

**BOARD OF ZONING APPEALS
MINUTES
AUGUST 9, 2012**

The Board of Zoning Appeals met on Thursday, August 9, 2012, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Paul Bonner, Tracy Cody, Kay Detwiler, and Sid Gilbreath.

MEMBER ABSENT: Jane Flatt.

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

OTHERS PRESENT: Marjorie Bonner, Amye Wright, and Sam Tays.

CONSIDER FOR APPROVAL THE MINUTES OF JULY 12, 2012. Paul Bonner made the motion to approve the minutes of July 12, 2012. Tracy Cody seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST TO REDUCE THE MINIMUM LOT SIZE REQUIREMENT IN THE RS-20 DISTRICT ON THE PROPERTY LOCATED AT 574 GRANDVIEW DRIVE. REQUEST SUBMITTED BY SAM TAYS ON BEHALF OF CHARLES MCCORMICK HEIRS. James Mills stated that Mr. Sam Tays, on behalf of the Charles McCormick heirs, has submitted a request for a variance to reduce the minimum lot size requirement of the RS-20, Single Family Residential District, to allow a two (2) lot subdivision of the McCormick property located at the northern intersection of Grandview Drive and Springboro Road.

The subject property is identified as Parcel 1.01 on Tax Map 52P, Group B and consists of approximately 34,621 square feet. A single family dwelling is located on the western side of the parcel. The owners wish to divide the parcel into two (2) tracts with Lot No. 1 containing 18,006 square feet and Lot No. 2 containing 16,615 square feet. The existing structure would be located on the proposed Lot No. 1. The minimum lot size requirement in the RS-20 district is 20,000 square feet. The request represents reductions of the lot size requirement by approximately 10 percent (1,994 square feet) for Lot No. 1 and 17 percent (3,385 square feet) for Lot No. 2. In total, Parcel 1.01 contains 13.4 percent (5,379 square feet), less than required to divide into two (2) parcels.

The subject property is composed of Lots 3 and 4 of the Highland Terrace Subdivision which was recorded in August of 1960. The lots, which originally consisted of approximately 19,000 and 15,000 square feet, were at some point combined into one tax parcel. The majority of the lots within the original 27 lot subdivision were less 20,000 square feet in lot size. While several of the original lots less than 20,000 square feet have been combined into larger parcels like the subject property, at least four (4) of the original lots (Lots 9-12) with less than 20,000 square feet of land area remain. These four parcels, located on Springboro Road, are zoned as RS-20 and are each less than 18,500 square feet in lot size.

When the subject property was annexed in 2001 it was zoned as RS-20. The RS-20 district is primarily intended to provide a low density single-family residential environment in areas where public wastewater services are not available. A minimum lot size of 20,000 square feet, as is required by the RS-20 district, is considered the minimum necessary to operate an individual septic system. Public sewer service has recently been made available to the property.

In the opinion of the Planning Department the two primary factors that may justify consideration of a reduction in minimum lot size are the existence of several other parcels in the immediate vicinity that are less than 20,000 square feet and that the subject property originally consisted of two parcels both less than 20,000 square feet.

Staff recommended approval of the sq. ft. variance to reduce the minimum lot size requirement as requested.

Sam Tays stated that he was hired by the Charles McCormick heirs and subdividing the lot would bring more tax revenue to the City.

James Mills added that all other requirements of the Zoning Code will be met and that the Plat will be reviewed by the Planning Commission this month.

Tracy Cody made the motion to approve the request to reduce Lot #1 from 20,000 sq. ft. to 18,006 sq. ft. for a total variance of 1,994 sq. ft. and to reduce Lot #2 from 20,000 sq. ft. to 16, 614 sq. ft. for a total variance of 3,385 sq. ft. Kay Detwiler seconded the motion and the motion carried unanimously. **APPROVED VARIANCE IN THE MINIMUM SQ. FT. REQUIREMENTS ON LOTS #1 & #2.**

ADJOURNMENT: 5:39 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

**SID GILBREATH
ACTING CHAIRMAN
BOARD OF ZONING APPEALS**

