

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE BOARD OF ZONING AND SIGN APPEALS

September 3, 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 August 6, 2024 Meeting Minutes: Huffman made a motion to approve the minutes of the August 6, 2024 meeting, Jones seconded the motion. Motion was approved.

AGENDA

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.

Staff Discussion:

- 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.
- Staff presented Zoning Ordinance Sections: 14-213 (9)(c) Requirements for conditional use permit and 14-213 (9)(h)(ii) Bed and Breakfast homestay.
- Motion Option-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.
- Motion Option-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.
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting. (Applicant's Request/Staff Recommendation)

Applicant: Not Present

Rager opened the Public Hearing for Citizen Comments:

Brooke Eakes – 3330 Patton Branch Road and 1352 Madison Creek Road

Ms. Eakes owns property on the back side and across the street from this location and is opposed to the Bed and Breakfast. Ms. Eakes states that her grandmother lives across the street from the property and wants to know who her neighbors are. Ms. Eakes states when this was an Airbnb there were a lot of cars in and out and if this becomes a Bed and Breakfast there will be a lot of strange cars they do not know in and out of the property. Ms. Eakes stated that if this one is approved there will be others coming forward for consideration. Ms. Eakes stated she did not want to see a sign for a Bed and Breakfast outside her front door for this address.

Millard Kizer, Jr. – 1356 Madison Creek Road

Mr. Kizer lives across the street from this property and wants to know how many times the police are called before this is a public nuisance. Mr. Kizer stated his biggest concern is public nuisance. Mr. Kizer has observed people coming out there not knowing where they are going and turnaround in other driveways trying to find the place. Mr. Kizer would like to know what it takes to violate public nuisance and close it down.

Mr. Ellis responded to Mr. Kizer’s comments regarding public nuisance. Mr. Ellis stated that there is a process that public nuisance would go through the Sumner County District Attorney and Circuit Court.

No additional citizen comments.

The Public Hearing was closed.

Board Discussion:

- Huffman asked McCormick if the information they received from a previous meeting was correct and the owner lived in Florida?
- McCormick responded yes and from his understanding he is looking for a strategy to rent for longer term and have the option to come back in town to operate as a bed and breakfast and he would reside at the residence.

Motion: Huffman made a motion to defer the request, seconded by Jones. The motion passed.

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.

Staff Discussion:

- 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.
- Staff presented Zoning Ordinance Sections: 14-213 (9)(c) Requirements for conditional use permit and 14-213 (9)(f)(ii).

- Motion Option-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. (Staff Recommendation)
- Motion Option-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.
- Motion Option-To defer the request for the applicant to provide additional information as determined by the Board during the meeting.

Applicant: Shailee Fisher, Property Representative

- Ms. Fisher stated she has twin boys aged six (6) years old and they love, eat, and breathe baseball.
- Ms. Fisher stated the boys are always wanting to go play baseball so she and her husband decided to provide a facility not only for her boys but for all the athletes in the Goodlettsville community.
- Ms. Fisher feels this would be a safe environment for them to come and grow and develop as young individuals.
- Ms. Fisher stated this will be open to the public.
- Ms. Fisher stated everything will be inside and no exterior play.

Rager opened the Public Hearing for Citizen Comments:

Jeff Parnell – 19 Rolling Meadows

Mr. Parnell stated he supports this project and feels this will be good for the community and good use of this facility/property.

No additional citizen comments.

The Public Hearing was closed.

Board Discussion:

- Huffman asked Freeman for clarification on (ii) special conditions for entertainment and amusement services.
- Freeman responded and clarified the potential use all interior and confirmed no exterior facility at this location.
- Huffman commented he thinks this is a great project for the community and this property.

Motion: Huffman made a motion to approve based on the conditional use, seconded by Jones. The motion passed.

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

The meeting adjourned at 5:27 pm.

Brian Rager, Chairman

Sharon Reed, Planning Assistant