

**City of Goodlettsville  
Board of Zoning and Sign Appeals  
MEETING AGENDA**

***Tuesday September 3, 2024***

**5:00 PM**

GOODLETTSVILLE CITY HALL - MASSIE CHAMBERS

Approval of August 6, 2024 Meeting Minutes

**(PUBLIC HEARINGS)**

- ITEM#1 Eric Fishman, MD/ Property Owner Representative: Requests conditional use approval for a bed and breakfast homestay use at 1357 Madison Creek Road. The 21.9-acre property referenced as Sumner County Tax Map/Parcel# 14002205000 is zoned R-40, Low Density Residential. Zoning Ordinance Sections: 14-205 (3)(c) and 14-213 (9)(h)(ii). Property Owner: Qualia 17 Irrevocable Trust
- ITEM#2 Shailee Fisher: Requests conditional use approval for an entertainment and amusement use for an indoor baseball batting facility at 910 Rivergate Parkway. The 0.8-acre property referenced as Davidson County Tax Map/Parcel# 03402006400 is zoned CSL, Commercial Services Limited. Zoning Ordinance Sections: 14-206 (3)(c) and 14-213 (9)(f)(ii). Property Owner: Norman Clark Limited Partnership

*A government committed to operating with efficiency and integrity in all we do  
as we strive to enhance the quality of life for the community we serve.*

*105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2202*

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**OFFICIAL MINUTES OF THE MEETING**

**GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS**

August 6, 2024

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

**Present:** Chairman Brian Rager, Commissioner Stuart Huffman, and Larry Jones.

**Absent:** Commissioner Jimmy D. Anderson, and Mark Writesman.

**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 July 2, 2024 Meeting Minutes:** Huffman made a motion to approve the minutes of the July 2, 2024 meeting, Jones seconded the motion. Motion was approved.

**Rager opened the Public Hearing for Citizen Comments:**

No one requested to speak or comment.

Huffman made a motion to close the public hearing, seconded by Jones. The motion passed.

**The Public Hearing was closed.**

**AGENDA**

**Item #1 Derick Faison:** Requests conditional use approval for a day care center at 705 Rivergate Parkway. The 2.86-acre property is referenced as Davidson County Tax Map/Parcel# 02613001500 and is zoned CSL, Commercial Services Limited. Property Owner: The Impact Church of Nashville.

**Staff Discussion:**

- The 2.86-acre property including the existing church facility is zoned CSL, Commercial Services Limited.
- The CSL zoning district permits day care centers by conditional use review by the Board.
- The Zoning Ordinance provides general and specific conditional use review criteria.
- The applicant's request is for a day care center facility within the existing church childcare/classroom portion of the building.
- If the conditional use is approved, the applicant will be required to obtain approval from the State Fire Marshal's office.
- The applicant's proposal is to use the existing church childcare facilities/classrooms for the day care center.
- Due to the property being an existing developed church facility including a large off-street parking lot facility, then a site plan for the day care center was not requested.
- Staff did discuss with the applicant the requirement for an outdoor fenced playground facility.
- Staff Stipulation-Applicant to provide a plan showing the proposed outdoor fenced area for the playground facility and the proposed number of children in the day care center. The playground facility to be sized per the Zoning Ordinance section# 14-213 (9)(e)(ii) (2)(iv) ***A fenced outdoor play area shall be provided of at least 200 square feet per child or 2,000 square feet whichever is greater.***
- Staff presented Zoning Ordinance Sections: 14-213 (9)(c) and 14-213 (9)(e)(ii)(2)(iv).
- Motion Option-To approve the conditional use request including staff stipulation since the request meets the Zoning Ordinance conditional use general and specific 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: Derick Faison, Lead Pastor at The Impact Church of Nashville**

