



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Sam Hayes, Planner II **MEETING DATE:** October 13th, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: 323 Blythe Street – Variance (26-71-VAR) – Sam Hayes | *Planner II*

SUGGESTED MOTION(S):

1. For Recommending Approval:

With regard to the request by Dee Gambrell (applicant) and Diane Rhoades (property owner) for a variance from 8-4-3. Dimensional Requirements to:

1. *Increase the allowable maximum square footage from 1,200 square feet to 1,385 square feet.*

I move the Board to find that (must find all of these):

- 1) An unnecessary hardship **would** result from the strict application of the ordinance.
- 2) The hardship **results** from the conditions that are peculiar to the property, such as location, size, or topography.
- 3) The hardship **did not** result from actions taken by the applicant or the property owner.
- 4) The requested variance **is consistent** with the spirit, purpose, and intent of the regulation, such that public safety **is secured** and substantial justice **is achieved**.

For the following reasons: ***[list factual basis for Approval here.]***

1. The applicant did not intentionally deceive the City when initiating a small lot subdivision.
2. The footprint of the building is under 1200 square feet of allowable square footage, which is consistent with the spirit of the ordinance.

[DISCUSS & VOTE]

1. For Recommending Denial:

With regard to the request by Dee Gambrell (applicant) and Diane Rhoades (property owner) for a variance from 8-4-3. Dimensional Requirements to:

3. *Increase the allowable maximum square footage from 1,200 square feet to 1,385 square feet.*

I move the Board to find that (must find at least one of these):

- 1) An unnecessary hardship **would not** result from the strict application of the ordinance.
- 2) The hardship **does not** result from the conditions that are peculiar to the property, such as location, size, or topography.
- 3) The hardship **did** result from actions taken by the applicant or the property owner.
- 4) The requested variance **is not** consistent with the spirit, purpose, and intent of the regulation, such that public safety **is not** secured and substantial justice **is not** achieved

For the following reasons: ***[list factual basis for Denial below.]***

1. The increase in allowable gross square footage above 1200 square feet does not follow the spirit of the ordinance, which mandates that structures utilizing the small lot ordinance be no greater than 1200 square feet total.

Based on the foregoing findings I further move the Board deny the request for a variance.

[DISCUSS & VOTE]

SUMMARY: The Community Development Department has received a variance application from Dee Gambrell (applicant) and Diane Rhoades (property owner). The request is to allow the existing house on the property to exceed the maximum building size allowed under Section 8-4-3, Dimensional Requirements. The ordinance allows a maximum gross floor area of 1,200 square feet, and the applicants are requesting approval for the house to remain at its actual size of 1,385 square feet.

The property was created under Section 8-4, Reduced Pole Flag Lot and Small Lot, which allows smaller lots to be established if the existing or proposed house is no larger than 1,200 square feet. The original parcel, which contained three structures, was divided into two lots. The subject property is 7,060 square feet in size, while the adjoining lot is 18,784 square feet.

At the time of the subdivision, Henderson County property records listed the house as containing 1,131 square feet. However, a recent professional measurement found that the home's actual gross floor area is 1,385 square feet. Because the house exceeds the 1,200-square-foot limit, a variance is required.

VARIANCE REQUEST: The applicant is requesting a variance from Section 8-4-3. Dimensional Requirements to increase the maximum allowable square footage from 1,200 square feet to 1,385 square feet.

PROJECT/PETITIONER NUMBER:	26-71-VAR
PETITIONER NAME:	Dee Gambrell (Applicant) Diane Rhoades (Owner)
EXHIBITS:	A. Staff Report B. Application C. Warranty Deed