

**BOARD OF ZONING APPEALS  
MINUTES  
JUNE 13, 2019**

The Board of Zoning Appeals met on Thursday, June 13, 2019, 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 Nancy Bohannon.

**MEMBER ABSENT:**

**STAFF PRESENT:** Jon Ward.

**OTHERS PRESENT:** Ben Wheeler, Trey Pack, Jagdish Patel, Ghadir Radman, and Chad Chowdhury.

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

**CONSIDER FOR APPROVAL THE MINUTES OF FEBRUARY 14, 2019 AND MAY 14, 2019.** James Dial made the motion to approve the minutes of February 14, 2019 Nancy Bohannon seconded the motion and the motion carried unanimously. **APPROVED.** Elwood Ervin made the motion to approve the minutes of the May 14, 2019. Nancy Bohannon seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER A REQUEST FOR A VARIANCE TO REDUCE THE REAR YARD SETBACK REQUIREMENTS FROM 25' TO 12' FOR A TOTAL VARIANCE OF 13' ON THE PROPERTY LOCATED AT 978 STONEBRIDGE CIRCLE. REQUEST SUBMITTED BY JAGDISH AND JYOTSANABEN PATEL.** Jon Ward stated that property owner Mr. Jagdish Patel submitted a variance request to reduce the rear yard setback requirement for a residential lot in the Stonebridge Subdivision, located at 978 Stonebridge Circle.

The subject property, located at 978 Stonebridge Circle, is further identified as parcel 23 on tax map 66D, group B. The property is zoned RS-15, Single Family Residential. The property is bordered by RS-15 zoning on all sides.

The subject lot is a corner lot that is bordered by Stonebridge Circle along a significant radius. The Stonebridge Subdivision plat was recorded in May, 2000, and when the plat was recorded, the property was zoned R-1. The recorded plat depicts a thirty (30) foot front setback and twelve (12) foot setbacks along the interior lot lines. A revised Zoning Code for the City of Cookeville was adopted in December, 2001. The zoning classification for the subject property changed from RS-1 to RS-15, Single Family Residential when this updated zoning code was adopted. The RS-15 Zoning District requires a thirty (30) foot front setback, ten (10) foot side yard setbacks and a twenty-five

(25) foot rear yard setback. Corner lots are required to meet the thirty (30) foot front yard setback requirement along all street frontages. The property owner is allowed to designate which interior lot line will be the side yard, and which will be the rear yard.

Due to the significant radius along Stonebridge Circle, the owner has requested to construct a home meeting the setback requirements as depicted on the recorded plat. A submitted site plat depicts the rear corners of a proposed home at thirteen (13) feet from the eastern interior lot line and 12.5 feet from the southern interior lot line. The proposed home meets the thirty (30) foot front setback requirement. Subdivision covenants for Stonebridge require a significant minimum square footage for a home. As the lot was designed under a previous zoning requirement, and due to the significant radius along Stonebridge Circle, the Planning Department feels the request is justified.

In the opinion of the Planning Department the variance to allow a reduction of the rear setback requirement to twelve (12) feet to accommodate the rear corners of the proposed home as depicted on the submitted site plan will not be detrimental to the public welfare or injurious to other property in the area.

Staff Recommended approval of the variance request to reduce the RS-15 rear setback requirement from twenty-five (25) feet to twelve (12) feet, as depicted on the submitted site plan, for a total variance of thirteen (13) feet.

Chairman Sid Gilbreath opened a public hearing regarding the request. Some in attendance had additional questions and comments. No one objected to the requested variance.

Elwood Ervin made the motion to approve the variance as depicted on the submitted site plan. Jane Flatt seconded the motion and the motion carried unanimously.

**ADJOURNMENT: 5:28 P.M.**

**SUBMITTED FOR APPROVAL**

**SUBMITTED FOR RECORDING**

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**PLANNING STAFF**

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