

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: November 2, 1992
 Time: 5:00 P.M.
 Place: City Hall

Present:

John Coombs Sonny Ponder
 Bobbie Wilson Grady McNeal
 Billy Hitt (1 vacancy)
 Charles Moore
 Gary Webster
 Jim Driver
 Charlotte Morris

Also Present:

Charlie Lowe Chuck Crook
 John Cannon Bob McKinney
 Tod Thompson Richard Bates
 Hubert Worrell III David Wilson
 Delores Watson Bill Terry
 Bob Watson Nancy Allen
 Doris Ruskin

The meeting was called to order by Chairman John Coombs. Prayer was offered by Jim Driver. Minutes of the October meeting were approved as submitted.

Item #1 (#4-91), reconsider the request of Ragan-Smith & Associates, on behalf of Wiggins & Associates, for an amendment to the previously approved plat of Northgate Industrial Park, Lots 4 and 5, Section 4.

Staff reviewed. It was discovered that part of this property is owned by the Goodlettsville Industrial Development Board which issued Industrial Revenue Bonds for this project. Consequently, the property line that was moved by the plat approved in October cannot be altered in any way. Therefore, in order to accommodate the expansion of K-Mart, lot 4A was created. The result will be that lot 4 remains the same, lot 4A includes the part of the building into which K-Mart is expanding, and lot 5 includes all other shops.

Two additions requested by the staff: 1) add the location of the new Domino's building; and 2) add a note to the effect that when the bonds are retired, lots 4 and 4A will be combined. Revised plats with these additions were presented at the meeting. On a motion by Moore, seconded by Wilson, the request for an amendment to Northgate Industrial Park, Lots 4 and 5, Section 4 was unanimously approved.

Item #2 (#6-91), reconsider the request of G. F. Puhl Company, Inc., to rezone their property at 675 N. Dickerson Road from CS to IG (Davidson County Tax Map 18, Parcel 107, lot 1 of the Oscar Mayer Industrial Park).

John Cannon represented Puhl at the meeting and stated the property is currently operating as a light industrial site under a use variance granted by the Board of Zoning Appeals. Their request is that it be zoned as it is presently being used, which meets the requirements of IR (Industrial Restricted).

Cannon said the fact that the property is operating under an exception rather than under a solid zoning classification creates some difficulties for the owner in light of its corporate capacity and its present stock structure; it is a market drawback should they decide to go public. Rezoning will provide greater flexibility for the owner to alter its stock ownership.

Staff reviewed. In September 1985 (Appeals Case #85-134), the Appeals Board granted Puhl a special exception from the old Highway Business zoning and permitted the light industrial use. In 1989, there were complaints about outside storage of materials at their business. The new ordinance does not allow outside storage except in the rear, and it must be screened from view. The City Manager talked with Puhl and explained the Board's concern and Puhl agreed to clean up. In September 1989, the Board granted approval for an addition to their building which Puhl said should eliminate the problem of outside materials storage. Screening was required. In April 1991, their request to rezone "to change the legal entity of the company to make it easier for customers to recognize what they do and at the same time open up the ownership to employees of the company" was denied.

At this time, the reason for denying the request to rezone at the April 1991 meeting was reviewed. Portions of those minutes were read: "...The 'special exception' for light industrial use was granted to the company, and does not necessarily go with the land as does a variance. Therefore, if Puhl were to sell and/or move, the special exception would cease. If the rezoning request were to be granted, any use permissible in that zoning district could locate on the lot...The Board felt there was no real need to change the zoning, and couldn't foresee any problem with what the owners plan to do within the present zoning."

Again, the consensus of the Board was that, for the same reasons as before, they saw no reason to rezone. They had no problem with the Puhl company and expressed appreciation for their cooperation in complying with the City's requests. Wilson said had the Appeals Board known in 1985 that the company was going to have that amount of outside storage, they may not have granted the special exception. Also, they probably believed this business would be self-contained within the building the same as Puhl's father's business formerly located on Main Street in the center of town.

After consideration, the request to rezone was denied on a motion by Moore, seconded by Morris.

Item #3(a) (#4-89), consider the request of Chuck Crook for approval of Revised Preliminary Plan of Squires Point; and, #3(b), consider approval of Final Plat of Lot 5 of Squires Point, Davidson County Tax Map 18, Parcel 86.

Staff reviewed. Crook replatted the lots to get better building sites. The redesigned lot 4 is an unusual lot. Terry showed slides of the property. No public sewer is available. When the

other 4 lots of the proposed subdivision are developed, Crook will have to extend the sewer line to connect on Utley Drive. The existing house on lot 5 has sewer service from a private line.

Charlie Lowe had prepared two alternate sketches which showed a more traditional lot pattern by extending the street farther into the property which would require that more roadway be built for lot frontage. On one sketch, an additional lot is created which the Board felt would help offset the cost of additional street construction.

Crook said the cost of development had been a problem all along, and he thought the cost to redesign with an additional lot would be more than the extra lot would be worth. He would prefer to stay with the 5-lot plan he had presented. He hopes to sell lot 5 with the house now being built on the existing foundation of the house that burned, and use that money to complete the development. He isn't interested in having another building lot. He asked what was the problem with his plan.

Terry explained that the problem with lot 4 is maintenance of the long road to that lot. When sold, would they maintain? Crook asked if it would be better to bring the driveway in to lot 4 from the Vecchione road. This is a 50' dedicated but unimproved right-of-way. Could he purchase from the City and use for driveway, not a public street? The Board felt that would just be relocating the same situation to the other side; also, it could cause problems with adjoining property owners.

