

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS

June 4, 2024

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Jimmy D. Anderson, Stuart Huffman, Larry Jones, Brian Rager and Mark Writesman.

Absent: None

Also Present: Addam McCormick (Staff), Tim Ellis-City Manager, Russell Freeman-City Attorney, Jenni Lester (Staff), and Sharon Reed (Staff).

Chairman Brian Rager called the meeting to order at 5:00 pm and declared a quorum.

Approval of May 7, 2024 Meeting Minutes: Writesman made a motion to approve the minutes of the May 7, 2024 meeting, Anderson seconded the motion. Motion was approved.

AGENDA

Item #1 Joseph Spicer, Property Owner: Requests a front building setback for a proposed building addition at 600 Wade Circle. The 0.27-acre property is zoned CSL, Commercial Services Limited. The property is referenced as Davidson County Tax Map/Parcel# 02614003600. Zoning Ordinance Section 14-206 (4)(e).

Staff Discussion:

- The proposal is for a front building setback variance to permit the addition of a twenty-one (21') x twenty-six (26') feet / 567 sq. ft. addition to the existing building.
- The proposed addition is to permit an increased occupancy for a proposed restaurant/bar facility.
- The subdivision plat of the property (recorded July 1974) defines a minimum twenty (20') feet front building setback.
- The property is zoned CSL, Commercial Services Limited.
- The Zoning Ordinance requires a minimum forty (40') feet front building setback.
- The 0.27-acre property/ 11, 761 square feet is a non-conforming lot of record.
- The CSL zoning requires a minimum lot size of 20,000 square feet.
- The lot was created prior to the current Zoning Ordinance requirements.
- The Board can review setback variances for non-conforming lots as defined in the Zoning Ordinance Section 14-212 (3).
- Per the applicant's building plan addition proposal, the setback variance request is for a five (5') to seven (7') feet front building setback.
- The front property line is adjacent to a City road right of way.
- The right of way was originally designated to provide access to the property currently developed as BJ's Wholesale.
- Since the applicant's request has been submitted, the Goodlettsville City Commission has reduced the minimum building occupancy required to obtain a City beer service license from eighty (80) to forty (40) occupants.
- The property currently contains twenty-five (25) parking spaces.
- The City's Zoning Ordinance for food and beverage services requires one parking space per two (2) seats.
- The proposed use including the 567 square expansion is for ninety-six (96) occupants.
- The minimum parking requirement would be forty-eight (48) parking spaces.
- The proposal would require twenty-three (23) additional parking spaces provided with off-street parking agreements.

- Staff presented Zoning Ordinance Section 14-212 (3), 14-208 (2)(d), and 14-213 (8)(c).
- Staff Stipulation-Owner to obtain written off-site parking agreements to accommodate the parking requirements for a proposed restaurant/food service use with the 576-building addition. The minimum parking provided on and off site to be based on a proposed use occupancy of ninety-six (96).
- Staff Stipulation#2 was removed due to plans including the accessible parking spaces
- Staff Stipulation-Revised site design to incorporate increased front building setback of fifteen (15') feet to provide more space between building and any future use of the public right of way. The CSL zoning minimum side setback is fifteen (15') feet.
- Motion Option-To approve the variance request with staff stipulations based on the request meeting the variance review criteria providing a reasonable use of the property due to the property conditions and location on a limited use right of way section. (Staff recommendation with defined stipulations.)
- Motion Option-To deny the variance request based on the request not meeting the Zoning Ordinance variance review criteria as determined by the Board during the meeting.
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting.

Applicant: Joseph Spicer, Property Owner

Public Hearing Opened: No one requested to speak.

Public Hearing: Closed

Board Discussion:

- Writesman asked McCormick how the property fits with the Credit Union property.
- McCormick responded the Credit Union property fronts Rivergate Parkway and does not think it will affect the Property with the addition on the front.
- Freeman discussed the additional square footage and seating requirements.
- McCormick responded and discussed the minimum seating requirement for beer license.
- Freeman discussed an agreement or easement for the off-site parking and description of both formats
- Spicer discussed buying the property two (2) years ago to turn it into an organic food restaurant.
- Spicer discussed leasing the property in back of the building that is owned by TDOT for additional parking.
- Huffman discussed the stipulation for leasing the property from TDOT.
- Spicer responded he did not know how the lease would transfer in the future and he is looking for longevity.
- Ellis discussed leasing from TDOT not transferable.

