

**BOARD OF ZONING APPEALS  
MINUTES  
JANUARY 10, 2008**

The Board of Zoning Appeals met on Thursday, January 10, 2008, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

**MEMBERS PRESENT:** Tracy Cody, Kay Detwiler, and Jane Flatt.

**MEMBER ABSENT:** Larry Burgess, and Sid Gilbreath.

**STAFF PRESENT:** James Mills and Jayne Barns.

**OTHERS PRESENT:** Mike Patel.

**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN.** Kay Detwiler made the motion to elect Jane Flatt as Chairman and Sid Gilbreath as Vice-Chairman. Tracy Cody seconded the motion and the motion carried unanimously. **JANE FLATT ELECTED CHAIRMAN AND SID GILBREATH ELECTED VICE-CHAIRMAN.**

**CONSIDER FOR APPROVAL THE MINUTES OF DECEMBER 13, 2007.** Tracy Cody made the motion to approve the minutes of December 13, 2007. Kay Detwiler seconded the motion and the motion carried unanimously. **APPROVED.**

**CONSIDER A REQUEST FOR A SIGN VARIANCE TO ALLOW A THIRD SIGN ON THE PROPERTY LOCATED AT 897 SOUTH JEFFERSON AVENUE. REQUEST SUBMITTED BY MIKE PATEL.** James Mills stated that Mr. Mike Patel has submitted a request for a variance to allow the erection of a third freestanding sign on property located in the CG, General Commercial District at 897 South Jefferson Avenue. The property is identified as Parcel No. 50.00 on Tax Map 66 and consists of approximately 4.2 acres.

Located on the parcel are a Best Value Inn motel and a Quizno's restaurant. The purpose of the request is to provide signage for the Quizno's restaurant. Mr. Patel indicates that the lack of signage makes it difficult to locate the restaurant which has caused financial hardship.

In Section 207.6 of the Cookeville Zoning Code (see attached) the number of freestanding signs per premise is limited to one (1) if the property has only one (1) street frontage and the frontage is less than 400 feet. A second sign is permitted if the frontage exceeds 400 feet. The subject property has only one (1) street frontage (South Jefferson Avenue) with an estimated distance of 107 feet. This would limit the property to only one (1) freestanding sign and it already has two (2) such signs. These consist of a large monopole sign for the Best Value Inn located by the motel and a multi-tenant sign located on South Jefferson Avenue. The multi-tenant sign also has signage for Nick's Restaurant, which is located on a land-locked separate parcel. It should also be noted that

the sign face area of the existing freestanding signs on the subject property currently exceeds the permitted maximum of 250 square feet for one (1) sign and of 400 square feet for two (1) signs.

A previous request to allow the erection of a third freestanding sign at a height of 70 feet was denied at the January 2002 meeting. The maximum permitted sign height on the subject property is 50 feet.

There may be special conditions in this case where literal enforcement of the provisions of the Zoning Code would result in unnecessary hardship. The topography of the subject property rises significantly from South Jefferson Avenue and the structure in which the restaurant is located is not directly visible from the street. Also the unique shape or configuration of the property creates difficulty in the orientation of the sign along South Jefferson Avenue with the restaurant.

Staff recommended conditional approval of request subject to the third sign being limited to a maximum of 100 square feet in display area, limited to a maximum height of 50 feet, and located adjacent to the Quizno's structure as depicted on the submitted application. There will also be a two week waiting period before the sign can be installed.

Kay Detwiler made the motion to approve the variance, subject to staff's recommendation. Tracy Cody seconded the motion and the motion carried unanimously.  
**APPROVED.**

**ADJOURNMENT: 5:25 P.M.**

**SUBMITTED FOR APPROVAL**

**SUBMITTED FOR RECORDING**

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**JAYNE BARNS CPS  
PLANNING ASSISTANT**

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**JANE FLATT, CHAIRMAN  
BOARD OF ZONING APPEALS**