

## **OFFICIAL MINUTES OF THE GOODLETTSVILLE** **BOARD OF ZONING AND SIGN APPEALS**

**Date:** November 10, 2020

**Time:** 5:00 P.M.

**Place:** Massie Chambers- Goodlettsville City Hall

**Members Present:** Chairman Mike Broadwell, Cisco Gilmore, Brian Rager, Vice Chairman Mark Writesman

**Absent:** Jay Philpot

**Also Present:** Addam McCormick-Planning Director and Tim Ellis- City Manager

Chairman Broadwell called the meeting to order at 5:00 pm and declared a quorum. Staff stated no changes to the agenda. Writesman made a motion to approve the minutes of the August 4, 2020 Board of Zoning and Sign Appeals meeting as written, Rager seconded the motion. The motion was approved unanimously.

**Item#1**      **Tim Tinnin: Requests Conditional Use Approval** for a Plant and Forest Nursery Use on 29.1 acres proposed to be accessed from Long Drive. The property is located on Loretta Drive and Long Drive. Property is referenced as Sumner County Tax Map/Parcel # 140 084.09 000 and is zoned R-40, Low Density Residential. Property Owner- Braxton Park at Woodwyn Hills LLC. Zoning Ordinance Section 14-205(3)(b)

**Representative: Tim Tinnin, BT Landscaping**

### **Staff Discussion Items:**

- Requested Action and Property Information
- Property Zoning R-40 Low Density Residential and Plant and Tree Nursery permitted use by conditional use including definition of a conditional use and nursery per the zoning ordinance
- Conditional Use Review Criteria per Zoning Ordinance including both general and specific criteria and the board's ability to place stipulations to reduce impact onto adjacent properties
- Preliminary plan of proposed use by applicant- if conditional use approved will require Planning Commission review of site development plan
- Staff discussed recommend approval stipulations with intention of protecting adjacent residential neighborhood including noise, lighting, drainage, and access with development
- All site development access to be from Long Drive only
- Natural boundary screen to align with elevation and grades to ensure no increased storm water to adjacent residential areas- site drainage to be directed toward Long Drive and Slater Creek
- Existing landscape buffer screening a minimum of two hundred (200') feet along boundary with residential neighborhood on Loretta Drive, Paige Park, Marshall Green Circle, Braxton Park Lane any gaps with existing landscaping to include additional landscaping installed along boundary of site development

- Any site development and security lighting to be designed to not create glare onto adjacent residential neighborhood
- Planning Commission review of site plan incorporating these conditions of improvements

Tim Tinnin- Applicant

- 45 Year Resident of Goodlettsville- operate a business on the other side of city
- Review of suitable properties
- No desire to come off Loretta Drive – Long Drive access only
- Have seen people accessing property on Loretta Drive with ATVs and would post gate on Loretta Drive to prevent access
- Topography of property and development lower than houses since property falls to bottom of property at Long Drive and proposed property excavation on low side and bank cuts so site will be below existing lower grades and lighting if typical twenty-five (25') feet would be below houses
- Two hundred feet buffer but might be lower width of one hundred and fifty feet closer to Long Drive
- Wants homeowners to know the intention is for the development to fit in the site
- He has a level two erosion control certification and part of his business so knows about site erosion issues
- Discussed with an engineer crossing the drainage easement on Long Drive for access

- Broadwell asked about employee parking
- Tinnin not open to the public and traffic from quarry more than from this business day light business not twenty-four (24) hour operation and outside of employees and business access will receive deliveries of plants but no retail

### **Public Hearing:**

#### **Jay Mir, 118 Marshall Green Circle**

- Landslide and drainage issue back of properties ongoing issue with city and damage to concrete flume causing water damage on property, house, and street
- City brought in an outside engineer to review designs but have not heard from city for a year now and upset that nothing has been done with the drainage issue and problem not addressed
- Ellis discussed area is an easement to be maintained by homeowner's association including the concrete flume but the association will not complete the repairs
- Engineer reviewed trying to determine the best way to repair been reviewed for several years now
- Mir discussed no problem with noise since he can hear the interstate now
- Mir discussed the bank erosion and issues with his house and street

Staff discussed the elevations of the property and drainage and stipulation for work to occur behind high point elevation to prevent any additional drainage directed in the direction of Marshall Green

