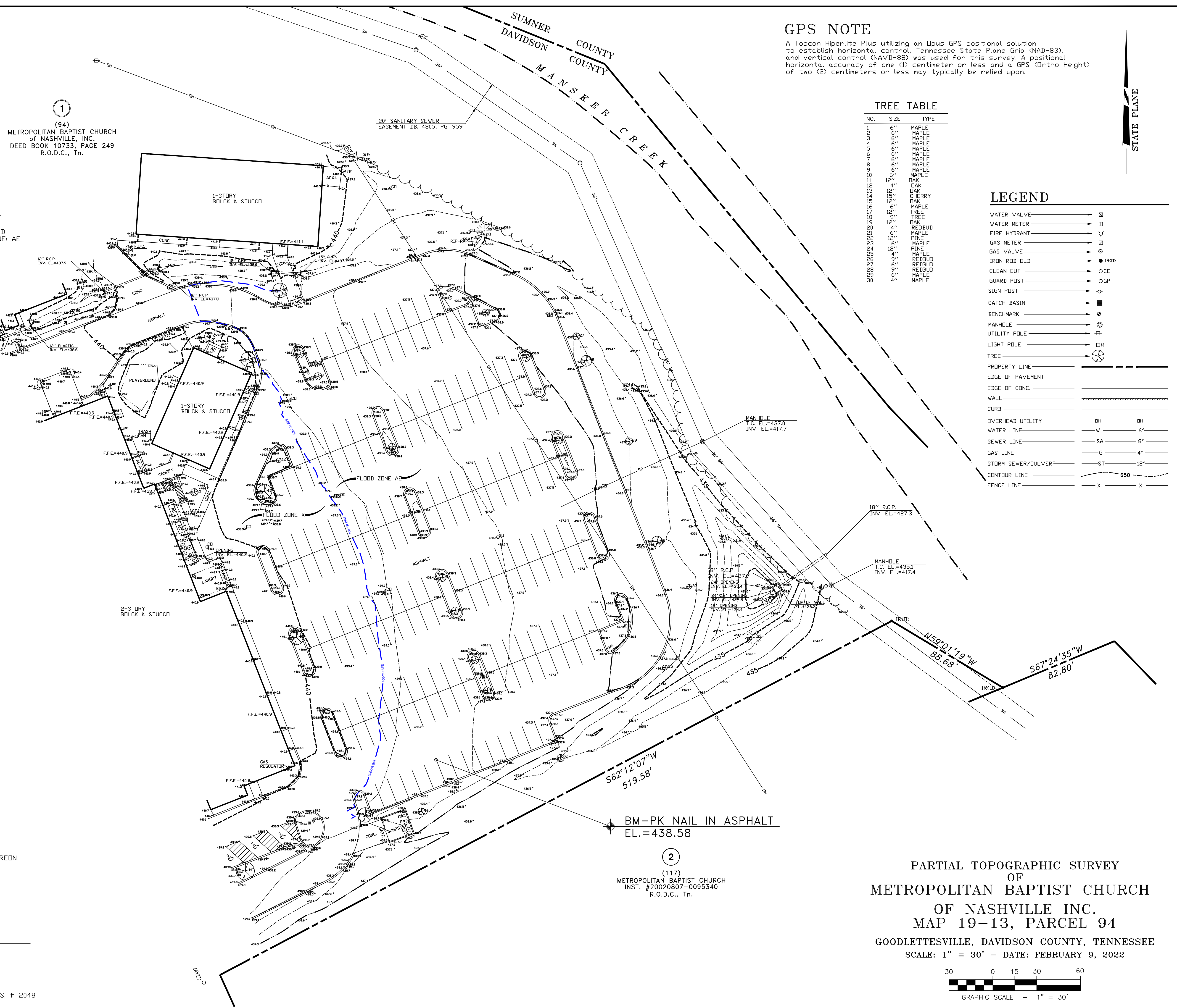
LOT 1, ROY CONWAY FLOWERS PROPERTY
PLAT BOOK 9700, PAGE 542
REGISTER'S OFFICE OF DAVIDSON COUNTY, TN

WE HEREBY CERTIFY THAT THIS SURVEY AND THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CHERRY LAND SURVEYING, INC.
622 WEST IRIS DRIVE
NASHVILLE, TENNESSEE 37204
(615)269-3972 FAX:(615)269-9345
E-MAIL: cherryls@comcast.net

MICHAEL H. CHARETTE R.L.S. # 2048

(94)
METROPOLITAN BAPTIST CHURCH
OF NASHVILLE, INC.
DEED BOOK 10733, PAGE 249
R.O.D.C., TN.