The Board asked that Crook develop a preliminary plan incorporating the City engineer's alternate plan. It would be much better for everybody if that could be worked out. On a motion by Driver, seconded by Hitt, the item was deferred to study various options.

Item #4 (#1-88), consider the request of Hubert Worrell III for an amendment to lot 93 (Parcel 25) and lot 94 (Parcel 24) of the approved Section 2 of Echo Hill Estates, Davidson County Tax Map 33-6-A.

Staff reviewed. Jim Bale, contractor, built a house on lot 94. It was discovered by the loan survey that the house was too close to the property line and that the driveway was on the adjoining lot. Both lots are owned by the same person, but because of the complicated procedure involved in moving a lot line under FHA regulations, the owner wants to leave the two lots in tact. Slides of the two lots were shown.

Worrell said he had verbal agreement from all utility companies that they had no problem with abandoning the utility easements.

Two motions were unanimously approved: 1) motion made by Moore, seconded by Hitt to approve abandoning the 20' wide public utility and drainage easement bordering the lot line between lots 93 and 94, subject to receiving the signed utility release letters; and 2)

motion made by Driver, seconded by Webster, to grant a variance for the side yard encroachment on lot 94. (In a PUD, the Planning Board has the authority to grant a variance.)

Item #5 (#18-92), consider the request of the Goodlettsville Free Will Baptist Church at 731 S. Dickerson Road for approval of Site Plan, Davidson County Tax Map 25, Parcel 66.

Staff reviewed. Terry listed 17 problems with the site and plans. He showed slides of the area. The major problems were sight distance on Dickerson Road, on- and off- site drainage, parking, and zoning. Because of the number of deficiencies and problems to be resolved, a motion was made by Moore, seconded by Morris, to defer until these can be worked out.

Item #6 (#10-92), hear report from committee to study annexing various areas in Sumner County. Bobbie Wilson, committee chairman, reported that Bill Terry is working on a more in-depth analysis and they will make their report when that has been completed.

Following the published agenda, Terry asked the Board for approval to consider two additional items. Request was granted.

Item #7 (#1-88), consider the request of Robert L. and Dolores A. Watson for a 5' setback amendment to lot 92 of the Echo Hill Estates, Section 1. Also, Worrell asked for a setback variance on the remaining lots in the subdivision.

Terry explained that when the Echo Hill Estates Master Plan was approved in 1988, a 5' side yard setback was approved, as required by the zoning ordinance at that time. However, in 1989, the new zoning ordinance required a 10' minimum side yard setback in low density districts (PUD). Watson bought the lot in good faith that he could build his house with a 5' side yard setback. He is asking the Board for a variance "to rectify the hardship this has created for us." Worrell said they can still maintain 15' between houses for fire protection.

Since the original PUD was approved with a minimum 5' side yard setback, the Board saw no reason not to grant the request, and a motion was made by Morris, seconded by Driver, to revert to a 5' side yard setback line on all lots, as approved on the original Master Plan of Echo Hill Estates, subject to maintaining the 15' minimum distance between houses for fire protection.

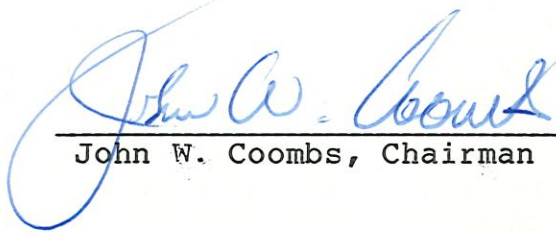
Item #8 (#16-92), consider the request of Richard Bates to rezone his property at 101 Loretta Drive (Sumner County Tax Map 143-J, Parcel 7, lot 1) from R25 to commercial. Bates said Dr. Tod Thompson has offered him a contract to purchase the property with the contingency to convert the house to an office, as his office on the other side of Long Hollow Pike (Parcel 14, zoned CPUDL) is no longer adequate for his growing practice.

Terry said that CPUD (Commercial Planned Unit Development) zoning

prohibits the conversion of a residential building to use as a business; that, if the Board considers rezoning, OPUD (Office Planned Unit Development) would be more appropriate, limiting the use to office.

Again, it was the consensus of the Board that they have previously studied all this area; that they are now in the process of making a more in-depth study, and are not in a position to make a decision to rezone one lot on the spur of the moment. Based on the fact that it is the position of the Board at this time that commercial zoning not be extended beyond Loretta Drive until such time as there is a definite need, on a motion by Hitt, seconded by Moore, the request was denied.

There being no further business, the meeting adjourned at 7:15 P.M.


John W. Coombs, Chairman


Nancy W. Allen, Recording Secretary

MINUTES OF REGULAR MEETING
GOODLETTSVILLE PLANNING & ZONING BOARD

Date: December 7, 1992
Time: 5:00 P.M.
Place: City Hall

Present:

John Coombs	Sonny Ponder
Bobbie Wilson	Grady McNeal
Billy Hitt	Jim Driver
Charles Moore	Gary Webster
Charlotte Morris	(1 vacancy)

Also Present:

Charlie Lowe	Bill Terry
Gaylon Faulkner	David Wilson
Mr. Minchey	Nancy Allen
Chuck Crook	

The meeting was called to order by Chairman John Coombs. Prayer was offered by Charlotte Morris. Minutes of the November meeting were approved as submitted.

Item 2 on the agenda was considered first: consider three requests of Bob Allen on behalf of Phillips Builders.

(a) (#9.46) final acceptance of Windsor Green Section III and release of the existing bond. Staff reviewed. All improvements have been installed and inspected. A motion was made by Ponder, seconded by McNeal, to accept the public improvements to Windsor Green and release the letter of credit, and recommend that the City Commission accept by Resolution.