

BOARD OF ZONING APPEALS

MINUTES

January 16, 2020 Meeting

The City of Knoxville **Board of Zoning Appeals** considered the following petitions for variance of requirements of the Knoxville City Code, Appendix B, Zoning Regulations at their January 16, 2020 meeting at 4:00 pm in the Small Assembly Room, City County Building, 400 Main St, Knoxville, TN.

This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 9-44-101, et seq.

An audio recording of the full BZA meeting can be accessed via the below link:

Knoxvilletn.gov/BZA Audio Minutes

CALL TO ORDER

Chairman Daniel Odle called the meeting to order at 4:03pm.

ROLL CALL

Board members present were Daniel Odle, David Dupree, Don Horton, Christina Boulter and Grant Rosenberg.

Others in attendance were Peter Ahrens, Building Official; Bryan Berry, Building Official; Christina Magrans, Staff Attorney; Lisa Hatfield, Staff Attorney; Joshua Frerichs, Stormwater Engineering; Amy Brooks, Knoxville-Knox County Planning Services Manager and Juliana LeClair, Board Secretary.

MINUTES

Member David Dupree made a motion to approve the December 19, 2019 Minutes with a request that the comments made about the out-going Board members be recognized in the Minutes. It was seconded by member Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

MISCELLANEOUS

Chairman Daniel Odle acknowledged new Board members Grant Rosenberg and Christina Boulter.

Member Don Horton made a motion to reaffirm Daniel Odle as the new Chairman for the current year. It was seconded by Member Christina Boulter. The Board voted 5-0 to **APPROVE**.

OLD BUSINESS

None.

NEW BUSINESS

File: 1-A-20-VA
Applicant: Thomas Caldwell, Architect
Address: 4204 Bruhin Rd.

Parcel ID: 069JA018
5th Council District

Zoning: OS-2 (Park and Open Space) District

Variance Request:

1) Reduce the minimum required setback of a parking lot in an OS-2 zone with common frontage in the same block with residentially zoned property from 25' to 16' for 35' along the western parking area. (Article V, Section 7.C.2)

2) Reduce the minimum required setback of a parking lot in an OS-2 zone with common frontage in the same block with residentially zoned property from 25' to 3.5' for 50' along the western drive aisle area. (Article V, Section 7.C.2)

3) Reduce the minimum required landscaped perimeter screening for a parking lot that abuts the right of way in an OS-2 zone from 10' to 3.5' for 30' along the western drive aisle area. (Article V, Section 7.J.2.c.2)

As per plan submitted to bring the City of Knoxville's Inskip Pool and Park into compliance with the Americans with Disabilities Act (ADA) in the OS-2 (Park and Open Space) District.

Member Grant Rosenberg recused himself.

Applicant representative Will Doyle was present and spoke on behalf of the applicant.

Member David Dupree made a motion to approve. It was seconded by Member Don Horton. The Board voted 4-0 to **APPROVE**.

File: 1-C-20-VA
Applicant: John Holmes
Address: 1610 Forest Ave.

Parcel ID: 094NE015
1st Council District

Zoning: R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay) Districts

Variance Request:

1) Reduce the sum of the minimum required side setbacks on a substandard lot from 12' to 10.6' for a single family residence in an R-3/NC-1 zone. (Article V, Section 6.D.6)

As per plan submitted to reconstruct an historic property in the R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay) Districts.

Applicant John Holmes was present and spoke to the application.

Member Christina Bouler made a motion to approve. It was seconded by member Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

File: 1-D-20-VA
Applicant: Rebecca Montgomery
Address: 3848 Taliluna Ave.

Parcel ID: 122AF005
2nd Council District

Zoning: R-1 (Low Density Residential) District

Variance Request:

1) Reduce the minimum required side setback on a substandard lot from 7' to 4.63' on the west side for an addition to a single family residence in an R-1 zone. (Article V, Section 6.D.6)

As per plan submitted to construct a residential garage addition in the R-1 (Low Density Residential) District.