GPS NOTE

A Topcon Hiperlite Plus utilizing an Opus GPS positional solution to establish horizontal control, Tennessee State Plane Grid (NAD-83), and vertical control (NAVD-88) was used for this survey. A positional horizontal accuracy of one (1) centimeter or less and a GPS (Ortho Height) of two (2) centimeters or less may typically be relied upon.

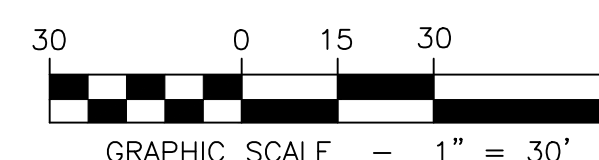
TREE TABLE

NO.	SIZE	TYPE
1	6"	MAPLE
2	6"	MAPLE
3	6"	MAPLE
4	6"	MAPLE
5	6"	MAPLE
6	6"	MAPLE
7	6"	MAPLE
8	6"	MAPLE
9	6"	MAPLE
10	6"	MAPLE
11	12"	DAK
12	4"	DAK
13	12"	CHERRY
14	12"	DAK
15	6"	MAPLE
16	12"	TREE
17	12"	TREE
18	12"	REBUD
19	4"	MAPLE
20	6"	REBUD
21	6"	MAPLE
22	12"	PIKE
23	6"	MAPLE
24	6"	REBUD
25	6"	REBUD
26	6"	REBUD
27	6"	MAPLE
28	6"	MAPLE
29	4"	MAPLE
30	4"	MAPLE

LEGEND

WATER VALVE	→	⊗
WATER METER	→	⊗
FIRE HYDRANT	→	⊗
GAS METER	→	⊗
GAS VALVE	→	⊗
IRON ROD OLD	→	⊗
CLEAN-OUT	→	⊗
GUARD POST	→	⊗
SIGN POST	→	⊗
CATCH BASIN	→	⊗
BENCHMARK	→	⊗
MANHOLE	→	⊗
UTILITY POLE	→	⊗
LIGHT POLE	→	⊗
TREE	→	⊗
PROPERTY LINE	→	⊗
EDGE OF PAVEMENT	→	⊗
EDGE OF CONC.	→	⊗
WALL	→	⊗
CURB	→	⊗
OVERHEAD UTILITY	→	⊗
WATER LINE	→	⊗
SEWER LINE	→	⊗
GAS LINE	→	⊗
STORM SEWER/CULVERT	→	⊗
CONTOUR LINE	→	⊗
FENCE LINE	→	⊗

PARTIAL TOPOGRAPHIC SURVEY
OF
METROPOLITAN BAPTIST CHURCH
OF NASHVILLE INC.
MAP 19-13, PARCEL 94
GOODLETTSVILLE, DAVIDSON COUNTY, TENNESSEE
SCALE: 1" = 30' - DATE: FEBRUARY 9, 2022



METRO BAPTIST CHURCH
GOODLETTSVILLE, TENNESSEE

GMC # ANAS220012

EXISTING CONDITIONS

0001
Sheet of

3310 West End Avenue, Suite 420
Nashville, TN 37203
T 615.333.7200
GMCNETWORK.COM

ISSUE DATE
50% Checklist 03/15/2022

DRAWN BY:
CHECKED BY:

2/2/2022 11:03:56 AM

April 1, 2022

Mr. Addam McCormick
Goodlettsville Planning and Zoning Department
318 N. Main Street
Goodlettsville, TN 37072

**Re: Metro Baptist Church
BC&A Project No. 2971-03**

Dear Mr. McCormick:

On behalf of the Metro Baptist Church, we are submitting this request for approval by the Board of Zoning Appeals (BZA) to construct a two-story building addition to the existing church located at 322 E. Cedar Street, Goodlettsville, Tennessee 37072.

We are appearing before the BZA to request exemptions from the following:

- Article V, Section B 2 of the Floodplain Ordinance 21-1020
 - Structure elevated two (2) feet above the Base Flood Elevation (BFE)
 - Floodproofing of structure

The subject property is located within an AE Zone as depicted on FEMA FIRM panel 47037C0129J, effective 02/25/2022. Interpolation between FEMA cross-sections F and G put the 100-yr BFE at 439.2 feet. The finished floor elevation (FFE) of the existing building is 440.9 feet.

