



## BOARD OF ZONING APPEALS

### MINUTES

April 20, 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 April 20, 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**

Chairman Daniel Odle called the meeting to order at 4:00p.m.

### **ROLL CALL**

Board members present were Daniel Odle, Christina Bouler, 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 MOTIONS**

Chairman Daniel Odle 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 5-0 to **APPROVE**.

Member Don Horton made a motion to elect member Grant Rosenberg as Vice-chairperson. It was seconded by member Christina Boulter. Member Grant Rosenberg abstained. The Board voted 4-0 to **APPROVE**.

## **MINUTES**

Member Grant Rosenberg made a motion to approve the Minutes from the March 16, 2021 meeting. It was seconded by member Don Horton. Chairman Daniel Odle abstained. The Board voted 4-0 to **APPROVE**.

## **OLD BUSINESS**

**File:** **3-H-21-VA** **Parcel ID:** 058LJ03404  
**Applicant:** Benjamin C. Mullins o/b/o RCM Properties and Robert C. & Brenda B. McCallie Trust 4<sup>th</sup> Council District  
**Address:** 4914 N. Broadway  
**Zoning:** C-G-2 (General Commercial) Zoning 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.

Applicant representative Attorney Richard E. Graves was present and spoke to the application.

Joyce Feld with Scenic Knoxville was present and spoke in opposition to the application.

Chairman Daniel Odle made a motion to deny. It was seconded by member Grant Rosenberg. The Board voted 5-0 to **DENY**.

## **NEW BUSINESS**

**File:** **4-D-21-VA** **Parcel ID:** 119DD00303 & 119DD00304  
**Applicant:** Brian Rowe 2<sup>nd</sup> Council District  
**Address:** 633 & 639 Mars Hill Rd.  
**Zoning:** RN-2 (Single Family Residential Neighborhood) Zoning District

### **Variance Request:**

Increase the maximum number of driveways permitted for a lot with frontage of less than 150 feet from 1 driveway to 2 driveways for a new duplex. (Article 11, Section 11.7. Table 11-4)

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

Applicant Brian Rowe was present and spoke to the application.

Member Grant Rosenberg made a motion to approve. It was seconded by Chairman Daniel Odle.

The Board voted 5-0 to **APPROVE**.

<b>File:</b>	<b>4-E-21-VA</b>	<b>Parcel ID:</b> 068LC01801
<b>Applicant:</b>	Benjamin c. Mullins o/b/o Dr. Todd Stinnett	5 <sup>th</sup> Council District
<b>Address:</b>	4605 Central Ave. Pike	
<b>Zoning:</b>	O (Office) Zoning District	

### **Variance Request:**

1) Appeal of the Zoning Administrator's interpretation that the proposed development is an accessory structure. (Article 14, Section 14.4.)

2) If the BZA overturns the Zoning Administrator's interpretation in #1 and holds that the proposed development is a principal building: Reduce the minimum required interior side yard setback from 15 feet to 5 feet 10 inches. (Article 5, Section 5.3. Table 5-1.)

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

Applicant Dr. Todd Stinnett was present and spoke to the application.

Joyce Feld with Scenic Knoxville was present to speak in opposition, however due to technical difficulties she was removed from the meeting and was unable to rejoin. Chairman Daniel Odle read Ms. Feld's opposition statement in her absence.

Member Grant Rosenberg made a motion to deny. It was seconded by member Don Horton. The Board voted 5-0 to **DENY**.

**File:** 4-F-21-VA **Parcel ID:** 081MN001  
**Applicant:** Florence Cattlett 4<sup>th</sup> Council District  
**Address:** 602 Caswell Ave.  
**Zoning:** RN-2 (Single Family Residential Neighborhood) Zoning District

**Variance Request:**

- 1) Reduce the minimum required rear setback from 25 feet to 18 feet 6 inches. (Article 4, Section 4.3. Table 4-1)
- 2) Increase the maximum permitted building coverage percentage from 30% to 32.3%. (Article 4, Section 4.3. Table 4-1)
- 3) Increase the maximum permitted impervious surface percentage from 40% to 43.9%. (Article 4, Section 4.3. Table 4-1)
- 4) Reduce the minimum number of required parking spaces from 4 spaces to 2 spaces for a multi-family dwelling with 2 1BR units & 2 2BR units. (Article 11, Section 11.4, Table 11-2)

Per plan submitted to construct an infill house in the RN-2 (Single Family Residential Neighborhood) Zoning District.

Applicant representative Sarah Martin was present and spoke to the application.

Ian Branson was present and spoke to the application.

Patrick McInturff was present and spoke to the application.

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

**File:** 4-H-21-VA **Parcel ID:** 094DJ027  
**Applicant:** Logan Higgins 4<sup>th</sup> Council District  
**Address:** 705 Deery St.  
**Zoning:** RN-3 (General Residential Neighborhood) Zoning District

**Variance Request:**

- 1) Reduce the minimum required lot size for a two-family dwelling from 7,500 s.f. to 5,150 s.f. (Article 4, Section 4.3. Table 4-1.)

- 2) Increase the maximum permitted building coverage from 35% to 46%. (Article 4, Section 4.3. Table 4-1.)
- 3) Increase the maximum permitted impervious surface coverage from 45% to 55%. (Article 4, Section 4.3. Table 4-1)
- 4) Reduce the minimum permitted total of combined interior side yard setbacks from 15 feet to 12 feet. (Article 4, Section 4.3. Table 4-1.)
- 5) Reduce the minimum number of required parking spaces for a duplex from 4 spaces to 0 spaces. (Article 11, Section 11.4. Table 11-2.)

Per plan submitted to construct a duplex in the RN-3 (General Residential Neighborhood) Zoning District.

Applicant representative Logan Higgins was present and spoke to the application.

Applicant Jim Klonaris was present and spoke to the application.

Melynda Whetsel, Ellen Lee and Gordon Coker were present and spoke in opposition to the application.

Chairman Daniel Odle made a motion to postpone to the May 18, 2021 meeting. It was seconded by member Grant Rosenberg. The Board voted 5-0 to **POSTPONE**.

## **OTHER BUSINESS**

The next BZA meeting is May 18, 2021.

## **ADJOURNMENT**

The meeting adjourned at 6:23pm.