

**BOARD OF ZONING APPEALS
MINUTES
APRIL 14, 2011**

The Board of Zoning Appeals met on Thursday, April 14, 2011, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Paul Bonner, Tracy Cody and Jane Flatt.

MEMBER ABSENT: Kay Detwiler and Sid Gilbreath.

STAFF PRESENT: James Mills, Jayne Barns, and Ken Young.

OTHERS PRESENT: Marjorie Bonner, Hubert & Ann Qualls, and Tim Huddleston.

CONSIDER FOR APPROVAL THE MINUTES OF MARCH 10, 2011. Paul Bonner made the motion to approve the minutes of March 10, 2011. Tracy Cody seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST FOR A 6' VARIANCE IN THE SIDE YARD SETBACK REQUIREMENTS ON THE PROPERTY LOCATED AT 505 ROCKWELL DRIVE. REQUEST SUBMITTED BY HUBERT QUALLS. James Mills stated that Mr. Hubert Qualls has submitted a request for a variance to reduce the street side setback requirement for property located at 505 Rockwell Drive. The purpose of the request is to allow for the addition of a garage with a breezeway to an existing single family dwelling.

The subject property is identified as Parcel 16.00 on Tax Map 52O, Group C and is zoned as RS-20, Single Family Residential. It is a corner lot with frontage on both Rockwell Drive and McCulley Road. The property consists of Lot Numbers 24 and 25 of the Poinsetta Subdivision. A commercial nursery is located directly across from the property on the north side of McCulley Road.

The minimum setback requirement off local streets in the RS-20 district is 30 feet. A submitted survey indicates that McCulley Road, where it is contiguous with the subject property, has a right-of-way width of 25 feet from the centerline of the street. The existing dwelling, at its closest point, is currently setback approximately 52 feet from the street right-of-way.

The specific request is for a reduction of the setback requirement off McCulley Road by approximately 4 feet to 6 feet to allow for an addition 28 feet in length. The proposed addition consists of a garage 24 feet in width (including overhang) and a breezeway 4 feet in width. The petitioner indicates that the breezeway is necessary for drainage purposes. Approval of the requested variance would result in a setback of between 26 and 24 feet from the McCulley Road right-of-way.

The criteria for granting a variance appear to be met in this case. Greenhouses and other structures located on the property immediately north of the subject property on McCulley Road are located significantly within the setback. Property located in the same block as the subject property approximately 200 feet west is zoned as RS-10. The street setback requirement in the RS-10 District is 25 feet or approximately 1 foot more than would be provided if the requested variance is approved. In the opinion of the Planning Department the proposed variance will not be detrimental to the public welfare and will not be injurious to other property in the area.

Staff recommended approval of request.

Tracy Cody made the motion to approve the 6' variance in the side yard setback requirements. Paul Bonner seconded the motion and the motion carried unanimously.
APPROVED, 6' VARIANCE IN THE SIDE YARD.

Ken Young informed Mr. Qualls that he had 6 months to get his building permit and 1 year to complete the project.

James Mills reported that Bob Faulhaber had requested that the Board have a special called meeting to hear a request for a parking space variance. After checking the calendar it was determined that they would only gain a few days. Mr. Mills asked the Board if they would be willing to have a special called meeting on this issue and all the Board Members replied no.

ADJOURNMENT: 5:24 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

**JANE FLATT, CHAIRMAN
BOARD OF ZONING APPEALS**