



## 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 Jarrod Arellano	Owner <input type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address 402 S. Gay St. Suite 201	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37902	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number (505) 573-0190	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email jarellano@dia-arch.com		Other <input type="checkbox"/>

### THIS IS A REQUEST FOR:

- Zoning Variance (Building Permit Denied)
  Extension of Non-Conforming Use/or Structure  
 Appeal of Administrative Official's Decision
  Map Interpretation

### PROPERTY INFORMATION

Street Address 200 Block S. Gay St. (Corner of Summit Hill and Gay Street) City, State, Zip Knoxville, TN 37902  
 See KGIS.org for Parcel # 094LD005, 094LD006, 094LD007, 094LD008, 094LD009, 094LD010 and Zoning District DK-G

### 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.

The project will consist of two separate buildings with a courtyard between. The west building parallel to Gay street will be a three story structure for retail and/or restaurants. The east building will be a 6 story structure with a sub grade parking level, a retail level at the courtyard level and 5 levels of condominiums above. We are requesting two variances.

1. The access to the parking level is proposed from Vine Avenue. Because of the size constraints and challenging topography, the proposed driveway entrance is proposed to be approximately 79'-0" from the intersection of Vine Avenue and Gay Street.

2. Because of the size constraints of the site, we request to have zero bike parking spots for the retail/restaurant uses. Bike parking will be provided for the residential condominiums.

As a clarification, no building permits for this property have been denied as this project is still in the design phase.

The attached site plan describes in more detail the variance requests.

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

1. For variance request #01, the site has challenging topography and size constraints limiting the access to provide a driveway. 2. For variance request #02, there is limited exterior space, additionally, there are 158 City-owned public bike parking spaces currently existing within 1/4-mile radius of this building.

### 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

Jarrod R. Arellano

Digitally signed by Jarrod R. Arellano  
 DN: C=US, E=jarellano@dia-arch.com,  
 O=DIA, CN=Jarrod R. Arellano  
 Date: 2021.09.08 11:52:39-04'00'

