

**REPORT OF MEETING  
BAXTER BOARD OF ZONING APPEALS  
NOVEMBER 9, 2022**

**MEMBERS PRESENT**

Greg Phillips  
Jeff Herald  
Robert Vinson  
John Martin, Mayor  
Danny Holmes  
Richard Waller  
Peggy Frazier Dyer

**STAFF PRESENT**

Tommy Lee, UCDD Staff Planner

**OTHERS PRESENT**

John Ramsey  
Bob Lane, Building Inspector  
Matt White, Fire Chief

**MEMBERS ABSENT**

None

**ITEM 1: CALL TO ORDER**

Upon determining a quorum was present, the Baxter Board of Zoning Appeals (BZA) meeting was called to order by Chairman Richard Waller on Wednesday November 9, 2022 at 5:00 P. M. at the Baxter City Hall.

**ITEM 2: APPROVAL OF THE JULY 7, 2022 MINUTES**

After the meeting was called to order, Chairman Waller asked for approval of the minutes from the July 7, 2022 meeting. After discussion, Jeff Herald made a motion to dispense with the reading of the minutes and to approve the minutes as presented. Robert Vinson seconded and the motion passed with a vote of all eyes.

Chairman Waller closed the BZA meeting in order to open a public hearing on the following request:

**Request for forty-four (44) lot size variances, forty-four (44) lot width variances and forty-four (44) side setback variances for property located on Dale Myers Lane (Schubert Request).**

With no public comments regarding the aforementioned variance request, Chairman Waller reopened the BZA meeting to take action on the following BZA request:

**ITEM 3: CONSIDERATION OF A REQUEST FOR FORTY-FOUR (44) LOT SIZE VARIANCES, FORTY-FOUR (44) LOT WIDTH VARIANCES AND FORTY-FOUR (44) SIDE SETBACK VARIANCES FOR PROPERTY LOCATED ON DALE MIRES LANE (SCHUBERT REQUEST).**

Staff Planner presented a request on behalf of Jackie Schubert for forty-four (44) lot size variances, forty-four (44) lot width variances and forty-four (44) side setback variances for property located on Dale Myers Lane. Staff stated that the purpose of the requests were to establish multi-family residential units with zero (0) lot lines. After discussion, Robert Vinson made a motion to grant the aforementioned variance requests. Jeff Herald seconded and the motion passed with a vote of all eyes.

**ITEM 4: ELECTION OF OFFICERS**

Chairman Richard Waller opened the floor for nominations for the office of Chairman. Robert Vinson nominated Richard Waller for Chairman. Greg Phillips made a motion that the nominations cease and that Waller be elected by acclamation. Jeff Herald seconded and the motion passed with a vote of all eyes. Chairman Waller opened the floor for nominations for the office of Vice-Chairman. Danny Holmes nominated Robert Vinson for Vice-Chairman. Richard Waller made a motion that the nominations cease and that Vinson be elected by acclamation. Greg Phillips seconded and the motion passed with a vote of all eyes. Chairman Waller opened the floor for nominations for the office of Secretary. Jeff Herald nominated Danny Holmes for

Secretary. Greg Phillips made a motion that the nominations cease and that Holmes be elected by acclamation. Richard Waller seconded and the motion passed with a vote of all ayes.

With no other business, Robert Vinson made a motion to adjourn. Danny Holmes seconded and the motion passed with a vote of all ayes.

CTL

# City of Baxter BZA Request Application

The Board of Zoning Appeals meets the 4<sup>th</sup> Thursday of each month when there are agenda items. Applications must be turned into the Office of the City Recorder no later than 12 p.m. the 1<sup>st</sup> Thursday of the month prior to the 4<sup>th</sup> Thursday. In most cases, it will be necessary to submit additional material (photos, example, sketch, floor plan, survey, etc.) to help explain the request. A non-refundable fee of \$50.00 must be submitted with this application for a special exception or variance request.

## GENERAL INFORMATION:

Name of applicant Schubart Jackie  
(last) (first) (middle)

Applicant's Interest in Property:  Owner  Lessor  
 Prospective Purchaser  Option Holder

Other: (State Relationship) \_\_\_\_\_

If interest in property is other than owner, please list owner(s) name:  
\_\_\_\_\_

## NATURE AND CHARACTER OF APPLICATION:

### Board of Zoning Appeals

Requested Action:

Appeal alleging error of building inspector

Variance

Special Exception

Interpretation of Building Inspector

Interpretation of Ordinance

13 lot size variances  
13 lot width variances  
13 side setback variances

## PROPERTY INFORMATION:

Address: \_\_\_\_\_

Parcel Information:

District      Map      Ctl      Gp      Parcel No.      SI

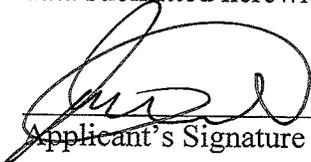
Present Zoning Classification \_\_\_\_\_

Property Description: Attach map showing dimensions and topographic characteristics\*\*, street right-of-way and street pavement, the location of existing and proposed structures or uses including setbacks, yards and heights.

