

OFFICIAL MINUTES

GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: January 10, 1994
Time: 5:00 PM
Place: City Hall

Cases Heard:

94-1-248

Members Present:

Owen Sanders
Tommy Jackson
Eddie Niebruegge
Tom Mosier
Edgar Lowe

Others Present:

Kathy Best
Wayne Best
John Cannon

Staff Present:

Bill Terry

The meeting was called to order by Chairman Niebruegge. 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. 94-1-248 - Consideration of a request for an exception to or interpretation of the enforcing officer's notice of violation as applied to the property at 303 Hollywood Street.

Analysis - Staff discovered that a parking lot had been constructed, paved and striped in the rear yard of the subject property. Said property adjoins in the rear the Head to Toe building and was obviously being used by the business. However, all lots on Hollywood Street are zoned residential thereby prohibiting a parking lot. No site plan was submitted and no permit was sought. Therefore, a zoning violation notice was sent to the Bests, and they appealed.

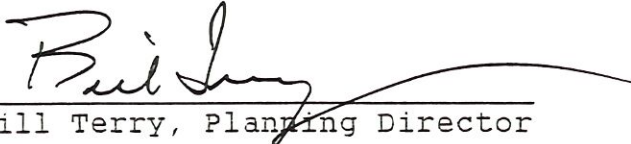
Appealant's Presentation - John Cannon, attorney, represented Kathy and Wayne Best. He stated that the Bests had purchased the house and were now renting it. The parking lot was in place but its use is limited to certain assigned employees. It is not to be used by the business customers. The beauty shop is owned by the corporation, but the house and lot on Hollywood Street are owned by the Bests. He argued that they could pave the back yard for residential use and allow anyone to park there. Therefore, this did not constitute commercial use of the property.

Cannon submitted sworn affidavits from the property owners on each side that they had no objections to the lot.

Action of the Board - After discussion, Mosier moved that the use of the parking lot constituted private use of the property and was not a commercial use and further that the board had the power to make such an interpretation of the zoning ordinance. Lowe seconded, and motion carried unanimously.

Eddie Niebruegge, Chairman

Submitted By:


Bill Terry, Planning Director