

File # 11-A-21-VA



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 Chris Davis	Owner <input checked="" type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 710 Forest Heights Road	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37919	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-719-9028	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email cielodrawing@hotmail.com		Other Driveway location <input checked="" 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 710 Forest Heights Drive City, State, Zip Knoxville, TN 37919
 See KGIS.org for Parcel # 107KA001 and Zoning District RN-1

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.

Proposing to link a 14' wide circular driveway from Forest Heights Dr. to Bolling Lane with temporary drop off parking by means of a gravel terrace. The Bolling lane 249' frontage allows a second driveway. Circular Driveways are consistent with existing neighborhood driveway alignments. The Forest Heights drive entrance needs to be relocated outside the tree canopy to save a 250 year old legacy tree.

Therefore we are requesting the Following:

1. A variance to the 10' side yard driveway setback on Forest Heights Dr. to 29' to allow the driveway location outside the tree canopy.
2. A variance to the 50' driveway placement on corner lots from edge of pavement from 50' to 40' for the same reason.
3. A variance to allow a circular drive as shown.
4. A variance to allow use of the singular gravel material as both a driveway surface and temporary parking use area to promote permeability to the tree root system.

Describe hardship conditions that apply to this variance.

Homeowner requires a circular drive and front drop off/temporary parking for safety, and protection of an existing champion tree. Homeowner is the primary caregiver for an elderly parent and due to significant grade transitions at the rear of the property, a front driveway/drop off with a flatter transition is required.

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 Christopher Talley Davis DATE October 12, 21

File #



BOARD OF ZONING APPEALS APPLICATION

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

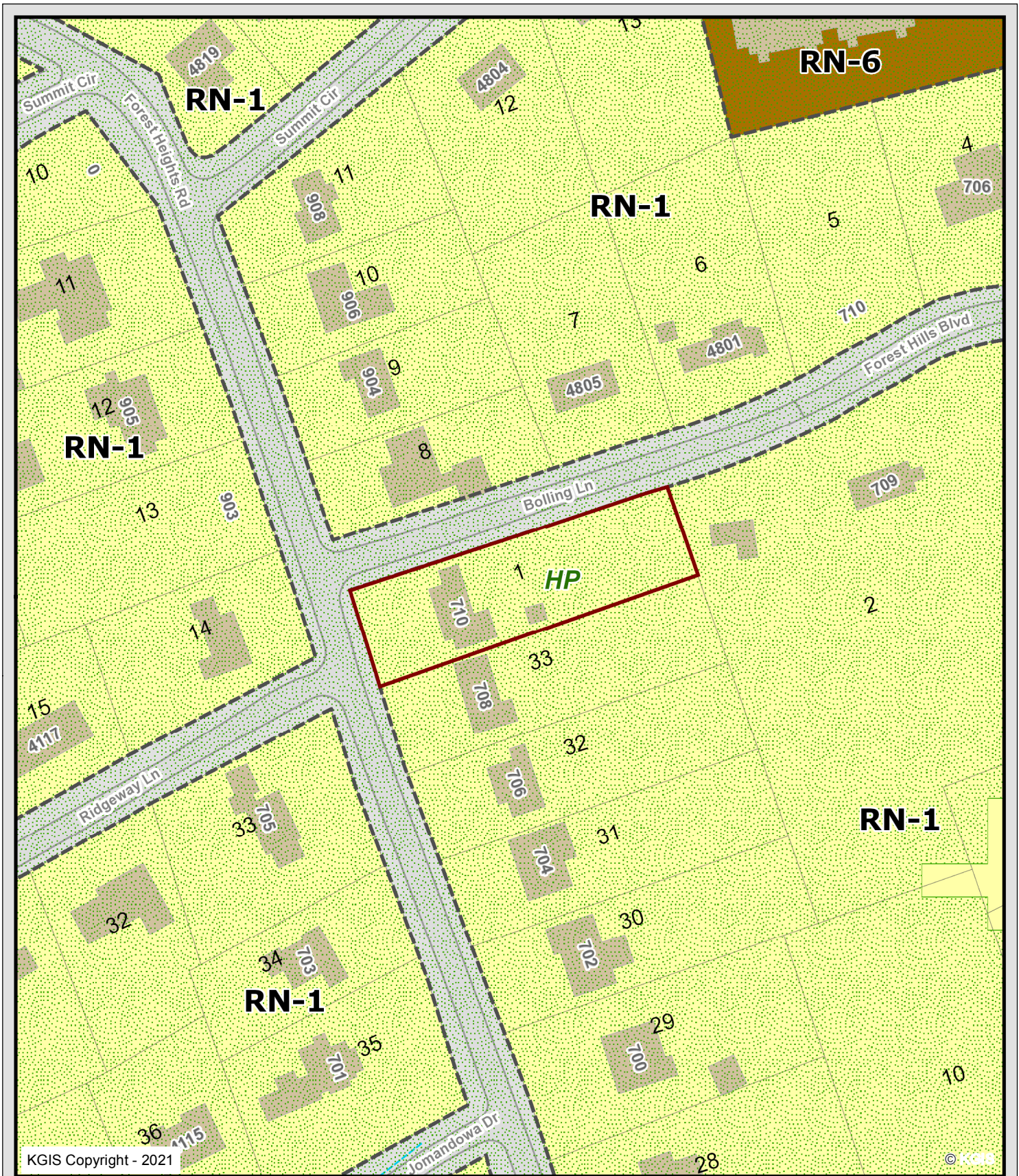
Is a plat required? Yes No Small lot of record/substandard lot