**Board Discussion:**

- Faison stated the building is approximately 29,000 sq. ft. with approximately 2,800 sq. ft. dedicated to the children on Sunday.
- Faison discussed the outside area that they are requesting to get approval for and the fencing for that playground area.
- Faison stated after doing research in the City they determined there is a need for an affordable, safe daycare in this area.
- Faison stated that since they already have a facility that is dedicated to children complete with age appropriate bathrooms they would like to provide a daycare/childcare development facility in this area.
- McCormick asked if they would have the square footage available for outside fencing?
- Faison responded yes on the Northside of the building a greenspace area.
- Faison discussed the areas around the building that are available for fencing according to the codes.
- McCormick asked even with fencing are you able to get around the building?
- Faison responded yes even with fencing you are able to get around the building.
- Freeman discussed the Zoning Ordinance 14-213 (2) a fenced outdoor play area shall be provided of at least 200 sq. ft. per child or 2,000 sq. ft. whichever is greater.
- Freeman is concerned with the number of children they anticipate enrolling and the outdoor play area fencing requirement per child.
- Freeman discussed a stipulation if the request for conditional use is approved.
- McCormick responded if the request is approved he would send a notice defining the action of the board.
- Huffman asked for clarification of the Zoning Ordinance wording 200 sq. ft. per child or 2,000 sq. ft. whichever is greater is that at the time the children are outside?
- Freeman responded obviously not all children can be out there at the same time because you would have to have fenced outdoor play area so it is a matter of interpretation.
- Huffman discussed the Zoning Ordinance wording "a fenced outdoor play area shall be provided of at least 200 sq. ft. per child or 2,000 sq. ft. whichever is greater".
- Freeman responded the Zoning Ordinance is vague and we should look at that in the future and take the vague concept out.
- Ellis asked if this will affect the fire department access to the building?
- Faison responded the fire lanes are all around the facility and it does not impede on where they are putting the fencing.
- Huffman asked what are the initial plans on how many square feet are they fencing?
- Faison discussed the plan requirements of 2,000 sq. ft. and space for expansion on the West side of the building.

**Motion:** Huffman made a motion to approve the conditional use request with the stipulation the fenced outdoor play area shall be a least 2,000 square feet and any additional fencing or increase number of children must go through the City's Code's Department and City's Fire Marshal's office for approval, seconded by Jones. The motion passed.

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

**The meeting adjourned at 5:23 pm.**

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**Brian Rager, Chairman**

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**Sharon Reed, Planning Assistant**

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**City of Goodlettsville  
Board of Zoning and Sign Appeals  
MEETING AGENDA**

***Tuesday September 3, 2024***

**5:00 PM**

GOODLETTSVILLE CITY HALL - MASSIE CHAMBERS

**Approval of August 6, 2024 Meeting Minutes**

**MOTION OPTIONS:**

1. Approve as listed
2. Approve with minute amendments as determined by the Board of Zoning and Sign Appeals

**(PUBLIC HEARING)**

**ITEM#1 Eric Fishman, MD/ Property Owner Representative:** Requests conditional use approval for a bed and breakfast homestay use at 1357 Madison Creek Road. The 21.9-acre property referenced as Sumner County Tax Map/Parcel# 14002205000 is zoned R-40, Low Density Residential. Zoning Ordinance Sections: 14-205 (3)(c) and 14-213 (9)(h)(ii). Property Owner: Qualia 17 Irrevocable Trust

*Application Received July 16, 2024*

**STAFF NOTES:**

The 21.9-acre property is zoned R-40, Low Density Residential. Due to acreage of the property being over five (5) acres, the Zoning Ordinance permits through the conditional use review process a bed and breakfast homestay use in the R-40 zoning district. The Board's conditional use review criteria include both the general and specific bed and breakfast homestay provisions. The Board can include reasonable conditions with any motion based on the general and specific conditional use provisions. The applicant will need to present the proposed bed and breakfast homestay operation for the Board to determine if the proposed operation meets the general and specific conditional use review criteria listed below.

**MOTION OPTIONS:**

1. Motion to approve the conditional use request based on the request meeting the referenced Zoning Ordinance conditional use general and specific review criteria as determined by the Board during the meeting
2. Motion to deny the conditional use request based on the request not meeting the referenced Zoning Ordinance conditional use general and specific review criteria as determined by the Board during the meeting

3. Motion to defer the request for the applicant to provide additional information as determined by the Board during the meeting

\*Staff recommendation to be provided during meeting



**Referenced Zoning Ordinance Sections:**

**14-213 (9)(c)**

**Requirements for conditional use permit.** General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. The board may impose such other conditions and restrictions upon the premises benefitted by a conditional use permit as may be necessary to comply with the provisions set out hereafter in this section in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this ordinance. The board may establish expiration dates for the expiration of any conditional use permit as a condition of approval. A permit may not be transferred to another owner or type of use without a rehearing before the board.

**(d) General requirements.** A conditional use permit shall only be granted provided the board makes specific findings that it:

- (i) Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;
- (ii) Will not adversely affect other property in the area in which it is located;
- (iii) Is within the provisions of "conditional uses" as set forth in this ordinance; and

(iv) Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for

public convenience in that location and meets the specific standards below

**14-213 (9)(h)(ii)**

**Bed and breakfast homestay.** (A) A property proposed for a bed and breakfast homestay shall include public street frontage and shall either contain a minimum of five acres or shall be located on property that contains a structure of historical significance. A historically significant structure is listed on the National Register of Historic Places or is determined by the state historical commission to be eligible to be placed on the National Register of Historic Places or is a structure that is within an area designated by the local governing body as a historical or conservation district.

