

**BOARD OF ZONING APPEALS
MINUTES
MARCH 12, 2020**

The Board of Zoning Appeals met on Thursday, March 12, 2020, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Elwood Ervin, Sid Gilbreath, & Connie McCormick

MEMBERS ABSENT: Nancy Bohannon, James Dial,

STAFF PRESENT: Jon Ward, Ken Young

STAFF ABSENT: Haley Dickson

OTHERS PRESENT: Justin Cumby

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN. Elwood Ervin made the motion to elect Sid Gilbreath as Chairman. Connie McCormick seconded the motion and the motion carried unanimously. **SID GILBREATH ELECTED AS CHAIRMAN.**

Elwood Ervin made the motion to elect James Dial as Vice-Chairman. Connie McCormick seconded the motion and the motion carried unanimously. **JAMES DIAL ELECTED AS VICE-CHAIRMAN.**

CONSIDER FOR APPROVAL THE AGENDA AS SUBMITTED. Connie McCormick made the motion to approve the agenda as submitted. Elwood Ervin seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER FOR APPROVAL THE MINUTES OF DECEMBER 12, 2019. Elwood Ervin made the motion to approve the minutes of December 12, 2019 as submitted. Connie McCormick seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST FOR A VARIANCE TO REDUCE THE PARKING SPACE REQUIREMENTS FOR A PROPOSED FRATERNITY HOUSE IN THE UNIVERSITY DISTRICT FROM 18 PARKING SPACES TO 17 PARKING SPACES ON THE PROPERTY LOCATED AT 527 NORTH PEACHTREE AVE.

Tech FIGIS Incorporated representative Justin Cumby submitted a variance request to reduce the parking requirement from eighteen (18) parking spaces to seventeen (17) parking spaces for construction of a new fraternity house at 527 North Peachtree Avenue.

Analysis: The subject property is further identified as parcel 015.00 on tax map 053B, group D and is the current location of the Theta Tau Chapter of the Phi Gamma Delta (FIJI) fraternity at Tennessee Tech University. The property is zoned UNV, University and consists of approximately 0.35 acres. The property is bordered by UNV University zoning to the north, east and south and MS Medical Services to the west.

Fraternity houses are a permitted use in the UNV Districts subject to additional requirements of Section 206.9 of the Zoning Code as included below:

206.9A. Applications for fraternity and sorority houses shall be accompanied by a floor plan that depicts the proposed layout of the facility including the location and square footage of any area devoted to sleeping rooms.

206.9B. Off street parking areas shall not be permitted in the required front yard and shall be designed so that backing from the site to a public street will not be necessary.

206.9C. When areas for outdoor recreational use or outdoor group activities are provided a Type 2 Screen/Buffer Yard as specified in Section 208 of this Zoning Code shall be provided along all property lines abutting property zoned or used for single and two-family residential purposes.

The existing FIJI house encroaches on setback requirements along the street frontages and the side property line. The house contains six (6) bedrooms and utilizes on street parking along North Peachtree Avenue and West 6th Street, with some parking spaces along West 6th Street that back into the street. The proposed new house will comply with all required setbacks, and also consist of six (6) bedrooms with a proposed parking area located on the southern portion of the property with seventeen (17) parking spaces. The proposed draft site design complies with Section 206.9B of the Zoning Code. Section 205.8C.6 of the Zoning Code requires Fraternity and Sorority houses to have three (3) parking spaces per bedroom, which would require eighteen (18) total parking spaces. Including a handicap van accessible space eliminated one (1) parking space due to ADA design requirements.

Fraternity houses require a minimum lot area of 20,000 square feet. Although the property consists of approximately 15,246 square feet, the Tech FIFI property is an existing non-conforming lot, and would be grandfathered at the location. This reduced area hinders the design to include the required parking. The current facility has no off-street parking, and the proposed design will be an improvement. The requested parking reduction would be less than six (6) percent of the required parking.

In the opinion of the Planning Department the variance to reduce the parking requirement by one (1) required parking space will not be detrimental to the public welfare or injurious to other property in the area.

Staff Recommendation: Approval of request

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**