

MINUTES OF THE SPECIAL CALLED MEETING
GOODLETTSVILLE BOARD OF ZONING APPEALS

119

Date: July 20, 2006

Time: 5:00 PM

Place: City Hall, Massie Auditorium

Members Present: Owen Sanders, Al Jernigan, Glen Garrett, Ed Lowe

Members Absent: Tom Mosier

Staff Present: Rick Gregory, Bennie Lane, Vicky Ignatz

Also Present: Steve and Gay Claypool

The meeting was called to order by Vice-Chairman Owen Sanders.

Item #1 – CASE NO. 06-07-508 – Consider the request for a variance to the Goodlettsville Zoning Ordinance for front and rear yard setback requirements in the R-7 Zoning District for Davidson County Tax Map 18-16, Parcel 60, 412 Bell Street, Goodlettsville, TN. The applicant is James Ghee, 112 Eastside Drive, White House, TN 37188.

Staff reviewed. Gregory reported the applicant withdrew his application from consideration. Staff has no problem in recommending all reasonable variances which might result to accomplish the rebuilding of the proposed house on this lot.

Motion of the Board – Motion by Jernigan to permit the applicant to rebuild on the non-complying lot of record, Davidson County Tax Map 18-16, Parcel 60, 412 Bell Street, Goodlettsville, TN with the condition that reasonable variances, which might result to accomplish the rebuilding of the proposed house on this lot, will need to be submitted to Goodlettsville Board of Zoning and Sign Appeals for consideration.

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 14-14-1303 of the Goodlettsville Zoning Ordinance have been met regarding, and

WHEREAS, the Board has determined that no adverse impact will occur,

NOW, THEREFORE, BE IT ORDERED, permission is granted to the applicant to rebuild on the non-complying lot of record, Davidson County Tax Map 18-16, Parcel 60, 412 Bell Street, Goodlettsville, TN with the condition that reasonable variances, which might result to accomplish the rebuilding of the proposed house on this lot, will need to be submitted to Goodlettsville Board of Zoning and Sign Appeals for consideration.

Item #2 – CASE No. 06-07-509 – Consider the request for a variance to the Goodlettsville Zoning Ordinance regarding requirements for Home Occupations for Sumner County Tax Map 143-B-F, Parcel 1, 113 Wynlands Drive, Goodlettsville, TN. The applicants are Steve and Gay Claypool.

Analysis - Staff reviewed. Gregory reported this request is for a variance to the Goodlettsville Zoning Ordinance requirements for Home Occupations (Section 14-901(o)) to permit one non-residential employee to immediately work in the residence and allow a second non-residential

employee to be permitted on premises for future expansion of the home occupation. The stated occupational use is for Trinity Ministries which facilitates enrollment for discount purchasing and/or assisting with purchases for nursing homes, hospitals, assisted living and other facilities nationwide. The intent of the ordinance controls is clearly to limit the amount of commercial activity within residential structures, districts and neighborhoods to residents only. No demonstrated hardship exists and a financial consideration alone (business growth and expansion) does not rise to the level of hardship.

Discussion – Steve Claypool stated that he and his wife have provided the administration of Trinity Ministries from their home. They find themselves beyond reasonable capacity to service existing members and reach out to prospective members and need additional employees to facilitate continued growth. They are in the process of constructing a one hundred ninety (195) foot office space and are requesting that one non-residential employee be allowed on premises during the daytime hours. Continued future growth would facilitate the hiring of a second employee. Finances prevented the rental of commercial property to relocate the business at this time. Jernigan, Lowe and Garrett acknowledged that the applicant had no provided defined proof that a hardship exists to allow issuance of a variance by the board.

Action of the Board – Motion by Garrett to deny the request for a variance to the Goodlettsville Zoning Ordinance regarding requirements for Home Occupations to allow non-residential employees to work on-site at Sumner County Tax Map 143-B-F, Parcel 1, 113 Wynlands Drive, Goodlettsville, TN. Motion seconded by Jernigan. Motion passed unanimously, 3-0.

ORDER OF THE BOARD

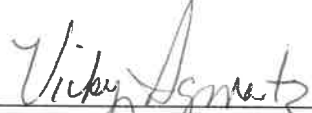
WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Chapter 9, Section 14-901(o) of the Goodlettsville Zoning Ordinance have not been met regarding, and

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

NOW, THEREFORE, BE IT ORDERED, variance to the Goodlettsville Zoning Ordinance regarding requirements for Home Occupations at Sumner County Tax Map 143-B-F, Parcel 1, 113 Wynlands Drive, Goodlettsville, TN to permit non-residential employees to work on-site is denied.


Owen Sanders, Vice-Chairman


Vicky Ignatz, Recording Secretary