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

(This area is intentionally left blank for the applicant to provide variance request details and ordinance citations.)

PROJECT INFORMATION

Date Filed	Fee Amount
Council District	BZA Meeting Date
PLANS REVIEWER	DATE



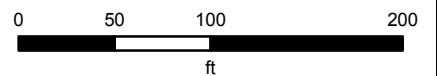
710 Forest Heights Rd

11-A-21-VA
Chris Davis

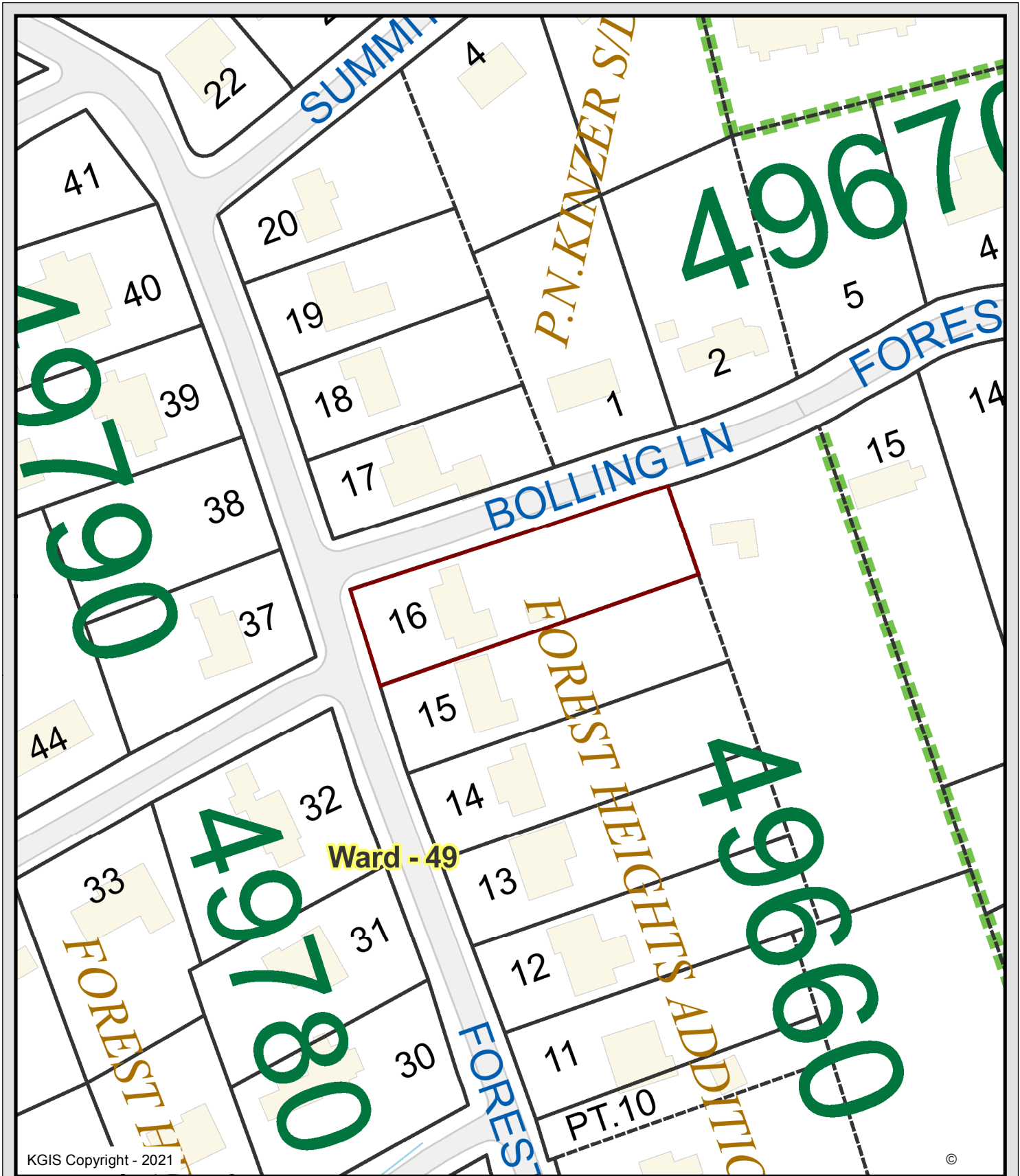
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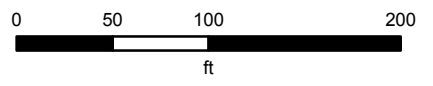
710 Forest Heights Rd