Describe the Request Below (Attach any accompanying information):

13 lot size variances  
13 lot width variances  
13 side setback variances

I hereby certify that the statements made by me herein and the maps and other accompanying data submitted herewith are true and correct.

  
Applicant's Signature

\_\_\_\_\_  
Date

\*\*Required only in the case of variance.

**REVIEW AND ADMINISTRATION:**

Meeting Date Set For: 1-11-23

Recommendations from Other Agencies, Boards or Departments:

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Application Reviewed by Building Inspector \_\_\_\_\_ Date \_\_\_\_\_  
Comments and Action:

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Application Reviewed by Planning Staff \_\_\_\_\_ Date \_\_\_\_\_  
Comments and Action:

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**DISPOSITION**

Publication Date of Hearing 12-30-22 (Attach newspaper notice) attached

Public Hearing Commentary \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ACTION BY PLANNING COMMISSION:**

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**City of Baxter**  
**Miscellaneous Receipt**

**Misc. Receipt No:** 13464  
**POS Receipt No:** 13766  
**Receipt Date:** 12/29/2022

**Received By:** Lorie Buford  
**Received On:** 12/29/2022 8:41 AM

**Customer ID:** 4320  
**Name:** Jackie Schubert  
**Description:** 13 Zoning Variances

<b>Miscellaneous Receipt Total</b>
\$50.00

<b>GL Account Number</b>	<b>GL Account Description</b>	<b>Debit</b>	<b>Credit</b>
110-32400	Misc. Permits	\$0.00	\$50.00
<b>Miscellaneous Receipt Totals:</b>		<b>\$0.00</b>	<b>\$50.00</b>

Thank You!

# Herald-Citizen

PO Box 2729  
Cookeville, TN 38502-2729

Ad# 70557554

City of Baxter

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PO Box 335

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Baxter, TN 38544

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Acct# 70074299

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State of Tennessee

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County of Putnam ss

Roger Wells, of the city of Cookeville, in said county and state, being duly sworn, on his oath says that he is the Advertising Director of the Herald-Citizen, a three time weekly newspaper of general circulation published in said city, and that the notice, a printed copy of which is hereto annexed, was published in said newspaper ONE (1) time which publication was made on

December 30, 2022

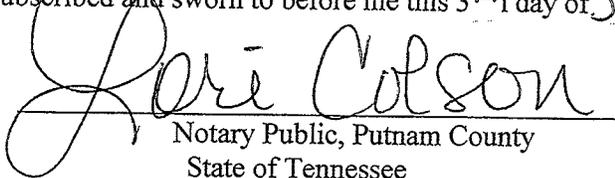
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Advertising Director

Subscribed and sworn to before me this 3<sup>RD</sup> day of January 2023



Notary Public, Putnam County  
State of Tennessee

My commission expires 12/22/2026

AMOUNT DUE \$55.44

## City of Baxter Board of Zoning Appeals Meeting and Public Hearing

The City of Baxter TN Board of Zoning Appeals will have a public hearing and meeting at 5:00 p.m. on **Wednesday, January 11, 2023**. The purpose of the meeting is to solicit comments from the public on variances requested by Jackie Schubert, owner of properties located on Dale Mires Lane. The request is for 13 side setbacks, 13 lot width, and 13 lot size variances. The public hearing and meeting will also be to solicit comments from the public on variances requested by Chad Gilbert, owner of properties located on Old Baxter Road. The request is for a concept plan which will include right of way variances and setback variances.

The public is invited to attend.

Sharon Carlile  
City Recorder

12/30

4100 237

CITY OF BAXTER  
RECEIVED

JAN 09 2023

COURT CLERK

# City of Baxter BZA Request Application

The Board of Zoning Appeals meets the 4<sup>th</sup> Thursday of each month when there are agenda items. Applications must be turned into the Office of the City Recorder no later than 12 p.m. the 1<sup>st</sup> Thursday of the month prior to the 4<sup>th</sup> Thursday. In most cases, it will be necessary to submit additional material (photos, example, sketch, floor plan, survey, etc.) to help explain the request. A non-refundable fee of \$50.00 must be submitted with this application for a special exception or variance request.

## GENERAL INFORMATION:

Name of applicant Chad Gilbert / Ironclad Dev.  
(last) (first) (middle)

Applicant's Interest in Property:  Owner  Lessor  
 Prospective Purchaser  Option Holder

Other: (State Relationship) \_\_\_\_\_

If interest in property is other than owner, please list owner(s) name:

## NATURE AND CHARACTER OF APPLICATION:

Board of Zoning Appeals

Requested Action:  Appeal alleging error of building inspector  
 Variance  
 Special Exception  
 Interpretation of Building Inspector  
 Interpretation of Ordinance

## PROPERTY INFORMATION:

Address: N/A  
60 acre tract Baxter / Putnam Co. TN

Parcel Information: 63 134  
District Map Ctl Gp Parcel No. SI

Present Zoning Classification \_\_\_\_\_

Property Description: Attach map showing dimensions and topographic characteristics\*\*, street right-of-way and street pavement, the location of existing and proposed structures or uses including setbacks, yards and heights.

