

File #

11-C-20-VA



# BOARD OF ZONING APPEALS APPLICATION

Click on Meeting Schedule, Deadlines and Fees for information on submitting an application to be heard at a monthly Board meeting.

| APPLICANT INFORMATION                 | APPLICANT IS:                             | THIS PROPOSAL PERTAINS TO:   |
|---------------------------------------|---|--|
| Name: Davis & Brittany Tarwater       | Owner <input checked="" type="checkbox"/> | New Structure <input type="checkbox"/>                                 |
| Street Address: 1301 Cherry Tree Lane | Contractor <input type="checkbox"/>       | Modification of Existing Structure <input checked="" type="checkbox"/> |
| City, State, Zip: Knoxville, TN 37919 | Tenant <input type="checkbox"/>           | Off Street Parking <input type="checkbox"/>                            |
| Phone Number: 7349040775              | Other <input type="checkbox"/>            | Signage <input type="checkbox"/>                                       |
| Email: brittany.r.tarwater@gmail.com  |   | Other: <input type="checkbox"/>  |

## THIS IS A REQUEST FOR:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Zoning Variance (Building Permit Denied) | <input type="checkbox"/> Extension of Non-Conforming Use/or Structure |
| <input type="checkbox"/> Appeal of Administrative Official's Decision        | <input type="checkbox"/> Map Interpretation                           |

## PROPERTY INFORMATION

Street Address : 1301 Cherry Tree Lane City, State, Zip: Knoxville, TN 37919  
 See KGIS.org for Parcel #: 133DA076 and Zoning District: RN-1

## VARIANCE REQUIREMENTS

### City of Knoxville Zoning Ordinance Article 7, Section 2

The City of Knoxville Board of Zoning Appeals shall have the power and authority to grant variances from terms of this ordinance according to the procedure and under the restrictions set out in this section.

The purpose of the variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the zoning ordinance intended.

## DESCRIPTION OF APPEAL

### Describe your project and why you need variances.

We are seeking to enclose our existing back deck with a screened in porch. Our home is in a corner lot, with a setback requirement of 25 feet. Our backyard measures 25 ft from the home to the property line, therefore not possessing the space to meet the existing setback requirement. The existing deck measures 15 ft x 20 ft, which met setback requirements at the time it was built, but now encroaches into the current requirement by 15 ft, leaving a 10 ft setback. Our hope to utilize the structure that exists by creating a screened in area for our young son to safely enjoy. We are requesting a 10 ft setback for the project. We also have two large trees that shed debris on the porch, making it difficult to maintain. We plan to keep our project consistent with the aesthetic of our house and setbacks of our neighbors' patios and decks. Additionally, our front yard has a slope which is why the home is located in the corner of the lot. Included are letters of support signed by our neighbors as well as pictures and drawings of the property and project.

### Describe hardship conditions that apply to this variance.

1. Corner lot with front yard slope and back yard 25 foot setback, subsequently precluding from enclosing existing patio or almost any utilization of our fenced in backyard space.

## APPLICANT AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request and that all owners have been notified of this request in writing.

APPLICANT'S SIGNATURE

Authentisign

Brittany R. Tarwater

10/19/2020 1:12:54 PM EDT

DATE

10/19/2020

File #

11-C-20-VA



CITY OF KNOXVILLE

**BOARD OF ZONING APPEALS APPLICATION**

\*\*\*\*\*OFFICE USE ONLY\*\*\*\*\*

Is a plat required? Yes ☐ No ☒

Small Lot of record? ☐

**VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):**

Reduce the minimum rear setback requirement in a RN-1 district from 25 feet to 10 feet to renovate an existing deck into an enclosed screened in porch (Article 4.3.A, Table 4-1).