11-A-21-VA
Chris Davis

Knoxville - Knox County - KUB Geographic Information System



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710 Forest Heights Rd

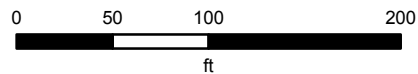
11-A-21-VA

Chris Davis

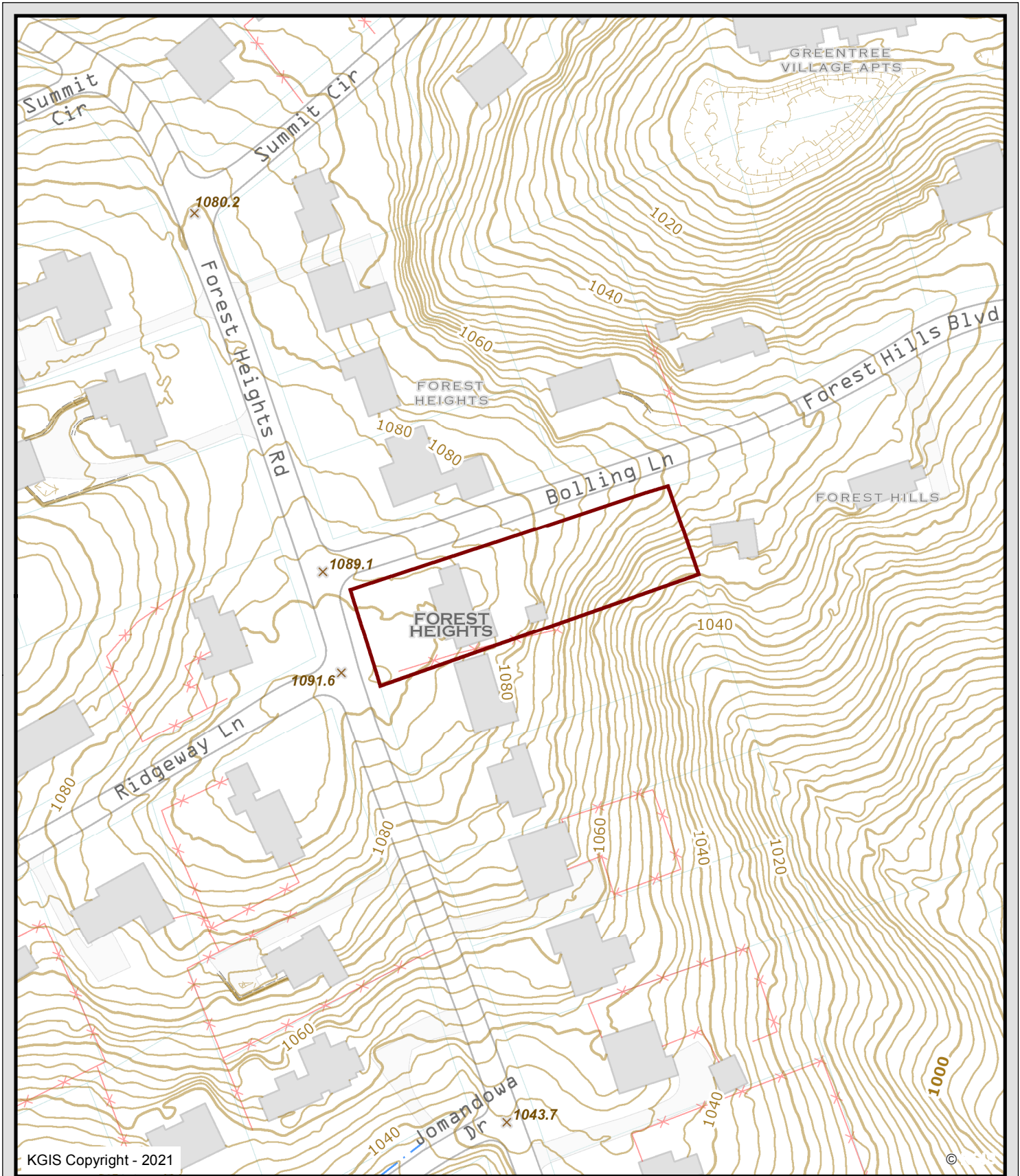
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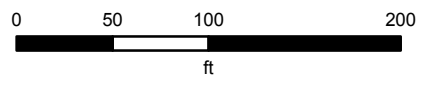
710 Forest Heights Rd

