

**BOARD OF ZONING APPEALS
MINUTES
MARCH 12, 2015**

The Board of Zoning Appeals met on Thursday, March 12, 2015, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: James Dial, Jane Flatt, and Jon Ward.

MEMBER ABSENT: Elwood Ervin and Sid Gilbreath.

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

OTHERS PRESENT: Dr. Josh Gravelle, Phil Staton, and Laura Militana.

CONSIDER FOR APPROVAL THE MINUTES OF FEBRUARY 12, 2015. James Dial made the motion to approve the minutes of February 12, 2015. Jon Ward seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST FOR A FOR A VARIANCE TO REDUCE THE LANDSCAPE BUFFER REQUIREMENT ALONG NORTH PEACHTREE AVENUE FROM 10' TO 3' FOR A TOTAL VARIANCE OF 7' ON THE PROPERTY LOCATED AT 327 NORTH CEDAR AVENUE. REQUEST SUBMITTED BY DR. JOSH GRAVELLE OF COOKEVILLE REGIONAL DENTAL ASSOCIATES ON BEHALF OF SESCO PROPERTIES. James Mills stated that Dr. Josh Gravelle of Cookeville Regional Dental Association, on behalf of property owner Sesco Properties, has submitted a request for a variance to reduce the minimum landscape yard requirement along North Peachtree Avenue for property located at 327 North Cedar Avenue.

The subject property is identified as Parcel 8.00 on Tax Map 53B, Group J and is zoned as MS, Medical Services. A submitted site plan indicates that the property is approximately 100 feet wide and 200 feet deep consisting of approximately 20,000 square feet. The parcel is a double frontage lot with frontage on both North Cedar and North Peachtree Avenues. There are two (2) structures located on the subject property, a dental office facing North Cedar Avenue and a single family dwelling facing North Peachtree Avenue. The Cookeville Regional Dental Association intends to remove the existing structures and construct a new 6,000 square foot dental office.

According to the submitted site plan, a landscape yard width of less than four (4) feet along North Peachtree Avenue is all that can be provided and still accommodate the new structure and required parking. Section 208.5 of the Zoning Code specifies that landscape yards, 10 feet width, shall be provided along all street frontages. Landscape yards are to be located within the required setback area measured from the property/right-of-way line.

As previously noted the subject property is a through or double frontage lot. The site plan depicts the provision of a landscape yard of the required width along North Cedar Avenue.

The provision of a sidewalk along North Cedar Avenue is also depicted. Along North Peachtree Avenue a landscape yard varying from approximately five (5) feet to approximately three (feet) is depicted. The landscape yard is located behind an existing sidewalk.

The petitioner is requesting a reduction of the required landscape yard width along North Peachtree Avenue from the required ten (10) feet to approximately three (3) feet as depicted on the site plan. He indicates that the double frontage of the parcel creates a hardship which, with the landscape yard requirement, limits the ability to provide adequate parking for the proposed new structure. All other Zoning Code requirements would be met.

It is significant to note that there is no landscape yard or sidewalk along the street frontage for the current dental office at 327 North Cedar Avenue. The front yard of the parcel along North Cedar Avenue is used as a paved parking area. Vehicles currently back into the street to exit the property. The submitted site plan indicates that this unsafe situation would be corrected.

It is also significant to note that along North Peachtree Avenue a landscape or grass area exists between the existing sidewalk and the edge of the street pavement. The site plan indicates that this grass area is approximately nine (9) feet in width. While this area is located within the street right-of-way it does provide a landscape area between the street and the proposed new construction.

In the opinion of the Planning Department the submitted request is the minimum necessary to allow a reasonable use of the property and approval of the request will not be detrimental to the public welfare or injurious to other property in the area.

Staff recommended approval of the variance as requested and as depicted on the submitted site plan.

Jon Ward made the motion to reduce the landscape buffer yard requirement along North Peachtree Avenue from 10' to 3' for a total variance of 7' on the property located at 327 North Cedar Avenue. James Dial seconded the motion and the motion carried unanimously. **APPROVED 7' VARIANCE IN THE LANDSCAPE BUFFER YARD REQUIREMENT ON NORTH PEACHTREE AVENUE.**

ADJOURNMENT: 5:22 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

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