Applicant representative Will Robinson was present and spoke on behalf of Rebecca Montgomery.

Member Don Horton made a motion to approve. It was seconded by member Grant Rosenberg. Member Christina Bouler was opposed. The Board voted 4-1 to **APPROVE**.

File: 1-E-20-VA
Applicant: William Andrews
Address: 6907 Stone Mill Dr.

Parcel ID: 121IE017
2nd Council District

Zoning: EN-2 (Established Neighborhood) District

Variance Request:

1) Increase the maximum permitted encroachment of a non-enclosed porch into the required front setback from 6' to 7' for a single family residence in an EN-2 zone. (Article V, Section 6.B.11)

As per plan submitted to add a front porch in the EN-2 (Established Neighborhood) District.

Applicant was not present. Member David Dupree made a motion to postpone the application to the end of the meeting. It was seconded by Chairman Daniel Odle. At the end of the meeting Chairman Daniel Odle made a motion to postpone to the February 21, 2020 meeting. It was seconded by member David Dupree. The Board voted 5-0 to **POSTPONE**.

File: 1-F-20-VA

Parcel ID: (094MG012, 094MG011, 094MG010,
094MG008, 094MG007)
1st Council District

Applicant: The 9 Group (Shailesh Patel)
Address: 1100/1104/1110/1114 Clinch Ave.

Zoning: O-1 (Office, Medical and Related Services) District

Variance Request:

1) Reduce the required side yard setback in an O-1 zone along the existing alley from 15' to 5' (Article IV, Section 2.2.1.D.2.)

2) Increase the required maximum lot coverage for main and accessory buildings in an O-1 zone from 35% to 76% (Article IV, Section 2.2.1.D.5.b.)

As per plan submitted to develop a hotel in the O-1 (Office, Medical and Related Services) District.

Applicant representatives Benjamin Mullins and Mark Randolph were present and spoke on behalf of The 9 Group (Shailesh Patel).

Member David Dupree made a motion to approve. It was seconded by member Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

File: 1-H-20-VA
Applicant: Daryl Johnson, AIA
Address: 6529 S. Northshore Dr.

Parcel ID: 121OD00100N
2nd Council District

Zoning: RP-1 (Planned Residential) District

Variance Request:

1) Reduce the minimum rear peripheral boundary setback from 25' to 20' for a single family residence in an RP-1 zone. (Article IV, Section 3.1.D.2)

As per plan submitted to construct a new, enclosed and conditioned sunroom addition in the present location of an existing brick patio in the RP-1 (Planned Residential) District.

Applicant Daryl Johnson was present and spoke to the application.

Member Grant Rosenberg made a motion to approve. It was seconded by member Don Horton. Member David Dupree abstained. The Board voted 4-0 to **APPROVE**.

File: 1-I-20-VA
Applicant: Robert Cox
Address: 710 N. Cherry St.

Parcel ID: 082GG005
6th Council District

Zoning: C-1 (Neighborhood Commercial) District

Variance Request:

- 1) Reduce the required number of parking spaces from 15 to 6 (Article V Section 7.D.1 Table 1)
- 2) Reduce the minimum parking setback for parking lots with a common frontage on the same block with residentially zoned property from 25 feet to 0.75 feet (Article V Section 7.C.2)

As per plan submitted for an office expansion in the C-1 (Neighborhood Commercial) District.

Peter Ahrens stated variance #1 was eliminated, the applicant had advised that variance #1 was no longer needed.

Applicant representative Mark Jendrek spoke to the application.

Kevin Murphy spoke for Scenic Knoxville.

Glenn Wyatt, Ken Hobert and Pastor Cecil Clark spoke in opposition.

Member Don Horton made a motion to approve variance #2. It was seconded by member Daniel Odle. Members Don Horton, Daniel Odle and Grant Rosenberg voted to approve. Members Christina Bouler and David Dupree were opposed. The Board voted 3-2 to **APPROVE**.

ADJOURNMENT

The meeting adjourned at 5:30pm.

OTHER BUSINESS

The next BZA meeting is February 21, 2020.