

**MINUTES OF THE SPECIAL CALLED MEETING
GOODLETTSVILLE BOARD OF ZONING APPEALS**

Date: June 25, 2001

Time: 5:00 PM

Place: City Hall Conference Room

Members Present: Tommy Jackson, Tom Mosier, Owen Sanders, Ed Lowe

Staff Present: Bill Terry, Bennie Lane, Vicky Ignatz

Others Present: Frank Varble, Lloyd Gragg, George Philips, Phil Martin

Cases Heard: 2001-06-385 2001-06-386

The meeting was called to order by Tom Mosier, Chairperson. Motion by Mosier to approve the minutes of the May 14, 2001 Board of Zoning and Sign Appeals as written. Motion seconded by Lowe. Motion passed unanimously.

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.**

Action of the Board → Due to the applicant not appearing before the Board as scheduled, the item was deferred.

CASE NO. 2001-06-386 **Consider a request for a conditional use permit for a daycare facility for Metro Baptist Church, 322 East Cedar Street. The applicant is George Philips.**

Analysis - Staff reviewed. Terry stated Metro Baptist Church is in the process of building a new church building in an IR (Industrial Restricted) zone on East Cedar Street. A conditional use permit to allow the church building on this site was previously approved by this Board. The project's site plan has been approved by the Planning Board. In the review of the building plans, it was discovered that a daycare center is planned. According to the Goodlettsville Zoning Ordinance daycare facilities require a conditional use permit.

Additional requirements for granting a permit are: 1) Compliance with the Goodlettsville Zoning Ordinance requirement of 200 sq. ft. of outside play area per child. Based on the maximum capacity of the proposed daycare, 10,800 sq. ft. of outside play area is required. This requirement exceeds the State of Tennessee requirements; 2) Approval of the daycare by the State of Tennessee's Human Services Department; and 3) Approval of the daycare by the State of Tennessee's Fire Marshall.

Discussion – Frank Varble, Hardaway Construction, stated the outside play area adjacent to the building complies with the State's requirements. To comply with Goodlettsville's requirements, the play area would need to extend beyond the driveway area. He asked for a clarification as to which outside play area requirements would be more acceptable.

Terry stated that the City's requirements for outside play area, established in the 1980's, supercedes the State's requirements. Mosier questioned if the driveway intersecting the play area would create a safety hazard. Terry offered that safety would be maintained based on the fact the roadway is an internal private drive with no through traffic.

George Philips, Metro Baptist Church, acknowledged that the adjoining property could be used for a play area if required by the City. However, he requested that the Board waive the requirement of 200 sq. ft. per child for the outside play area. Mosier asked what the hardship is requesting a waiver of the requirement. Phil Martin, Metro Baptist Church, stated that the State of Tennessee requires 50 sq. ft. per child for the outside play area. To require an additional 150 sq. ft. per child would require additional financial and maintenance considerations.

Action of the Board – Motion by Jackson to grant a conditional use permit for a daycare for Metro Baptist Church, 322 East Cedar Street and to grant a variance of 6288 sq. ft. in the proposed outside play area. Motion seconded by Sanders. Motion passed unanimously.

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 14-1409 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 daycare for Metro Baptist Church, 322 East Cedar Street be granted based upon submittals to the Goodlettsville Codes Department of approval of the daycare by the State of Tennessee's Human Services Department and Fire Marshall's Office. Also, that a 6288 sq. ft. variance be granted for the proposed outside play area based on the current site plan's compliance with the State of Tennessee's outside play area requirements.

Tom Mosier, Chairperson


Vicky Ignatz, Recording Secretary