



BOARD OF ZONING APPEALS

MINUTES

SEPTEMBER 20, 2022

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 September 20, 2022 meeting at 4:00 pm in the Small Assembly Room, City County Building, 400 Main Street, Knoxville, TN, and 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 by clicking [here](#) or by visiting www.knoxvilletn.gov

CALL TO ORDER

Chairman Daniel Odle called the meeting to order at 4:00 pm

ROLL CALL

Board members present were Chairman Daniel Odle, Vice-Chairman Grant Rosenberg, Amy Sherrill, Christina Boulter and Eboni James.

Others in attendance were Peter Ahrens, Building Official, Mike Robinson, Zoning Official, Joshua Frerichs, Stormwater Engineering; Lisa Hatfield, City Attorney; Jessie Hillman, Knoxville-Knox County Planning; Mike Reynolds, Knoxville-Knox County Planning, Jennifer Scobee, Board Secretary.

MINUTES

August 16, 2022 meeting

Vice-Chairman Grant Rosenberg made a motion to approve the August 16, 2022 minutes. It was seconded by member Christina Boulter. The Board voted 5-0 to **APPROVE**.

OLD BUSINESS

FILE: 8-C-22-VA
APPLICANT: William Dohm
ADDRESS: 3221 Garden Dr
ZONING: RN-1 (Single Family Residential) Zoning District

PARCEL ID: 058DM010
4th COUNCIL DISTRICT

VARIANCE REQUEST:

1. Decrease the minimum interior side setback from 10 feet to 3.4 feet for a nonresidential use in the RN-1 district. Per Article 4.3; Table 4-1.
2. Decrease the driveway width from 20 feet to 10 feet for a nonresidential use in the RN-1 district. Per Article 11.7.C; Table 11-6.
3. Decrease the minimum lot area for nonresidential from 20,000 square feet to 12,692 square feet for an educational facility - primary or secondary use in the RN-1 district. Per Article 4.3; Table 4-1.

Per plan submitted to change the use from single family to educational in the RN-1 (Single Family Residential) Zoning District, 4th Council District.

Applicant Daniel Jones spoke in favor of the application. There was no opposition present.

Vice-Chairman Grant Rosenberg made a motion to approve. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

NEW BUSINESS

FILE: 9-C-22-VA
APPLICANT: Gilmore Conners/Chartwell Residential
ADDRESS: 7727 Kingston Pike
ZONING: CH-2 (Highway Commercial) Zoning District

PARCEL ID: 120GA001
2nd COUNCIL DISTRICT

VARIANCE REQUEST:

Decrease the minimum front setback from 20 feet to 10 feet for a multi-family dwelling in the C-H-2 district. Per Article 5.3.A; Table 5-1.

Per plan submitted to construct a multifamily apartment building in the C-H-2 (Highway Commercial) Zoning District, 2nd Council District (120GA001).

Applicant Gilmore Conners, Bud Cullom were present and John Anderson (via Zoom) spoke in favor of the application. There was no opposition present.

Chairman Daniel Odle made a motion to postpone until the October meeting to give the applicant time to review their application with KUB due to the utility lines. It was seconded by member Eboni James. The Board voted 5-0 to **POSTPONE**.

FILE: 9-E-22-VA

APPLICANT: R. Bentley Marlow

ADDRESS: 1406 Wallace St

ZONING: RN-2 (Single Family Residential) Zoning District

PARCEL ID: 094FN028

6th COUNCIL DISTRICT

VARIANCE REQUEST:

1. Decrease the front setback from 20 feet to 9 feet for a single-family dwelling in the RN-2 district. Per Article 4.3; Table 4-1.
2. Increase the maximum permitted encroachment for an unenclosed porch into the front setback from 5 feet to 6 feet. Per Article 10.4.A; Table 10-1.
3. Increase the maximum building coverage from 30% to 31.5% for a single-family dwelling in the RN-2 district. Per Article 4.3; Table 4-1.
4. Increase the maximum impervious surface coverage from 40% to 42% for a single-family dwelling in the RN-2 district. Per Article 4.3; Table 4-1.

Per plan submitted to construct single family home in the RN-2 (Single Family Residential Neighborhood) Zoning District, 6th Council District (094FN028).

Applicant R. Bentley Marlow was present via Zoom and spoke in favor of the application. There was no opposition present.

Vice-Chairman Grant Rosenberg made a motion to approve. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

FILE: 9-F-22-VA
APPLICANT: Daniel Odle/Lawler-Wood LLC
ADDRESS: 1540 Member Lane
ZONING: O (Office) Zoning District

PARCEL ID: 106DA00625
3rd COUNCIL DISTRICT

VARIANCE REQUEST:

Increase the square footage for an attached sign from a maximum of 24 square feet to 54.9 square feet in the O district. Per Article 13.9.E.2.a.

Per plan submitted to erect signage for new office building in the O (Office) Zoning District, 3rd Council District (106DA00625).

Joe Petre spoke in favor of the application. Keven Murphy was present and spoke against the application.

Chairman Daniel Odle recused himself from this vote as he was the applicant.

Vice-Chairman Grant Rosenberg made a motion to approve. It was seconded by member Amy Sherrill. The Board voted 4-0 to **APPROVE**.

FILE: 9-G-22-VA
APPLICANT: Janice Tocher
ADDRESS: 451 West Blount Ave
ZONING: SW-4 (South Waterfront) Zoning District

PARCEL ID: 108EA00702
1st COUNCIL DISTRICT

ADMINISTRATIVE APPEAL REQUEST:

Appeal of a determination by the Zoning Administrator that the proposed development for 451 W. Blount Avenue was subject to a Level 2 Development Plan Review and not a Level 3 Alternative Compliance Review, pursuant to the South Waterfront Form Code, per Article 16.12.A.2.

Applicant Janice Tocher was present and spoke in favor of the application. Deborah Mallard, John Cadotta and Matthew Park also spoke in favor of the application. Ben Mullins and Keith Windle spoke in opposition of the application.

Vice-Chairman Grant Rosenberg made a motion to defer this until the next Board of Zoning Appeals meeting with the request that the application be revised to remove any mention of any prior case and to be in a proper form before the Board of Zoning Appeals. It was seconded by member Eboni James. The Board voted 5-0 to **POSTPONE**.

OTHER BUSINESS

The next BZA meeting will be held on October 18, 2022 in the Division II Court Room.

ADJOURNMENT

The meeting was adjourned at 5:47 p.m.