

Board of Zoning Appeals
August 13, 2020
5:15 P.M.

- (1) Consider for approval the agenda as submitted.
- (2) Consider for approval the minutes of July 9, 2020
- (3) Consider a request for a special exception to allow off-premise parking and a variance for off-premise parking to exceed 50 percent of required parking and to reduce parking requirements from 57 spaces to 47 spaces for the property located at 4 & 8 West Spring Street. Requested submitted by Lauren Metts.
- (4) Consider a request for a variance to reduce the front yard setback requirements from 65' to 62' and the side yard setback from 10' to 8' for the property located at Woodland Trace (Tax Map 041P D 017.12). Request submitted by Tommy Thomas.

Item 2

**Board Of Zoning Appeals
Minutes
July 9, 2020, 2020**

The Board of Zoning Appeals met on Thursday, July 9th, 2020, at 5:15 p.m. in the Community Meeting Room, 45 E. Broad Street, Cookeville, Tennessee.

Members Present: Nancy Bohannon, James Dial, Elwood Ervin, Sid Gilbreath & Connie McCormick.

Members Absent: None.

Staff Present: Jon Ward & Haley Dickson.

Staff Absent: Ken Young.

Others Present: Daniel and Samantha Allen & Ralph Mullins.

Consider For Approval The Agenda As Submitted. Elwood Ervin made the motion to approve the agenda as submitted. James Dial seconded the motion and the motion carried unanimously. Approved.

Consider For Approval The Minutes Of April 9th, 2020. Nancy Bohannon made the motion to approve the minutes of April 9th, 2020 as submitted. James Dial seconded the motion and the motion carried unanimously. Approved.

Consider A Request for a Special Exception to Allow a Bed & Breakfast Home in a RS-20 (Single-Family) Zone on the Property Located at 701 South Dry Valley Road. Request Submitted by Daniel Allen. Jon Ward stated that Mr. Daniel Allen submitted a special exception request to allow a Bed and Breakfast Home in the RS-20, Single Family Residential District.

The subject property consists of approximately 5.5 acres and is located at 701 South Dry Valley Road, further identified as parcel 052.02 on tax map 052. The property is zoned RS-20 Single Family Residential, and is bordered by RS-20, Single Family Residential zoning on all sides. The proposed location is a unique property with a principal residence and a cabin located adjacent to the residence. These structures are legal non-conforming structures. The property was annexed into the City on January 7, 2001. Tax records indicate the principal structure was built in 1950, and the cabin was erected on the site in 1980.

Bed and Breakfast Homes are permitted as special exceptions (use on appeal) in the RS-20 Zoning District subject to additional standards found in Section 206.3 of the Zoning Code.

SECTION 206.3 BED AND BREAKFAST HOMES (As amended by Ordinance No. O17-11-20)

The following additional standards shall apply for all bed and breakfast homes:

206.3A In any RS, Single Family Residential zoning district the owner of the bed and breakfast home shall permanently reside in the dwelling and at least one adult member of the owner's immediate family shall remain on the premises while transient guests are in the home.

206.3B There shall be a maximum of five (5) guests. The maximum number of guest rooms available for rent shall be three (3) and the number of guest rooms shall be declared at the time of the submittal for approval by the Board of Zoning Appeals.

206.3C Guests shall have no special events, such as weddings, receptions, reunions, etc., at the location of the bed and breakfast home.

206.3D Subleasing of rooms by a guest is prohibited.

206.3E The principal structure for any bed and breakfast home located in a RS, Single Family Residential District shall consist of a minimum of 3,000 square feet.

206.3F No alteration to the residential structure shall indicate from the exterior that the structure is being utilized for any purpose other than a residential dwelling unit, including permitted accessory buildings.

206.3G Required off-street parking shall be located to the rear of the principal structure unless otherwise specially authorized by the Board of Zoning Appeals. The Board may require screening of off-street parking areas if determined necessary to minimize the impact on adjacent residential properties. A minimum of three (3) off-street parking spaces plus one (1) space per guest room shall be provided.

206.3H No guest shall stay for more than seven (7) consecutive days.

206.3I A current guest register shall be kept by the owner.

206.3J The only meal that may be provided to guests shall be breakfast, and it shall only be served to guests taking lodging in the facility.

206.3K No food preparation or cooking shall be conducted in any guest room.

206.3L A Certificate of Appropriateness shall be issued by the Historic Zoning Commission prior to the establishment of a bed and breakfast home located in any Historic Zoning District.