Describe the Request Below (Attach any accompanying information):

ROW & Setback Variances per attached exhibit

I hereby certify that the statements made by me herein and the maps and other accompanying data submitted herewith are true and correct.

  
\_\_\_\_\_  
Applicant's Signature

12-22-22  
Date

\*\*Required only in the case of variance.

**REVIEW AND ADMINISTRATION:**

Meeting Date Set For: \_\_\_\_\_

Recommendations from Other Agencies, Boards or Departments:

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Application Reviewed by Building Inspector  
Comments and Action:

Date \_\_\_\_\_

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Application Reviewed by Planning Staff  
Comments and Action:

Date \_\_\_\_\_

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**DISPOSITION**

Publication Date of Hearing \_\_\_\_\_ (Attach newspaper notice)

Public Hearing Commentary \_\_\_\_\_

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**ACTION BY PLANNING COMMISSION:**

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0' Street Setback

10' Sidewalk

5' Planter

18' Parking

20' Travel Lane

5' Sidewalk

**58' Right-Of-Way**

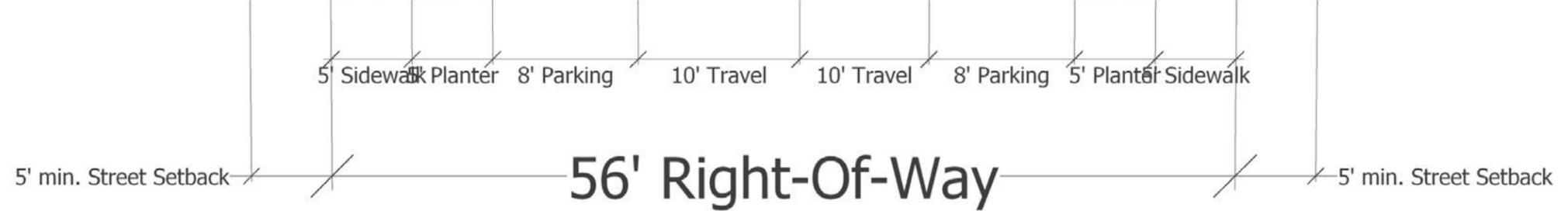


**24' Right-Of-Way**



5' Sidewalk      18' Travel      8' Parking      5' Sidewalk

5' min. Street Setback      **36' Right-Of-Way**      5' min. Street Setback





5' Sidewalk Planter 8' Parking 10' Travel 10' Median 10' Travel 8' Parking 5' Planter Sidewalk

5' min. Street Setback

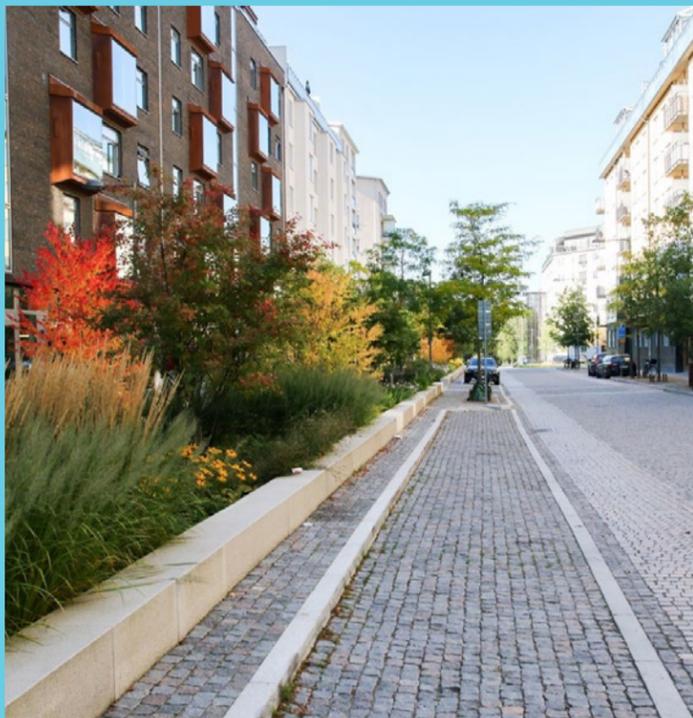
# 66' Right-Of-Way

5' min. Street Setback



5' Sidewalk Planter 9' Travel 9' Travel 8' Parking 5' Planter Sidewalk

46' Right-Of-Way 5' min. Street Setback



Yield Steet

Alley