



BOARD OF ZONING APPEALS

MINUTES

March 16, 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 March 16, 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 4:02p.m.

ROLL CALL

Board members present were Christina Boulter, Grant Rosenberg, Don Horton and 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 and Juliana LeClair, Board Secretary.

SPECIAL MOTION

Temporary Chairman 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 Don Horton. The Board voted 4-0 to **APPROVE**.

MINUTES

Member Christina Bouler made a motion to approve the Minutes from the February 18, 2021 meeting. It was seconded by member Don Horton. The Board voted 4-0 to **APPROVE**.

NEW BUSINESS

File:	3-A-21-VA	Parcel ID: 094MB004
Applicant:	John Holmes	1 st Council District
Address:	400 Twelfth St.	
Zoning:	RN-6 (Multi-Family Residential Neighborhood) Zoning District	

Variance Request:

- 1) Increase the maximum number of allowed driveways on a lot's frontage from 1 to 3 (Article 11 Section 7.A.1 Table 11-4)
- 2) Decrease the minimum distance between a driveway and the intersection street from 50 feet to 26.95 feet (Article 11 Section 7.B Table 11-5)
- 3) Decrease the minimum distance driveways in a development are separated by from 20 feet (width of widest driveway) to 10 feet (Article 11 Section 7.B.2)
- 4) Reduce the minimum required rear building setback from 25 feet to 10.99 feet (Article 4, Section 4.3. Table 4-1.)

Per plan submitted to construct three townhouses in the RN-6 (Multi-Family Residential Neighborhood) Zoning District, 1st Council District.

Applicant John Holmes was present and spoke to the application.

Tom Morgan and Adrienne Webster were present and spoke in opposition.

Temporary Chairman Grant Rosenberg made a motion to approve. It was seconded by member Don Horton. Members Don Horton, Christina Bouler and Grant Rosenberg voted to approve. Member Eboni James voted to deny. The Board voted 3-1 to **APPROVE**.

File: 3-B-21-VA
Applicant: Signarama Knoxville – Olivia Flenniken
Address: 5312 Homberg Dr.
Zoning: C-G-3 (General Commercial) Zoning District

Parcel ID: 121BC024
2nd Council District

Variance Request:

Reduce the minimum required setback for a ground sign in a C-G-3 zoning district from 10' to 2' to the property line (Article 13, Section 13.5.A.1.)

Per plan submitted to erect a post and panel sign in the C-G-3 (General Commercial) Zoning District.

Applicant representative Benjamin C. Mullins was present and spoke to the application.

Temporary Chairman Grant Rosenberg made a motion to approve. It was seconded by member Christina Boulter. The Board voted 4-0 to **APPROVE**.

File: 3-C-21-VA
Applicant: Earnest G. Kidwell
Address: 2205 Paris Rd.
Zoning: RN-2 (Single-Family Residential) Zoning District

Parcel ID: 080KC036
5th Council District

Variance Request:

1) Increase the maximum permitted building coverage of a single detached accessory structure from 900 square feet to 1,006 square feet for a detached garage in an RN-2 zoning district (Article 10, Section 10.3.A.6)

2) Increase the maximum combined building coverage for all detached accessory structures from 1,745 square feet to 1,863 square feet (Article 10, Section 10.3.A.6)

3) Reduce the rear setback of a detached accessory structure from 5' to 4.3' (Article 10, Section 10.3.A.5)

Per plan submitted to continue the use of multiple, existing, unpermitted accessory structures in the RN-2 (Single-Family Residential) Zoning District.

Applicant Earnest G. Kidwell was present and spoke to the application.

Member Don Horton made a motion to approve. It was seconded by Temporary Chairman Grant Rosenberg. The Board voted 4-0 to **APPROVE**.

File: 3-D-21-VA

Parcel ID: 094FP013

Applicant: R. Bentley Marlow

6th Council District

Address: 1508 Boyd St.

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

Variance Request:

- 1) Reduce the minimum front setback from 17' to 7' for a new single family residence in an RN-2 zoning district. (Article 4, Section 4.3.A. Table 4-1)
- 2) Reduce the minimum drive aisle width from 26' to 20.5' for an off-street parking facility in an RN-2 zoning district. (Article 11, Section 11.5.B.1. Table)
- 3) Increase the maximum impervious coverage from 40% to 57.75% in an RN-2 zoning district. (Article 4, Section 4.3. Table 4-1)

Per plan submitted to construct a new single-family residence in the RN-2 (Single-Family Residential Neighborhood) Zoning District.

Applicant Bentley Marlow was present and spoke to the application.

Temporary Chairman Grant Rosenberg made a motion to approve all variances with an amendment to variance #3 to read "from 40% to 53.25%". It was seconded by member Don Horton. The Board voted 4-0 to **APPROVE**.