#### **Linda Lowery, 1007 Louisville Hwy 31W Business Owner**

- Discussed concern about traffic and maintenance of Long Road

-Ellis discussed the roadway portion in the City of Goodlettsville is from Hwy 31W to bridge on Long Road the remaining section including in front of this property is in the City of Millersville  
-Goodlettsville recently paved the City's section of roadway but can't speak on maintenance outside of Goodlettsville's city limits  
-Lowery discussed concern about roadway maintenance with more traffic at certain times of the day

**Mr. Young, 115 Marshall Green Circle**

- Discussed area behind house includes the woods- walks in woods and is nice amenity for neighborhood makes feel like living in a rural area with open space
- Wildlife in back yard
- Open space area a benefit for neighborhood and the morale of the neighborhood
- High point behind homes and drainage issue and if trees disrupted back there could be issues with additional landslides and erosion
- Discussed wanting to know the city plans for repairing drainage
- Expressed not being comfortable with a development making drainage worse without drainage being repaired
- Discussed homeowner's association ownership and city drainage project

**Belinda Peach- End of Braxton Park Lane**

- Discussed the high point elevation referenced in the meeting
- Discussed the two hundred feet buffer does not appear to be two hundred feet adjacent to her house per preliminary plan provided by Tinnin
- Buffer needed and concerned of lighting from development
- Staff discussed the preliminary plan does not show two hundred feet buffer but if Board approves condition for a two hundred feet buffer then that would be required and buffer width proposal was based on the high point elevation and drainage breaking point along elevation change to Long Drive
- Discussed concern with creating a drainage issue for her house

-Tinnin discussed the high point elevation and would install safety barrier fencing so an equipment operator knows not to access the back side of the high point area- no desire to do work on flip side of the hill

-Rager asked about the number of employees

-Tinnin discussed forty-five (45) employees and an estimated twenty-eight (28) employee vehicles

-Rager discussed walking the area and understands the development is proposed to occur on the backside of the high point area so should not add increase in any drainage or slope issue

-Rager discussed the two hundred feet buffer and how would buffer be measured

-Staff discussed along the property lines and would be part of plans

-Gilmore discussed the Board is just reviewing the use and site development would be a Planning Commission review issue

-Staff discussed the development plan would have to include storm water controls before reaching Slater's Creek and the floodplain along Slater's Creek

**-Broadwell closed the public hearing**

**Board Discussion Items:**

-Gilmore discussed the Planning Commission review and method to provide a gate at the end of Loretta Drive

-Rager discussed the buffer width

**Motion:**

Gilmore made a motion to approve the conditional use. Staff asked if this includes the stipulations discussed and Gilmore stated yes including staff stipulations (two hundred feet buffer with needed filler landscaping and gate or other barrier and the end of Loretta Drive and other stipulation items, seconded by Rager. No further discussion. The motion to approve the conditional use passed unanimously.

Writesman discussed the buffer would only be along residential home boundaries- staff stated great point and to property line closest to Long Drive due to adjacent home but not around the other parts of the property

Staff discussed the drainage issue discussed on Marshall Green is still being reviewed by the City and not part of this development

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| <b>Item#2</b> | <b>Design Team Sign Company: Requests Setback Variance for a pole sign</b> at 322 and 324 Long Hollow Pike. The 2.00-acre property is referenced as Davidson County Tax Map/Parcel# 01900002100 and is zoned CSL, Commercial Services Limited. Property Owner: The Northgate Investment Trust. Zoning Ordinance Section 14-303(4)(c) |
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**Representative: Shannon Philips, Design Team Sign**

**Staff Discussion Items:**

-Property set up including that property subdivided after site development so area was not originally intended for a sign and limited area between drive and property line

-Staff discussed the minimum setback is ten (10') feet – changed ordinance a few years ago to permit reduced setbacks to permit more use of commercial property

-Signage installed and miscommunication issue with sign permit and installation but as seen with Copper Creek house at the August meeting the existing sign installation not the issue but review of property for variance

-Staff presented photos on the existing sign including sight distance at Long Hollow Pike drive.