**PROJECT INFORMATION**

Date Filed 10-19-2020

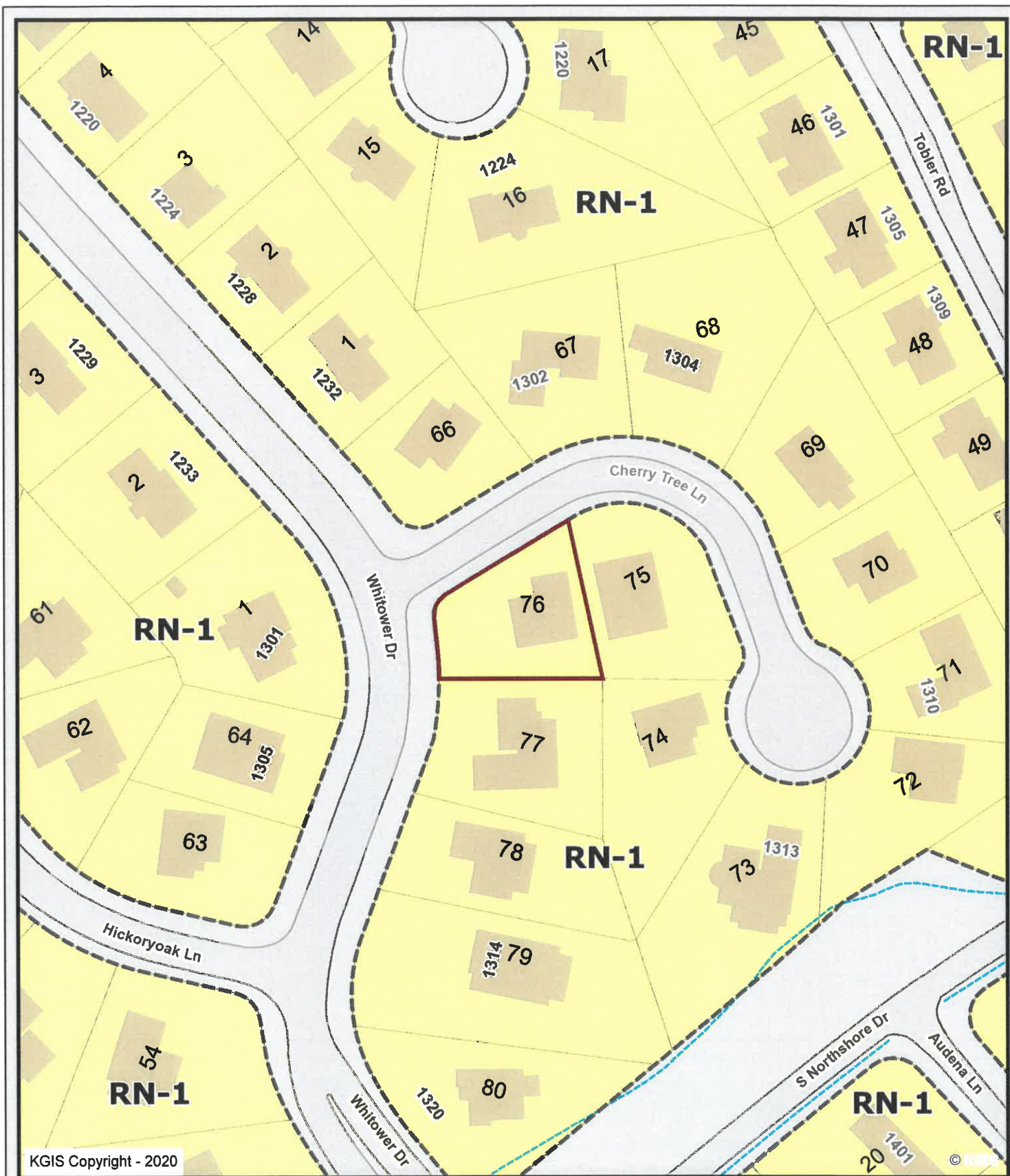
Fee Amount \$250

Council District 2

BZA Meeting Date 11-19-2020

PLANS REVIEWER Bryan Berry