DATE 09/08/21

File #



**BOARD OF ZONING APPEALS APPLICATION**

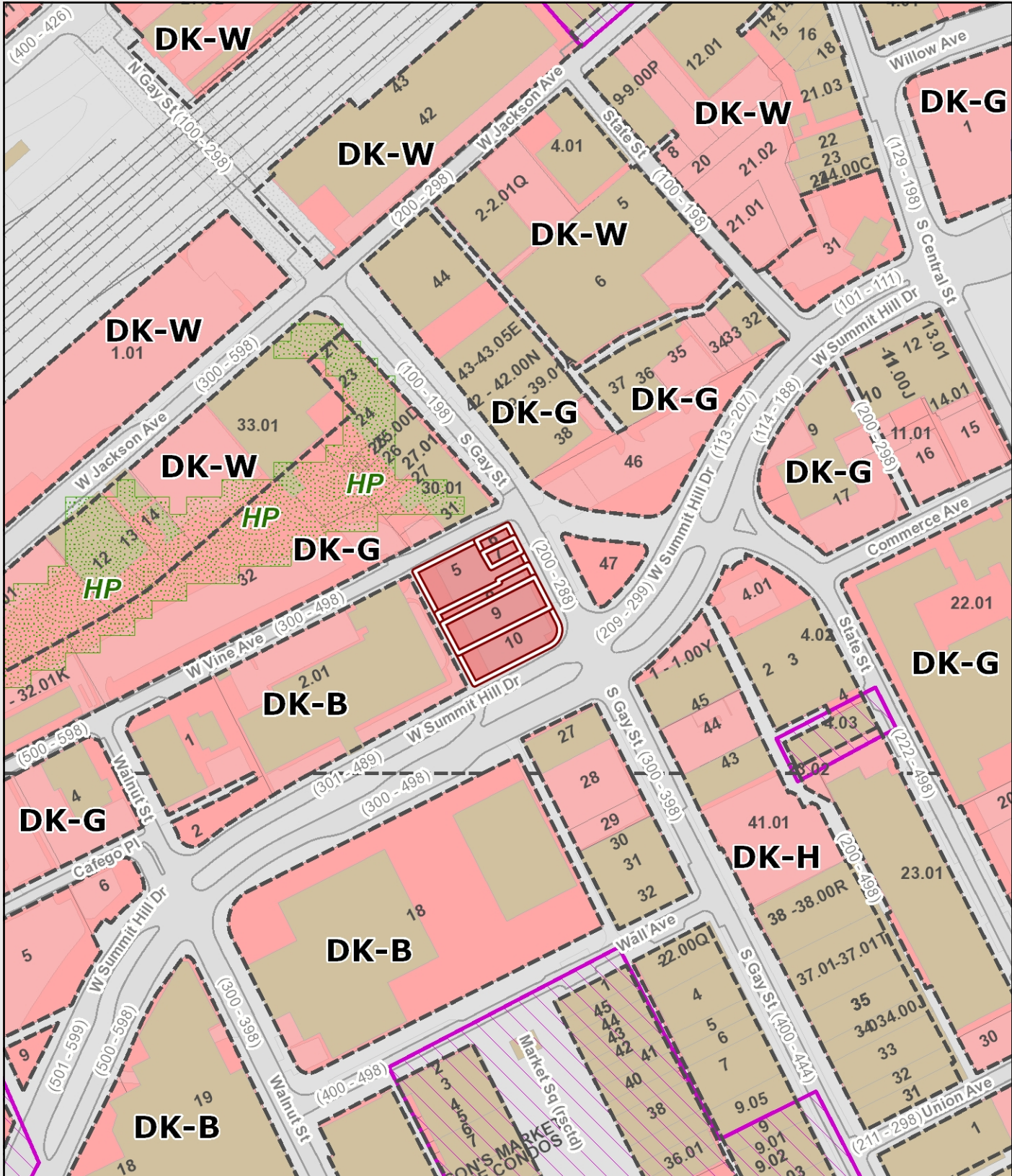
**\*\*\*\*\*OFFICE USE ONLY\*\*\*\*\***

Is a plat required?    Yes     No                       Small lot of record/substandard lot

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

**PROJECT INFORMATION**

Date Filed	Fee Amount
Council District	BZA Meeting Date
<b>PLANS REVIEWER</b>	<b>DATE</b>



