

OFFICIAL MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING APPEALS

Date: April 12, 2010

Time: 5:00 PM

Place: Massie Chambers - Goodlettsville City Hall

Members Present: Tom Mosier, Owen Sanders, Al Jernigan, William Carter7777

Members Absent: Edgar Lowe

Also Present: Rick Gregory, Mike Bauer, Tina Duke, Leah Granderson, Brendan Bowles, David Bailey, Chase Adams, Vicky Ignatz and others

Tom Mosier, Chairman called the meeting to order.

Jernigan made a motion to approve, as written, the minutes of the December 14, 2009 meeting of the Goodlettsville Board of Zoning and Sign Appeals. Motion seconded by Sanders. Motion passed unanimously, 4-0.

CASE NO. 10-04-565 Consider the request for an Application for a Conditional Use Permit for Nashville Public Library, 504 Donald Avenue, Davidson County Tax Map 26-05, Parcel 131. The applicant is Metropolitan Government of Nashville, 1417 Murfreesboro Road, Nashville, TN.

Staff reviewed. Gregory reports this is a conditional use permit to locate a public library on property currently owned and used as a school. Establishment of a library falls under the guidelines proscribed in our zoning ordinance for "Cultural and Entertainment uses. On a site that has housed a public school for many years the anticipated zoning requirements are met. Specifically, the property is in the R-25 Low Density Residential district requires fifty thousand (50,000) square feet for a buildable lot, this lot size measures four (4) acres.

Board members reviewed the Final Plat presented by the Nashville Library Board and agreed that all requirements have been met.

Sanders made a motion to approve the Conditional Use Permit for Nashville Public Library, 504 Donald Avenue, Davidson County Tax Map 26-05, Parcel 131 based on the amended Final Plat indicating a minimum of fifty thousand (50,000) sq. feet for a buildable lot for the proposed library. Carter seconded the motion. The motion passed 4-0.

ORDER OF THE BOARD

WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Chapter 14, Section 1409 of the Goodlettsville Zoning Ordinance has been met, and

WHEREAS, the Board has determined that adverse impact will not occur,

NOW, THEREFORE, BE IT ORDERED, based on the amended Final Plat indicating a minimum of fifty thousand (50,000) sq. feet for a buildable lot for the proposed library, the application for a Conditional Use Permit for Nashville Public Library, 504 Donald Avenue, Davidson County Tax Map 26-05, Parcel 131 is granted.

CASE NO. 10-04-566 Consider the request for a Temporary Use Permit for fireworks sales at 1032 Louisville Highway, Sumner County Tax Map 141, Parcel 62.01. The applicant is Christina Duke, 1032 Louisville Highway, Goodlettsville, TN.

Staff reviewed. Gregory reported this request is to locate a temporary fireworks tent on property used by Duke's Wrecker Service. Gregory stated the only item for discussion is the parking availability on-site. All other requirements have been met for temporary fireworks use listed below:

City of Goodlettsville

Temporary Use Permit Application Requirements

Compliance with all current guidelines established by the Goodlettsville Planning and Codes Departments is required prior to the issuance of permits:

1. Completed Temporary Use Application;
2. Scale drawing of the proposed site layout including location of sales area, structures, fire hydrant(s), trailers, parking, sign(s), electrical service, ingress and egress must be provided;
3. Written description of the type of proposed operations, length of sales period, days and hours of operation;
4. A current Seasonal Retailer Permit for Fireworks Sales issued by the State Fire Marshall for the physical address of the sales site;
5. A current Flame Resistance Certificate for Tents executed by an accepted testing laboratory;
6. A current lease agreement from the property owner stating the intent to lease said property;
7. \$200.00 application fee
8. Application hearing by Goodlettsville Board of Zoning Appeals. The Planning Director may administratively approve recurring applications if all guidelines are met.

