



BOARD OF ZONING APPEALS

MINUTES

May 18, 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 May 18, 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 4:03 p.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; Christina Magrans, City Attorney; Lindsay Crockett, Knoxville-Knox County Planning Historic Preservation Planner; Adam Kohntopp, Stormwater Engineering; 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**.

MINUTES

Vice-Chairman Grant Rosenberg made a motion to approve the Minutes from the April 20, 2021 meeting. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

OLD BUSINESS

File: 4-H-21-VA

Applicant: Logan Higgins

Address: 705 Deery St.

Zoning: RN-3 (General Residential Neighborhood) Zoning District

Parcel ID: 094DJ027

4th Council 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 62.8%. (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 2 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 Logan Higgins was present and spoke to the application.

Bob Whetsel, Ellen Lee, and Arin Streeter were present and spoke in opposition to the application.

Dustin Durham was present and spoke in support of the application.

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

NEW BUSINESS

File: 4-G-21-VA

Applicant: Logan Higgins

Address: 315 & 317 E. Fourth Ave.

Zoning: RN-3 (General Residential Neighborhood) Zoning District

Parcel ID: 094DJ028

4th Council 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 50%. (Article 4, Section 4.3. Table 4-1.)
- 3) Increase the maximum permitted impervious surface coverage from 45% to 62%. (Article 4, Section 4.3. Table 4-1.)
- 4) Reduce the minimum required front yard setback from 10 feet to 4 feet. (Article 4, Section 4.3. Table 4-1.)
- 5) Reduce the minimum required rear yard setback from 25 feet to 5 feet. (Article 4, Section 4.3. Table 4-1.)
- 6) Reduce the minimum number of required parking spaces for a duplex from 4 spaces to 2 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 Logan Higgins was present and spoke to the application.

Bob Whetsel, Ellen Lee, and Arin Streeter were present and spoke in opposition to the application.

Dustin Durham was present and spoke in support of the application.

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

Chairman Daniel Odle made a motion to reconsider 4-G-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **RECONSIDER**.

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

File: 4-I-21-VA

Applicant: Logan Higgins

Address: 301 & 303 E. Fourth Ave.

Zoning: RN-3 (General Residential Neighborhood) Zoning District

Parcel ID: 094DJ029

4th Council District

Variance Request:

- 1) Reduce the minimum required lot size for a two-family dwelling from 7,500 s.f. to 5,562 s.f. (Article 4, Section 4.3. Table 4-1.)
- 2) Increase the maximum permitted building coverage from 35% to 50%. (Article 4, Section 4.3. Table 4-1.)
- 3) Increase the maximum permitted impervious surface coverage from 45% to 61%. (Article 4, Section 4.3. Table 4-1.)
- 4) Reduce the minimum required front yard setback from 10 feet to 4 feet. (Article 4, Section 4.3. Table 4-1.)
- 5) Reduce the minimum required rear yard setback from 25 feet to 5 feet. (Article 4, Section 4.3. Table 4-1.)
- 6) Reduce the minimum number of required parking spaces for a duplex from 4 spaces to 2 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 Logan Higgins was present and spoke to the application.

Bob Whetsel, Ellen Lee, and Arin Streeter were present and spoke in opposition to the application.

Dustin Durham was present and spoke in support of the application.

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

File: 5-A-21-VA

Applicant: Adam Schmeing

Address: 5826 Lucerne Ln.

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

Parcel ID: 092MB01601

3rd Council District

Variance Request:

Reduce the minimum required lot width in an RN-1 zoning district from 75 feet to 62.03 feet. (Article 4, Section 4.3 Table 4-1.)

Per plan submitted to record a plat in the RN-1 (Single-Family Residential Neighborhood) Zoning District.

No one was present to speak to the application.

Vice-Chairman Grant Rosenberg made a motion to defer to the end of the agenda. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **DEFER**.

Vice-Chairman Grant Rosenberg made a motion to postpone to the June 15, 2021 meeting. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **POSTPONE**.

File: 5-B-21-VA
Applicant: Kim Trent
Address: 2416 E. Magnolia Ave.
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 082JM005
6th Council District

Variance Request:

Reduce the minimum required rear yard setback for an Accessory Dwelling Unit from 10 feet to 4.7 feet. (Article 10, Section 10.3.B.7.)

Per plan submitted to convert a two-car garage into a guest house in the C-G-2 (General Commercial) Zoning District.