Motion: Writesman made a motion to approve with defined staff stipulation one (1) and three (3), seconded by Anderson. The motion passed.

Item #2 David Andrews, Property Owner: Request a front building setback for a proposed building addition at 916 E. Cynthia Trail. The 0.64-acre property is zoned R25, Low Density Residential. The property is referenced as Sumner County Tax Map/Parcel#. 143B C00800. Zoning Ordinance Section 14-205 (4)(f).

Staff Discussion:

- The request is for a front building setback variance to construct ten feet (10'-2") two inch front addition to incorporate a covered front entry ramp.
- The ramp is requested based on the property owner's building access needs.
- The property subdivision plat includes a fifty (50') feet front building setback.
- The R25, Low Density Residential zoning district requires a minimum forty (40') feet front building setback.
- Per the applicant's measurement information the proposed addition would require a front setback of forty-three feet (43'-10").

- The request is for a seven (feet) front building setback variance from the recorded subdivision plat.
- The request was rounded up to seven (7) feet to accommodate any minor construction changes.
- Staff previously discussed with the applicant that a ramp or stairs constructed without a covered roof would not require a setback variance request.
- The applicant's intention is to maintain the appearance of the neighborhood homes and provide a ramp installation protected from the weather.
- Staff presented Zoning Ordinance Section 14-213 (8)(c).
- Motion Option-To approve the variance request based on the request meeting the variance review criteria providing a reasonable use of the property due to the property conditions.
- Motion Option-To deny the variance request based on the request not meeting the Zoning Ordinance variance review criteria as determined by the Board during the meeting.
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting.

Applicant: David Andrews, Property Owner

Public Hearing Opened: No one requested to speak.

Public Hearing: Closed

Board Discussion:

- Andrews discussed living at this property for thirty-five (35) years and needing to add an ADA ramp to the front for ongoing medical issues in the dwelling.
- Andrews discussed covering the ramp to protect it from the weather making it more practical and a better aesthetic look.
- Writesman discussed the drop off in back of the property.
- Andrews responded a forty-six (46') foot drop from the front street elevation.
- McCormick discussed the slope in the back and not sure where else you could put a ramp.

Motion: Anderson made a motion to approve the variance request based on the request meeting the variance review criteria providing a reasonable use of the property due to the property conditions, seconded by Huffman. The motion passed.

Item #3 Gateway Christian Center, Inc: Request approval for a religious facilities conditional use to extend the use onto an adjacent property at 122 East Avenue. The 0.28-acre property is zoned R10, Medium Density Residential. The property is referenced as Davidson County Tax Map/Parcel #02601005400. Property Owner: United Methodist Ren. Serv. Fellowship, Inc. Zoning Ordinance Section 14-205 (3)(b).

Staff Discussion:

- The request is for conditional use approval to expand the existing adjacent church use onto the property referenced above.
- The request is to use the existing building on the property referenced above for church functions including office and administration uses.
- The building is currently owned by another adjacent church that has used the building/property for residential uses.
- This is unique request since the applicant already owns and operates a church assembly use on the adjacent property.
- The request does not meet the specific conditional use criteria of minimum property acreage and location on a major roadway but the area includes multiple existing church uses.
- Staff presented Zoning Ordinance Section 14-213 (9)(c) and 14-213 (9)(e)(x).

- Stipulation-Applicant's request for future limited site improvements to include landscape screening along property boundaries adjacent to residential properties/ homes.
- Stipulation-Applicant's request for extensive site improvements to be reviewed by the City's Planning Commission and include landscaping and solid fence screening barriers along adjacent residential properties/homes.
- Motion Option-To approve the conditional use request including staff stipulation and any additional stipulations meeting the conditional use general review criteria as determined by the Board during the meeting. (Staff recommendation)
- Motion Option-To deny the conditional use request based on the request not meeting the Zoning Ordinance conditional use general and specific review criteria as determined by the Board during the meeting.
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting.

Applicant: Mike Peasall, Pastor, 120 East Ave.

Public Hearing Opened: No one requested to speak.

Public Hearing: Closed

Board Discussion:

-Peasall stated they want to use the property for office space, prayer ministries, and kitchen facilities.

Motion: Writesman made a motion to approve the conditional use request including staff stipulations meeting the conditional use general review criteria, seconded by Anderson. The motion passed.

With no further business, Anderson made the motion to adjourn, seconded by Jones.

The meeting adjourned at 5:38 pm.

Brian Rager, Chairman

Sharon Reed, Planning Assistant