11-A-21-VA
Chris Davis

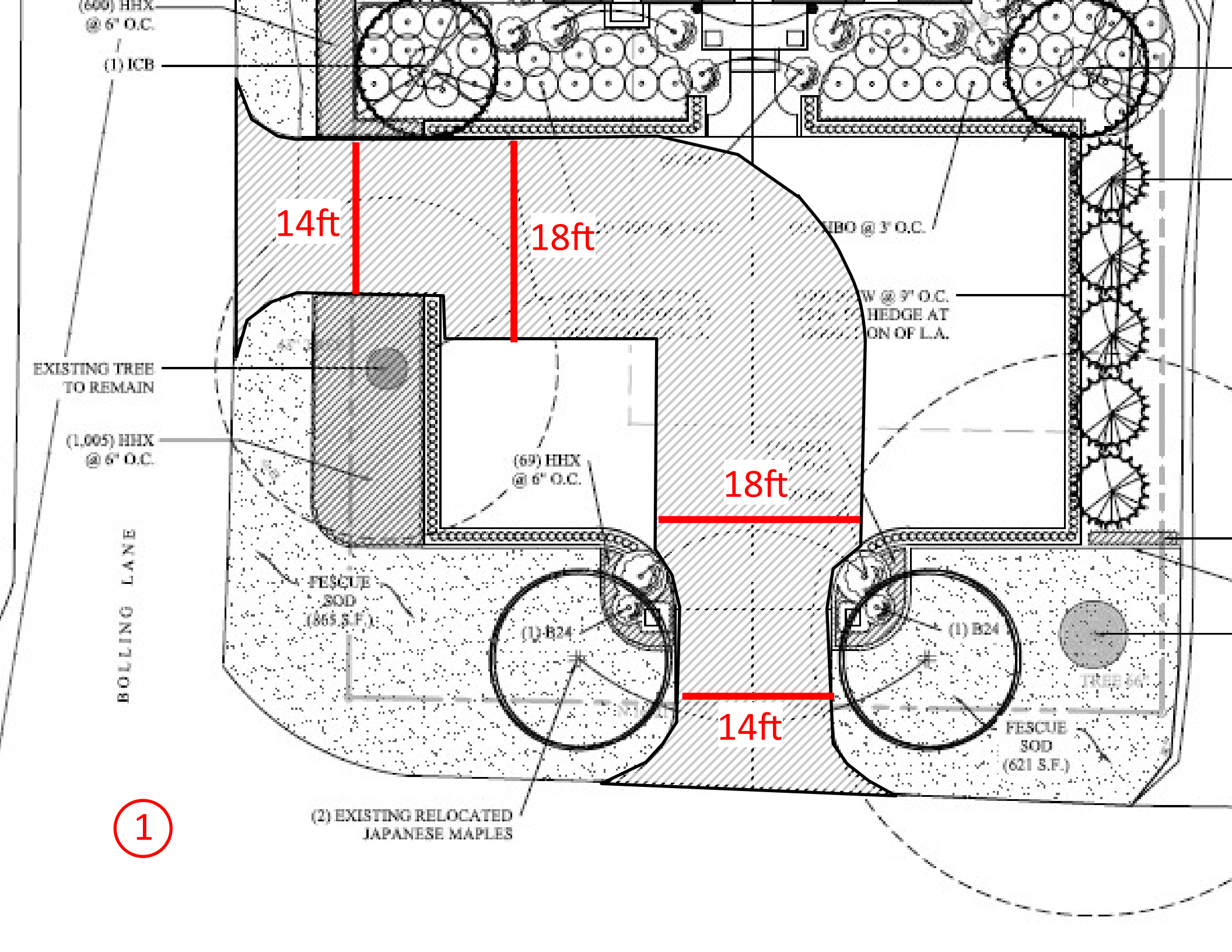
Knoxville - Knox County - KUB Geographic Information System

