

MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING AND SIGN APPEALS

Date: July 9, 20001

Time: 5:00 PM

Place: City Hall Conference Room

Members Present: Tommy Jackson, Glen Garrett, Tom Mosier

Staff Present: Bill Terry, Bennie Lane, Vicky Ignatz

Others Present: Preston Quirk, Doug Brown, Doug Smith

Cases Heard: 2001-07-390 2001-07-391 2001-06-385

The meeting was called to order by Tom Mosier, Chairperson. Motion by Jackson to approve the minutes of the June 25, 2001 Special Called Meeting of the Goodlettsville Appeals Board meeting as written. Motion seconded by Garrett. Motion passed unanimously.

CASE NO. 2001-07-390 Consider a request for a variance in the side yard setback for First Baptist Church, 613 S. Dickerson Road. The applicant is Quirk Designs.

Analysis - Staff reviewed. The church building at Shevel Drive meets the setback requirements of 40 feet. A canopy now in existence encroaches into the setback. The church wants to extend a covered walkway from the church building to within 10 feet of the street right-of-way and add steps to the ramp. The reason for the proposed walkway is to permit easier access into the sanctuary from Shevel Drive. The proposed canopy will be located on the south side of the church which fronts Shevel Drive; therefore, any action taken regarding a variance would need to address a front yard setback.

Discussion - Preston Quirk, Quirk Designs, stated the walkway would provide easier access to the sanctuary from the Shevel Drive parking lot. Persons entering the church from Shevel Drive must ascend one flight of interior steps to reach the sanctuary. The canopy would provide protection from inclement weather. Mosier asked what type hardship has been established to grant the requested variance. Quirk stated the topography of the site requires an extended walkway, ramp and steps encroaching into the front yard setback of Shevel Drive. Also, the ingress and egress from the sanctuary would bring the church more into compliance with the Life Safety requirements.

Action of the Board – Motion by Jackson to approve a thirty feet front yard setback on Shevel Drive for First Baptist Church based on improved compliance of the Life Safety Code requirements.

OFFICIAL 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 have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that a thirty feet front yard setback variance on Shevel Drive be granted to First Baptist Church based on compliance with the Life Safety Code. Motion seconded by Garrett. Motion passed unanimously.

CASE NO. 2001-07-391 Consider a request for a temporary use permit for a Halloween entertainment event, "Scream Theatre", at 709 Two Mile Parkway. The applicant is Joe Stacey.

Staff reviewed. The request was withdrawn by the applicant.

CASE NO. 2001-06-385 Consider a request for a conditional use permit for a dance floor for Dougie Ray's, 903 Two Mile Parkway. The applicant is Doug Smith.

Analysis – Staff reviewed. This request is similar to the one approved at the May meeting for another location on Two Mile Parkway. The business is a sports bar/restaurant and it has a seating area of approximately 200 to 300 square feet which the owner wants to convert to a dance floor. The zoning ordinance considers dancing an "entertainment and amusement" activity, and in the CSL zone this is permitted only by conditional use permit.

Discussion – Doug Smith, owner of Dougie Ray's, stated the open area would alternate between a dance floor area and a seating area depending on scheduled events. Mosier asked Mr. Smith to explain the establishment's outside signage advertising of "Wet T". Smith answered that wet t-shirt competitions with female participation would be held and prizes awarded. Terry presented an excerpt from the Goodlettsville Zoning Ordinance defining adult entertainment as any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, which has a significant or substantial portion of such performance, any actual or simulated performance of specified sexual activities, including removal of articles of clothing or appearing unclothed. Terry added that there has been some concern expressed from the community regarding this type activity. If required to enforce the zoning ordinance regarding this regulation, it would be interpreted that a wet t-shirt competition would constitute adult entertainment and is therefore prohibited. Mr. Smith stated that he plans to comply with all regulations and requested a copy of the Goodlettsville Municipal Code.

Action of the Board - Motion by Garrett to approve a conditional use permit for a dance floor at Dougie Ray's, 903 Two Mile Parkway, with the condition that the business comply with the Goodlettsville Municipal Codes. Motion seconded by Jackson. Motion approved unanimously.

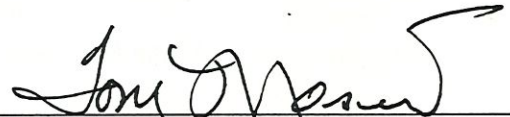
ORDER OF THE BOARD

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

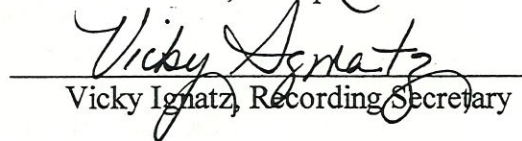
WHEREAS; the Board has determined that the requirements of Section 14-1409 have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that a conditional use permit for a dance floor at Dougie Ray's, 903 Two Mile Parkway be granted based on CSL zoning which considers dancing as an "entertainment and amusement" activity and is permissible. A condition of the permit is that the business comply with the Goodlettsville Municipal Codes.



Tom Mosier, Chairperson



Vicky Ignatz, Recording Secretary