-Staff presented the existing sign is about 5 ¾' feet from front property line and about 11 1/2' feet to center of the sign column so if the sign was flipped with tenant face toward building it would be roughly ten (10') feet from the property line but would overhang the drive curb by four (4") inches

- Staff presented sign measurements including five (5') width of tenant sign area and column section- two (2') width
- Staff discussed options to do a ground sign at seven (7') in height but concern with sight distance not from leaving site but traffic on Long Hollow Pike clearly seeing vehicles at drive
- Staff discussed traffic speeds of Long Hollow Pike approaching from east higher than from west with stop and go traffic only and visibility an issue
- Staff discussed sign could be relocated further west of the property but that would put sign away from drive which is not desirable for businesses and would limit visibility on adjacent Hancock Jewelry property sign
- Staff discussed visibility of adjacent signs is not a basis for variance but could be an issue for adjacent property owner
- Staff discussed the variance procedures from the sign ordinance section of the Zoning Ordinance

- Philips discussed the sign installation and problem was a miscommunication with new project manager and confusion over pole location and setback- since pole is behind the setback line requirement
- Philips discussed the sign is turned the direction to prevent overhanging drive aisle to prevent damage to vehicles and delivery trucks
- Philips discussed the sign design with high side off ground was set up for sight visibility
- Philips discussed being in sign business for twenty-six (26) years and only been to a hand full of meetings like this-miscommunication issue and wants to do more signs in Goodlettsville
- Writesman discussed the sign and ten (10') feet setback issue and if the sign was flipped ninety (90) degrees it would create a sign visibility issue for people driving along Long Hollow Pike

### **Public Hearing:**

**Jay Mir, 118 Marshall Green Circle**

- Traffic in this area is dangerous with intersection light and turns into and out of site
- Sight visibility is important for sign location

**-Broadwell closed the public hearing**

### **Board Discussion Items:**

- Rager discussed the sight visibility and not wanting to interfere with driver safety and also not a problem with sign as installed
- Writesman discussed nice sign and better sign location on the property not possible

**Motion:** Writesman made a motion to approve the sign variance, seconded by Rager. No further discussion. The motion passed unanimously

**Item# 3**      **Mitch Barnes: Requests Zoning Variance** to permit the subdivision of the 2.26-acre property into two (2) total lots provided access by a fifty (50') feet access easement to Hitt Lane. The property is referenced as Davidson County Tax Map/Parcel# 02503000100 and is zoned R25, Low Density Residential Property Owner: Joseph Barnes. Zoning Ordinance Section 14-208(1)(h)

**Representative: Mitch Barnes, Property Owner**

**Staff Discussion Items:**

- Staff discussed request and Zoning Ordinance section requiring with new subdivisions a residential lot requires fifty (50') feet of roadway frontage or one lot can gain access to the property with a fifty (50') feet access easement
- Proposal is to subdivide the existing 2.26 acre property into two (2) lots
- Property zoning is R-25 Low Density Residential which permits the subdivision except for the second lot on the existing access easement
- Planning Commission approved a Subdivision Regulation Variance on the same regulation but in the Subdivision Regulations.
- Planning Commission determined the property was suitable for subdivision due to limited visibility on second house from Hitt and Moncrief with stipulation for staff to ensure fire department access
- Staff presented the variance procedures from the Zoning Ordinance
- Staff discussed the recommendation to deny the request based on staff report but also referenced the Planning Commission approval and consistency with decisions can be reviewed and staff honoring the Planning Commission's decision on a subdivision issue
- Staff discussed the Planning Commission was presented that no additional easement was possible to be acquired for a second lot to include a separate dedicated easement even with a shared driveway
- Staff discussed the driveway is currently under construction
- Barnes discussed that he could not acquire another easement due to eighteen (18) family members over the ownership will not authorize an additional easement
- Writesman discussed a second driveway would be limited by topography
- Gilmore discussed the Planning Commission approval and slope limitation
- Writesman discussed one of the Planning Commissioners property is the area of their property and was ok with proposal

**Public Hearing:**

**Lucy Seaver-510 Moncrief Drive**

- Purchased old Beatty Property including utility easement for property in question
- Asked if utility easement would support two (2) houses as proposed

-Easement in driveway area and concern about damage

-Barnes discussed the utility easement is fifteen (15') in width and for three (3) house water and sewer utility services any damage with utility service construction would have to be repaired

-Staff asked about timing of construction

-Barnes stated estimated twelve (12) months for house construction to begin and electric service already installed from Hitt Lane

-Writesman discussed the proposal and limitations of property as discussed above including slopes and no additional access easement available

**-Broadwell closed the public hearing**

**Motion:** Gilmore made a motion to approve the variance, seconded by Writesman. No further discussion. The motion passed unanimously

Motion to Adjourn by Gilmore, Seconded by Writesman. Motion to adjourn passed unanimously.

***The meeting adjourned at 6:04 P.M.***

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Mike Broadwell, Chairman

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Addam McCormick, Planning Director