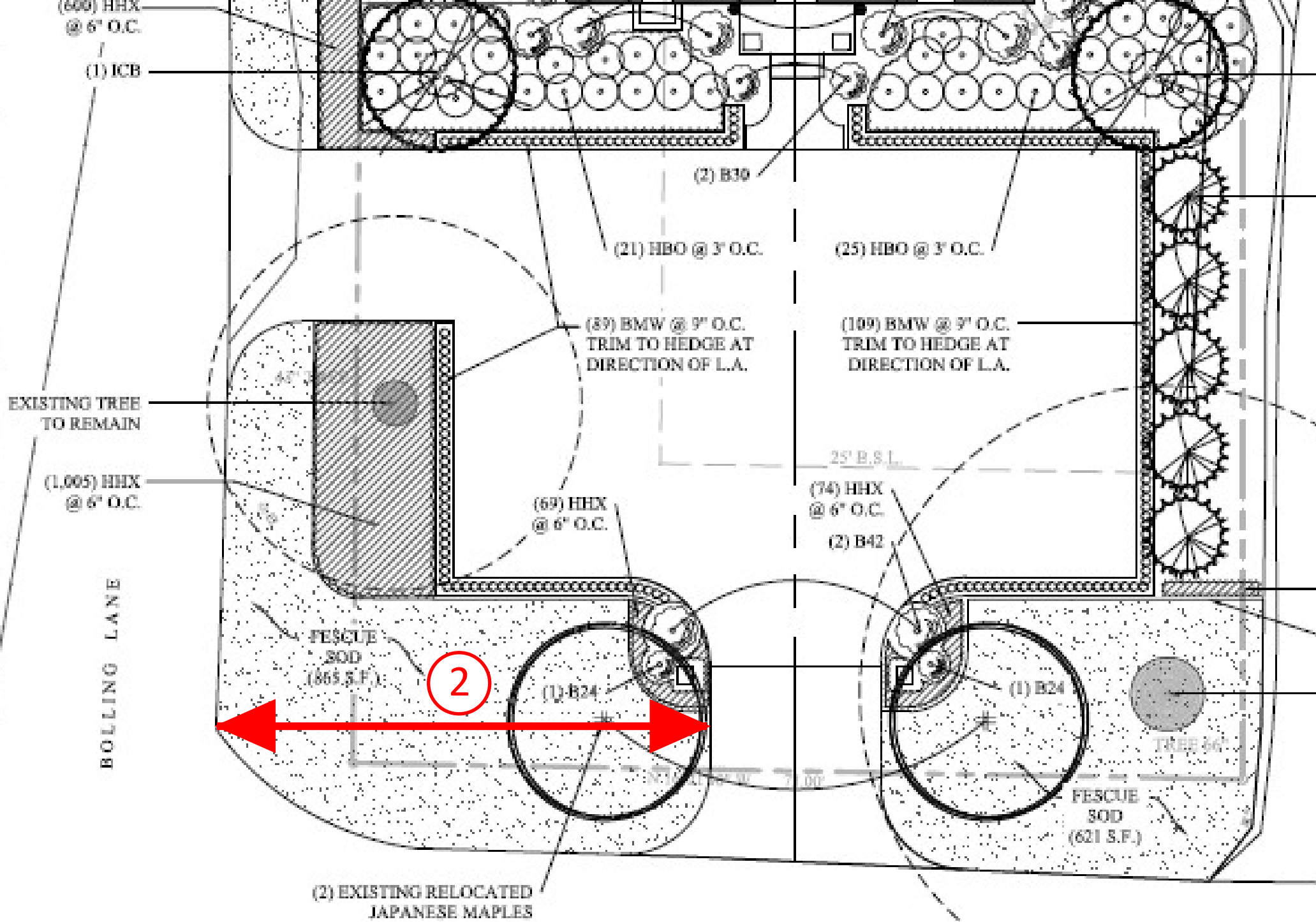


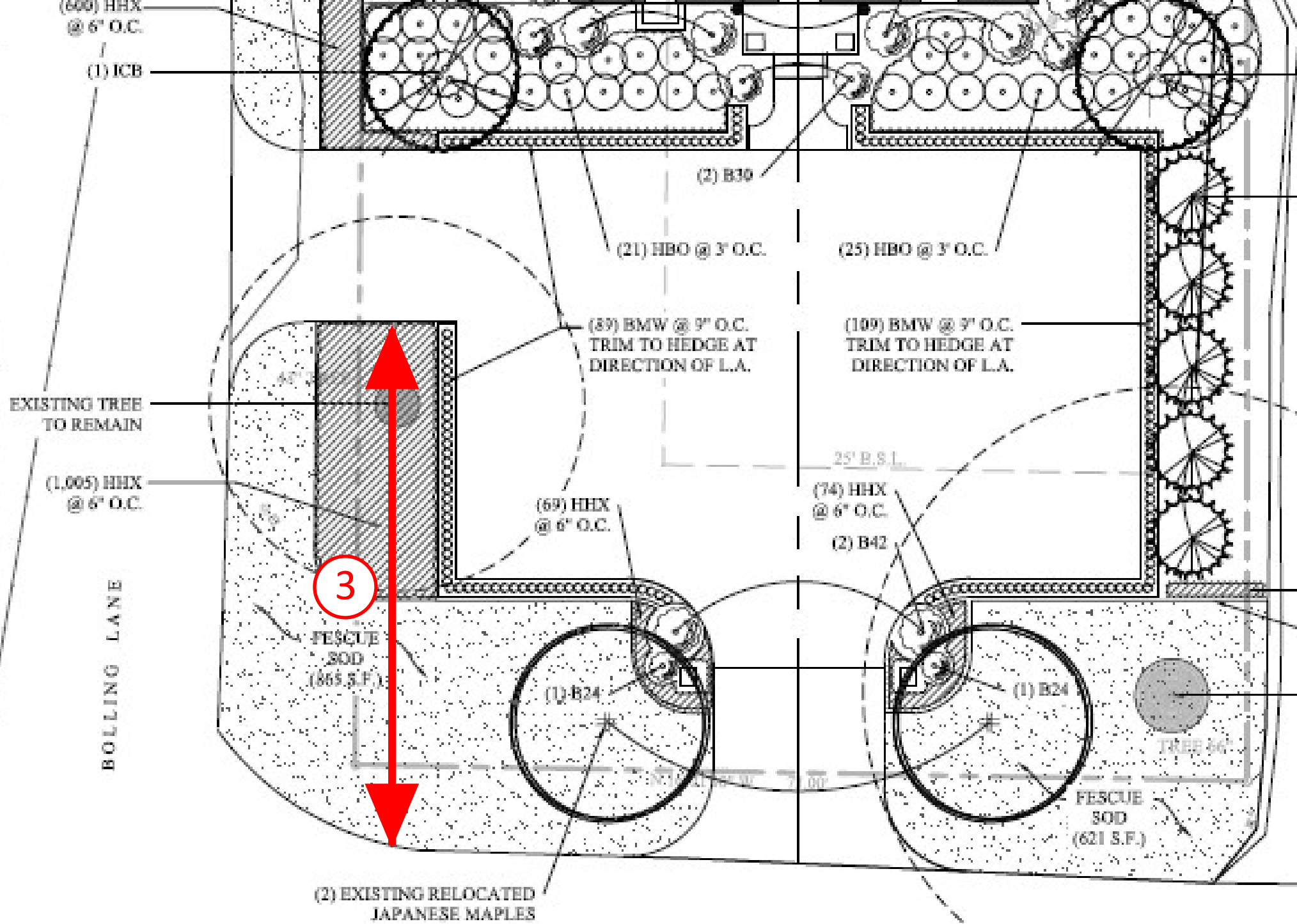
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