

OFFICIAL MINUTES
GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: June 9, 1997

Time: 5:00 PM

Place: City Hall

Cases Heard:

97-6-299

97-6-300

97-6-301

Members Present:

Tommy Jackson

Owen Sanders

Ellie Mead

Others Present:

Paul Miller

Larry Marvel

Tim Williams

John Dewaal

Staff Present

Bill Terry

The meeting was called to order by Vice-Chairman Sanders. It was noted that the meeting had been advertised and adjoining and other affected property owners notified by direct mail. The minutes of the May 1997 meeting were approved as submitted.

CASE NO. 97-6-299

Consideration of a request for a temporary use permit to operate a fireworks sales tent at 965 Louisville Highway. The applicant is Roger Loyd.

Due to the fact that no one was in attendance to present the request, Tommy Jackson moved that the case not be considered. Second by Ellie Mead, and motion carried unanimously.

CASE NO. 97-6-300

Consideration of a request for a temporary use permit to operate a fireworks sales tent at 957 Louisville Highway. The applicant is Paul Miller.

Analysis - This applicant owns the Zippy Market located across the I-65 interchange from the location but also wants to operate a tent on this site. The site meets the requirements previously established for temporary sales tents, and tents have been located here on previous occasions. Staff repeated the standards to be applied. These are:

1. Any temporary structure shall meet all setback requirements of the zoning district in which it is located;
2. The off-street parking requirements shall be observed, and such parking shall be so arranged that backing onto a public street will not occur;
3. A fireworks 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;

4. The electrical code shall apply;
5. 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 requirements for flame resistance prescribed for both the small and large scale tests in NFPA 701, and that such flame resistance is effective for the period of the permit.
6. 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;
7. No fireworks tent shall be located under any power line;
8. In addition to a temporary use permit, an operator or owner shall obtain a temporary building permit from the Codes Department as required by the Building Code.

Miller noted that he had no problem with the standards.

Action - Tommy Jackson moved that the request be granted subject to the standards as stated. Ellie Mead seconded, and motion carried 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 the temporary use permit is approved, that the conditions specified above shall apply, and that this order shall constitute such permit.

CASE NO. 97-6-301

Consideration of a request for a variance in the minimum off-street parking requirements for elementary schools as applied to the new Madison Creek School. The applicant is the Sumner County Board of Education.

Analysis - Sumner County was represented by Tim Williams with the Board of Education, John Dewaal, consulting engineer, and Larry Marvel, architect. The zoning ordinance requires 200 parking spaces for this size school. The board states that based on the operational experiences in Sumner County, elementary schools need less than that. Thus, a variance is requested.

Discussion - Mr. Williams noted that normal operations did not require that much parking. Mr. Dewaal noted that the slope of the site in the back of the school would cause extensive excavation

into the hillside in order to provide the additional parking. He also noted that during special events, parallel parking could be provided for an additional 70 to 80 spaces.

Action - Tommy Jackson moved that the variance be granted to permit 124 regular daily parking spaces due to the noted operations of elementary schools and due to the topographic problems in the rear of the school. Ellie Mead seconded, and motion carried unanimously.

ORDER OF THE BOARD

WHEREAS, the board has determined that a hardship exists if additional spaces have to be added on a steep slope of the property, and

WHEREAS, it is apparent to the board that elementary schools need less parking than other schools, 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

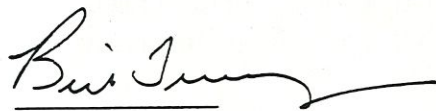
WHEREAS, no adverse impact on other properties will occur,

NOW, THEREFORE, BE IT ORDERED, that a variance in the minimum parking standards be granted to permit the Madison Creek School to be designed with 124 parking spaces.

There being no further business, the meeting was adjourned.


Owen Sanders, Vice Chairman

Submitted by:


Bill Terry, Planning Director