200 Block S Gay St

10D21VA

Jarrod Arellano

0 100 200 400



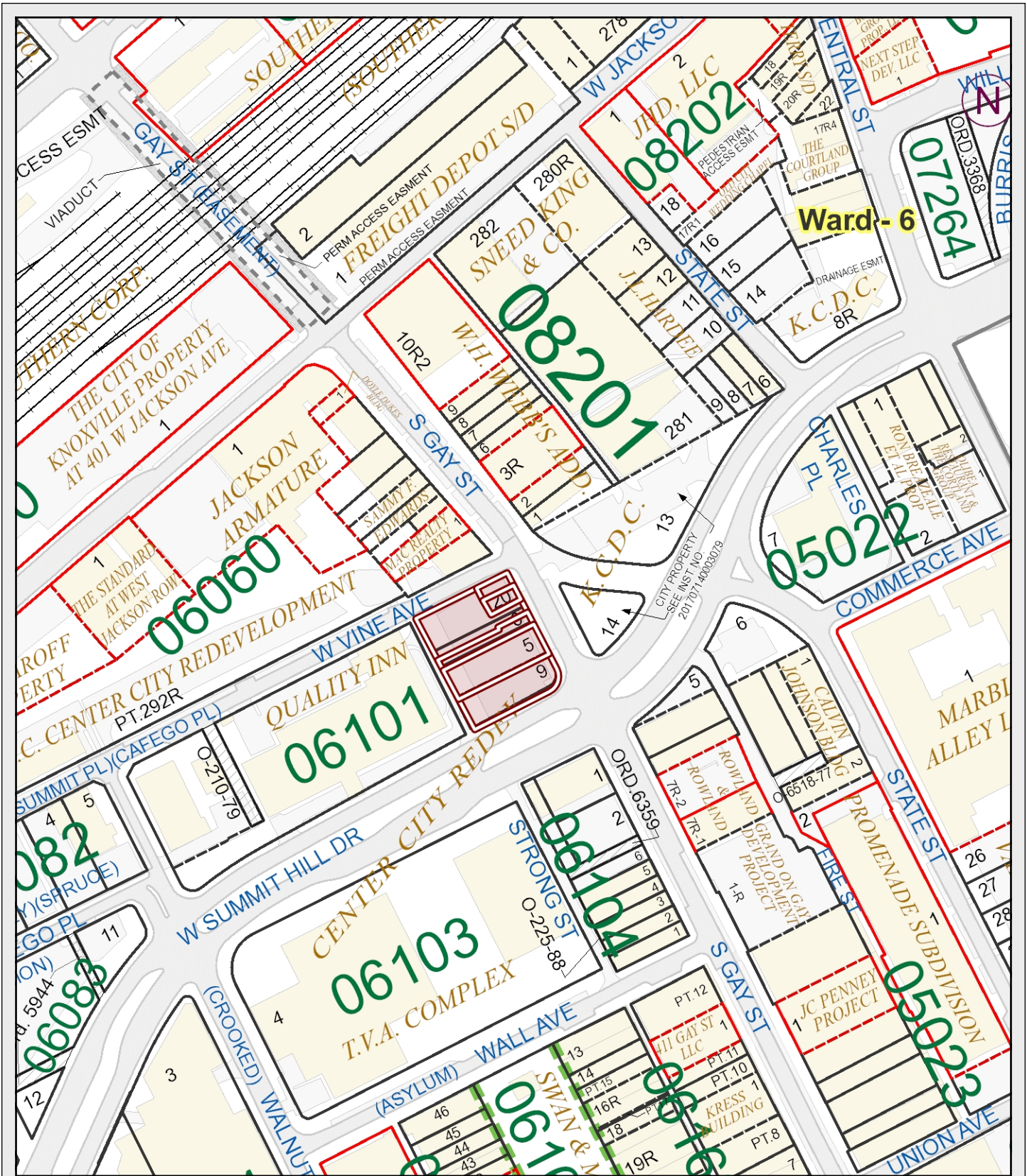
Feet

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Ward-6



200 Block S Gay St

10D21VA

Jarrold Arellano

0 100 200 400



Feet

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200 Block S Gay St

10D21VA

Jarrod Arellano

0 100 200 400



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200 Block S Gay St

10D21VA

Jarrod Arellano

0 100 200 400



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September 7, 2021

Board of Zoning Appeals  
City County Building  
Suite 547  
400 Main Street  
Knoxville, TN 37902

Dear to Whom It May Concern:

Please allow this letter to stand as official notice that Design Innovation Architects (DIA) and its representatives are authorized to represent Hatcher-Hill Properties, LLC in its applications for variances for the property commonly referred to as the 200 Block of Gay Street consisting of Parcels 094LD006, 094LD007, 094LD005, 094LD008, 094LD009, and 094LD010.