We are requesting approval by the BZA to allow the FFE of the proposed building addition to be constructed at elevation 440.9 feet. **This would place the FFE 1.7 feet above the 100-yr BFE.** To meet the 2-foot minimum would require internal ramping within the building addition creating a hardship with respect to the desired programming and access within the structure. While a FFE of 440.9 feet does not meet the City code, it does exceed the federal code which has a minimum requirement for the FFE to be set 1.0' above the BFE.

To our knowledge, the existing structure historically has not experienced any flooding. Considering this information, we believe that construction of the building addition at elevation 440.9 feet will not adversely affect the property nor cause increased risk to the health and safety of building occupants. Thank you for considering our request.

Sincerely,



Anna Maddox, P.E.

Enclosures

cc: Mr. Jeff Hooper, Barge Cauthen & Associates



CIVIL ENGINEERS

6606 CHARLOTTE PIKE, STE 210

NASHVILLE, TENNESSEE 37209

615.356.9911 PHONE

615.352.6737 FAX

WWW.BARGECAUTHEN.COM

City of Goodlettsville
Board of Zoning and Sign Appeals
Tuesday May 3, 2022

STAFF RECOMMENDATION REPORT

Public Hearing Information:

Public Hearing Notice Advertisement- *Ledger* April 12, 2022

Public Hearing Mailed Six (6) Notices: Week of April 11, 2022

Public Hearing Sign Installed: April 15, 2022

(PUBLIC HEARING)

Item#1 **Metro Baptist Church of Nashville Inc, Property Owner:** Requests a 0.3 feet variance from the minimum finished floor elevation requirement for a non-residential building addition in a FEMA designated floodplain on 24.16 acres at 322 E. Cedar Street. Property referenced as Davidson County Tax Map/Parcel# 01913009400 and is zoned IR, Industrial Restricted. Zoning Ordinance Section 14-209 (b)(ii)

STAFF NOTES:

The variance request is for a proposed site alteration including removal of an existing building section to replace with a two (2) story facility addition. The proposed location of the addition is included on the attached applicant drawings and only a limited portion of the proposed addition is proposed within the FEMA, Federal Emergency Management designated floodplain flood zone area. The existing main portion of the building that the proposed addition area would be connected to is not within the FEMA floodplain (light blue) for the 100-year risk flood zone and is within a non-regulated X zone (orange) for a 500-year risk flood zone. The section of the property including the portion of the proposed building alteration/addition is within a designated flood plain zone (light blue) associated with a designated floodway (red hatched area) along a section of Mansker Creek per the current FEMA (FIRM) Flood Insurance Rate Map dated February 25, 2022. Per the City's Flood Zone Ordinance adopted December 9, 2021 including the 2022 Davidson County flood map adoption, a non-residential building is required to be elevated a minimum two (2') feet above the FEMA (BFE) Base Flood Elevation included on the FEMA, FIRM Map and (FIS) Flood Insurance Rate Study information. The City's Flood Zone non-residential two (2') feet elevation requirement above the BFE per FEMA maps and studies is more stringent than the federal requirement.

The Metro Baptist Church property was constructed in 2002 which was under previous FEMA FIRM maps and the City's Flood Zone protection requirements. The City's current Flood Zone requirements includes a provision for substantial improvement that requires additions and alterations exceeding fifty (50%) of the current building value to require the new addition and alterations to meet current requirements including the building elevation above the BFE. A section of a FEMA guidance document listed below defines the proposed alteration/addition as a lateral non-residential addition to a POST-FIRM building due to revised maps and BFE elevation requirements since the original project construction. See FEMA guidance document section below regarding substantial improvement and lateral additions. The applicant will need to prove

that the proposed addition/alteration would not be regulated as a substantial improvement. If the proposed addition/alteration would be considered a substantial improvement, then per the City's Flood Zoning Regulation the entire existing building if structurally connected with the proposed building alteration/addition would be required to be redesigned under a flood proofing option since elevating the entire existing building section to be two (2') feet above the BFE would not be financial or structurally feasible. If the proposed addition/alteration would not be considered a substantial improvement and would not be structurally connected, then only the addition would be required to be elevated two (2') feet above the BFE. FEMA's guidance information listed below does include some alternatives for lateral additions per the existing building elevation under prior FEMA BFE and City Flood Zone requirements. The variance request is to elevate the alteration/addition building area at 1.7' feet above the BFE elevation. The proposed building alteration/addition elevation is 440.9'. The applicant's calculated and defined FEMA BFE for the proposed alteration/addition is 439.2'. The City's Flood Zone ordinance requires the building to be elevated at 441.2' which would be two (2') feet above the 439.2' BFE. The requested variance is the difference between the 441.2' - 440.9' elevations which is 0.3' feet.

