

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

Date: December 8, 2008

Time: 5:00 PM

Place: Massie Chambers - Goodlettsville City Hall

Members Present: Tom Mosier, Owen Sanders, Al Jernigan

Members Absent: Ed Lowe, Glen Garrett

Also Present: Rick Gregory, Mike Bauer, Vicky Ignatz, Kevin Suhr and Bill Pfaffman

Tom Mosier, Chairman called the meeting to order.

Jernigan made a motion to approve, as written, the minutes of the July 14, 2008 meeting of the Goodlettsville Board of Zoning and Sign Appeals. Motion seconded by Sanders. Motion passed unanimously, 3-0.

CASE NO. 08-12-551 Consider the request for a Conditional Use Permit to allow additional educational programs to be offered by Miller Motte College, 801 Space Park North, Davidson County Tax Map 26-0, Parcel 3.00. The applicant is Miller Motte College, 801 Space Park North, Goodlettsville, TN.

Staff reviewed. Gregory reported Miller-Motte is seeking to expand their curriculum to include training for Cosmetologists, Aestheticians and Licensed Massage Therapists. These training vocations are not shown among the permitted uses in the Land Use Matrix under Industrial General zoning district – Limited Manufacturing. Staff recommends that, since Miller-Motte is an established provider of training courses, the provider should be permitted to expand their offered training courses and stay within conditional use permit guidelines as long as instruction continues in the original, approved training courses of Electrical, Welding and HVAC. Staff recommends that if those originally approved courses should cease or if Miller-Motte should sell their training facility to another training school, this requested expansion beyond the strict limits of Limited Manufacturing uses would cease and only those training courses listed in the Limited Manufacturing category could transfer through sale of the business.

Kevin Surh, Director of Miller-Motte College, and the board members discussed the logistics involved in increasing the available training courses, the current success of the school related to job placement and graduation rates and the future business plan for the training school.

Sanders made a motion to grant the Conditional Use Permit to allow additional educational programs, specifically Cosmetologists, Aestheticians and Licensed Massage Therapists, to be offered by Miller Motte College, 801 Space Park North, Davidson County Tax Map 26-0, Parcel 3.00 and staff comments regarding limitations relating to any future sale of the institution. Jernigan seconded the motion. The motion passed 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 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, that approval of a variance to the minimum building setback side yard encroachment for Miller Finishing Equipment Sales, 305 Church Street, Davidson County Tax Map 19-13, Parcels 62 and 64 is granted. And, to acknowledge and recognize the existing non-complying setback encroachments on the property at the southern elevation front yard encroachment of 30 ft., the northern elevation side yard encroachment of 12 ft., the eastern elevation side yard encroachment of 19 ft., and the western elevation rear yard encroachment of 7 ft. The proposed exterior siding is to be consistent in material and color with the existing siding.

CASE NO. 08-12-049 Consider the request for a variance to the Goodlettsville Sign Ordinance to allow signage on the south elevation of the building at 460 Long Hollow Pike, Caldwell Square, Sumner County Tax Map 143J, Parcel 2.00. The applicant is Current River Capital LLC, dba Dunkin' Donuts/Baskin Robbins, 123 Shorecrest Circle, Hendersonville, TN.

Staff reviewed. Gregory reported this is a request for a second sign on the south elevation of the building fronting Long Hollow Pike. The applicant's business is part of the Caldwell Square development. The signage for this property is guided by requirements of the City Sign Zone in the Goodlettsville Sign Ordinance. The current signage faces the interior of the retail center as approved on the original signage plan for Caldwell Square. This property does not have two street frontages, placing it under limits of signage permitted for those properties with only one street frontage. The only stated hardship is financial in nature. None of the requirements to approve a variance have been met according to the Goodlettsville Zoning Ordinance, Chapter 14, Section 14-1408(c).

Bill Phaffman, applicant and owner of Dunkin' Donuts, and board members discussed the reasons for the request for additional signage and the requirements for the approval of a variance to the sign ordinance.

Mosier made a motion to deny the request by Current River Capital LLC, dba Dunkin' Donuts/Baskin Robbins, 123 Shorecrest Circle, Hendersonville, TN for a variance to the Goodlettsville Sign Ordinance to allow signage on the south elevation of the building at 460 Long Hollow Pike, Caldwell Square, Sumner County Tax Map 143J, Parcel 2.00 based on the applicant not meeting the requirements for approval of a variance set forth in Chapter 14, Section 14-1408(c) of the Goodlettsville Zoning Ordinance. Jernigan seconded the motion. The motion passed unanimously, 3-0.

ORDER OF THE BOARD

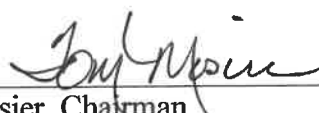
WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Chapter 14-1408(c) of the Goodlettsville Zoning Ordinance have not been met, and

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

NOW, THEREFORE, BE IT ORDERED the request by Current River Capital LLC, dba Dunkin' Donuts/Baskin Robbins, 123 Shorecrest Circle, Hendersonville, TN for a variance to the Goodlettsville Sign Ordinance to allow signage on the south elevation of the building at 460 Long Hollow Pike, Caldwell Square, Sumner County Tax Map 143J, Parcel 2.00 is denied based on the applicant not meeting the requirements for approval of a variance set forth in Chapter 14, Section 14-1408(c) of the Goodlettsville Zoning Ordinance

The meeting adjourned at 5:40 PM.


Tom Mosier, Chairman


Vicky Ignatz, Planning Assistant