DATE 10-20-2020



1301 Cherry Tree Lane

11-C-20-VA

Davis & Brittany Tarwater

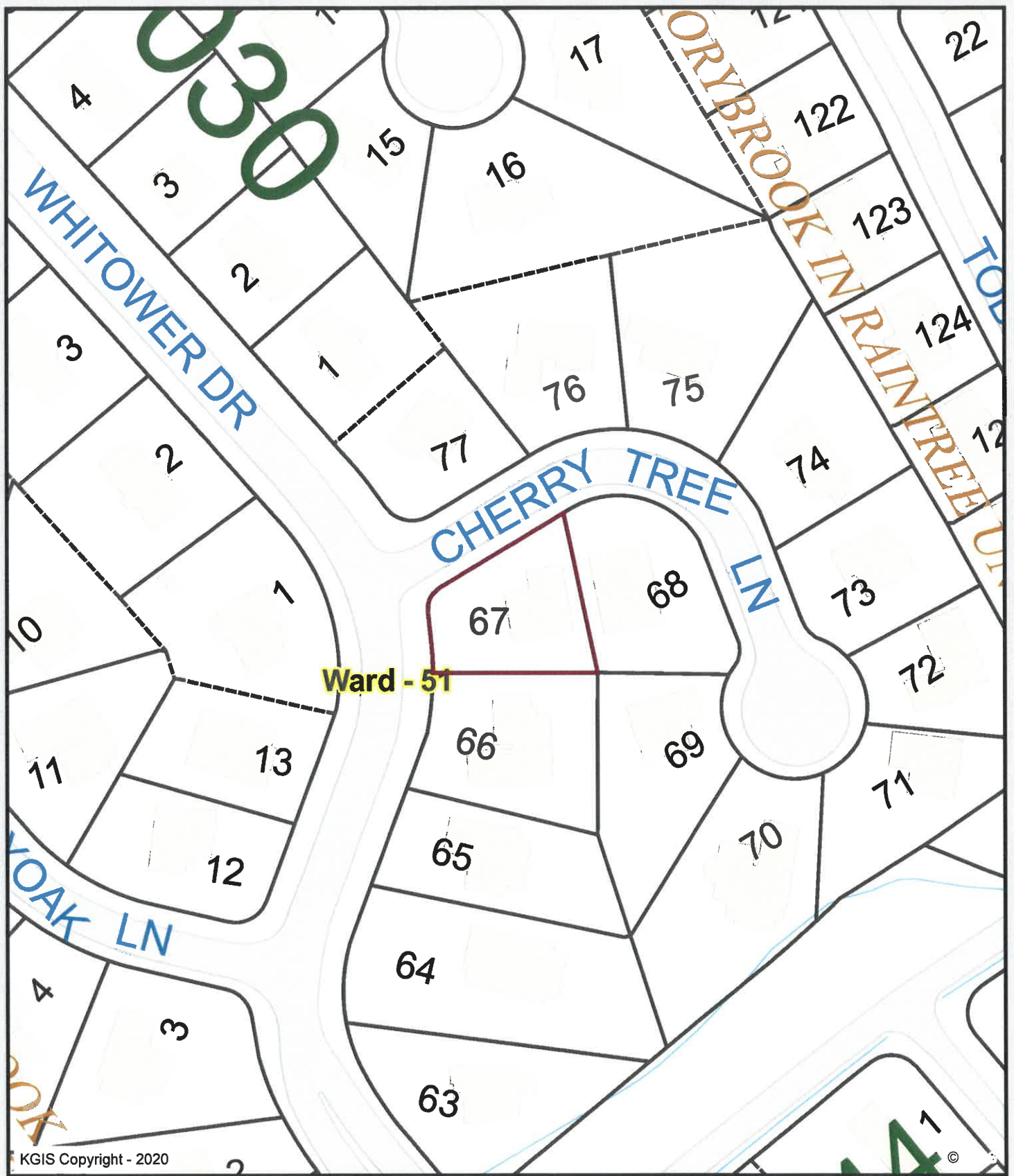
Knoxville - Knox County - KUB Geographic Information System