206.3M Proof of insurance (fire, hazard and liability) shall be submitted annually to the Codes Department and shall remain in effect for the length of the operation of the Bed and Breakfast Home. The minimum liability coverage limit shall be \$1,000,000 per occurrence.

206.3N The provisions of Tennessee Code Sections 68-14-501 through 68-14-503 shall be met.

206.3O Approval of the special exception shall be revoked for any bed and breakfast home cited by the Codes Department for three (3) or more codes violations in any 12 consecutive month period. A property shall not be eligible to reapply for a special exception for a period of 12 consecutive months following revocation.

206.3P Special exception approval for a bed and breakfast home shall not be transferrable to a new owner of the dwelling.

While most additional standards apply to operation of a Bed and Breakfast Home, some specifically address property attributes as a condition of approval. Mr. Allen does own the home and will be an onsite resident during operation of the Bed and Breakfast. The proposed location consists of a principal residence and a cabin adjacent to the residence, of which the roof lines appear to contiguous, with a breezeway connecting the two structures. The principal structure consists of over 3,000 square feet and the cabin consists of approximately 2,300 square feet. There will be no alteration to the exterior of the structure proposed for the Bed and Breakfast. The property owners indicate that guest parking will be located to the north of the principal structure, some of which is in the rear, some to the side. There area is mostly rural agricultural land, and there are no adjacent residential properties that would be impacted. The owners will have to address any issues relative to Building Code requirements to operate the proposed use.

This is a unique property, and it appears there would be minimal or no impacts on adjacent properties. In the opinion of the Planning Department all established conditions can be met and the property appears suitable for the proposed use.

Staff Recommendation: Approval of request subject to compliance with provisions of the Zoning Code and Building Code.

Chairman Gilbreath asked if any of those present wanted to make a statement before the board votes.

Daniel Allen stated that he and his wife purchased the house and cabin two years ago. They have hosted friends and family but wanted to have the correct provisions in place for if they have people request to pay to stay at the cabin. He stated that the Planning Department has been very helpful with this process and he wants to make sure they have done everything correctly.

Ralph Mullins, neighbor to Mr. Allen, stated he supports the request and that his family previously owned the cabin and it was his childhood home. The Civil War era cabin was used as a classroom, a church and other uses. He stated that there has been over 22,000 people visit the cabin. His family sold the cabin to the Allen's and he is happy to see it be put to good use.

Connie McCormick asked if they plan to put up a sign on their property for the Bed & Breakfast.

Mrs. Allen stated that they don't plan to do any marketing for it. They could possibly list it on AirB&B but they plan on keeping it private for the sake of their family.

Elwood Ervin made the motion to approve the request as submitted subject to staff's recommendation. Connie McCormick seconded the motion and the motion carried unanimously.

Approved.

Adjournment: 5:28 P.M.

Submitted for Approval

Submitted for Recording

**HALEY DICKSON
PLANNING ASSISTANT**

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

Item 3

APPLICATION FOR BZA REQUEST

The Board of Zoning Appeals meets the 2nd Thursday of each month. Applications must be submitted to the Planning Department no later than 12:00 p.m. on the third Monday of the month prior to the meeting. In most cases, it will be necessary to submit additional materials (photos, example, sketch, floor plan, survey, etc.) to help explain the request. This information must accompany this application. A fee of \$50.00 for each Special Exception and Administrative Review request, and a fee of \$200.00 for each Variance request shall also be submitted with this application.

Location of Property: 19 West Spring Street, Cookeville, TN

Tax Map Identification Number: 053G E 006.00 Zone: CBD

Property Owner
Name: JD Parks
Address: N/A
Cookeville, TN 38501
(City, State, Zip)

Person Making Request
Name: Lauren Metts
Address: 4 West Spring Street
Cookeville, TN 38501
(City, State, Zip)

Email: _____

Email: metts.lauren@gmail.com

Phone: _____

Phone: (931)267-4715

Type of Request:

SPECIAL EXCEPTION VARIANCE ADMINISTRATIVE REVIEW

Describe the request below (attach any accompanying information):

Consider a request for a special exception to allow off premise parking and a variance for off premise parking to exceed 50 percent of required parking and to reduce parking requirements from 57 spaces to 47 spaces for the property located at 4 & 8 West Spring Street.