Fireworks Tent Site Requirements

1. A fireworks sales tent shall be located where all structures and inventory are no more than 300 feet from an operable fire hydrant. All setback requirements of the zoning district must be satisfied.
 - A. Placement of the tent/display stand on site showing the following clearances:
 1. No closer than ten (10) feet to vehicle parking areas.
 2. No closer than twenty (20) feet to the nearest building.
 3. No closer than twenty (20) feet to other tents.
 4. No closer than twenty (20) feet to fireworks storage.
 5. No closer than twenty (20) feet to portable generators.
 6. No closer than twenty (20) feet to portable generator fuels.
 7. No closer than twenty (20) feet to cooking equipment.
 8. No closer than twenty (20) feet to combustibles.
 9. No closer than thirty (30) feet to tall grass, dry brush or accumulated combustible debris.
 10. No closer than fifty (50) feet to:
 - A. Retail propane-dispensing station dispensers.
 - B. Above ground storage tanks for flammable gas.
 - C. CNG dispensing station dispensers.
 - D. Motor fuel dispensing station dispensers.
 - E. Any open flame device.
 - F. Vents for underground tanks.

2. Inspection by the State Electrical Inspector is mandatory prior to the on-site inspection by the Goodlettsville Codes Department. Electrical service must meet State of Tennessee electrical code regulations;
3. Inspection by the Goodlettsville Fire Inspector is mandatory prior to the display for sale of any fireworks and the on-site inspection by the Goodlettsville Codes Department;
4. Temporary Building Permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site trailers(s) and structures must occur prior to initiation of public sales;
5. Transient Vendors License must be obtained from the City Recorder's office.

Fireworks Tent Signage Requirements

- A. Tents will have one sign on each side of the exterior of the tent in letters at least 4" high with a contrasting background that reads:

**NO FIREWORKS DISCHARGE
WITHIN 300 FEET**

- B. Tents will have one sign posted at each entrance in letters at least 4" high on a contrasting background posted that reads:

FIREWORKS – NO SMOKING

- C. One 4 x 8 ft. ground mounted promotional sign advertising the event is permitted on site;
- D. No off-site signage is permitted in Goodlettsville;
- E. Temporary Sign Permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site signage must occur;

Miscellaneous Fireworks Tent Requirements

1. Only fireworks classified by the U.S. Department of Transportation as Division 1.4g (consumer fireworks) may be sold. Any items not in this category are illegal for sale to the general public and will be confiscated.
2. The fireworks sales tent shall have no less than two openings with exit signs posted above each opening, one at each end of the tent, for emergency egress and such exits and all aisles shall be kept free and clear of obstructions while the tent is occupied by the public. (No more than a 35 foot travel distance to an exit).
3. One fire extinguisher (multipurpose dry chemical) within 35 feet of any location inside the tent.
4. Light fixtures within 25' of any consumer fireworks shall have guards on them.
5. Temporary living quarters are permissible on-site during the sales period.

Note: It is the responsibility of the applicant to request all inspections and to obtain all permits. If any of the above requirements listed are observed in violation after the permit has been issued, the permit for sales will be suspended until the item is corrected.

Tina Duke stated that the site has three (3) designated parking stalls and that any overflow traffic can be handled by the ample paved driveway on site.

Sanders made a motion to approve a Temporary Use Permit for fireworks sales at 1032 Louisville Highway, Sumner County Tax Map 141, Parcel 62.01 from June 20-July 5, 2010 based on the applicant's compliance with all zoning regulations. And, should adequate parking during the sales period not be achieved, the Board of Zoning and Sign Appeals will address the parking requirements for any future application. Carter seconded the motion. The motion passed unanimously, 4-0.

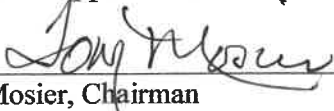
ORDER OF THE BOARD

WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Chapter 9, Section 14-901(n) of the Goodlettsville Zoning Ordinance has been met, and

WHEREAS, the Board has determined that adverse impact will not occur,

NOW, THEREFORE, BE IT ORDERED, based on all requirements for a fireworks sales in the City of Goodlettsville, a Temporary Use Permit for fireworks sales from June 20-July 5, 2010 at 1032 Louisville Highway, Sumner County Tax Map 141, Parcel 62.01 is granted. It is noted that if adequate parking during the sales period is not achieved, the Board of Zoning and Sign Appeals will address the parking requirements for any future application.



Tom Mosier, Chairman



Vicky Ignatz, Planning Assistant