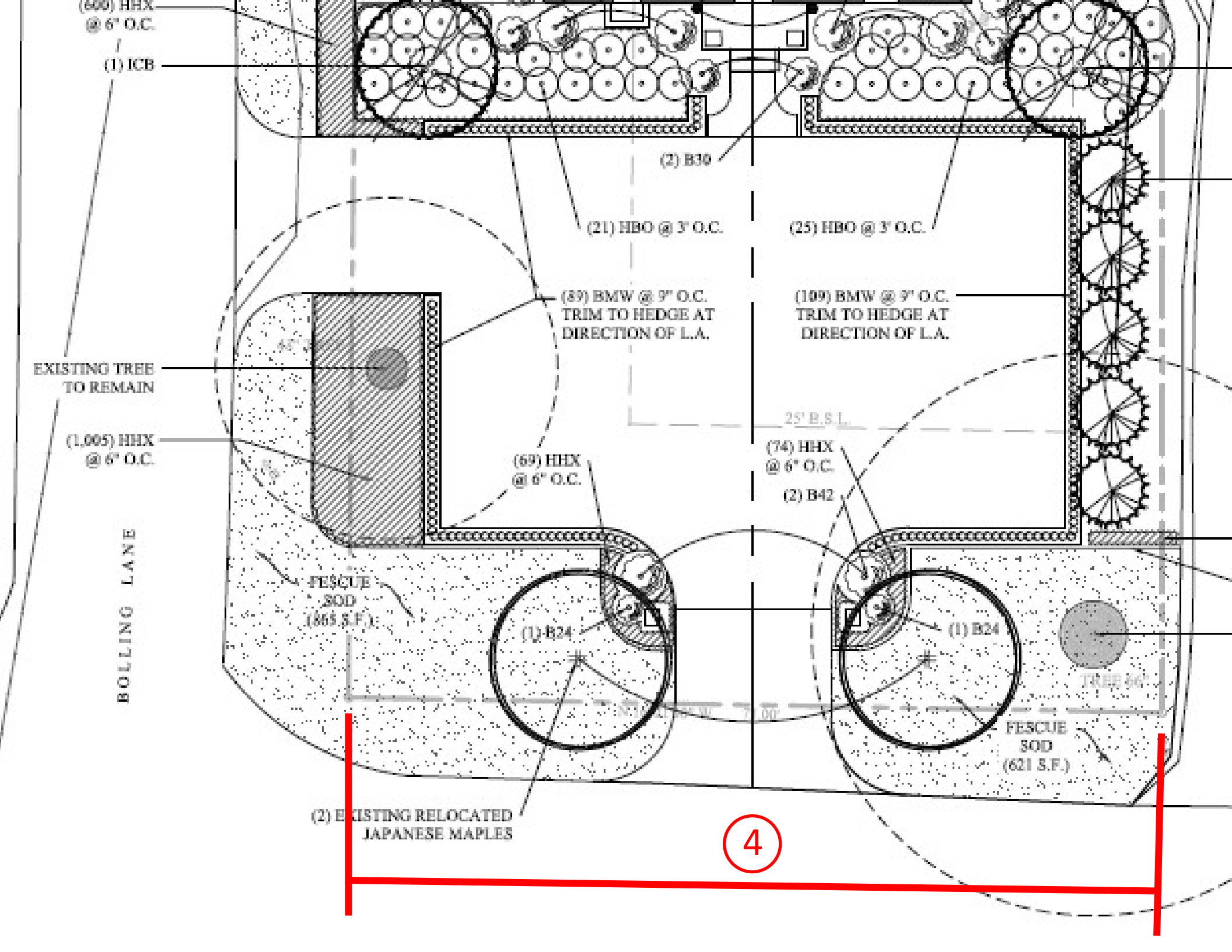


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(600) HHX @ 6" O.C.