Date Filed: 7/21/2020 Fee Paid: Yes Amount: \$250

Meeting date set for: August 13, 2020

Request reviewed by: Jon Ward

APPLICATION FOR BZA REQUEST

The Board of Zoning Appeals meets the 2nd Thursday of each month. Applications must be submitted to the Planning Department no later than 12:00 p.m. on the third Monday of the month prior to the meeting. In most cases, it will be necessary to submit additional materials (photos, example, sketch, floor plan, survey, etc.) to help explain the request. This information must accompany this application. A fee of \$50.00 for each Special Exception and Administrative Review request, and a fee of \$200.00 for each Variance request shall also be submitted with this application.

Location of Property: 4 & 8 West Spring Street

Tax Map Identification Number: 053G J 001.00 Zone: CL

Property Owner

Person Making Request

Name: Lauren Metts & Ben Greening

Name: Lauren Metts & Ben Greening

Address: 4 & 8 West Spring Street

Address: _____

Cookeville, TN 38501

(City, State, Zip)

(City, State, Zip)

Email: metts.lauren@gmail.com

Email: _____

Phone: (931)267-4715

Phone: _____

Type of Request:

SPECIAL EXCEPTION

VARIANCE

ADMINISTRATIVE REVIEW

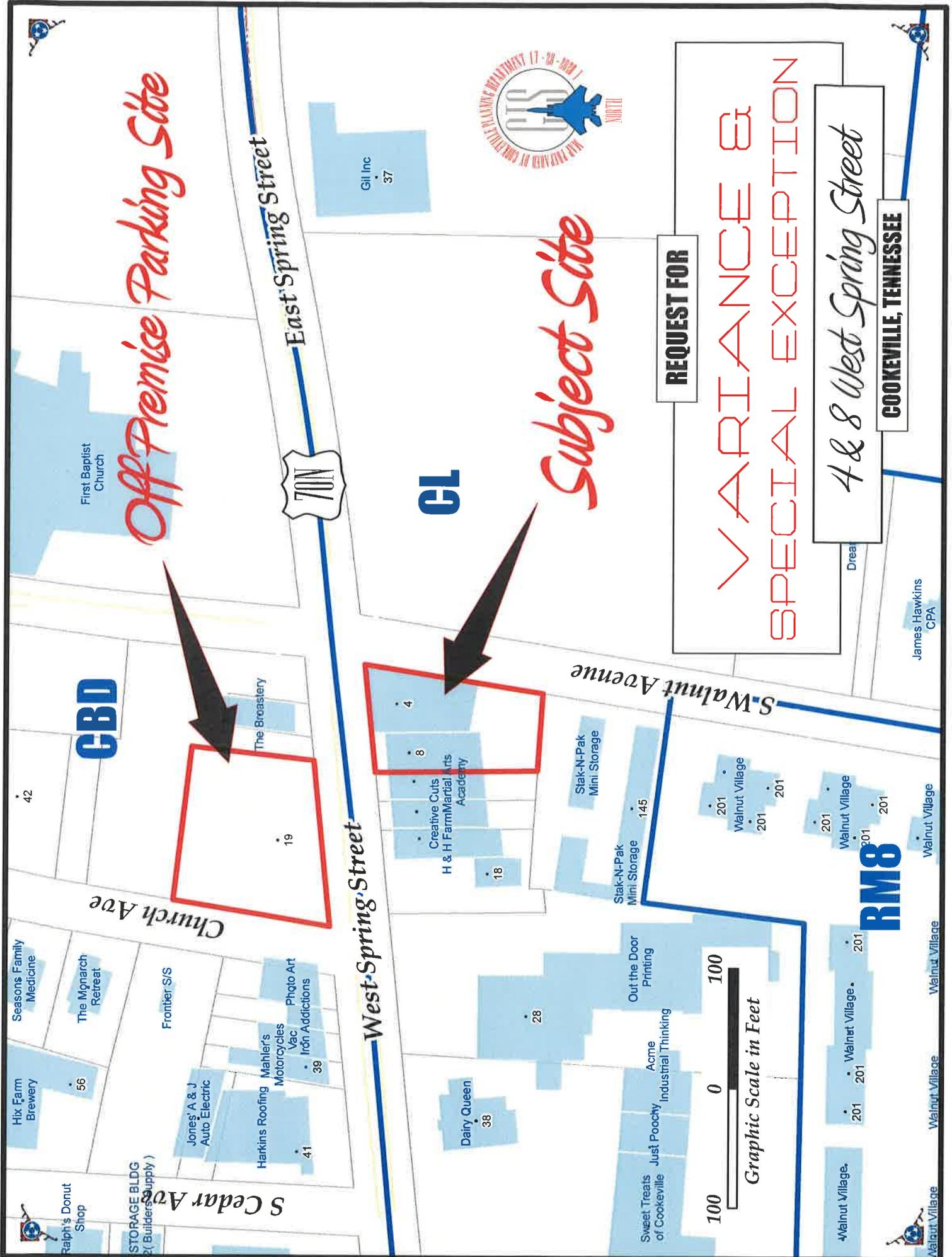
Describe the request below (attach any accompanying information):

