

**MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING APPEALS**

Date: March 13, 2000

Time: 5:00 PM

Place: City Hall Conference Room

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

Members Absent: Tom Mosier

Staff Present: Bill Terry, Vicky Ignatz

Others Present: Roger White, Phillip & Wendy Upchurch

Cases Heard: 2000-2-347

2000-3-348

2000-3-349

The meeting was called to order by Owen Sanders, Co-Chairperson. Motion by Jackson to approve the February 14, 2000 Minutes of the Board of Appeals meeting as written. Motion seconded by Garrett. Motion passed unanimously.

CASE NO. 00-2-347

Consideration of a request for an interpretation by the Board to determine that the property owner had a legally established two family dwelling at 237 Swift Drive prior to the 1989 Goodlettsville Zoning Ordinance. The applicant is Mrs. June Hawkins.

Action of the Board - The item was deferred pending receipt of a legal opinion from the City Attorney.

CASE NO. 00-3-348

Consideration of a request for a variance on maximum height for an accessory building at 1014 Madison Creek Road. The applicant is Roger White.

Analysis - The applicant has an existing home on Madison Creek Road and would like to build a detached garage which is permitted. The maximum height of an accessory building is 18 feet. The applicant is requesting a 4 foot variance to allow the pitch of the roof to match the roof pitch of the house. Staff noted that the architectural compatibility was a factor that had been considered in similar cases.

Discussion - The applicant stated the garage would be located at the end of the existing driveway. The garage would be built with trestles which would not allow for living quarters or storage. Garrett asked staff if the location of the garage only 4 feet from the side property line was within the guidelines. Terry reported the building can be located a minimum of 2 ft. from the property line as long as the garage is located behind the house. Sanders asked if the neighbors had any objections. White stated he had made the neighbors aware of the proposed building and there were no objections. Sanders asked staff if there were any deed restrictions. Terry reported there were no restrictions to his knowledge. The applicant confirmed there were no deed restrictions regarding the request.

No one appeared to speak for or against the request.

Action of the Board - Motion by Garrett to approve the request for a variance of 4 feet in height for the accessory building with the understanding there will be no provisions for future living quarters. Motion seconded by Lowe. Motion passed unanimously.

ORDER OF THE BOARD

WHEREAS, the board has determined that a hardship exists due to the architectural style of the house and the proposed garage, and

WHEREAS, the board has determined that the requirements for a variance contained in Section 11-1408 of the Goodlettsville Zoning Ordinance have been met, and

WHEREAS, no adverse impact on other properties will occur,

NOW, THEREFORE, BE IT ORDERED, that a variance in the height for an accessory building be granted to permit the construction of the garage as shown with the understanding that no future living quarters are permitted.

CASE NO. 00-3-349

Consideration of a request for a temporary use permit to locate a plant sales tent at Long Hollow Pike and Caldwell Road for a period of two months. The applicant is Phillip Upchurch.

Analysis - The applicant is requesting to operate a plant sales tent for Easter and Mother's Day. The applicant used this location for plant/pumpkin sales in October and November, 1999 after obtaining a transient vendor's license. This proposal is similar in nature to fireworks sales that occur on the same property.

Discussion - Sanders asked staff about parking restrictions. Terry stated the location has a large lot to permit adequate parking. A fire retardant certificate for the tent and electrical wiring certification is required and standard safety requirements will need to be met. A 4 x 8 ft. promotional sign mounted to the site is permitted on each street frontage.

Action of the Board - Motion by Lowe to grant the request for a temporary use permit for plant sales at Long Hollow Pike & Caldwell Road from April 1 through May 15 based on the fact that all codes requirements will be met. 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 11-901(n) have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that the temporary use permit is approved, that the conditions specified above shall apply and that this order shall constitute such permit.

Motion by Garrett to adjourn the meeting. Motion seconded by Jackson.

The meeting adjourned at 5:48 PM.


Owen Sanders, Vice-Chairperson


Vicky Ignatz, Recording Secretary

~~This is a test~~ 