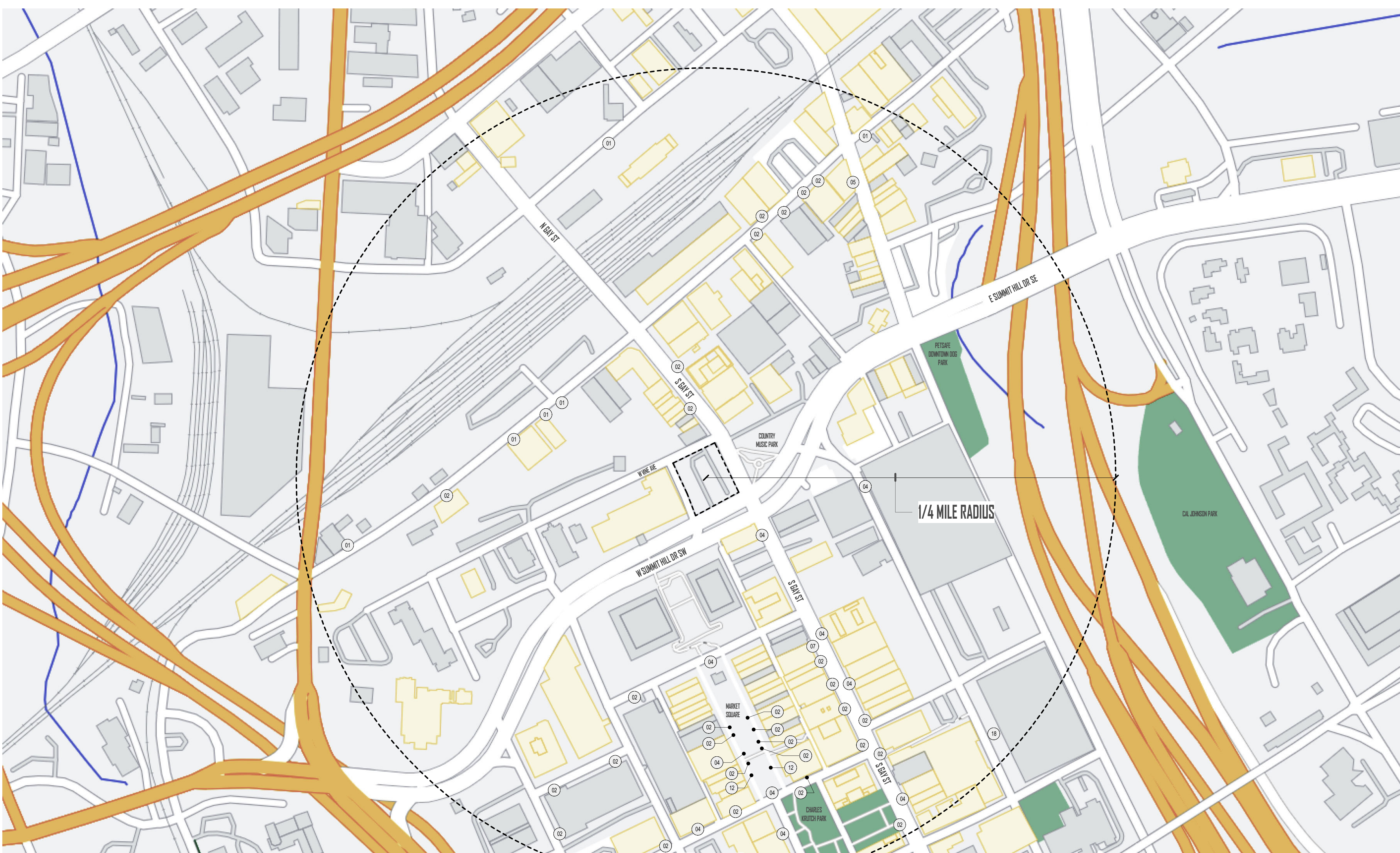
Please feel free to contact me with any further questions.

Thank you,

A handwritten signature in blue ink that reads 'timothy m. Hill'. The signature is written in a cursive style with a long horizontal stroke extending to the left.

Timothy M. Hill  
Hatcher-Hill Properties, LLC  
865-719-7538





**APPENDIX B; 11.9 - BICYCLE PARKING PROVISIONS**

**A. BICYCLE PARKING MUST BE PROVIDED FOR ALL USES WHERE VEHICULAR OFF-STREET PARKING IS REQUIRED AND/OR PROVIDED, WITH THE EXCEPTION OF SINGLE-FAMILY AND TWO-FAMILY DWELLINGS. BICYCLE PARKING MUST BE PROVIDED FOR USES IN THE AMOUNT INDICATED IN TABLE 11-7: REQUIRED BICYCLE PARKING. IN DETERMINING THE NUMBER OF BICYCLE SPACES, WHEN THE RESULT CONTAINS A FRACTION, ANY FRACTION LESS THAN ONE-HALF IS DISREGARDED AND ANY FRACTION OF ONE-HALF OR MORE IS COUNTED AS ONE SPACE.**

**VARIANCE REQUEST:**

PER THE LOCATION MAP ABOVE, WE PROPOSE THAT UN-USED AND UNDER-UTILIZED BICYCLE PARKING IS CURRENTLY AVAILABLE IN THIS AREA TO SUPPORT ROUGHLY 28,000SF OF NEW RETAIL AND RESTAURANTS. PER THE ABOVE ZONING SECTION, THE MIXED-USE (WEST) BUILDING IS REQUIRED TO PROVIDE 8 BICYCLE SPACES PER THE BELOW:

TABLE 11-2:

MIXED-USE RESIDENTIAL (WEST) BUILDING:  
 (2) THREE-BEDROOM UNITS ... @ 1.5 PARKING SPACES PER UNIT ... 3 SPACES  
 (18) TWO-BEDROOM UNITS ... @ 1.25 PARKING SPACES PER UNIT ... 22.5 SPACES  
 (18) ONE-BEDROOM UNITS ... @ 1.0 PARKING SPACES PER UNIT ... 18 SPACES  
 APPROX. 13,000 SF RETAIL ... @ 3 PARKING SPACES PER 1,000 S.F. ... 39 SPACES  
 TOTAL REQUIRED PARKING SPACES (IF PARKING WAS REQUIRED IN DK DISTRICT) ... 67.5 SPACES