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Date Filed: 7/21/2020 Fee Paid: Yes Amount: \$250

Meeting date set for: August 13, 2020

Request reviewed by: Jon Ward



Off Premise Parking Site

Subject Site

REQUEST FOR

VARIANCE & SPECIAL EXCEPTION

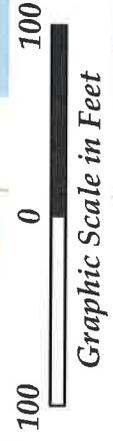
4 & 8 West Spring Street

COOKEVILLE, TENNESSEE

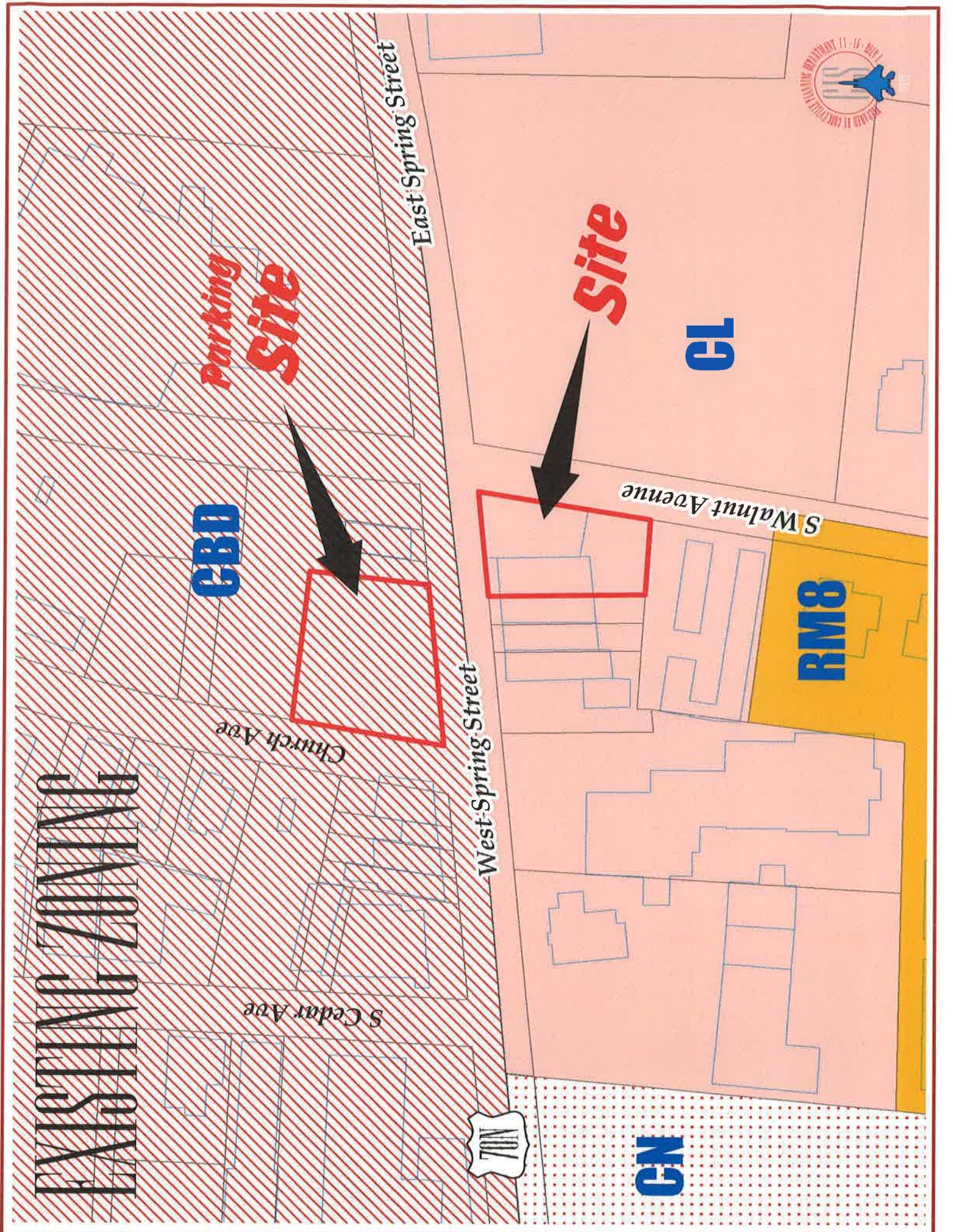
CL

CBD

RM8