The requested variance is to be reviewed based on the Flood Zone -Standards for Variance section of the Zoning Ordinance and the Board will need to reference with any motion to approve or deny the request including any conditions and restrictions with the variance. The property including religious and educational facilities is currently served by a driveway located within the floodplain.

The applicant will need to discuss why the proposed building addition area could not be elevated the additional 0.3' feet with a ramp section between the existing building and addition elevations or if the proposed addition design could be revised to be removed out of the flood plain section instead of the proposed variance. The applicant will also need to discuss the option for a FEMA map amendment based on fill to remove the proposed addition area from the flood plain instead of the proposed variance.

STAFF RECOMMENDATION:

Approval due to the limited dimension of the building alteration/addition in the flood plain that is proposed to be elevated 1.7' feet instead of 2.0' feet above the BFE matching the existing connected existing building elevation only if the proposed alteration would not be considered a substantial improvement. The recommendation is based on the FEMA guidance information as listed below and due to the existing main building area that the proposed addition would be connected to not being within a regulated flood plain.

REFERENCED ZONING ORDINANCE SECTIONS:

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or **exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement.**

This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring

Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or **non-residential building**, shall have the lowest floor, including basement, elevated or floodproofed to no **lower than two (2) feet above the level of the Base Flood Elevation.** Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

General Standards

13. **When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction.**
14. **When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation**

Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The City of Goodlettsville, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
- 3) **In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:**
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.

2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

FEDERAL REGULATIONS: § 60.3 Flood Plain Management Criteria for Flood-Prone Areas.

Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm

- (i) have the lowest floor (including basement) elevated to or above the base flood level or,
- (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy

Per FEMA Guidance Document: Substantial Improvement and Substantial-Damage Desk Reference May 2010

6.4.2 Lateral Additions

A lateral addition expands the floor area of the building. A lateral addition that involves no alteration of the load-bearing structure of the building, is attached to the building with minimal rehabilitation or remodel (no increase in footprint) of non-residential building in an A zone

(Difference between not structurally connected and structurally connected)

The proposed work was determined to be a substantial improvement. The building is brought into compliance by retrofit dry floodproofing measures connection, and that has a doorway as the only modification to the common wall is considered to be “not structurally connected.”

A lateral addition that has its load-bearing structure connected to the load-bearing structure of the base building, which typically involves significant alternation of the common wall, is considered “structurally connected.”

If a lateral addition is proposed along with other work on the original building, all the work must be considered in the substantial improvement determination, regardless of the size or cost of the addition by itself and the cost of improvements to the original building.

Lateral additions to post-FIRM buildings (any zone, residential or non-residential) Lateral additions to post-FIRM buildings are new construction and must comply with the NFIP requirements, including elevation. If the addition does not comply, then the original building will become non-compliant. Lateral additions must not alter any aspect of the building that had to be met when the building was constructed in compliance with the community’s floodplain management regulations. **A lateral addition, regardless of its value or size, must be elevated to at least the height of the post-FIRM building.** The following summarizes these points:

In any zone, if the BFE is unchanged, the addition must be elevated and comply with other applicable NFIP requirements, regardless of whether it is substantial improvement.

In any zone, if a revised, higher BFE is in effect, a lateral addition that is not a substantial improvement must be elevated at least as high as the original building.

In any zone, if a lateral addition is a substantial improvement (and structurally connected), both the addition and the building must be brought into compliance. If a revised, higher BFE is in effect, both the original building and the addition must be elevated.

In A zones, if the lateral addition is a substantial improvement (and not structurally connected), it must be elevated to the effective BFE. The effective BFE may be higher than the BFE in effect when the building was built (Figure 6-9). n In V zones, if a lateral addition is a substantial improvement (and not structurally connected), both the addition and the original post-FIRM

building must be elevated if a revised, higher BFE is in effect, otherwise the free-of-obstruction requirement is not met.