(1) ICB

(2) B30

(21) HBO @ 3' O.C.

(25) HBO @ 3' O.C.

(89) BMW @ 9' O.C.
TRIM TO HEDGE AT
DIRECTION OF L.A.

(109) BMW @ 9' O.C.
TRIM TO HEDGE AT
DIRECTION OF L.A.

EXISTING TREE
TO REMAIN

(1,005) HHX @ 6" O.C.

(69) HHX @ 6" O.C.

(74) HHX @ 6" O.C.

(2) B42

25' B.S.L.

BOLLING LANE

FESCUE
SOD
(365 S.F.)

(1) B24

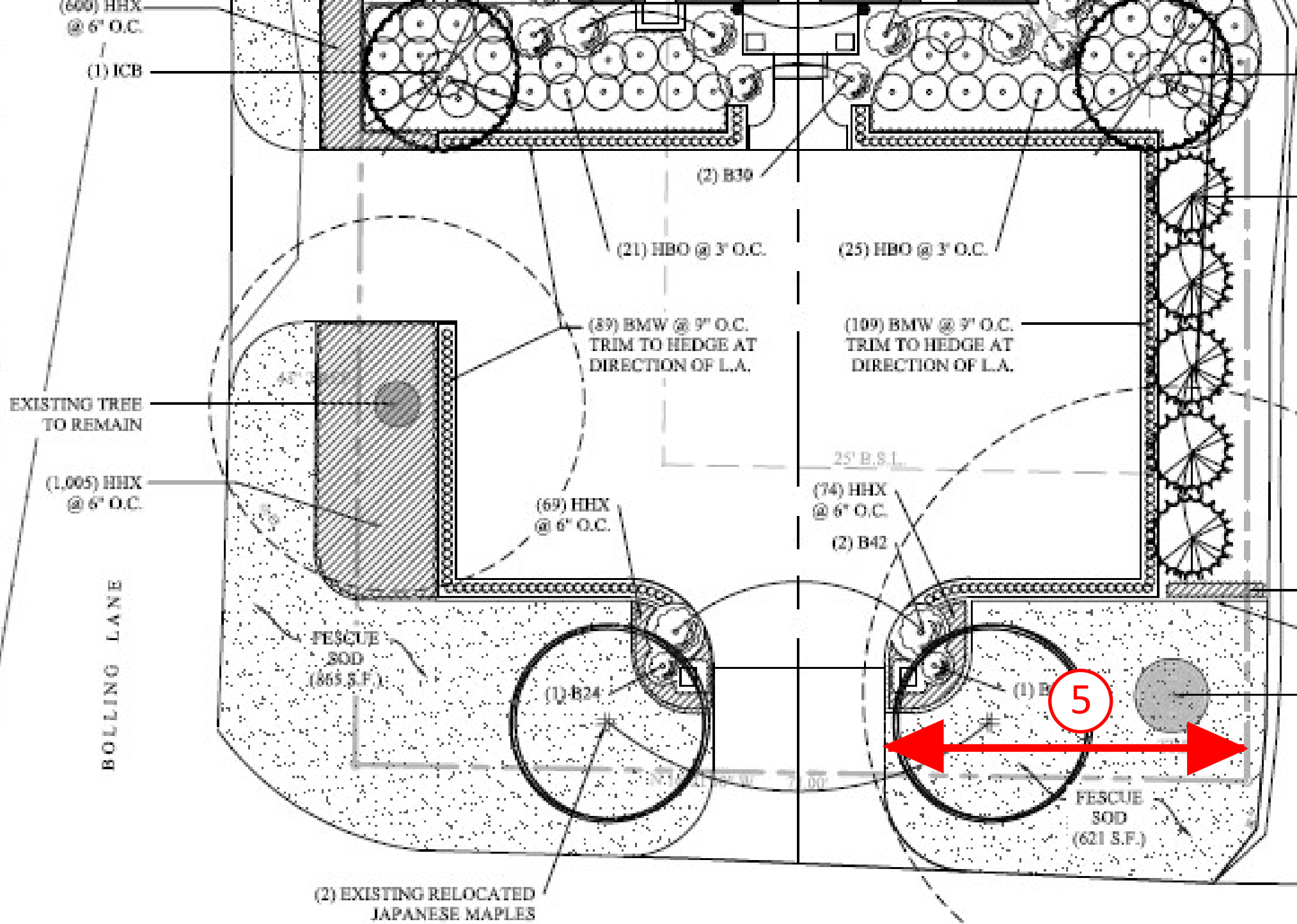
(1) B24

TREE 56'

FESCUE
SOD
(621 S.F.)

