

**MINUTES
FARRAGUT BOARD OF ZONING APPEALS**

October 26, 2015

7:00 p.m.

Present: Keith Alley, Jesse Boling, Louis LaMarche, and Ron Williams
Absent: Corky Ives
Staff: Mark Shipley, Community Development Director

Item 1. Approval of Minutes for the July 22, 2015 meeting

A motion was made by Williams to approve the minutes. The motion was seconded by LaMarche. Motion passed 4-0.

Ayes: Alley, LaMarche, Boling, and Williams
Nays: None
Absent: Ives
Abstaining: None

Item 2. Public hearing on a request for a variance from the lot width to depth ratio in association with a subdivision plat of Parcel 033.02, Tax Map 142, 12401 Union Road, 1.44 acres, Zoned Rural Residential (R-1), 1.44 Acres, Benchmark Associates, Inc., Applicant.

Staff reviewed the request and noted that it involved a variance from the lot width to depth ratio that governs the subdivision of properties that are zoned Rural Residential (R-1). The specific section which addresses this requirement is found in Chapter 3, Section III., D. 5. b. of the Farragut Zoning Ordinance and stipulates that the lot length of each lot that is less than one hundred fifty (150) feet in width shall not be greater than three (3) times the lot width.

The staff explained that the applicant is wishing to subdivide their existing property at 12401 Union Road into two lots. The proposed lot (Lot 2) would provide for a lot length that is 3.46 times the lot width. Thus a variance of .46 was needed as part of this subdivision. The staff pointed out that the width of Lot 2 is governed by the requirement to ensure that the proposed side property line would be at least fifteen (15) feet away from the existing home that is situated on what would be Lot 1. In the R-1 Zoning District, the minimum side setback is 15 feet and a new property line cannot be established that would create a setback violation.

The staff conveyed that the property could be subdivided and meet the lot width to depth ratio provided for in the zoning ordinance. This would create, however, a very unusual shaped piece of property that might lead to some property line confusion in the future and potentially property maintenance issues.

The staff conveyed that this lot configuration was not desirable and that they understood the applicant's logic for the requested variance. It would provide for a much more standard shaped lot where the property boundaries would be obvious.

However, the staff indicated that they could not support the variance request because the need for the variance was being driven by the applicant's desire to subdivide the property and not an inherent physical condition of the property that would otherwise render it unusable. In its current configuration the property is usable. An applicant's preference to create an additional lot for economic gain would not satisfy the parameters for granting a variance.

Benny Moorman spoke as the applicant and re-iterated the fact that the property can be subdivided with or without the variance and that they were trying to provide for a more logical property configuration. After a discussion with board members, the applicant, and staff, a motion was made by LaMarche to approve the requested variance because it would be provide for a more functional lot configuration and would not appear to compromise the likely intent of the width to depth ratio. After some additional discussion the motion was seconded by Boling. The motion failed 2-2 with LaMarche and Boling voting for the variance and Alley and Williams voting in opposition for the reasons noted by the staff.

Ayes:	LaMarche and Boling
Nayes:	Alley and Williams
Absent:	Ives
Abstaining:	None

Meeting adjourned at 7:43 p.m.

Louis LaMarche, Secretary