(B)The owner of the property must reside permanently in the home. If there is more than one owner, the owner with the largest share of the ownership shall reside permanently in the home. If two or more owners own equal shares, at least one of the owners shall reside permanently in the home.

(C)A maximum of one off-street parking space shall be provided for each guest room. The design of the parking spaces and their number and location shall also take into account the owner's parking spaces. Fencing, screening and landscaping shall be required to buffer and protect adjoining properties. Large expanses of paved area shall be avoided. No more than two such spaces shall be located in the front yard.

(D)A maximum of three guest rooms shall be available for rent, and such rooms shall not occupy more than 50 percent of the total habitable floor area. A guest register shall be maintained and made available to the codes administrator or other enforcing officer.

(E)Meal service shall be limited to breakfast and shall be restricted to overnight guests only. No cooking facilities shall be available in any guest room. Application shall be in compliance with county health department requirements and applicable inspections.

(F)No exterior structural or architectural alterations or expansions exceeding 20 percent of the building square footage including those necessary to ensure the safety of the building, shall be made to the building for the purpose of providing a bed and breakfast homestay.

(G)The maximum length of stay for any guest(s) shall be 14 consecutive days.

(H)The building shall comply with the city's adopted building and residential code standards and shall be inspected prior to occupancy by the codes administrator and the fire chief or other enforcement officials. In the event the home is a registered historic building the board may consider the varying the strict application of the code requirements as long as the safety of the guests is not compromised.

(I)One incidental sign may be permitted in accordance with the Goodlettsville Sign Ordinance.

**(PUBLIC HEARING)**

**ITEM#2** **Shailee Fisher/Property Representative:** Requests conditional use approval for an entertainment and amusement use for an indoor baseball batting facility at 910 Rivergate Parkway. The 0.8-acre property referenced as Davidson County Tax Map/Parcel# 03402006400 is zoned CSL, Commercial Services Limited. Zoning Ordinance Sections: 14-206 (3)(c) and 14-213 (9)(f)(ii). Property Owner: Norman Clark Limited Partnership

*Application Received July 25, 2024*

**STAFF NOTES:**

The property is zoned CSL, Commercial Services Limited. The CSL zoning district permits the entertainment and amusement services use through the conditional use review process. The Board's conditional use review criteria include the general conditional use provisions and one specific entertainment and amusement use provision. Staff's interpretation is the specific entertainment and amusement use provision regarding batting cages would not apply for the proposed building interior only request. The proposal does not include any exterior facilities which would be an issue in the CSL zoning district. The Board can include conditions with any motion based on the general conditional use provisions. The applicant will need to present the proposed indoor batting facility operation for the Board to determine if the proposed operation meets the general use review criteria listed below.

**MOTION OPTIONS:**

1. Motion to approve the conditional use request based on the request meeting the referenced Zoning Ordinance conditional use general review criteria as determined by the Board during the meeting
2. Motion to deny the conditional use request based on the request not meeting the referenced Zoning Ordinance conditional use general review criteria as determined by the Board during the meeting
3. Motion to defer the request for the applicant to provide additional information as determined by the Board during the meeting

\*Staff recommendation to be provided during meeting

**Referenced Zoning Ordinance Sections:**

**14-213 (9)(c)**

Requirements for conditional use permit. General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. The board may impose such other conditions and restrictions upon the premises benefitted by a conditional use permit as may be necessary to comply with the provisions set out hereafter in this section in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this ordinance. The board may establish expiration dates for the expiration of any conditional use permit as a condition of approval. A permit may not be transferred to another owner or type of use without a rehearing before the board.

**(d) General requirements.** A conditional use permit shall only be granted provided the board makes specific findings that it:

- (i) Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;
- (ii) Will not adversely affect other property in the area in which it is located;
- (iii) Is within the provisions of "conditional uses" as set forth in this ordinance; and
- (iv) Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and meets the specific standards below

**14-213 (9)(f)(ii)**

(ii) Special conditions for entertainment and amusement services.

(A) When entertainment and amusement services are proposed to be located in the CSL and OP districts, the following types of activities shall be excluded:

- (1) Batting and golf driving ranges.
- (2) Special conditions for mini-warehouses...