EXISTING ZONING



First Baptist Church

E Spring St

S Walnut Ave

The Broastery

Parking Site

W Spring St

Site

Marial Arts Academy

Creative Cuts Academy

H & H Farm

Church Ave

Aerial View

Star-N-Pak

4 & 8 West Spring Street

Out the Door Printing



Frontier S/S

Photo Art

Iron Addictions

4

8

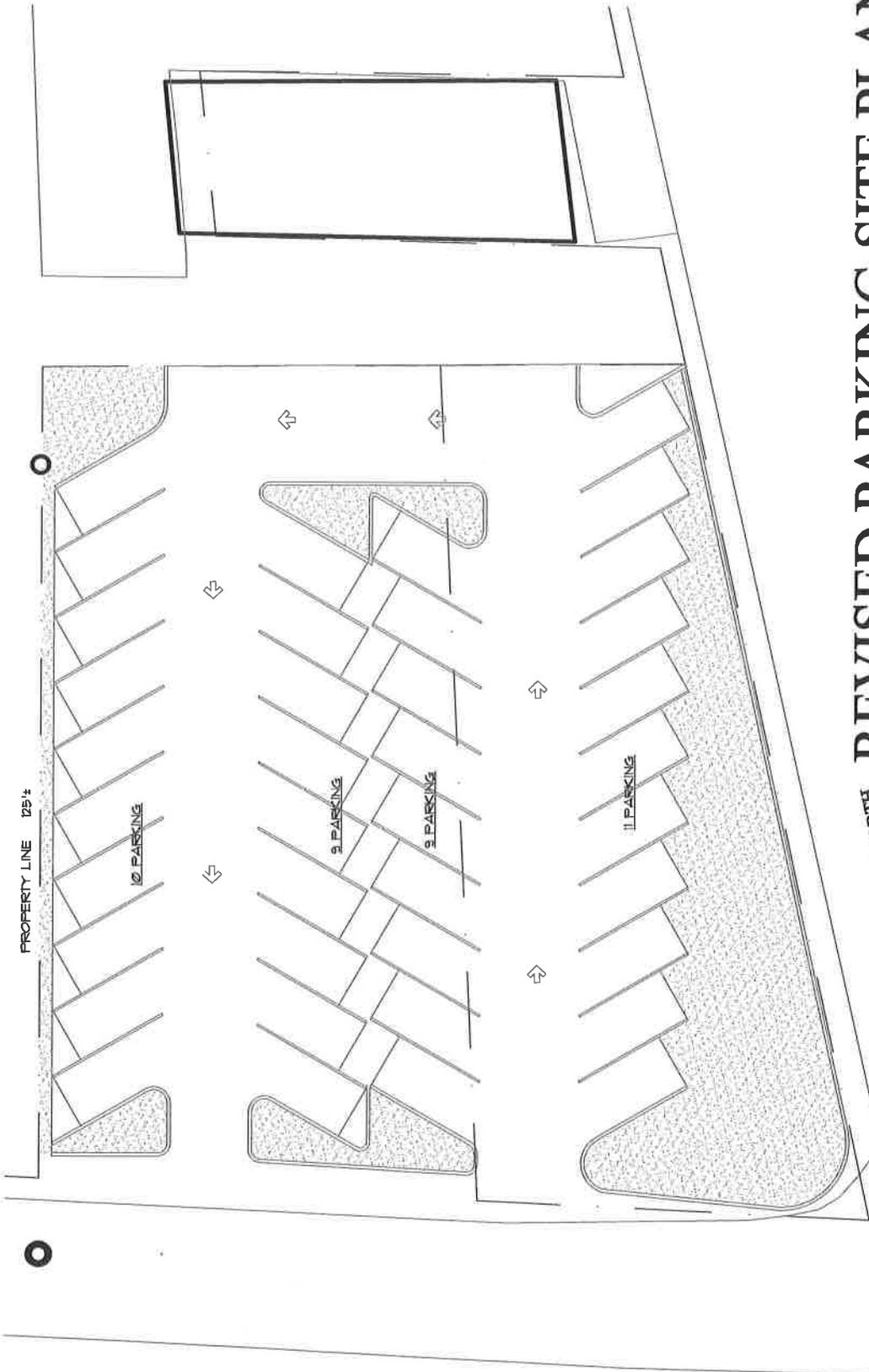
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16