Applicant Kim Trent was present and spoke to the application.

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

File: 5-C-21-VA
Applicant: Aaron Jernigan / Studio Four Design
Address: 207 South 17th St.
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 094NM018
1st Council District

Variance Request:

17th Street elevation:

- 1) Reduce the minimum required amount of transparency on the ground floor façade from 30% to 22%. (Article 5, Section 5.4. Table 5-2.)
- 2) Reduce the minimum required amount of transparency on the upper floor façade from 15% to 7%. (Article 5, Section 5.4. Table 5-2.)

Forest Avenue elevation:

- 3) Reduce the minimum required amount of transparency on the ground floor façade from 30% to 15%. (Article 5, Section 5.4. Table 5-2.)
- 4) Reduce the minimum required amount of transparency on the upper floor façade from 15% to 9%. (Article 5, Section 5.4. Table 5-2.)
- 5) Increase the maximum permitted corner-side yard, build-to-zone from 0 feet to 10 feet, to 0 feet to 19 feet 3 inches, along Forest Avenue. (Article 5, Section 5.3. Table 5-1.)
- 6) Reduce the minimum required interior side yard parking lot setback from 20 feet to 5.7 feet. (Article 11, Section 11.3.C.2.)

Per plan submitted to construct a new duplex and parking lot in the C-G-2 (General Commercial) Zoning District.

Applicant Aaron Jernigan was present and spoke to the application.

Chairman Daniel Odle made a motion to approve. It was seconded by member Christina Boulter. The Board voted 5-0 to **APPROVE**.

File: 5-D-21-VA
Applicant: Meagan Grohol / R2R Studio, LLC
Address: 710 Irwin St.
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 094DC006
4th Council District

Variance Request:

Increase the maximum permitted corner-side yard, build-to-zone from 10 feet to 20 feet, to 10 feet to 61 feet, along Bearden Place. (Article 5, Section 5.3. Table 5-1.)

Per plan submitted to construct a new eating and drinking establishment in the C-G-2 (General Commercial) Zoning District.

Applicant Meagan Grohol was present and spoke to the application.

Note per Scott Elder: The build-to-zone dimensions referenced on agenda and in the public notice are incorrect. The code requires a corner-side yard of 0 feet to 10 feet instead of the 10 feet to 20 feet stated in the notice. Since the applicant is requesting an increase from the maximum build-to-distance of 10 feet (which is allowed by-right) the variance to increase the build-to-distance to 61 feet can be heard by the board as-written.

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

File: 5-E-21-VA

Parcel ID: 094NG001

Applicant: Aaron Jernigan / Studio Four Design

1st Council District

Address: 1642 Highland Ave.

Zoning: RN-5 (General Residential Neighborhood) Zoning District

Variance Request:

- 1) Reduce the minimum required front yard setback from 25' or the average of the blockface to 8.1 feet. (Article 4, Section 4.3. Table 4-1.)
- 2) Reduce the minimum amount of required parking spaces for a place of worship from 61 spaces to 9 spaces. (Article 11, Section 11.4. Table 11-2.)
- 3) Increase the maximum permitted impervious surface coverage in an RN-1 zoning district from 60% to 70%. (Article 4, Section 4.3. Table 4-1.)

Per plan submitted to construct an addition to an existing place of worship in the RN-5 (General Residential Neighborhood) Zoning District.

Applicant Aaron Jernigan was present and spoke to the application.

Jeff Beckett was present and spoke to the application.

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

File: 5-F-21-VA
Applicant: Kim Firkins
Address: 941 North Broadway
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 081MS003
4th Council District

Variance Request:

Reduce the minimum required number of parking spaces for an eating and drinking establishment from 36 spaces to 0 spaces. (Article 11, Section 11.4. Table 11-2.)

Per plan submitted to renovate an existing building in the C-G-2 (General Commercial) Zoning District.

Applicant Kim Firkins was present and spoke to the application.

Andy Renfro and Ryan Matthews were present and spoke to the application.

Member Christina Bouler made a motion to deny. It was seconded by member Eboni James.

Member Christina Bouler retracted her motion to deny and made a motion to postpone to the June 15, 2021 meeting. It was seconded by member Don Horton. The Board voted 5-0 to **POSTPONE**.

File: 5-G-21-VA

Applicant: ForeMost Construction Group

Address: 1111 Shadyland Dr.