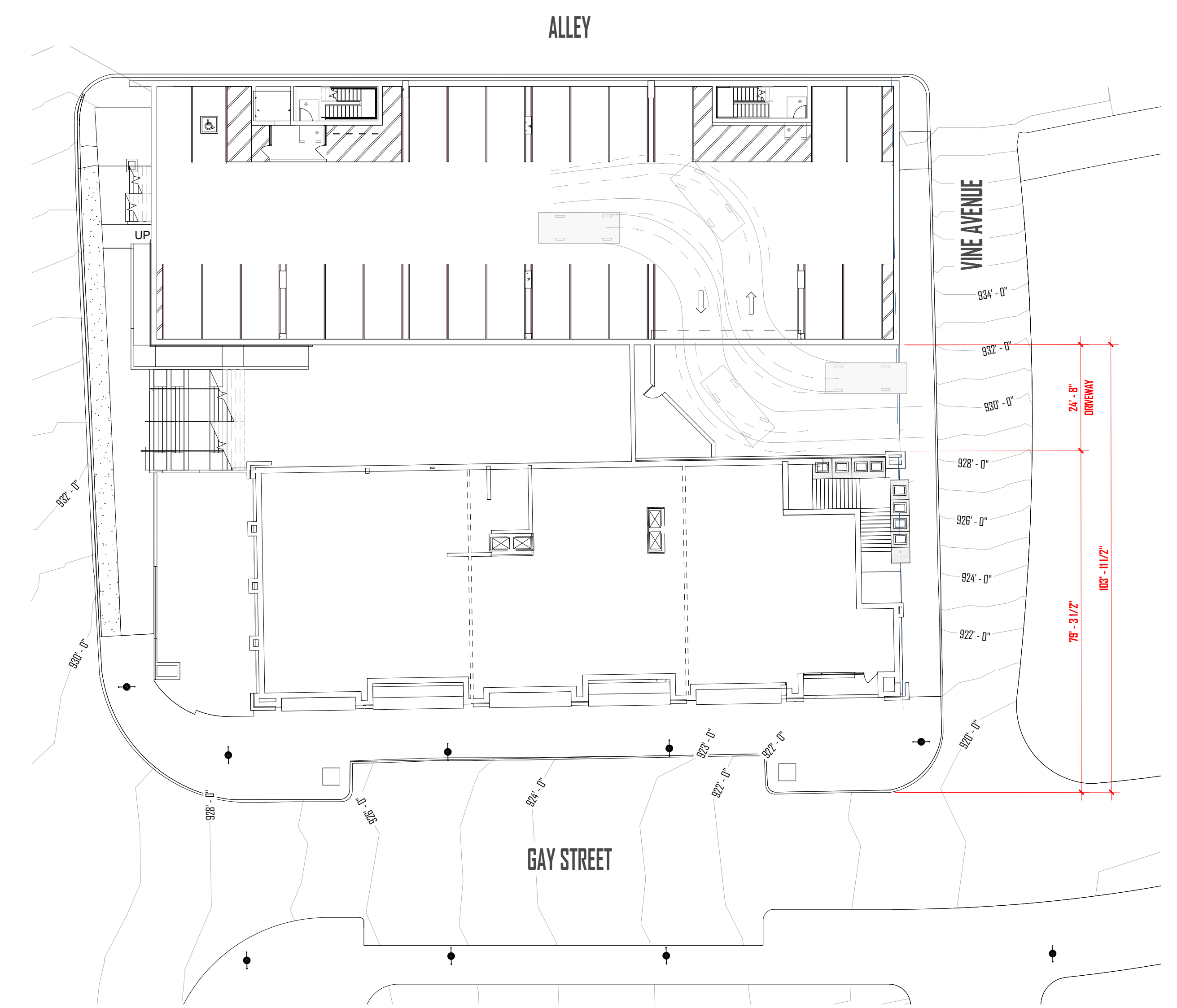
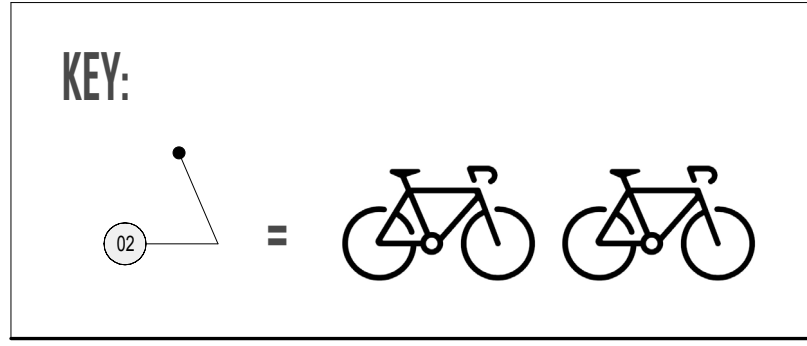
RETAIL AND RESTAURANT (EAST) BUILDING:  
 APPROX. 24,000 SF RETAIL ... @ 3 PARKING SPACES PER 1,000 S.F. ... 72 SPACES  
 TOTAL REQUIRED PARKING SPACES (IF PARKING WAS REQUIRED IN DK DISTRICT) ... 72 SPACES

