

**City of White House
Municipal Board of Zoning Appeals
MINUTES
Tuesday, March 19, 2013**

Call to order 7:00 p.m.
Roll Call
Members Present Dolly Peay, Bob Dorris, John Wilkinson, Chairman John Decker, Matthew West

Members Absent

Others Present Reed Hillen- Secretary, Valerie Webb- City Attorney, City Administrator- Jerry Herman

Approval of prior minutes- September 18, 2012. Motion was made to approve by Matthew West, seconded by Bob Dorris. Motion passed unanimously.

AGENDA

PUBLIC HEARING:

Item # 1 **Richard Lane:** Requests a variance to permit an outdoor merchandising display area. Property is referenced on Robertson County Tax Map 107-H, Group A, Parcel 21.00. Property is zoned C-2, General Commercial and is located at 320 Highway 76.

Chairperson Decker opened the public hearing.

Dale Sprouse-714 Tyree Springs Rd.-Mr. Sprouse stated that he is a long time resident of the City. Mr. Sprouse discussed some of the history and growth of the city. Mr. Sprouse stated that he is against this request and stated that by granting the request, the city would be making steps backwards and that it would also detract from the entrance to the Colewood Subdivision.

Cindy Harvey-P O Box 183-Ms. Harvey stated that she was a customer of Mr. Lane's business, The Stone Cottage. Ms. Harvey stated that she would be glad to have him as a neighbor and it will be an attractive business.

Teresa Bray-203 Hillwood-Ms. Bray stated that Mr. Lane has an eye for business and that his business is very tasteful. Ms. Bray stated that the Stone Cottage would be an asset at that location. Ms. Bray stated that she supports local businesses here in White House.

Mike Arnold-405 Hunterwood Dr.-Mr. Arnold stated that the City of White House is business friendly. Mr. Arnold stated that Mr. Lane lost his business to a fire. Mr. Arnold stated that the business would sell yard art and lawn ornaments which fit in an outdoor setting. Mr. Arnold stated that he felt that Mr. Lane will improve the looks of this property as he did the former Stone Cottage property.

Kenneth LaCrone-Colewood Subdivision-Mr. LaCrone stated that he had lived in the city since 1976. Mr. LaCrone stated that he doesn't oppose a business on the property, but does oppose outdoor displays of yard ornaments. Mr. LaCrone state that this property is at the entrance to a subdivision and opposes the variance.

Cheryl Horseman-206 Hillwood Dr.-Ms. Horseman stated that she has lived at this address for 14 years. Ms Horseman stated that she does not oppose the Stone Cottage at this location. Ms. Horseman stated that in the past the Stone Cottage received the beautification award. Ms. Horseman stated that Mr. Lane takes care of his property and that he has nice merchandise and antiques.

Penny DiPiazza-106 Heritage Dr.-Ms. DiPiazza stated that she moved from Nashville and has lived at her current property 4 years. Ms. DiPiazza stated that she is against this type of business at this location. Ms. DiPiazza stated that this is the entrance into a nice subdivision and does not want it to look like a flea market.

Daryl Leftwich-210 Willa Ct.-Mr. Leftwich stated that safety should be looked at regarding the location of yard displays. Mr. Leftwich stated that when cars pull out onto Hwy76 at Kennedy Dr. it is difficult to see. Mr. Leftwich stated that he did not feel that the Stone Cottage at this location would be appropriate. Mr. Leftwich stated that he had concerns with aesthetics and the location of this business as you enter into a nice subdivision area.

There being no one else to speak to the public hearing, Chairperson Decker closed the public hearing.

Chairman Decker stated that Mr. Lane's business was lost to fire and discussed possible ways the board could assist Mr. Lane to continue his business. Chairman Decker discussed the progressive transition from residential to commercial along Hwy 76.

Staff stated that if the variance is granted that he had some recommended stipulations for the variance. Staff stated that there would need to be a defined area where the storage and merchandise may be placed in the yard. Staff stated the setback of twenty (20) feet from the property line would continue to be observed, and no storage or merchandise would be allowed to be placed in this area. Staff stated that this request is also made by the City Fire Department to allow for access to the property entrances in the case of a fire or emergency. Staff stated that storage or merchandise would also not be allowed to interfere with any of the required parking spaces, driveways, or building accesses. Staff stated that the non-transparent screening would still be required for the back of the property. Staff stated that no item or storage of merchandise shall be allowed that extends higher than the top elevation of the screening. Staff stated that the properties behind the back yard of this property are zoned R-20, Residential. Staff and board discussed that if Mr. Lane is granted the variance then he would be allowed to have outdoor displays in the defined specified area. City Attorney, Valerie Webb, asked that Mr. Lane be able to speak regarding his request since he did sign up to speak. The board asked staff about how much visibility there would be for cars that pull out of Kennedy Drive if Mr. Lane contains his outdoor merchandise in specified area. Staff stated there would be adequate visibility and that the setback area would be 20 ft. from the property line not the street. Staff stated that the right-of-way is 5 to 7 ft. from the street. Richard Lane stated that he moved to White House 7 years ago and began looking for a location for his business. Mr. Lane stated that city staff was very helpful in helping him find the location on Hwy 31W and identifying what he would need to do to make it the building work for him and be code compliant. Mr. Lane stated that he went before the City Board and was granted approval to open the business and having outdoor displays/merchandising. Mr. Lane displayed photos and discussed the improvements that were made to the site. Mr. Lane stated that he is not a flea market dealer or a junk dealer. Mr. Lane stated that he has quality merchandise. Mr. Lane stated that the White House Chamber of Commerce awarded his business the beautification award. Mr. Lane displayed other awards that his business had received. Mr. Lane stated that he has plans to improve the proposed location by putting new siding on or paint the building and make other improvements. Mr. Lane stated that the display area will be smaller, but that he does not want to have display areas all over the property. Mr. Lane stated that he does have plans to plant trees for screening in the back of the property to help buffer the neighborhood. Mr. Lane stated that his business will not be disruptive to the properties around it.

Motion was made to approve by John Wilkinson with staff's stipulations, seconded by Bob Dorris.

Motion passed unanimously.

Meeting adjourned at 7:41 p.m.

ATTEST:

Reed Hillen, Secretary



Chairman, John Decker