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18

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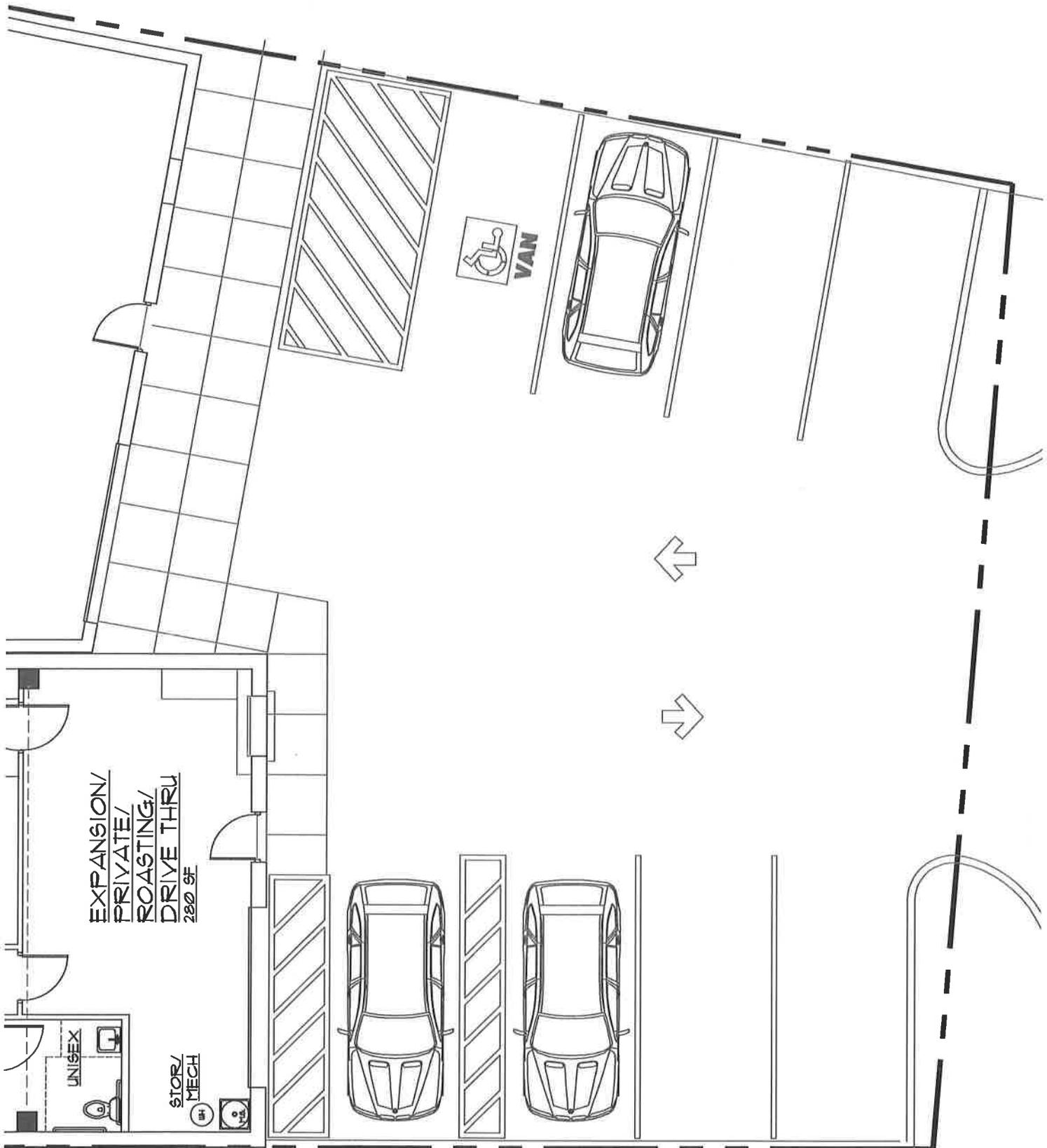


REVISED PARKING SITE PLAN



SCALE: 1" = 20'-0"

39 PARKING SPACES



EXPANSION/
PRIVATE/
ROASTING/
DRIVE THRU
280 SF

UNISEX

STOR/
MECH

VAN

Item 4

APPLICATION FOR BZA REQUEST

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Location of Property: Woodlake Trace

Tax Map Identification Number: 041P D 017.12 Zone: CL

Property Owner

Person Making Request

Name: Tommy Thomas

Name: Tommy Thomas

Address: 6396 Cars Chapel Road

Address: _____

Silver Point, TN 38582

(City, State, Zip)