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1301 Cherry Tree Lane

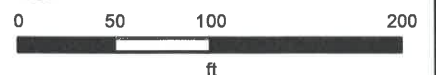
11-C-20-VA

Davis & Brittany Tarwater

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1301 Cherry Tree Lane

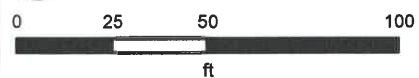
11-C-20-VA

Davis & Brittany Tarwater

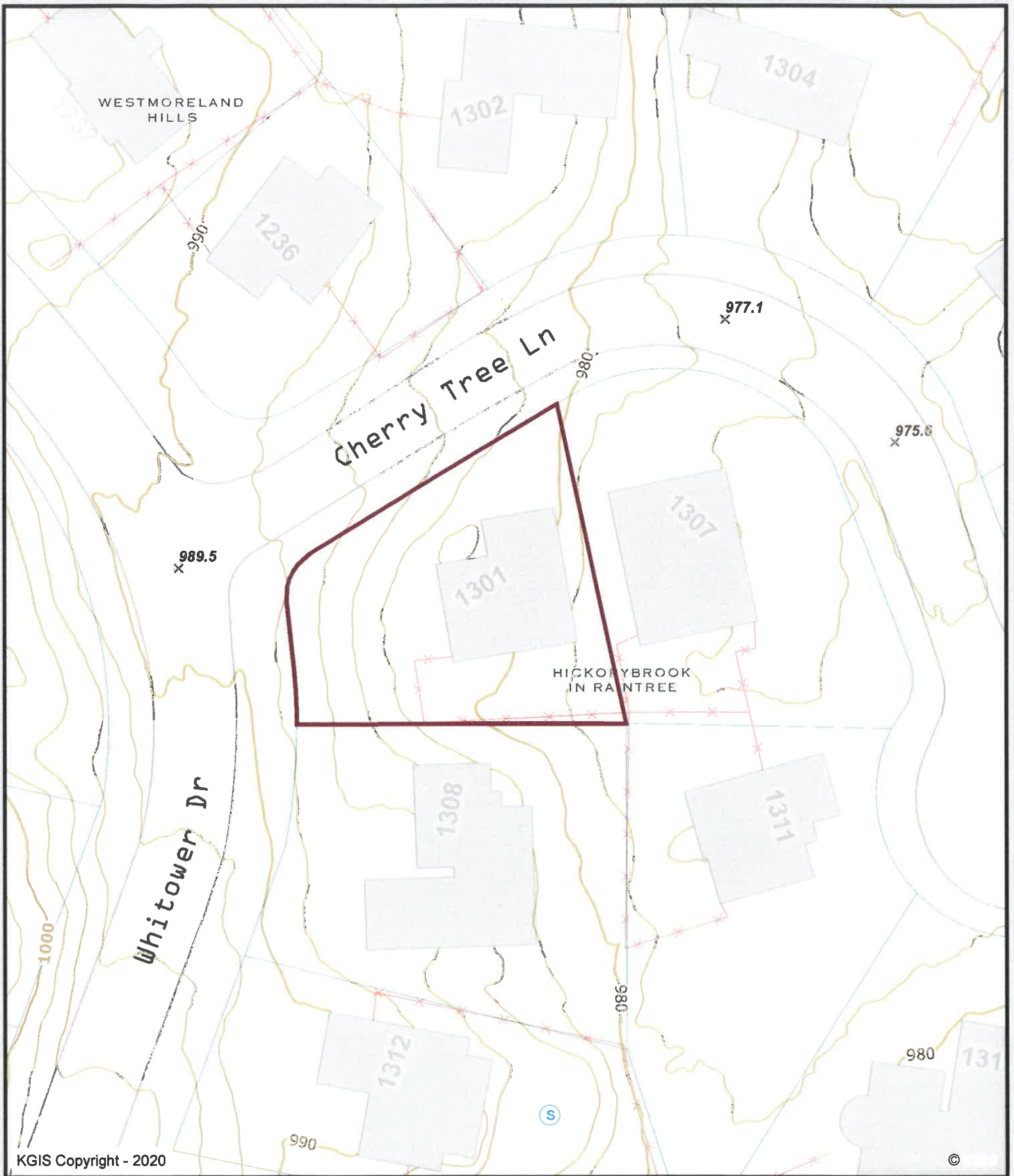
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## 1301 Cherry Tree Lane

