

BOARD OF ZONING APPEALS

MINUTES

January 21, 2021 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 21, 2021 meeting at 4:00 pm via the Zoom online meeting format.

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](https://knoxvilletn.gov/BZA-Audio-Minutes)

CALL TO ORDER

Temporary Chairman Grant Rosenberg called the meeting to order at 4:00pm.

ROLL CALL

Board members present were David Dupree, Christina Boulter, Grant Rosenberg, Don Horton and incoming Board member Eboni James.

Others in attendance were Peter Ahrens, Building Official; Bryan Berry, Building Official; Scott Elder; Zoning Chief; Joshua Frerichs, Stormwater Engineering; Christina Magrans, City Attorney; Amy Brooks, Knoxville-Knox County Planning Services Manager; David McGinley, Engineering Manager II and Juliana LeClair, Board Secretary.

MOTIONS

Member Christina Boulter made a motion to elect Grant Rosenberg as temporary Chairman in Daniel Odle's absence. It was seconded by member Don Horton. The Board voted 4-0 to **APPROVE**.

Member Grant Rosenberg made a motion to “confirm that conducting today’s meeting by electronic means is necessary to protect the public health, safety and welfare of Tennesseans in light of the COVID-19 outbreak”. It was seconded by member David Dupree. The Board voted 4-0 to **APPROVE**.

Member Grant Rosenberg made a motion to elect Daniel Odle as chairman for 2021. It was seconded by member Don Horton. The Board voted 4-0 to **APPROVE**. Christina Magrans made a note that prior to the meeting Daniel Odle advised he would accept the nomination.

Member Don Horton made a motion to approve the Minutes from the December 17, 2020 meeting. It was seconded by member Christina Boulter. Member David Dupree abstained. The Board voted 3-0 to **APPROVE**.

Member David Dupree made a motion to add the review of the updated BZA Administrative Rules to the end of the meeting. It was seconded by member Don Horton. The Board voted 4-0 to **APPROVE**.

NEW BUSINESS

File: 1-A-21-VA
Applicant: Seth D. Schweitzer
Address: 6300 Asheville Highway
Zoning: C-H-2 (Highway Commercial) Zoning District

Parcel ID: 072AA002
4th Council District

Variance Request:

Reduce the minimum required front yard setback from 20 feet to 0 feet to permit the extension of a pre-existing, non-conforming building. (Article 5, Section 5.3. Table 5-1)

Per plan submitted to construct an addition on an existing building in the C-H-2 (Highway Commercial) Zoning District.

Applicant Seth Schweitzer was present and spoke to the application.

Member David Dupree made a motion to approve. Member Christina Boulter suggested that the motion be tied to the site plan. Member David Dupree amended his motion to approve as per site plan. It was seconded by Member Christina Boulter. The Board voted 4-0 to **APPROVE**.

File: 1-B-21-VA
Applicant: Knoxville Utilities Board
Address: 1500 Lyons Bend Rd.
Zoning: I-H (Heavy Industrial) Zoning District

Parcel ID: 121JB00507
2nd Council District

Variance Request:

Decrease the minimum required floor elevation from 823.5 ft, one foot above the 500-year flood elevation, to 814.5 ft for the proposed improvements identified on the applicant's site plan. (Chapter 12 - Flood Damage Prevention and Control Ordinance: Article 3 Section 12-52 (2))

Per plan submitted for improvements to an existing KUB waste water treatment facility in the I-H (Heavy Industrial) Zoning District.

Applicant representative Bill Coley with Hodges Doughty and Carson was present and spoke to the application.

Applicant representative Andrew Howe with Hazen and Sawyer was present and spoke to the application.

Member Don Horton made a motion to approve only for the proposed sodium hydrochloride storage facility on the site. It was seconded by member David Dupree. Discussion and review continued with David McGinley of City Engineering.

Member Grant Rosenberg made a motion to approve per applicant site plan. It was seconded by member Don Horton. The Board voted 4-0 to **APPROVE**.

File: 1-C-21-VA
Applicant: Dan Brittain (Architect)
Address: 6217 Kingston Pike
Zoning: C-G-1 (General Commercial) Zoning District

Parcel ID: 121AA023
2nd Council District

Variance Request:

Appeal of the Zoning Administrator's interpretation of the proposed use as "vehicle dealership" to "retail goods establishment" as defined in the zoning ordinance (Article 14.4.C)

Per plan submitted to lease space as a high end vehicle gallery/retailer in the C-G-1 (General Commercial) Zoning District.

Applicant Dan Brittain was present and spoke to the application.

Amanda Pittman was present and spoke in opposition.

Member David Dupree made a motion to deny the appeal and uphold the Building Official's decision. It was seconded by member Don Horton. The Board voted 4-0 to **DENY**.

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| File: | 1-D-21-VA | Parcel ID: 121DB001 |
| Applicant: | Jonathan & Jessica Boone | 2 nd Council District |
| Address: | 595 Arrowhead Trail | |
| Zoning: | RN-1 (Single-Family Residential Neighborhood) Zoning District | |

Variance Request:

Reduce the minimum required rear yard setback from 25 feet to 22 feet 1 inch. (Article 4, Section 4.3. Table 4-1)

Per plan submitted to add a 3-story addition to a home in the RN-1 (Single-Family Residential Neighborhood) Zoning District.

Applicant Jonathan Boone was present and spoke to the application.

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

OTHER BUSINESS

Bryan Berry recognized member David Dupree for his five years of service and thanked him for his dedication to the Board and the citizens of Knoxville.

Bryan Berry introduced incoming Board member Eboni James and welcomed her to the Board.

Bryan Berry reviewed proposed changes to the BZA Administrative Rules and Procedures. Member Grant Rosenberg made a motion to accept the updates to the BZA Administrative Rules and Procedures as revised. Discussion and review continued. Member Grant Rosenberg made an amendment to his prior motion to approve the revised BZA Administrative Rules and

Procedures as just edited. It was seconded by member David Dupree. The Board voted 4-0 to **APPROVE**.

The next BZA meeting is February 18, 2021.

ADJOURNMENT

The meeting adjourned at 5:37pm.