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

Parcel ID: 133DC006

2nd Council District

Variance Request:

1) Increase the maximum permitted building coverage for a single accessory structure from 900 s.f. to 1650 s.f. (Article 10, Section 10.3.A.6. Table.)

2) Increase the maximum permitted impervious surface coverage for a lot in the RN-1 zoning district from 40% to 41.58%. (Article 4, Section 4.3. Table 4-1.)

Per plan submitted to extend and enclose a carport in the RN-1 (Single-Family Residential Neighborhood) Zoning District.

Jason Fulcum and Todd Cramer were present and spoke to the application

Vice-Chairman Grant Rosenberg made a motion to approve. It was seconded by member Eboni James. Members Christina Boulter, Don Horton, Eboni James, and Vice-Chairman Grant Rosenberg voted to approve. Chairman Daniel Odle voted to deny. The Board voted 4-1 to **APPROVE**.

File: 5-H-21-VA

Applicant: Len Johnson

Address: 1805 Forest Ave.

Zoning: RN-5 (General Residential Neighborhood) Zoning District

Parcel ID: 094NC020

1st Council District

Variance Request:

1) Reduce the minimum required lot area for a two-family dwelling from 5,000 s.f. to 3,857 s.f. (Article 4, Section 4.3. Table 4-1.)

2) Reduce the minimum required combined interior side yard setback from 15 feet to 0 feet (Article 4, Section 4.3. Table 4-1.)

3) Increase the maximum permitted building coverage from 35% to 38.9%. (Article 4, Section 4.3. Table 4-1.)

4) Increase the maximum permitted impervious surface coverage from 45% to 55.7%. (Article 4, Section 4.3. Table 4-1.)

5) Reduce the minimum required lot width from 50 feet to 26.3 feet. (Article 4, Section 4.3. Table 4-1.)

Per plan submitted to bring a pre-existing, non-conforming duplex with a new addition into compliance in the RN-5 (General Residential Neighborhood) Zoning District.

Applicant Len Johnson was present and spoke to the application

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

File: 5-I-21-VA
Applicant: Ruby Cochran
Address: 3010 E. Magnolia Ave.
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 082FE002
6th Council District

Variance Request:

Reduce the minimum number of required parking spaces for a ground floor office use from 2 spaces to 0 spaces (Article 11, Section 11.4 Table 11-2)

Per plan submitted to change the first floor of a residence to a business in the C-G-2 (General Commercial) Zoning District.

Chairman Daniel Odle made a motion to postpone to the June 15, 2021 meeting. It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **POSTPONE**.

Vice-Chairman Grant Rosenberg made a motion to reconsider 5-I-21-VA. It was seconded by member Christina Boulter. The Board voted 5-0 to **RECONSIDER**.

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

File: 5-J-21-VA
Applicant: Staci Meyer
Address: 106 E. Young High Pike
Zoning: C-G-3 (General Commercial) Zoning District

Parcel ID: 109OK003
1st Council District

Variance Request:

- 1) Increase the number of driveways permitted for a lot with less than 150 feet of frontage from 1 driveway to 2 driveways. (Article 11, Section 11.7.A.1. Table 11-4.)
- 2) Reduce the minimum required distance between driveways in a development from 25 feet to 23.59 feet. (Article 11, Section 11.7.B.2.)
- 3) Reduce the minimum required width of a driveway for an eating and drinking establishment from 20 feet to 18 feet. (Article 11, Section 11.7.C. Table 11-6.)
- 4) Reduce the minimum required parking lot setback from 25 feet to 12.78 feet. (Article 11, Section 11.3.B.)

Applicant Staci Meyer was present and spoke to the application.

Variances #1 and #2 were removed from the agenda at the request of the applicant.

Vice-Chairman Grant Rosenberg made a motion to approve variances #3 and #4. It was seconded by member Eboni James. Christina Boulter recused herself. The Board voted 4-0 to **APPROVE**.

