

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

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

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

MEMBER ABSENT: Elwood Ervin.

STAFF PRESENT: James Mills and Jayne Barns.

OTHERS PRESENT: Laura Militana and Chad Gilbert.

CONSIDER FOR APPROVAL THE MINUTES OF JUNE 9, 2016. Jon Ward made the motion to approve the minutes of June 9, 2016. James Dial seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST FOR A VARIANCE TO REDUCE THE REAR YARD SETBACK REQUIREMENTS FROM 15 FEET TO 10 FEET FOR A TOTAL VARIANCE OF 5 FEET ON THE PROPERTY LOCATED AT 400 & 402 WEST STEVENS STREET. REQUEST SUBMITTED BY CHAD GILBERT ON BEHALF OF WILLIAM A. MCDONALD. James Mills stated that Mr. Chad Gilbert, on behalf of property owner Mr. William A. McDonald and contracted buyer Mr. Tony Gammon, has submitted a request for a variance to reduce the minimum rear yard setback requirement for property identified as Parcels 18.00 and 19.00 on Tax Map 53I, Group D and located at 400 and 402 West Stevens Street.

The subject properties are zoned as RM-14, Multi-Family Residential. They are adjacent to the Jackson Plaza Shopping Center to the south, a parking lot for Stevens Street Baptist Church to the east, an entrance to Jackson Plaza on the west, and to a single family dwelling to the north. Currently located on each parcel is a single family residential structure. Mr. Gammon has contracted to buy the two (2) parcels from Mr. McDonald with the intent of redeveloping the properties into a townhouse development.

A submitted site plan depicts the redevelopment of the two (2) parcels into nine (9) townhouses (single-family attached dwellings). According to the site plan four (4) of the proposed townhouses would be located approximately ten (10) feet from the southern property line adjacent to the Jackson Plaza Shopping Center. The minimum rear yard setback requirement in the RM-14 district is 15 feet for single family attached dwellings. The requested variance is for a five (5) foot reduction of this requirement.

The submitted site plan also depicts dedication of right-of-way of twenty-five feet from the centerline of West Stevens Street, which would result in a dedication of approximately six (6) feet from the existing front boundaries of the subject parcels. Without the dedication of this right-of-way it is likely than a reduction in the rear yard setback requirement would not be needed to allow the proposed development. The

dedication of right-of-way is required by the Cookeville Subdivision Regulations. West Stevens Street is a major east-west route through the city and is identified in the Cookeville Major Street as being in need of widening.

In the opinion of the Planning Department, approval of the request will not be detrimental to the public welfare or injurious to other properties in the area.

Staff recommended approval of variance to reduce the rear yard setback requirement to no less than ten (10) feet as depicted on the submitted site plan subject to the dedication of right-of-way for West Stevens Street as depicted on said site plan.

Jon Ward asked if there was going to be a landscape strip.

James Mills responded that there will be a landscape strip next to the sidewalk and that the plan meets the landscape requirements.

Jon Ward made the motion to approve a variance to reduce the rear yard setback requirement to no less than ten (10) feet as depicted on the submitted site plan, subject to the dedication of right-of-way for West Stevens Street as depicted on said site plan. James Dial seconded the motion and the motion carried unanimously. **CONDITIONAL APPROVAL OF A REDUCTION IN THE REAR SETACK FROM 15 FEET TO 10 FEET FOR A TOTAL VARIANCE OF 5 FEET.**

ADJOURNMENT: 5:23 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNES CPS
PLANNING ASSISTANT**

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