

MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING APPEALS

Date: March 11, 2002

Time: 5:00 PM

Place: City Hall Conference Room

Members Present: Tom Mosier, Owen Sanders, Ed Lowe

Staff Present: Bill Terry, Bennie Lane, Vicky Ignatz

Others Present: Brenda Neely

The meeting was called to order by Tom Mosier. Minutes of the February 11, 2002 Zoning and Sign Appeals Board were approved as written.

Case Heard: 2002-3-409

Case No. 2002-03-409 Consider the request of Brenda Neely, General Manager, Rivergate Mall, to grant a temporary use permit for a spring carnival at 100 Rivergate Parkway, Davidson County Tax Map 34-2, Parcel 77.

Analysis – Staff reviewed. Rivergate Mall has been hosting a small carnival type event for three years on an outlot of the mall near Gallatin Road. This location is outside the city. As a result of new construction along Gallatin Road, management would like to hold the event in an area that is in our city limits along Rivergate Parkway. The promotional event will run approximately two weeks.

The Zoning Ordinance provides for temporary uses but does not provide for a carnival event in this type district. However, the event that is described is not a full-scale carnival with rides, side-shows, barkers, etc. There are a small number of rides, games and food. This would more likely be classified under the Zoning Ordinance as entertainment and amusement activities.

Discussion – Brenda Neely, General Manager, Rivergate Mall stated that this request includes application for temporary use permits for spring and fall entertainment events. The events will consist of various amusement rides. There will be approximately 20 games and food concessions. All food units are self-contained and pass all Health Department regulations. Each event will be two weeks in duration. The hours of operation are Monday-Thursday: 4pm–11pm; Friday – 4pm–Midnight; Saturday – Noon–Midnight; and Sunday – 1pm–11pm.

There will be no living quarters on-site. An office trailer will remain on-site which will be open during hours of operation. Dumpster service is to be provided by T/Roll Disposal. Portable toilets are to be provided by Kennedy Septic Tank Service. Security is to be provided by the Goodlettsville Police Department.

Neely informed the Board that a contract has not been offered to the vendor pending action of the Goodlettsville Board of Zoning and Sign Appeals. Rivergate Mall management will offer the vendor the Hecht's employee parking lot for the event.

Mosier questioned if any tents are to be used. Neely responded that to her knowledge only tent awnings for food services will be utilized. Terry instructed Neely that any tents for public use will need to be non-combustible and a Flame Resistance Certificate will need to be provided. A temporary building permit will need to be secured from the Goodlettsville Codes Dept. Also, the Goodlettsville Codes Department must conduct an on-site inspection prior to opening the event to the public.

Motion by Lowe for the Goodlettsville Board of Zoning and Sign Appeals to issue a finding of fact that the amusement event as proposed by Rivergate Mall constitutes entertainment and amusement services and to grant temporary use permits to Rivergate Mall Management for Spring, 2002 and Fall, 2002 amusement events. Furthermore, approval of the events as temporary uses are subject to the controls as indicated in the applicant's letter of request with the stipulation that any sales tents erected must comply with the standards set forth by the Goodlettsville Codes Department. The following conditions will apply for the temporary use permit:

You must comply with the standard guidelines listed below. Noncompliance of the standard guidelines may result in the revocation of the temporary use permit.

1. A building permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site trailer(s) and structures must occur prior to the sales/event opening to the public. It is the responsibility of the application to request said inspection.
2. Any temporary structure shall meet all setback requirements of the zoning district in which it is located.
3. Temporary electrical service must meet electrical codes regulations.
4. Off-street parking requirement shall be observed and such parking shall be so arranged that backing onto a public street will not occur.
5. One 4 x 8 ft. ground mounted promotional sign advertising the sales/event is permitted on each street front.
6. No off-site signage is permitted in Goodlettsville.
7. The location of the on-site trailers(s) and advertising shall be in the same locations as the previous year.
8. Temporary living quarters will be permissible on the site during the sales/event period.
9. A transient vendors license must be obtained from the City of Goodlettsville's Business Tax Office at City Hall.
10. Strict adherence to the established sales/event period is required.

Motion seconded by Sanders. Motion passed unanimously.

OFFICIAL ORDER OF THE BOARD

WHEREAS, the public has been adequately notified, and

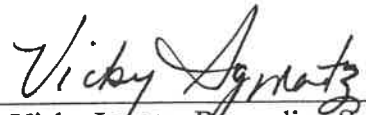
WHEREAS, the Board has determined that the requirements of Section 11-901(n) have been not met, and

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

NOW, THEREFORE, BE IT ORDERED, that the Goodlettsville Board of Zoning and Sign Appeals issues a finding of fact that the amusement event as proposed by Rivergate Mall constitutes entertainment and amusement services and thereby, grants temporary use permits to Rivergate Mall Management for Spring, 2002 and Fall, 2002 amusement events. Furthermore, approval of the events as temporary uses are subject to the controls as indicated in the applicant's letter of request, the standard guidelines for a temporary user permit and with the stipulation that any sales tents erected must comply with standards set forth by the Goodlettsville Codes Department.



Tom Mosier, Chairperson



Vicky Ignatz, Recording Secretary