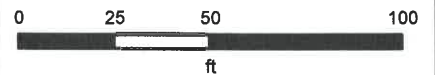
11-C-20-VA

Davis & Brittany Tarwater

**Knoxville - Knox County - KUB Geographic Information System**

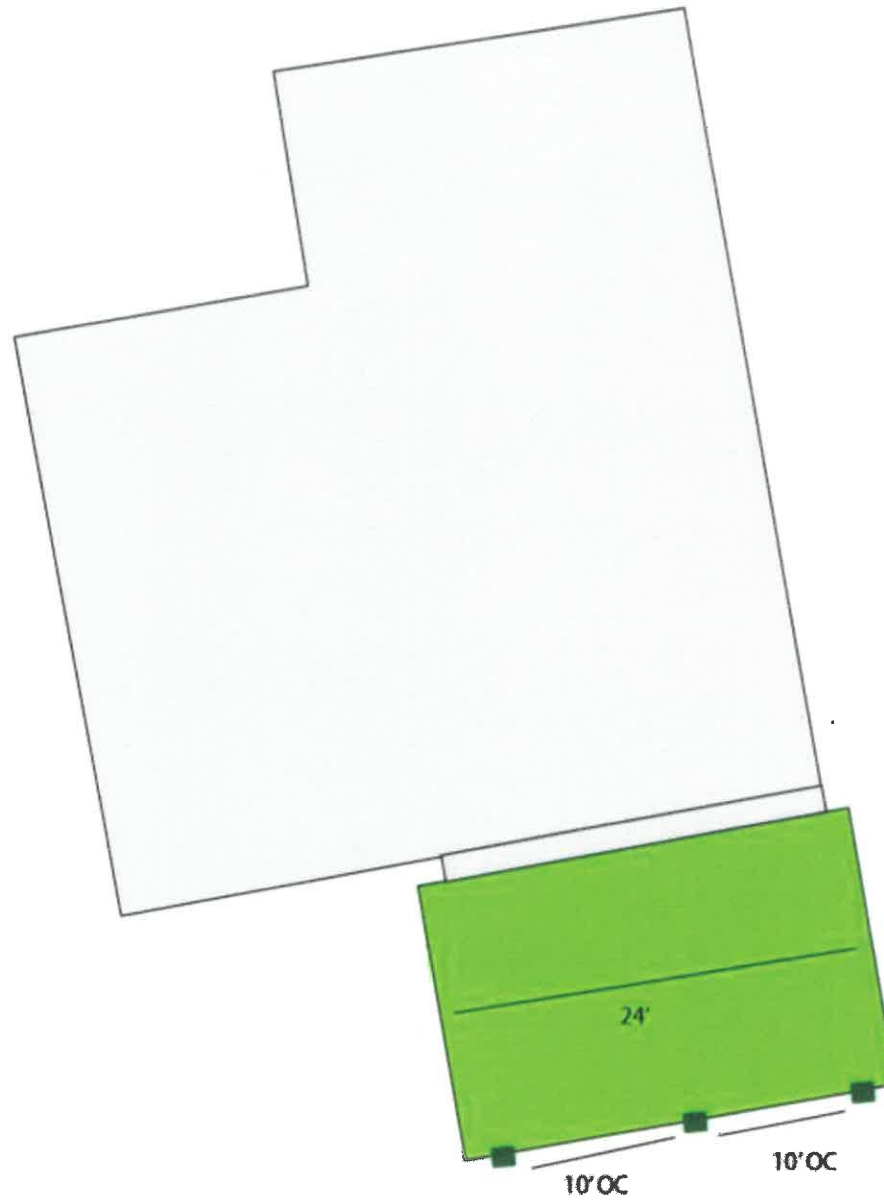


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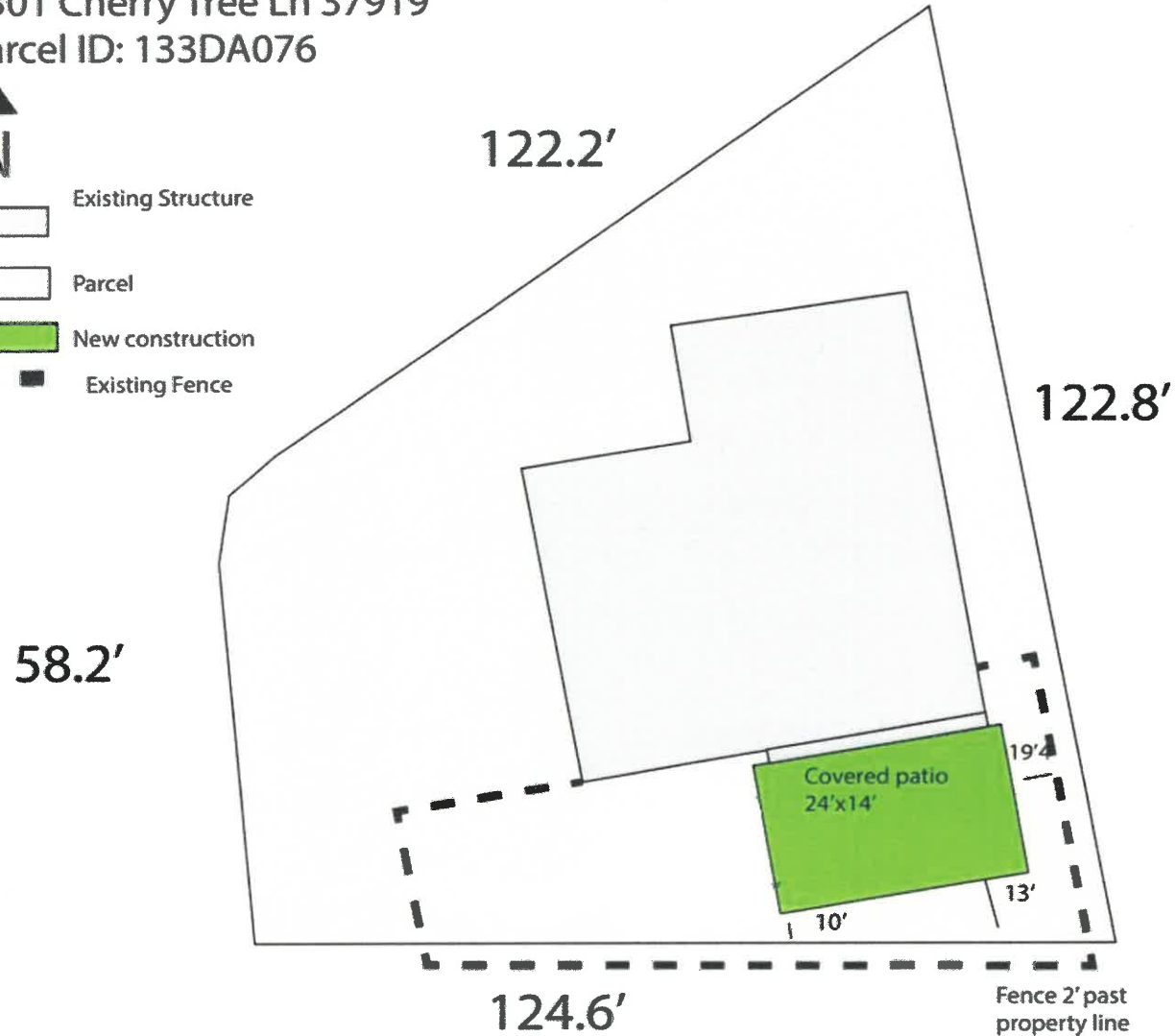
REVISED

