

MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING APPEALS

Date: December 8, 2003

Time: 5:00 PM

Place: City Hall Conference Room

Members Present: Tom Mosier, Owen Sanders, Mike Cunningham

Staff Present: Bill Terry, Bennie Lane, Vicky Ignatz

Others Present: Kevin Oberman, Ken Copeland, John Davis

The meeting was called to order by Tom Mosier, Chairperson. The minutes of the November 10, 2003 Goodlettsville Board of Zoning and Sign Appeals were approved as written.

CASE NO. 03-12-454 Consider the request of O'Reilly's Auto Parts, 426 N. Main Street, Davidson County Tax Map 18, Parcel 77, for approval of a variance to the Goodlettsville Sign Ordinance regarding the maximum surface area requirement.

Analysis - Staff reviewed. Terry reported the O'Reilly's Auto Parts Company is preparing to build a new retail store on a vacant parcel on N. Main Street. The site plan has been approved by the Goodlettsville Planning Commission. The sign plan submitted requires two (2) variances to the Goodlettsville Sign Ordinance: 1) The building mounted sign requirement allows signage at 10% of the total square footage of the front of any building or one hundred twenty-five (125) square feet for this building. The applicant is requesting a variance of twenty-two (22) square feet to permit one hundred forty-seven (147) square feet for a building mounted signage. 2) The pole mounted sign requirement allows fifty (50) square feet for identification signage and twenty (20) square feet for reader board for a total of seventy (70) square feet total signage. The applicant is requesting a variance of thirty (30) square feet for the identification signage and twelve (12) square feet for the reader board signage to permit one hundred twelve (112) square feet for pole mounted signage for the site.

Discussion - Kevin Oberman, applicant, stated that the sign plan contains standard size signage utilized company wide. The larger size signs are needed as a result of limited visibility of the site from the southern elevation due to the required front yard setback and the staggered setback on the adjacent building. Ken Copeland, co-applicant, stipulated that the existing landscaping on the northern elevation has been preserved to meet landscape requirements for the site which negatively impacts visibility from the northern elevation.

Cunningham and Mosier acknowledged that the Board has strived to maintain conformity of signage in the community. Copeland questioned if the reader board could be eliminated and the entire seventy (70) square feet of the pole mounted sign be used for logo identification. Bennie Lane, Goodlettsville Codes Director, stated the ordinance specifically addresses the pole mounted signage as a sign/reader board combination.

Cunningham indicated that the applicant has not presented viable justification for hardship to permit any variances to the sign ordinance.

Action of the Board – Motion by Sanders to reject all variance requests regarding wall mounted and pole mounted signage for O'Reilly's Auto Parts, 426 N. Main Street, Davidson County Tax Map 18, Parcel 77 based on the failure to demonstrate existing hardship(s). The applicant is required to bring the proposed signage plan into compliance with the Goodlettsville Sign Ordinance. Motion seconded by Cunningham. Motion passed unanimously.

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 Section 14-1408 (c) have not been met, and

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

NOW, THEREFORE, BE IT ORDERED, variance requests regarding wall-mounted and pole mounted signage for O'Reilly's Auto Parts, 426 N. Main Street, Davidson County Tax Map 18, Parcel 77 be denied based on the failure to demonstrate existing hardship(s). The applicant is required to bring the proposed signage plan into compliance the Goodlettsville Sign Ordinance.

CASE NO. 03-12-445 Consider the request of John Davis, Raffles Interiors, for approval of a temporary use permit at 405 Long Hollow Pike, Sumner County Tax Map 143, Parcel 64.01

Analysis – Staff reviewed. Terry reported this request is to sell furniture for a thirty (30) days period in January at the corner of Long Hollow Pike and Caldwell Road. The Goodlettsville Zoning Ordinance permits the temporary sale of certain necessary or seasonal uses which are nonpermanent in nature. Furniture sales are normal retail sales and are not seasonal in nature such as Christmas trees, fireworks, or farm-raised produce.

Discussion – John Davis, applicant and owner of Raffles Interiors, acknowledged that the permit would provide a sales opportunity near dense residential areas, that he has conducted other sales in Hendersonville and the Cool Springs areas and that the sales sight would be low keyed with minimal signage and traffic. Mosier and Cunningham stipulated the location of the proposed sales has been limited to seasonal sales. They agreed that this type business is a long-term commercial venture and not permitted.

Action of the Board – Motion by Mosier to deny the request of John Davis, Raffles Interiors, for approval of a temporary use permit at 405 Long Hollow Pike, Sumner County Tax Map 143, Parcel 64.01 based on the business not being seasonal in nature as stipulated by the Goodlettsville Zoning Ordinance for temporary sales. Motion seconded by Cunningham. Motion passed unanimously.

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 Section 14-1401 (n) have not been met, and

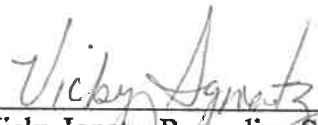
WHEREAS, the Board has determined that adverse impact will occur,

NOW, THEREFORE, BE IT ORDERED, a request of John Davis, Raffles Interiors, for approval of a temporary use permit at 405 Long Hollow Pike, Sumner County Tax Map 143, Parcel 64.01 is denied based on the business not being seasonal in nature as stipulated in the Goodlettsville Zoning Ordinance for temporary sales.

Meeting adjourned.



Tom Mosier, Chairman



Vicky Ignatz, Recording Secretary