

OFFICIAL MINUTES

GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: April 11, 1994
 Time: 5:00 PM
 Place: City Hall

Cases Heard:

94-3-250
 94-4-251

Members Present:

Owen Sanders
 Tom Mosier
 Edgar Lowe
 Tommy Jackson

Others Present:

Fred Sadler
 Lila Sadler
 Mr. & Mrs. Robert
 Newman
 Terry Simmons
 A large number of
 residents in Long
 Hollow Place

Staff Present:

Bill Terry

The meeting was called to order by Acting-Chairman Mosier. It was duly noted that the meeting had been properly advertised and adjoining property owners notified. A public hearing was announced. Minutes of the last meeting were approved.

Case No. 94-3-250 - Reconsideration of a request for a variance in the zoning regulations in order to permit the construction of living quarters in a single family home for an elderly member of the family. The property is located in Long Hollow Place, Section II, Lot no. 43 on Kimberly Drive. The applicants are Fred and Lila Sadler.

Analysis -- This case was heard last month, and action was deferred. One issue was the position of the planning board with regard to an amendment which might permit this type situation. Such an amendment was drafted and heard at the April 4 planning board meeting. After a thorough discussion, the board rejected the amendment basically because of the concern that the apartment unit will be used as a rental apartment when conditions which brought about the apartment change. **The planning board further passed a resolution recommending that the board of appeals reject any variance request which involves the creation of a unit with a kitchen.**

Discussion - The applicant repeated his request made at the last meeting. Chairman Mosier asked if there were comments from the public. Several members questioned or spoke against the request. One letter was received in opposition.

Action of the Board - After discussion, Sanders moved that the

request be denied based on the fact that granting the request would create a two-family dwelling according to ordinance definition and the zoning requirements for such a dwelling cannot be met. Jackson seconded, and the motion carried unanimously.

Case No. 94-4-251 - Consideration of a request for a variance in the required side yard for construction of an addition onto a house. The applicant is Terry Simmons.

Analysis - This is an existing house in which Elaine Simmons' parents reside. The request is to enlarge the bathroom and hallway and add a bedroom to accommodate a wheelchair. The hardship is brought about by the age and condition of her father. The zoning district requires a side yard of 15 feet. The addition would encroach in this area three feet at the front and one foot at the back of the house.

Discussion - Terry Simmons presented his case. The hardship justifying the variance is based upon the health condition of the elderly parent and the need to be able to accommodate a wheelchair. This will require that the hallways be wider, that the bathroom be enlarged and a new bedroom with additional room to maneuver. Some of the condition of the parent is the result of wounds suffered in WW II, and a letter from a VA doctor was offered in support.

Action of the Board - Jackson moved that the variance be granted based upon health conditions and disabilities suffered in WW II causing a hardship and therefore, justifying the need for this construction. Sanders seconded, and the motion carried unanimously.


Tom Mosier, Acting-Chairman

Submitted By:


Bill Terry, Planning Director