

MINUTES OF THE GOODLETSVILLE
BOARD OF ZONING AND SIGN APPEALS

Date: December 10, 2001

Time: 5:00 PM

Place: City Hall Conference Room

Members Present: Owen Sanders, Tom Mosier, Glen Garret

Staff Present: Bill Terry, Bennie Lane, Vicky Ignatz

Others Present: Frank P. Roberson

CASES HEARD: 2001-12-403

CASE NO. 2001-12-403 Consider a request for a side yard variance at 146 Madison Court, Sumner County Tax Map 140, Parcel 126.01. The applicant is Frank P. Roberson.

Analysis - Staff reviewed. Terry reported the owner of the property would like to build an addition onto the side of his home. The proposed addition will encroach into the required side yard and front yard.

There are four houses on Madison Court that were built before the city annexed the Madison Creek area. Sumner County regulations granted variances for each individual property. The non-conforming lot was grandfathered in during the 1985 annexation. The lots are undersized for the R-40 zoning district and are about 20,000 square feet more or less in size. The zoning district requires a 40,000 square foot minimum lot. The setbacks are scaled for the larger lots with a 50-foot front setback and a 20-foot side setback. The house currently encroaches into the front setback by about 8 feet. The house is situated approximately 26 feet from the property line, thus, the 10-foot wide addition will encroach into the side setback by about 6 feet and extend the existing front wall line. Therefore, the applicant is requesting a 4-foot side yard setback variance and an 8-foot front yard setback variance.

Discussion - Frank Roberson, property owner, stated that this request encompasses the first phase of three planned additions to the residence. The additions include enlargement of the existing den and utility room, a new front porch and the enlargement of an existing bedroom. Mosier acknowledged that the addition would add value to the home. Sanders shared his concern that the building footprint might encompass a major portion of the lot and questioned if the additions would interfere with the operation of the septic tank. Terry determined that approximately 6% of the lot is actual building footprint and the septic tank would not be affected.

Terry informed the Board that an adjoining development, Wynridge, is currently under construction. As part of Wynridge's Master Plan, planned street construction will connect Madison Court to the new development. The street development and renovation of the current residence will be advantageous to the property owner and adjoining

property owners. Terry acknowledged that the homeowner is creating the hardship; however, the property is currently non-confirming with current R-40 zoning due to the 1985 annexation of the property from Sumner County.

Action of the Board - Motion by Garrett to approve a 4-foot side yard setback variance and an 8-foot front yard setback variance at 146 Madison Court based on the hardship of the property being annexed from Sumner County creating a non-conforming lot in the R-40 zoning district. Motion seconded by Sanders. Motion passed unanimously.

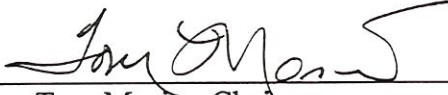
ORDER OF THE BOARD

WHEREAS; the public and adjoining property owners have been adequately notified, and

WHEREAS; the Board has determined that the requirements of Section 14-1408 have been met, and

WHEREAS, the Board has determined that no adverse impact will occur;

NOW, THEREFORE, BE IT ORDERED, that a request for a 4-foot side yard setback variance and an 8-foot front yard setback variance at 146 Madison Court be granted based the fact the property was annexed from Sumner County creating a non-conforming lot based on the R-40 zoning district.



Tom Mosier, Chairman



Vicky Ignatz, Recording Secretary