(City, State, Zip)

Email: gsp451@gmail.com

Email: _____

Phone: (931)265-1950

Phone: _____

Type of Request:

SPECIAL EXCEPTION

VARIANCE

ADMINISTRATIVE REVIEW

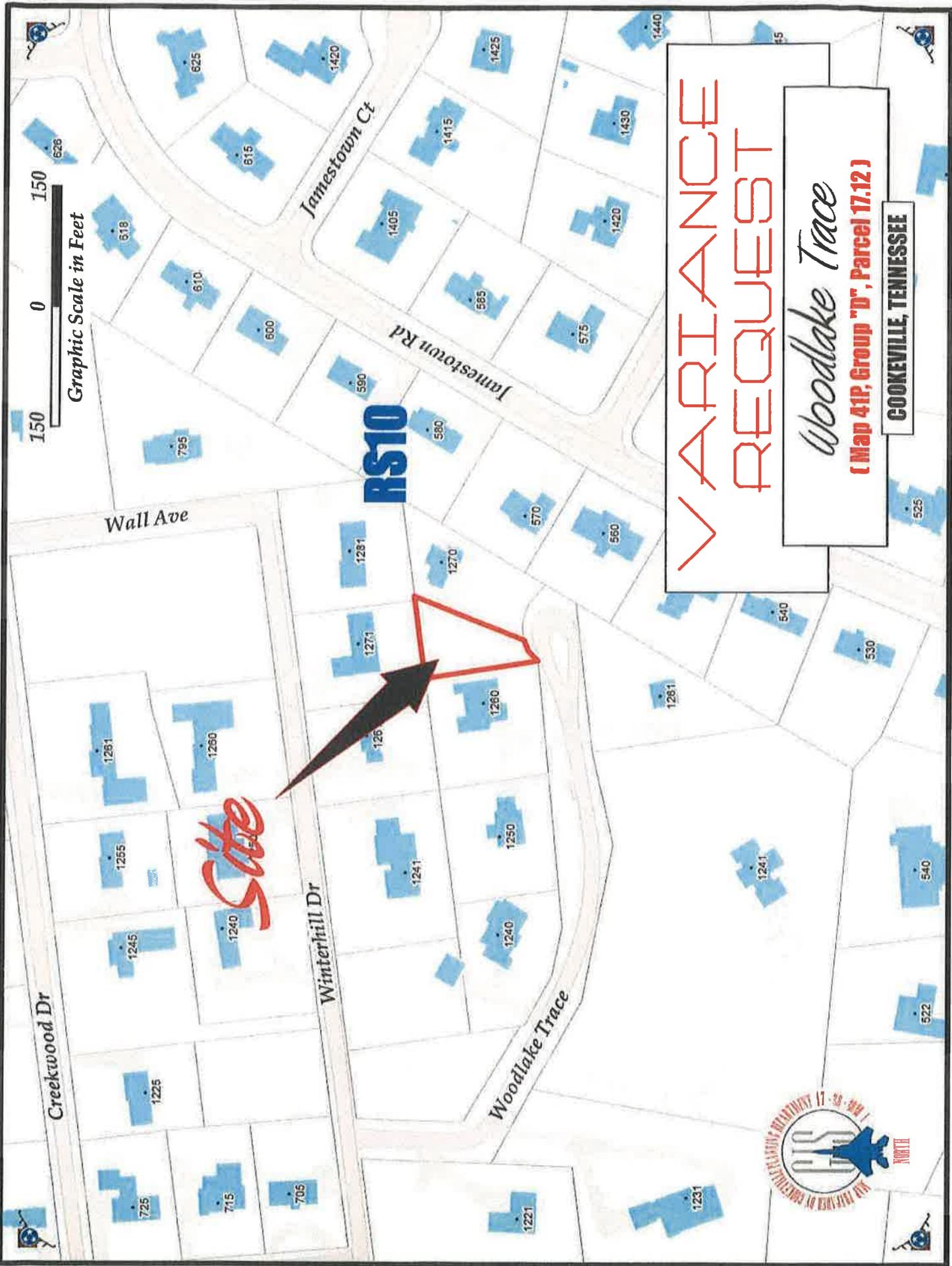
Describe the request below (attach any accompanying information):

Request a variance to reduce the front yard setback requirements from 65' to 62' and the side yard setback from 10' to 8' for the property located at Woodlake Trace.

