

**BOARD OF ZONING APPEALS
MINUTES
FEBRUARY 14, 2019**

The Board of Zoning Appeals met on Thursday, February 14, 2019, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: James Dial, Sid Gilbreath, and Nancy Bohannon.

MEMBER ABSENT: Elwood Ervin and Jane Flatt.

STAFF PRESENT: James Mills, Jayne Barns, and Jon Ward.

OTHERS PRESENT: Ben Wheeler, Phil Staton, Randy Chaffin, Barry Helm, Donnita Hill and Ronald Williams.

CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED. Nancy Bohannon 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 JANUARY 19 2019. James Dial made the motion to approve the minutes of January 19, 2019. Nancy Bohannon seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST FOR VARIANCE TO REDUCE THE FRONT YARD SETBACK REQUIREMENTS ON NORTH WILLOW AVENUE FROM 50' TO 28' FOR A TOTAL VARIANCE OF 22' FOR THE EXPANSION OF A NONCONFORMING STRUCTURE ON THE PROPERTY LOCATED AT 412 NORTH WILLOW AVENUE. REQUEST SUBMITTED BY JOE NICHOLS ON BEHALF OF DONNITA HILL & RONALD WILLIAMS. Jon Ward stated that Mr. Joe Nichols submitted a variance request to reduce the front yard setback requirements on North Willow Avenue from fifty (50) feet to twenty-eight (28) feet for property located at 412 North Willow Avenue, Cookeville, TN 38501, request submitted on behalf of Ms. Donnita Hill and Ronald Williams, 1100 Sheraton Drive, Cookeville, TN 38501.

Mr. Joe Nichols submitted a site plan for improvements to an existing structure located at 412 North Willow Avenue (Tax Map 053B, Group A, Parcel 002.00). The property is zoned CL, Local Commercial. The property is bordered by CL, Local Commercial to the north and south, MS, Medical Services to the east and RD, Single Family and Duplex Residential to the west. West View Baptist Church is located on the RD zoned property to the west.

The existing structure is nonconforming to the fifty (50) front setback requirement along North Willow Avenue. According to available tax records, the home was constructed in 1945. A submitted site plan depicts an addition to the existing structure where building area would be added to the rear. This proposed addition is located within the required building setback. The site plan also depicts an approximately 123 square feet addition within the required front building setback. The front of the existing structure is offset and the petitioner has requested to construct an addition within the front setback to square this off with the front of the building. A submitted survey of the front property line shows that the addition would

be twenty-eight (28) feet from the front property line at its nearest point. This addition would not project further into the front setback than the structure currently projects at the existing building offset to the front of the building.

Currently the building has four (4) existing parking spaces located in the front of the structure, and no controlled access. The submitted site plan eliminates these parking spaces, adds a controlled access point, and moves the parking to the rear of the structure. Also, a landscape strip has been added to the front of the building. The City of Cookeville has prioritized improvements to North Willow Avenue with the Tennessee Department of Transportation, and it appears the proposed site improvements could lessen the impact of the North Willow Avenue project by moving required parking to the rear of the property.

In the opinion of the Planning Department the variance to allow a reduction of the front setback will not be detrimental to the public welfare or injurious to other property in the area with the proposed site improvements.

Staff recommended approval of the variance request to reduce the front setback from fifty (50) feet to twenty-eight (28) feet for a total variance of twenty-two (22) feet for the expansion of an existing nonconforming structure, provided all parking is moved to the rear of the building and a landscape strip is installed as depicted on the submitted site plan.

Randy Chaffin, property owner of Larco Medical, asked if the variance request would change the widening on North Willow Avenue. Mr. Chaffin was concerned that the State would take more off the east side of Willow which would affect his property.

Jon Ward stated that the widening of North Willow Avenue has not been engineered by Tennessee Department of Transportation (TDOT) and until they do, staff does not know how much right-of-way will be taken from each side of the road.

Donnita Hill stated that they will be adding a 10' landscape strip along the front of their property on North Willow Avenue.

James Dial made the motion to approve the variance request to reduce the front setback from fifty (50) feet to twenty-eight (28) feet for a total variance of twenty-two (22) feet for the expansion of an existing nonconforming structure, provided all parking is moved to the rear of the building and a landscape strip is installed as depicted on the submitted site plan. Nancy Bohannon seconded the motion and the motion carried unanimously. **APPROVED 22' VARIANCE IN THE FRONT SETBACK REQUIREMENTS FOR THE EXPANSION OF AN EXISTING NONCONFORMING STRUCTURE.**

ADJOURNMENT: 5:24 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

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