TABLE 11-7:

MIXED-USE RESIDENTIAL (WEST) BUILDING:  
 8 BICYCLE SPACES REQUIRED; 8 WILL BE PROVIDED

RETAIL AND RESTAURANT (EAST) BUILDING:  
 8 BICYCLE SPACES REQUIRED; REQUEST IS TO PROVIDE 0

THIS, FOR THE ENTIRE PROJECT, WE ARE REQUESTING A VARIANCE TO WAIVE THE REQUIREMENT TO PROVIDE 8 NEW BICYCLE PARKING SPACES FOR THE RETAIL AND RESTAURANT (EAST) BUILDING.



**APPENDIX B; 11.7 - ACCESS AND DRIVEWAY DESIGN**

THESE REGULATIONS ARE APPLICABLE IN ZONING DISTRICTS WITHOUT ACCESS AND DRIVEWAY REQUIREMENTS SPECIFIC TO THE ZONING DISTRICT. IF THE DISTRICT SPECIFICALLY REQUIRES ACCESS AND DRIVEWAY DESIGN, THOSE REQUIREMENTS CONTROL. THE DEPARTMENT OF ENGINEERING IS AUTHORIZED TO DEVELOP AND IMPLEMENT SUCH POLICIES AND PROCEDURES AS MAY BE NECESSARY AND DESIRABLE TO CONTROL THE DESIGN AND CONSTRUCTION OF DRIVEWAYS THAT ARE CONSISTENT WITH THIS CODE.

**B. THE MINIMUM DISTANCE BETWEEN A DRIVEWAY AND THE INTERSECTING STREET IS DESCRIBED IN TABLE 11-5: CORNER CLEARANCE REQUIREMENTS.**

**VARIANCE REQUEST:**

PER TABLE 11-5: CORNER CLEARANCE REQUIREMENTS:

IT IS OUR UNDERSTANDING THAT GAY STREET IS CONSIDERED A LOCAL ARTERIAL STREET BY ZONING, THIS BEING THE CASE, 100' CLEARANCE IS REQUIRED TO BE PROVIDED BETWEEN THE PARKING GARAGE ACCESS DRIVE AND GAY STREET. DUE TO THE CONSTRAINTS OF THE SITE, THIS WILL NOT BE ACHIEVABLE. THE CURRENT DRIVE IS APPROXIMATELY 79'-3 1/2" FROM THE CURB ON GAY STREET.

THIS, WE ARE REQUESTING A VARIANCE TO REDUCE THE REQUIRED CORNER CLEARANCE IN THIS LOCATION FROM 100' TO 75'.



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October 11, 2021

Mr. Scott Elder  
Board of Zoning Appeals  
Room 475, City-County Building  
P. O. Box 1631  
Knoxville, Tennessee 37901

Dear Mr. Elder:

**Re: Variance Requests 9-B-21-VA, 9-E-21-VA, 10-A-21-VA, 10-B-21-VA, and  
10-D-21-VA**

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the variance areas and we have no objection to the requested variances. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,



Christian Wiberley, P.E.  
Engineering

CGW