

MINUTES OF THE GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: January 10, 2000

Time: 5:00 PM

Place: City Hall Conference Room

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

Staff Present: Bill Terry, Vicky Ignatz

Others Present: Randy Hale, Gary Manning, Jim Root, James O. Lee, James O. Lee, Jr.,
Jim Lambert, John Cavin, Diane Anderson, Mrs. Lowe

Cases Heard: 2000-1-344
2000-1-345

The meeting was called to order by Tom Mosier, Chairperson. Motion by Sanders to approve the minutes of the December, 1999 Board of Sign Appeals as written. Motion seconded by Lowe. Motion passed unanimously.

CASE NO. 2000-2-344 Consideration of a request for a conditional use permit to locate a consumer repair service business at 201 Graves Street. The applicant is James O. Lee, Lee Brothers Heating & Cooling.

Analysis - This applicant has purchased this property which formerly housed a lawnmower sales and service operation. The property is zoned for a consumer repair business is allowed, but only with a conditional use permit. The applicant is Lee Brothers Heating and Cooling which is involved in the repair and servicing of heating systems. The ordinance requires that all activities of the business be completely enclosed buildings with no outside storage and that no use or storage of flammable or toxic materials is permitted. The applicant has advised he meets those requirements.

Discussion - Mr. Lee stated the physical address of the business has been corrected and should be listed as 203 Graves Street. The building is not suitable for commercial business. The home located adjacent to the building will be a rental property.

Mosier asked if any hazardous materials will be stored on site. Lee stated no hazardous materials will be stored on site and no outside storage will occur. Lowe asked if commercial parking restrictions allow outside parking. Terry stated outside parking is permitted.

Action of the Board - Motion by Jackson that the requirements for a conditional use permit can be met and move to approve request for a conditional use permit. Seconded by Sanders. Motion passed unanimously.

OFFICIAL ORDER OF THE BOARD

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

the Board has determined that the requirements of Section 11-307 (f) have been met,

and has determined that no adverse impact will occur;

BE IT ORDERED, that the conditional use permit be approved and that
tute such permit.

CASE NO. 200-245

Consideration of a request to grant variances for side and rear yard setbacks at 500 S. Main Street, the proposed site of a Dollar General retail store. The applicant is James T. Lambert, Gresham Smith and Partners.

Analysis - The applicant wants to build a standard Dollar General retail store on this property. Three existing lots are to be combined into one lot for building purposes. The standard store is 10,250 sq. ft. in size and is basically a metal building. This site is small for the standard building; therefore, in order to construct this building, two variances will need to be considered.

The first variance request is for a rear setback. At one point the property line is within 5 feet of the building and 15 feet is required. The second request involves the required 10 foot landscape area along Hollywood Street. The ordinance establishes a 10 ft. strip along all public streets separating the parking lot from the street that must be landscaped. The proposed layout leaves only a 2 ft. strip.

Discussion - John Cavin, a representative for Dollar General Corporation, stated a fifteen feet standard setback is averaged along most of the rear of the property except where the property jets out due to the configuration of the lot creating a 5 ft. setback in this area. The second variance request is regarding the landscape requirement of 10 feet of clearance along a public street. Due to the required driveway entrance fronting on Hollywood Street, the parking area has been revised creating a narrower strip of 2 ft. street landscape on Hollywood. The building design will be a square box canopy style with a brick front and block on three sides.

Gary Manning, an adjoining property and business owner, previously owned two parcels on Hollywood Street. He attempted twice to develop businesses on the Hollywood St. property only to be turned down due to non-original intent of CSL zoning requirements. Also, Mr. Manning was denied a request to place a metal facade and a new sign on his existing building on Two Mile Parkway. He stated his concerns regarding the high traffic volume which currently exists at Dickerson Road and Two Mile Parkway, the impact of additional traffic on Hollywood and the traffic flow at the school zone located in front of the proposed site.

Jim Root, an adjoining property and business owner, is concerned about a metal building being erected in front of his business. He would like to see Dollar General comply with all regulations and upgrade the appearance of the proposed building.

Mrs. Lowe, an adjoining property owner, stated the approval of this request will render her property valueless and land lock the property eliminating future options. She would prefer small, well

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maintained businesses on the site versus the Dollar General Store. Mrs. Lowe is also concerned about safety factors such as the amount of traffic merging from Two Mile Parkway and the high rate of speed of the vehicles.

Jim Lambert, Gresham Smith & Partners, stated the landscape ordinance would be complied with in full except for the 8 ft. variance requested on Hollywood. The required amount of trees would be planted. The required detention will be incorporated into the plan. The 82 ft. by 125 ft. building will front on Dickerson Road with a frontage of 250 ft. The driveway entrance will be located on Hollywood Street as well as the delivery entrance. The majority of parking will be located on Hollywood with minimal parking in front of the store.

E. Lowe asked why the 8 ft. variance is needed on Hollywood St. Lambert stated the variance is needed to accommodate the truck loading/unloading space and to comply with parking space requirements. Cavin stated meeting the requirement of an island in the driveway would create noncompliance in parking space requirements without the variance. Lowe stated his concern with traffic flow and the general appearance of the building. The issue is that Dollar General is attempting to place this store in an area too small and not suited for what they want to do; therefore, we are being asked to make variances so that the building can be squeezed in. Lowe asked if other locations have been considered. Cavin stated all available locations on Main Street have been considered and eliminated for various reasons. This is the location they feel would best serve the community.

Mosier asked if the building size could be downsized to eliminate the need for the landscaping and rear setback variances. Lambert stated the landscape variance cannot be eliminated due to the shape of the lot; thereby eliminating parking spaces. Cavin stated the standard size building is required due to stock analysis, investors, insurance, consumers, etc. He stated the front of the building would be a brick material and a three foot brick border with metal extending to the roof line can be constructed on the remaining perimeter of the building. Sodding can be incorporated into the landscaping plan wherever feasible.

Jackson asked if the Dollar General Corp. has plans to build another retail site on Conference Drive. Cavin stated there are plans to construct a store on Northcreek Blvd. The existing Dollar General store in the Music City Shopping Center will then be closed.

Motion by Jackson to deny the rear setback variance and the landscape variance due to the fact that a hardship does not exist. 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 for a variance contained in Section 11-1408 of the Goodlettsville Zoning Ordinance have not been met, and

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

NOW, THEREFORE, BE IT ORDERED, that the request for side and rear yard setback variances be denied.

The meeting adjourned at 6:00 PM.



Tom Mosier, Chairperson



Vicky Ignatz, Recording Secretary