

**BOARD OF ZONING APPEALS  
MINUTES  
JANUARY 14, 2016**

The Board of Zoning Appeals met on Thursday, January 14, 2016, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

**MEMBERS PRESENT:** James Dial, Elwood Ervin, Jane Flatt, Sid Gilbreath, and Jon Ward.

**STAFF PRESENT:** James Mills and Jayne Barns.

**STAFF ABSENT:** Ken Young.

**OTHERS PRESENT:** Aaron Bernhardt and Laura Militana.

**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN.** Sid Gilbreath opened up the floor for nominations for Chairman and Vice-Chairman.

Elwood Ervin made the motion to elect Sid Gilbreath as Chairman. James Dial seconded the motion and the motion carried unanimously. **SID GILBREATH ELECTED AS CHAIRMAN.**

Elwood Ervin made the motion to elect Jane Flatt as Vice-Chairman. James Dial seconded the motion and the motion carried unanimously. **JANE FLATT ELECTED AS VICE-CHAIRMAN.**

**CONSIDER FOR APPROVAL THE MINUTES OF NOVEMBER 12, 2015.** James Dial made the motion to approve the minutes of November 12, 2015. Jane Flatt seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER A REQUEST FOR A VARIANCE TO REDUCE THE OFF-STREET PARKING REQUIREMENTS FROM 150 SPACES TO 145 SPACES FOR A TOTAL VARIANCE OF 5 PARKING SPACES ON THE PROPERTIES LOCATED AT 313, 319 & 339 W. 8<sup>TH</sup> STREET, 340 W. 9<sup>TH</sup> STREET AND 804 & 822 N. WILLOW AVENUE. REQUEST SUBMITTED BY AARON BERNHARDT.** James Mills stated that Mr. Aaron Bernhardt has submitted a request for a variance to reduce the minimum off-street parking requirement for property located on West 8<sup>th</sup> and West 9<sup>th</sup> Streets and North Willow Avenue.

The subject property is identified as Parcels 7.00, 7.01, 8.00, 16.00, 17.00 and 18.00 on Tax Map 400, Group A and is zoned as CL, Local Commercial. Mr. Bernhardt has submitted a plat to combine the six (6) parcels into one. The combined parcel consists of approximately 110,289 square feet or 2.53 acres. The petitioner has submitted plans to construct 30 multi-family dwelling units with four (4) bedrooms each on the subject property.

Off-street parking requirements are specified in Section 205.8 of the Zoning Code and are based on land use. The minimum off-street parking requirement for multi-family residential uses is 1.25 spaces per bedroom per dwelling unit for the first 50 dwelling units and 2 spaces per dwelling unit for every dwelling unit exceeding 50 dwelling units.

According to a submitted site plan, 150 parking spaces are required for the 30 four (4) bedroom dwelling units (120 bedrooms X 1.25 spaces). The site plan indicates that only 146 of the total required 150 off-street parking spaces can be provided. The requested variance is for reduction of four (4) spaces or approximately three (3) percent.

The petitioner has indicated that due to the dedication of a portion of his property for the future widening of West 9<sup>th</sup> Street, and to new municipal requirements for storm water retention, the provision of the required number of parking spaces cannot reasonably be provided on the subject property.

In the opinion of the Planning Department the proposed variance is the minimum necessary to allow a reasonable use of the property and will not be detrimental to the public or injurious to other properties in the area.

Staff recommended approval of variance to reduce the off-street parking requirement by no more than three (3) percent

Elwood Ervin made the motion to approve a variance to reduce the off-street parking requirement by no more than three (3) percent on the property located at 313, 319, & 339 West 8th Street, 340 West 9<sup>th</sup> Street and 804 & 822 North Willow Avenue. James Dial seconded the motion and the motion carried unanimously. **APPROVED VARIANCE TO REDUCE THE OFF-STREET PARKING REQUIREMENT BY NO MORE THAN THREE (3) PERCENT.**

**ADJOURNMENT: 5:41 P.M.**

**SUBMITTED FOR APPROVAL**

**SUBMITTED FOR RECORDING**

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**JAYNE BARNS CPS  
PLANNING ASSISTANT**

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