File: 3-E-21-VA

Parcel ID: 107IB009

Applicant: Lindsey White

2nd Council District

Address: 6216 Lonas Dr.

Zoning: O (Office) Zoning District

Variance Request:

- 1) Appeal of the code interpretation made by the Director of Development that the design of the pickup/drop off area will interfere with the vehicle circulation in the right-of-way and/or parking lot (Article 9.3.E.3)
- 2) Reduce the minimum required parking lot setback along Lonas Rd. from 25 feet to 8 feet 2 inches (Article 11, Section 11.3.B)

3) Reduce the minimum required parking lot setback along Redsaille Road from 25 feet to 19 feet 11 inches (Article 11, Section 11.3.B)

4) Reduce the minimum required parking lot setback from 20 feet to 3 feet along property line adjacent to residential district on Redsaille Road (Article 11.3.C.2)

Per plan submitted for a change of occupancy from Office (Business) to Daycare (Education) in the O (Office) Zoning District.

Applicant Lindsey white was present and spoke to the application.

Applicant representative Bambi Lambert was present and spoke to the application.

Temporary Chairman Grant Rosenberg made a motion to deny variance #1 and to approve variances #2, 3 & 4. It was seconded by member Don Horton. The Board voted 4-0 to **DENY variance #1** and to **APPROVE variances #2, 3 & 4.**

File: 3-F-21-VA

Applicant: Marshall Prado

Address: 1111 Eleanor St.

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

Parcel ID: 081MH005

4th Council District

Variance Request:

1) Reduce the minimum required side yard setback for a freestanding roofed structure from 5 feet to 1 foot 4 inches (Article 10, Section 10.3.O.2)

2) Reduce the minimum required rear yard setback for a freestanding roofed structure from 5 feet to 3 feet 6 inches (Article 10, Section 10.3.O.2)

3) Increase the maximum permitted building coverage for a lot in an RN-2 from 30% to 37.7% (Article 4, Section 4.3 Table 4-1)

Per plan submitted to remove and rebuild a shed at the rear of a property in the RN-2 (Single-Family Residential Neighborhood) Zoning District.

Applicant Marshall Prado was present and spoke to the application.

Temporary Chairman Grant Rosenberg made a motion to approve. It was seconded by member Christina Boulter. The Board voted 4-0 to **APPROVE.**

File: 3-G-21-VA
Applicant: Chuck Grant
Address: 7128 Kingston Pike
Zoning: C-H-2 (Highway Commercial) Zoning District

Parcel ID: 120EA00101
2nd Council District

Variance Request:

Reduce the minimum required interior side setback from 10 feet to 7.3 feet, to construct an addition to an existing building (Article 5, Section 5.3 Table 5-1)

Per plan submitted to renovate an existing building with the addition of a cooler in the C-H-2 (Highway Commercial) Zoning District.

Applicant Charles Grant was present and spoke to the application.

Applicant representative David Reller was present and spoke to the application.

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

File: 3-H-21-VA
Applicant: Benjamin C. Mullins o/b/o RCM Properties and Robert C. & Brenda B. McCallie Trust
Address: 4914 N. Broadway
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 058LJ03404
4th Council District

Variance Request:

Appeal of the code interpretation made by the Zoning Administrator that the language stated in Article 13, Section 13.9.F.2.a "One detached sign is allowed per street frontage" is the same as allowing only one detached sign to be permitted on the same street frontage.

Per plan submitted to appeal the denial of a sign permit in the C-G-2 (General Commercial) Zoning District.

Temporary Chairman Grant Rosenberg made a motion to postpone to the April 20, 2021 meeting per the applicant's request. It was seconded by member Don Horton. The Board voted 4-0 to **POSTPONE**.

File: 3-J-21-VA

Applicant: Billy C. Trent

Address: 1300 Morrell Rd.

Zoning: RN-1 (Single-Family Residential Neighborhood) Zoning District

Parcel ID: 133EB02601
2nd Council District

Variance Request:

Reduce the minimum required lot area for a single-family dwelling from 10,000 s.f. to 8064 s.f. for the purpose of subdividing a lot (Article 4, Section 4.3. Table 4-1)

Per plan submitted to sub-divide a lot in the RN-1 (Single-Family Residential Neighborhood) Zoning District.

Applicant Billy Trent was present and spoke to the application.

Attorney Taylor Forrester was present and spoke to the application.

Home owner representative Benjamin C. Mullins was present and spoke in support of the application.

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

OTHER BUSINESS

The next BZA meeting is April 20, 2021.

ADJOURNMENT

The meeting adjourned at 6:24pm.