

community it has served since the 19th century and a petition has been presented to the BZA members with multiple adjoining neighbors to the church advocating for limiting the landscape buffering.

Mosier made a motion to grant an application for a Conditional Use Permit for Bakers Chapel CME Church, 205 New Brick Church Pike, Davidson County Tax Map 18-16, Parcel 52 to allow religious facilities in residential zoning district based on the newly obtained church property; to grant a zoning variance waiver of a masonry wall on the northern elevation of the church property; to grant a zoning variance waiver to reduce landscape buffering requirements from 25 foot landscape buffer to a 15 foot landscape buffer on the east, west and south elevations of the church property; and, a zoning variance waiver from the required five (5) acre minimum for religious facilities located in a residential zoning district be granted

The motion was seconded by Sanders. The motion passed unanimously, 3-0.

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 14-905(o), and Chapter 14, Sections 14-1408(c), 14-1409(c) and 14-409(e)(10) of the Goodlettsville Zoning Ordinance have been met, and

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

NOW, THEREFORE, BE IT ORDERED, an application for a Conditional Use Permit for Bakers Chapel CME Church, 205 New Brick Church Pike, Davidson County Tax Map 18-16, Parcel 52 to allow religious facilities in residential zoning district based on the newly obtained church property; to grant a zoning variance waiver of a masonry wall on the northern elevation of the church property; to grant a zoning variance waiver to reduce landscape buffering requirements from 25 foot landscape buffer to a 15 foot landscape buffer on the east, west and south elevations of the church property; and, a zoning variance waiver from the required five (5) acre minimum for religious facilities located in a residential zoning district be granted

The meeting adjourned at 5:20 PM.


Tom Mosier, Chairman


Vicky Ignatz, Planning Assistant

OFFICIAL MINUTES OF THE MEETING **GOODLETTSVILLE BOARD OF ZONING APPEALS**

Date: December 14, 2009

Time: 5:00 PM

Place: Massie Chambers - Goodlettsville City Hall

Members Present: Tom Mosier, Owen Sanders, Edgar Lowe, Al Jernigan, William B. Carter

Also Present: Rick Gregory, Mike Bauer, Vicky Ignatz, D. Michael Williams and Frank Hemphill

Chairman Tom Mosier called the meeting to order.

The Board approved of the minutes of the November 9, 2009 BZA meeting as written.

CASE NO. 09-12-564 Consider the request for an Application for a Zoning Variance to bulk, lot and open space requirements in a Commercial services Limited (CSL) zoning district for property at 502 N. Main Street, Davidson County Tax Map 18-16, Parcel 37. The applicant is D. Michael Williams, 1710 Greer Road, Goodlettsville, TN.

Staff reviewed. Gregory reported this request concerns a lot created prior to the establishment of zoning in Goodlettsville. The CSL (Commercial Services Limited) district requires a minimum lot size of at least 20,000

square feet, at least 100 feet wide, minimum front setback of 40 feet, minimum side setback of 15 feet and minimum rear setback of 10 feet. The lot in question is approximately 141 feet by 114 feet, an area of roughly 16,000 square feet. Since the minimum lot size was established after the lot was created, this property is considered to be legally non-conforming. The applicant is aware of the setback limitations and no relief has been requested from these requirements. Staff recommends approval of this request based on no adverse effects can arise from granting this request due to the lot existing prior to the establishment of zoning regulations. The Board should consider an official correction to the legal notice published in The Community Ledger on December 1, 2009 to note the Application for a Zoning Variance is limited to the minimum lot size.

D. Michael Williams stated that he was requesting the establishment of the legally non-conforming lot in order to sell the property. Chairman Tom Mosier asked for clarification that the applicant was aware that a variance to setback limitations was not included in this request. Mr. Williams stated that he was aware of this issue.

Upon considering the requirements of the Goodlettsville Zoning Ordinance relating to legally non-conforming use as applied to this property, the applicant's purpose for the request of a variance to minimum lot requirements, noting there were no adjoining property owners present for the hearing, and determining the legal notice published in The Community Ledger on December 1, 2009 be officially corrected to indicate "... a request for an Application for a Zoning Variance to the minimum setback requirements in the Commercial Services Limited (CSL) zoning district ...", Sanders made a motion to approve the Application for a Zoning Variance to minimum lot requirements in a Commercial Services Limited (CSL) zoning district for property at 502 N. Main Street, Davidson County Tax Map 18-16, Parcel 37. Jernigan seconded the motion. The motion passed unanimously, 5-0.

ORDER OF THE BOARD

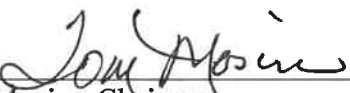
WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Chapter 13, Section 14-1301(a) of the Goodlettsville Zoning Ordinance have been met, and

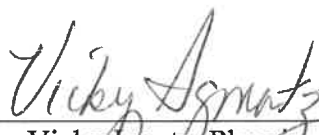
WHEREAS, the Board has determined that adverse impact will not occur,

NOW, THEREFORE, BE IT ORDERED, upon considering the requirements of the Goodlettsville Zoning Ordinance relating to legally non-conforming use as applied to this property, the applicant's purpose for the request of a variance, noting there were no adjoining property owners present for the hearing, and determining that the legal notice published in The Community Ledger on December 1, 2009 be officially corrected to indicate "... a request for an Application for a Zoning Variance to the minimum setback requirements in the Commercial Services Limited (CSL) zoning district ...", the Application for a Zoning Variance to minimum lot requirements in a Commercial Services Limited (CSL) zoning district for property at 502 N. Main Street, Davidson County Tax Map 18-16, Parcel 37 is granted.

The meeting adjourned at 5:05 PM.



Tom Mosier, Chairman



Vicky Ignatz, Planning Assistant