

OFFICIAL MINUTES

GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: October 9, 1995
 Time: 5:00 PM
 Place: City Hall

Cases Heard:

95-10-265
 95-10-266
 95-10-267
 95-10-268

Members Present:

Tom Mosier
 Tommy Jackson
 Owen Sanders
 Edgar Lowe

Others Present:

Fran Tinnon
 Tommy Cunningham
 Residents of Dorris Drive

Staff Present

Bill Terry

The meeting was called to order by Chairman Mosier. The minutes of the previous meeting were approved as submitted. It was further noted that the meeting had been properly advertised and adjoining property owners notified. Tommy Jackson announced that he owned property immediately adjacent to the first two requests and that, therefore, he would not participate in the discussion nor vote on the matters.

Case No. 95-10-265 Consideration of a request for a conditional use permit to construct a mini-warehouse use on Dorris Drive. The applicant is Fran Tinnon, husband of the owner of the property.

Analysis - This property, consisting of about 1.5 acres, is basically a "flag" shaped lot with about 60 feet of frontage on Dorris Drive and the rest being located behind the houses which front on Dorris. Part of the property is zoned CS and part is zoned R10. This apparently was done when the city adopted zoning and drew a line roughly 300 to 400 feet from Dickerson Road for commercial zoning, and it resulted in the line bisecting this lot. In order to use this entire lot for commercial purposes, the owner will have to get the residential part rezoned. If this is not done, then only the commercial part could be so used. A mini-warehouse is permitted in the CS zone only by conditional use permit.

Discussion - Fran Tinnon presented his request and explained the proposal. Chairman Mosier opened the public hearing, and the following residents of Dorris Drive spoke against the project: Carla Patterson, Mrs. William Smith, Peggy Cripps, Faye Birdwell, William Smith, and Robert Wright. Factors mentioned that were negative toward the project were: traffic on the residential

street, the steep hill and poor sight distance at the intersection with Dickerson Road, not knowing what kind of materials might be stored, and the introduction of people into the neighborhood that would not normally travel the area. After considerable discussion, Owen Sanders moved that the matter be deferred until either the remainder of the property could be considered for rezoning or a plan for just the part of the lot which is zoned commercial be resubmitted for consideration. Edgar Lowe seconded, and motion carried with Jackson not voting.

Case No. 95-10-266 Consideration of a request for a conditional use permit to construct a mini-warehouse development at 608 North Dickerson Road. The applicant is Tommy Cunningham, owner.

Analysis - This request is for the same type use as item 1, and the location is adjacent to the Tinnon lot on one side. The difference is that this lot fronts on Dickerson Road and is adjacent to residential property only along the rear lot line. The zoning is CS. Two long buildings are proposed, however, the standards will probably limit the lot to just one due to the requirement for a 20 foot driveway. The issue before the board is the same as item 1, and that is whether this site is suitable for the proposed use taking into account compatibility and potential adverse impact.

The lot is bounded by commercial use on two sides and the vacant Tinnon property at one point. Along the rear, the lot backs up to the Emerald Cove residential development. There is a tree line here but the visual impact could be alleviated more with the use of screening along the line. There is also a house on this lot which has been converted into a real estate office and is visible from Dickerson Road. Any other buildings may not be visible.

Discussion - Tommy Cunningham presented his case stating that with an office already on the site, good control could be exercised over access and use. He also noted that there would be little difference between this type building and an equipment storage building which he could build for his contracting business. The board asked if he would suitable screen the building from the residences along the rear, and he replied affirmatively. Chairman Mosier opened the public hearing. Mr. & Mrs. William Smith and Mrs. Cribbs spoke mainly asking questions about whether this project was related to the other. The answer was no.

Action of the Board - Edgar Lowe moved that the permit be granted conditional upon the applicant being able to meet all site plan requirements of the city and with a condition for further barrier and screening construction. Owen Sanders seconded, and the

motion carried with Jackson not voting.

The Board issued the following order:

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 11-1409(d) and (f)(3) 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 mini-warehouse be granted subject to the barrier and screening requirements and compliance with all site plan requirements of the ordinance and that this order shall constitute such permit.

Case No. 95-10-267 Withdrawn by the applicant.

Case No. 95-10-268 Consideration of a request for a temporary use permit for Christmas tree sales lots at two locations: the vacant lot at the intersection of Long Hollow Pike and Dickerson Road an area on the lot of Goodlettsville Plaza Shopping Center. The applicant is C. V. Hunt.

Analysis - Both of these locations have been used in previous years for tree sales by Hunt Tree Co. No problems have been reported.

Discussion - Chairman Mosier announced the public hearing. Several property owners on Shevel Drive were present to comment on the request for the site at Goodlettsville Plaza. Dwight Randolph and Steve and Diane Sloan spoke in opposition to the request stating that they did have some problems with that site. They noted that in past years the site was directly in front of their house with a large air-filled snowman blocking the view of their homes. Also, motor homes and campers parked in front of their homes 24 hours a day, and there was noise from generators and other activities. The tents being used were large and unsightly. They would have no problems if the sales location were moved to another site on the property, just not in front of their homes.

Tommy Jackson moved approval of both sales locations with the following condition: that the sales lot at Goodlettsville Plaza be located either where the former miniature golf course operated

on in the area along Shevel Drive but no closer to Dickerson Road that the intersection with Cerro Vista Drive. Edgar Lowe seconded, and the motion carried unanimously.

The Board issued the following order:

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.

The following order was issued:

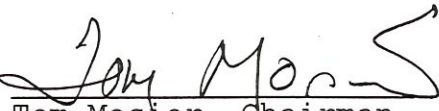
OFFICIAL ORDER OF THE BOARD

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

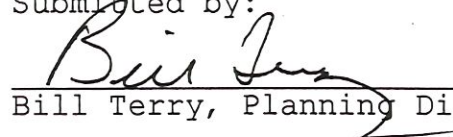
WHEREAS; the Board has determined that the requirements of Section 11-901(n) have been met, and

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

NOW, THEREFORE, BE IT ORDERED, that a conditional use permit be granted for the two sites and that order this shall constitute such permit.


Tom Mosier, Chairman

Submitted by:


Bill Terry, Planning Director