Date Filed: 7/13/2020 Fee Paid: Yes Amount: \$200

Meeting date set for: August 13, 2020

Request reviewed by: Jon Ward



VARIANCE REQUEST

Woodlake Trace
(Map 41P, Group "D", Parcel 17.12)

COOKEVILLE, TENNESSEE





Jamestown Ct

Jamestown Rd

Wall Ave

RS10

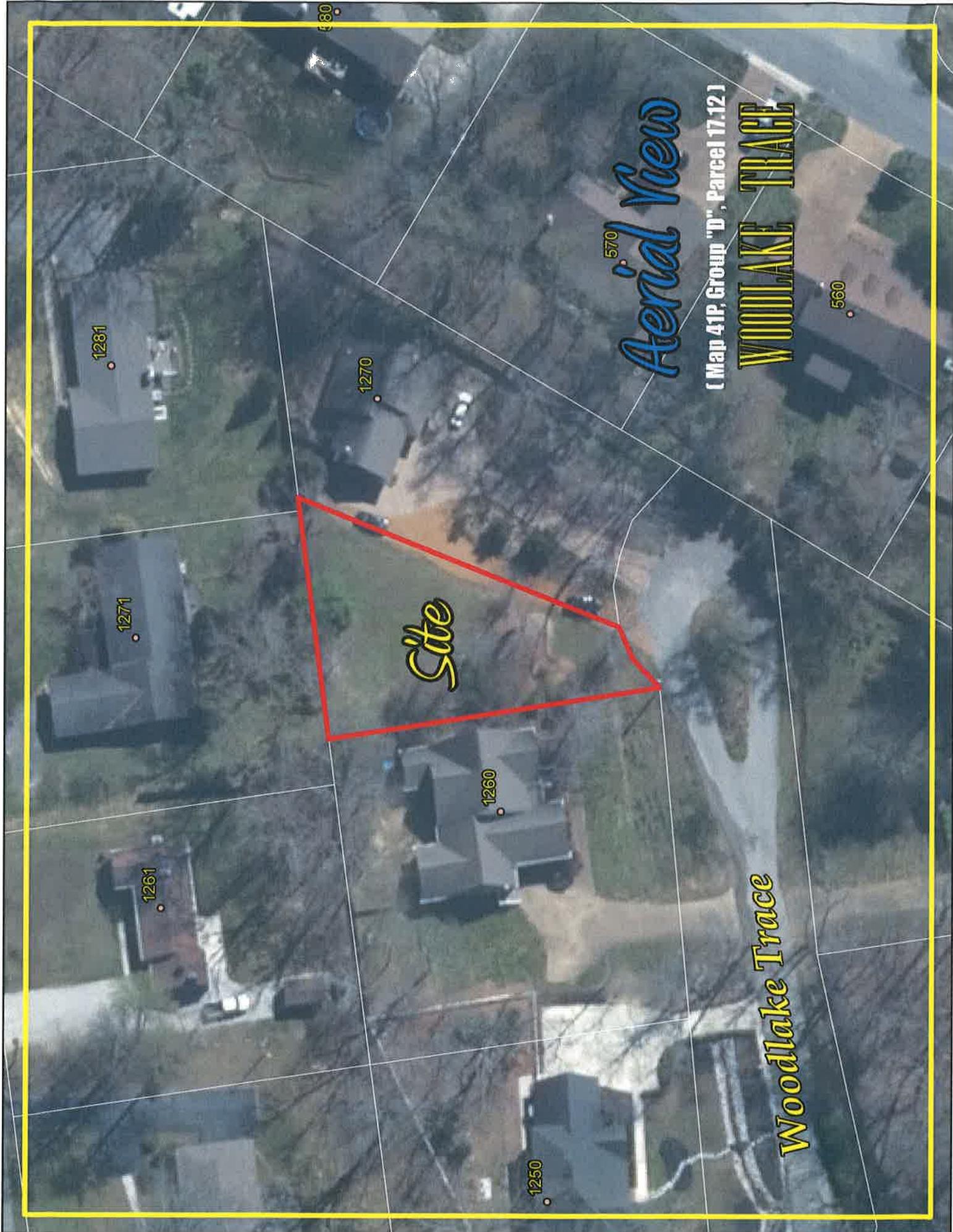
EXISTING ZONING

Site

Winterhill Dr

Woodlake Trace

Creekwood Dr



Aerial View

(Map 41P, Group "D", Parcel 17.12)

WOODLAKE TRACE

Site

Woodlake Trace

1281

1271

1261

1270

1260

570

560

1250

