

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

Date: May 11, 2009

Time: 5:00 PM

Place: Massie Chambers - Goodlettsville City Hall

Members Present: Tom Mosier, Owen Sanders, Ed Lowe, Al Jernigan, William Carter

Also Present: Rick Gregory, Larry DiOrio, Tim Ellis, Mike Bauer, Vicky Ignatz, Aaron Allen, Dan Bloodworth, Larry and Kim Bryant, Joyce Washington

Tom Mosier, Chairman called the meeting to order.

Jernigan made a motion to approve, as written, the minutes of the December 8, 2008 meeting of the Goodlettsville Board of Zoning and Sign Appeals. Motion seconded by Sanders. Motion passed unanimously, 5-0.

CASE NO. 09-05-554 Consider the request for an Application for a Zoning Ordinance Variance for driveway and landscaping regulations at 608 N. Main Street, Davidson County Tax Map 18-12, Parcel 62. The applicant is Aaron Allen, All Things Custom, 4425 Jackson Road, Whites Creek, TN.

Staff reviewed. Gregory reported the applicant is making an effort to bring the site into compliance. His plans are to use the large building as an owner operated body shop and the existing brick building for commercial office space. Compliance of regulations requires a total of 22 spaces which creating extensive stormwater runoff issues for the site. Six parking spaces and a paved driveway are proposed in addition to the existing parking spaces on-site. A variance from the full paved parking requirement seems appropriate for this site. An equitable variance from the full landscaping variance cannot be found.

Allen agreed to comply with landscape requirements for the site and will submit a full landscape plan to staff for review and approval. Preferably, vehicles are to be stored inside and long-term outside storage is prohibited.

Lowe made a motion for approval of a variance to the parking requirements for commercial building to allow installation of six (6) parking spaces around the existing commercial building, pave the driveway and install an additional 42.7 caliper inches of landscaping on-site at 608 N. Main Street, Davidson County Tax Map 18-12, Parcel 62. Jernigan seconded the motion. The motion passed 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 14, Section 14-1408(c) 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, a Application for a Zoning Ordinance Variance to the parking requirements to reduce the number of paved parking spaces from twenty-two (22) spaces to six (6) spaces for the existing commercial building at 608 N. Main Street, Davidson County Tax Map 18-12, Parcel 62 is granted. Conditions for the approval are for the paving of the driveway and installation of an additional 42.7 caliper inches of landscaping on-site in compliance with zoning ordinance requirements.

CASE NO. 09-05-555 Consider the request for an Application for a Zoning Ordinance Variance to the maximum square footage requirements for an accessory building at 125 Happy Hollow Road, Sumner County Tax Map 121, Parcel 130.05. The applicant is Dan Bloodworth, 125 Happy Hollow Road, Goodlettsville, TN.

Staff reviewed. Gregory reported this request if for a variance from the seven hundred and fifty (750) square feet size limitation for an accessory building. The applicant is requesting a variance of approximately an additional one-hundred feet. The standards for appeal decisions are based upon specific findings of fact justifying the case under appeal listed in

Chapter 14-108.7(a)(b) of the zoning ordinance which denotes: topographical conditions which would result in exceptional hardship as opposed to an inconvenience; the variance would not be applicable to other similarly situated properties; the hardship has not been created by any person having an interest in the property; financial returns only can't be considered for a variance; and, the variance will not be detrimental to the public welfare, injurious to other property or the intent and spirit of the ordinance. Staff can find no unique hardship attached to this request.

Dan Bloodworth, property owner, stated that the requirement is too restrictive based on the home measuring over seven thousand (7,000) square feet and the lot measuring three (3) acres. He has a special needs van and two (2) vehicles which require shelter.

Sanders made a motion that the request for an Application for a Zoning Ordinance Variance to the maximum square footage requirements for an accessory building at 125 Happy Hollow Road, Sumner County Tax Map 121, Parcel 130.05 be denied based on no evidence of a standard hardship has been provided by the applicant. 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 14, Section 14-1408(c) Goodlettsville Zoning Ordinance have not been met, and

WHEREAS, the Board has determined that adverse impact will occur,

NOW, THEREFORE, BE IT ORDERED, an application for a Zoning Ordinance Variance to the maximum seven hundred and fifty (750) square footage requirements for an accessory building at 125 Happy Hollow Road, Sumner County Tax Map 121, Parcel 130.05 be denied based on lack of evidence of established hardships.

