

MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING AND SIGN APPEALS

Date: May 14, 2001

Time: 5:00 PM

Place: City Hall Conference Room

Members Present: Owen Sanders, Edgar Lowe, Tommy Jackson, Glen Garrett

Staff Present: Bill Terry, Bennie Lane, Vicky Ignatz

Others Present: Tony Carpenter, John Dorris, Ralph Moore, Jeff Rhinehart

Cases Heard: 2001-04-378 2001-04-379

2001-05-382 2001-05-383

The meeting was called to order by Owen Sanders, Vice-Chairperson. Motion by Jackson to approve the minutes of the March 12, 2001 Appeals Board meeting as written. Motion seconded by Lowe. Motion passed unanimously.

CASE NO. 2001-04-378 Consider a request for a temporary use permit for a fireworks sales tent at 850 Louisville Highway. The applicant is Tony Carpenter, American Promotional Events, Inc.

Staff reviewed. Terry stated the applicant wants to set up a fireworks tent on the site that was formerly Jolly Joes, adjacent to Amoco Station and Zippy market. The site meets the standard location requirements; however, there is a question about the size of the fireworks tent. The 10 feet side yard setback and 50 feet front yard setback will need to be maintained.

Tony Carpenter, American Promotional Events, Inc., stated the tent would be placed perpendicular on the lot and that the setback requirements would be met. The fireworks sales tent would be in place from June 15 – July 6, 2001. Mr. Carpenter was provided a copy of the standards for fireworks tent locations.

Bennie Lane, Codes Dept., informed Carpenter that an electrical permit from Sumner County would be required.

Motion by Jackson to grant a temporary use permit for a fireworks sales tent at 850 Louisville Highway to American Promotional Events, Inc. from June 15 - July 6, 2001 with the following conditions:

1. Any temporary structure shall meet all setback requirements of the zoning district in which it is located.
2. A fireworks tent shall be so located that all structures and inventory are no more than 300 feet from an operable fire hydrant and no closer than 200 feet to any source of a flammable or combustible liquid or gas;
3. No fireworks tent shall be located under any power line;

4. Temporary electric service must meet electrical codes regulations.
5. The off-street parking requirements shall be observed and such parking shall be so arranged that backing onto a public street will not occur;
6. One 4 x 8 Ft. ground mounted promotional sign advertising the event is permitted on site. A sign permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site sign must occur.
7. No off-site signage is permitted in Goodlettsville.
8. The tent shall have two exits, one at each end of the tent, for emergency egress, and such exits and all aisles shall be kept free and clear of obstructions while the tent is occupied by the public.
9. Prior to obtaining a temporary permit, the operator or owner shall file with the building official of the city a certificate executed by an acceptable testing laboratory, certifying that the tent, decorative attachments of any kind and tarpaulins meet the requirement for flame resistance prescribed for both the small and large test in NFPA 701, and that such flame resistance is effective for the period of the permit.
10. The location of the tent, trailer, and advertising shall be in the same locations as the previous year.
11. Temporary living quarters will be permissible on the site during the sales period.
12. A building permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site construction must occur.
13. A transient vendors license must be obtained from the City of Goodlettsville's Business Tax Office at City Hall.

Motion seconded by Lowe. 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 11-901(n) have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that a temporary use permit 850 Louisville Highway for a fireworks sales tent for American Promotional, Inc. from June 15 – July 6, 2001 is granted, that the conditions specified above shall apply, and that this order shall constitute such permit.

CASE NO. 2001-04-379 Consider a request for a temporary use permit for a fireworks sales tent at 956 Louisville Highway. The applicant is Tony Carpenter, American Promotional Events, Inc.

Staff reviewed. Terry reported the site meets the standard location requirements; however, the proposed location of the tent effectively closes an entrance to the property. There is another entrance, but the current use of the property for parking large tour buses also blocks access to the tent. The parking and circulation of customer vehicles and the parking of the tour buses needs to be determined. Overhead electric lines are located along the right side property line beside the tent. The tent must not be located under these lines.

Tony Carpenter, American Promotional Events, Inc. stated that no buses or tractor trailers will be parked in front of the building housing NVA Transport during the fireworks sales. There will be separate entrances for the tour bus parking and the fireworks sales area. Lowe questioned the dimensions of the tent for this location based on required setbacks, parking and overhead electric lines. Carpenter stated a 30 ft. x 50 ft. tent is scheduled for use. Terry offered this size would not be appropriate for the size of the lot. Carpenter stated he would reduce the sales tent to 30 ft. x 30 ft. which will provide adequate parking. Electrical service will be used from the existing building.