11-C-20-VA

Site Plan  
1301 Cherry Tree Ln 37919  
Parcel ID: 133DA076



-  Existing Structure
-  Parcel
-  New construction
-  Existing Fence



NOT TO SCALE

REVISED

11-C-20-VA





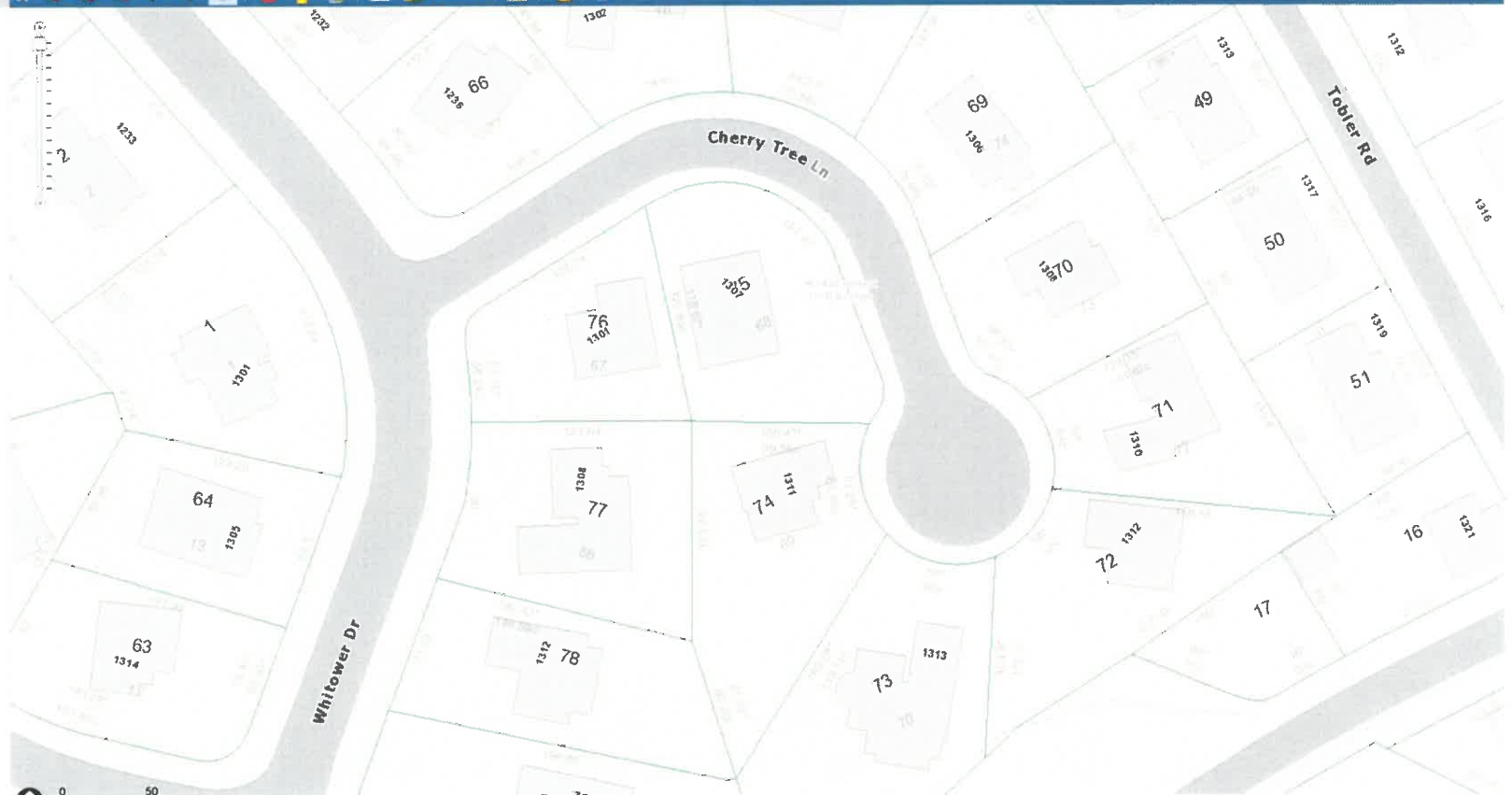
### KGIS Maps - Introduction

This website is KGIS's latest web mapping solution. Unlike previous mapping solutions KGIS Maps gives the user a much faster mapping environment as well as a look at much more current data. It's browser compatibility has also been improved.

More information about this application can be found on the Help tab, including a short ["Getting Started with KGIS Maps"](#) tutorial video. We will continue to look for ways to improve and enhance the website, and we encourage your feed back and comments. Email us at [kgis@kgis.org](mailto:kgis@kgis.org)

Information on this website is derived from various governmental departments within the [City of Knoxville](#), [Knox County](#) and the [Knoxville Utilities Board \(KUB\)](#), who together have created a centralized "geographic information system": [KGIS](#).

All maps and data made accessible in this website are subject to [disclaimer](#).



11-C-20-VA



11-C-20-VA



October 13, 2020

Dear Board of Zoning Appeals members,

I am writing in full support of our next-door neighbors, the Tarwater family, as they seek to enclose their existing back yard patio. Our family has lived in 1308 Whitower for decades. Our property line borders the home's (1301 Cherry Tree Lane) back yard in question of the setback requirements. By way of this letter, I attest that I am familiar with and have no objections to this project, in fact, we are excited to see it through completion. We lived in this home when the previous owners added to the home's value by building the original patio in the 1990s. We have had many conversations with the Tarwater family regarding their plans and are in favor of them enclosing their patio, as we believe it elevates the aesthetic value and family-friendly nature of our entire neighborhood. We are hopeful their variance request is approved. Thank you for your consideration.

Sincerely,

George Williams and family

11-C-20-VA

October 13, 2020

Dear Board of Zoning Appeals members,

We are writing in support of my next-door neighbors, the Tarwater family, as they seek to enclose their existing back deck. We have owned the home next door, 1307 Cherry Tree Lane, since 2007. After hearing their plans and by way of this letter, we attest that we are familiar with and have no objections to this project. Our side property line borders their side yard. Although the property line we share is within the setback requirements set by the city, we are writing to you in favor of the family enclosing their backyard patio. We are hopeful their variance request is approved. Thank you for your consideration.

Sincerely,

Julie McWhorter and Roger Moore

11-C-20-VA



11-0-70VA





11-C-20-VA





11-070-VA





11.07.2014





11/09/2018





11/07/2018





11-C-20-VA





11-C-20-VA



11-C-20-VA