CASE NO. 09-05-556 Consider the request for an Application for a Zoning Ordinance Variance to the minimum lot requirement and minimum lot width in a R-10 zoning district at 141 Two Mile Pike, Davidson County Tax Map 26.01, Parcels 69 and 53. The applicants are Larry and Kim Bryant, 305 Highland Heights Drive, Goodlettsville, TN.

Gregory reported the two (2) lots are located in R-10 Residential district created by plat in 1934. The existing house on Lot 7 encroaches on the adjoining lot and is scheduled to be demolished. The current regulations require sixty (60) feet minimum lot width and ten thousand (10,000) square feet minimum lot size. The applicant is requesting a variance to reduce the minimum lot width to fifty (50) feet and minimum lot size to seven thousand five-hundred (7,500) square feet for each lot. Since these lots were established several decades prior to the adoption of the initial zoning ordinance, staff recommends approval of the variances for both lots for building purposes.

Larry and Kim Bryant informed the board that the plans are to build a single family residence on each lot. The ordinance requires a one (1) car attached garage. The owners plan to locate the attached garage to the rear of each primary structure.

Jernigan made a motion to approve the application for a Zoning Ordinance Variance from the (60) feet minimum lot width to fifty (50) feet and the ten thousand (10,000) square feet minimum lot size to seventy-five hundred (7,500) square feet at properties on Two Mile Pike, Davidson County Tax Map 26.01, Parcels 69 and 53. Lowe seconded the motion. The motion passed unanimously, 5-0.

ORDER OF THE BOARD

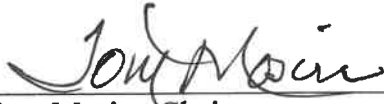
WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Chapter 14, Section 14-108(c) of the Goodlettsville Zoning Ordinance have been met, and

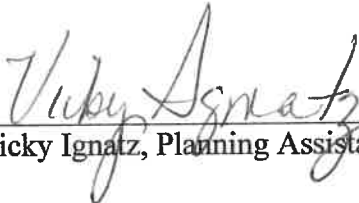
WHEREAS, the Board has determined that adverse impact will not occur,

NOW, THEREFORE, BE IT ORDERED, an application for a Zoning Ordinance Variance from the (60) feet minimum lot width to fifty (50) feet and the ten thousand (10,000) square feet minimum lot size to seventy-five hundred (7,500) square feet at the noted properties on Two Mile Pike, Davidson County Tax Map 26.01, Parcels 69 and 53 is granted.

The meeting adjourned at 5:45 PM.



Tom Mosier, Chairman



Vicky Ignatz, Planning Assistant

OFFICIAL MINUTES OF THE SPECIAL CALLED MEETING
GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: May 27, 2009

Time: 5:00 PM

Place: Massie Chambers - Goodlettsville City Hall

Members Present: Owen Sanders, Ed Lowe, Al Jernigan, William Carter

Absent: Tom Mosier

Also Present: Roger Loyd, Vicky Ignatz and others

Owen Sanders, Vice-Chairman called the meeting to order.

The Board deferred approval of the minutes of the May 11, 2009 BZA meeting.

CASE NO. 09-05-558 Consider the request for an Application for Temporary Use Permit for Firework Sales from June 20 – July 5, 2009 at 405 Long Hollow Pike, Sumner County Tax Map 143, Parcel 69. The applicant is Mid-America Distributors.

Staff reviewed. Gregory reported this is a request for a Temporary Use Permit for fireworks sales at a site that has been used in the past by this vendor. The use has not been continuous and the site has been developed and occupied by Volunteer State Bank. Therefore, the Goodlettsville Zoning Ordinance requires a new application and review by this Board. The location of the sales site is between the bank building and the property line of Page Heights Baptist Church.

Roger Loyd, Mid-America Distributors owner, stated the site will open from approximately 9:00 AM to 10:30 PM daily from June 20 – July 5, 2009. All required setbacks for the lot will be achieved. No fireworks will be discharged on site.

Lowe made a motion for approval of the Application for Temporary Use Permit for Fireworks Sales from June 20 - July 5, 2009 at 405 Long Hollow Pike, Sumner County Tax Map 143, Parcel 69, based on compliance of all regulations set forth by city, county and state entities. Jernigan 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 have been met, and

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