Motion by Lowe Motion by Jackson to grant a temporary use permit for a fireworks sales tent at 956 Louisville Highway to American Promotional Events, Inc. from June 15 - July 6, 2001 with the following conditions:

1. Any temporary structure shall meet all setback requirements of the zoning district in which it is located.
2. A fireworks tent shall be so located that all structures and inventory are no more than 300 feet from an operable fire hydrant and no closer than 200 feet to any source of a flammable or combustible liquid or gas;
3. No fireworks tent shall be located under any power line;
4. Temporary electric service must meet electrical codes regulations.
5. The off-street parking requirements shall be observed and such parking shall be so arranged that backing onto a public street will not occur;
6. One 4 x 8 Ft. ground mounted promotional sign advertising the event is permitted on site. A sign permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site sign must occur.
7. No off-site signage is permitted in Goodlettsville.
8. The tent shall have two exits, one at each end of the tent, for emergency egress, and such exits and all aisles shall be kept free and clear of obstructions while the tent is occupied by the public.
9. Prior to obtaining a temporary permit, the operator or owner shall file with the building official of the city a certificate executed by an acceptable testing laboratory, certifying that the tent, decorative attachments of any kind and tarpaulins meet the requirement for flame resistance prescribed for both the small and large test in NFPA 701, and that such flame resistance is effective for the period of the permit.
10. The location of the tent, trailer, and advertising shall be in the same locations as the previous year.

11. Temporary living quarters will be permissible on the site during the sales period.
12. A building permit must be obtained from the Goodlettsville Codes Department and inspection of the on-site construction must occur.
13. A transient vendors license must be obtained from the City of Goodlettsville's Business Tax Office at City Hall.

Motion seconded by Lowe. 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 11-901(n) have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that a temporary use permit for a fireworks sales tent at 956 Louisville Highway for American Promotional, Inc. from June 15 – July 6, 2001 is granted, that the conditions specified above shall apply, and that this order shall constitute such permit.

CASE NO. 2001-05-382 Consider a request for a front yard setback variance for Connell Memorial United Methodist Church, 113 Church Street. The applicant is Ralph Moore, Hart-Freeland-Roberts, Inc.

Staff reviewed. Terry stated the church has a plan for an expanded parking lot part of which will front on Church Street. The zoning ordinance requires a ten-foot open space between the right-of-way and the property line. Church Street is a substandard street with an approximate width of eighteen feet and a right-of-way between thirty to thirty-five feet. The parking lot plan has four spaces that will encroach into the ten-foot setback required thus placing the curb of the parking lot directly in the right-of-way of Church Street. Adjacent property owner, Tim Garrett, called for information regarding the variance. He has no opposition to the plan.

Ralph Moore, Hart-Freeland-Roberts, Inc., confirmed there is approximately fifteen feet from the edge of the street pavement with the curb line. Approximately fifteen feet will be a grassed area and all existing tree will remain. The advantage to this plan is that cars will be parking from the interior of the lot and will eliminate parking on Church Street adjacent to the ingress/egress. The new plan provides thirty additional parking spaces.

Lowe asked what the impact of granting this variance would have on any future widening of Church Street. Terry confirmed that additional paving would bring the road closer to the proposed curb line decreasing the distance between traffic & parking areas. If the

City purchased the right-of-way and widen the pavement, the four proposed parking spaces that front Church Street would be eliminated. Moore added that there is approximately three feet available on each side of the street for additional paving.

Motion by Jackson to grant a ten-foot setback variance from the required open space between the right-of-way and the existing property line for Connell Memorial Methodist Church, 113 Church Street. Motion seconded by Garrett. 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 14-1408 have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that a ten-foot setback variance from the required open space between the existing right-of-way and the property line for Connell Memorial Methodist be granted to allow the addition of four parking spaces bordering Church Street based on the present need of the church.

CASE NO. 2001-05-383 Consider a request for a conditional use permit for a dance floor for Jon's Menu & Venue, 801 Two Mile Parkway. The applicant is John C. Dorris.

Staff reviewed. Terry reported this is a new restaurant and club in the location of the former Mr. Gatti's restaurant. The owner has a space for a band and wants to have a small dance floor as part of the club. The zoning ordinance considers dancing as an "entertainment and amusement" activity, and in the CSL zone this is permitted only by conditional use permit. The public was notified and the staff has received no calls of opposition to the request.

Motion by Lowe to grant a conditional use permit for a dance floor at Jon's Menu & Venue, 801 Two Mile Parkway. Motion seconded by Jackson. 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 14-1409 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 Jon's Menu & Venue, 801 Two Mile Parkway be granted based on CSL zoning which considers dancing as an "entertainment and amusement" activity and is permissible.



Owen Sanders, Chairperson Pro Tem



Vicky Ignatz, Recording Secretary