File: 5-K-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1404 Island Home Ave. #101 (Lot 12)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-K-21-VA and 5-L-21-VA. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

File: 5-L-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1404 Island Home Ave. #102 (Lot 13)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-K-21-VA and 5-L-21-VA. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

File: 5-M-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1404 Island Home Ave. #103 (Lot 14)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-N-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1404 Island Home Ave. #104 (Lot 15)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-O-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1404 Island Home Ave. #105 (Lot 16)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 27.6% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-O-21-VA and 5-P-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-P-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1404 Island Home Ave. #106 (Lot 17)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 27.6% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-O-21-VA and 5-P-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-Q-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1408 Island Home Ave. #101 (Lot 18)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-R-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1408 Island Home Ave. #102 (Lot 19)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-S-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 1416 Island Home Ave. #101 (Lot 20)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 31.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: **5-T-21-VA** **Parcel ID:** 095OD001, 095OD002, 095OD003
Applicant: Tailwater South, LLC 1st Council District
Address: 404 McCormick Street #101 (Lot 11)
Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 22.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-U-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 404 McCormick Street #102 (Lot 10)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 22.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-V-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 404 McCormick Street #103 (Lot 9)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 22.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-W-21-VA

Parcel ID: 095OD001, 095OD002, 095OD003

Applicant: Tailwater South, LLC

1st Council District

Address: 404 McCormick Street #104 (Lot 8)

Zoning: SW-4 (South Waterfront) Zoning District

Variance Request:

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 22.8% (Article 7, Section 7.1.3.E.6 Table.)

Per plan submitted to construct a residential town home (for sale) development in the SW-4 (South Waterfront) Zoning District.

Matt Reed, Lloyd Montgomery, and Jason Atkins were present and spoke to the application.

Chairman Daniel Odle made a motion to hear 5-M-21-VA and 5-N-21-VA out of order and to group the applications and hear them in the following order:

5-K-21-VA and 5-L-21-VA

5-O-21-VA and 5-P-21-VA

5-M-21-VA, 5-N-21-VA, 5-Q-21-VA, 5-R-21-VA, and 5-S-21-VA

5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA

It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

Vice-Chairman Grant Rosenberg made a motion to approve 5-T-21-VA, 5-U-21-VA, 5-V-21-VA, and 5-W-21-VA. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 5-X-21-VA **Parcel ID:** 094LM027
Applicant: Sanders Pace Architecture c/o John Sanders 1st Council District
Address: 310 Thirteenth St.
Zoning: RN-5 (General Residential Neighborhood) Zoning District

Variance Request:

Reduce the minimum number of required parking spaces for a mixed-use, multi-tenant building from 5 spaces to 0 spaces. (Article 11, Section 11.4.C.1)

Per plan submitted to renovate the 2nd floor of an existing building in the RN-5 (General Residential Neighborhood) Zoning District.

Applicant John Sanders was present and spoke to the application.

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

File: 5-Y-21-VA

Parcel ID: 081LA012

Applicant: R. Bentley Marlow

5th Council District

Address: 416 & 418 E. Oldham Ave.

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

Variance Request:

1) 416 W Oldham Avenue - Reduce the minimum required lot size for a single family dwelling in an RN-2 zoning district from 5,000 s.f. to 4,111 s.f. (Article 4, Section 4.3. Table 4-1.)

2) 418 W Oldham Avenue - Reduce the minimum required lot size for a single family dwelling in an RN-2 zoning district from 5,000 s.f. to 4,108 s.f. (Article 4, Section 4.3. Table 4-1.)

Per plan submitted to divide a lot to yield one single family home per parcel in the RN-2 (Single Family Residential Neighborhood) Zoning District.

Applicant R. Bentley Marlow was present and spoke to the application.

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

File: 5-Z-21-VA
Applicant: David R. Mixon
Address: 800 N. Broadway
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 094DD014
4th Council District

Variance Request:

Reduce the minimum required number of parking spaces for a craft industrial use from 7 spaces to 0 spaces (Article 11, Section 11.4. Table 11-2)

Per plan submitted to renovate an existing building in the C-G-2 (General Commercial) Zoning District.

Applicant Rick Mixon was present and spoke to the application.

Dustin Durham was present and spoke in support of the application

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

File: 5-AA-21-VA

Applicant: Benchmark Associates, Inc.

Address: 301 & 303 Tania Lane

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

Parcel ID: 124HG023

1st Council District

Variance Request:

Reduce the minimum required lot size for a duplex in an RN-1 zoning district from 15,000 square feet to 14,893 square feet. (Article 4, Section 4.3. Table 4-1.)

Per plan submitted to construct a duplex in the RN-1 (Single-family Residential Neighborhood) Zoning District.

Benny Moorman was present and spoke to the application.

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

OTHER BUSINESS

The next BZA meeting is June 15, 2021.

ADJOURNMENT

The meeting adjourned at 8:20 p.m.