(2) EXISTING RELOCATED
JAPANESE MAPLES

4



5



(600) HHX
@ 6" O.C.

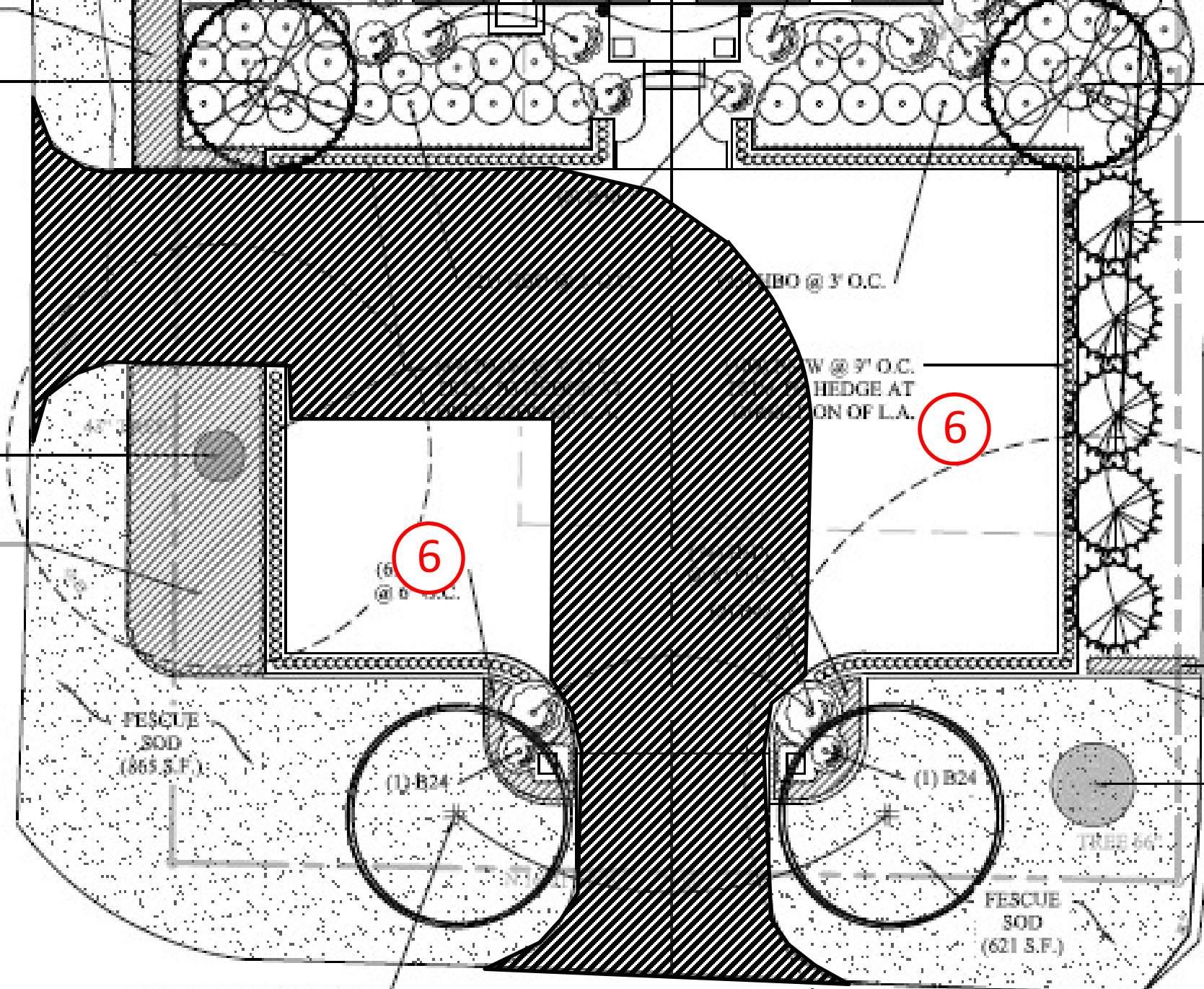
(1) ICB

EXISTING TREE
TO REMAIN

(1,005) HHX
@ 6" O.C.

BOLLING LANE

(2) EXISTING RELOCATED
JAPANESE MAPLES



ICB @ 3" O.C.

ICB @ 9" O.C.
HEDGE AT
INTERSECTION OF L.A.

6

6

(1) B24

(1) B24

TREE 56

FESCUE
SOD
(621 S.F.)

(600) HHX
@ 6" O.C.

(1) ICB

EXISTING TREE
TO REMAIN

(1,005) HHX
@ 6" O.C.

BOLLING LANE

FESCUE
SOD
(865 S.F.)

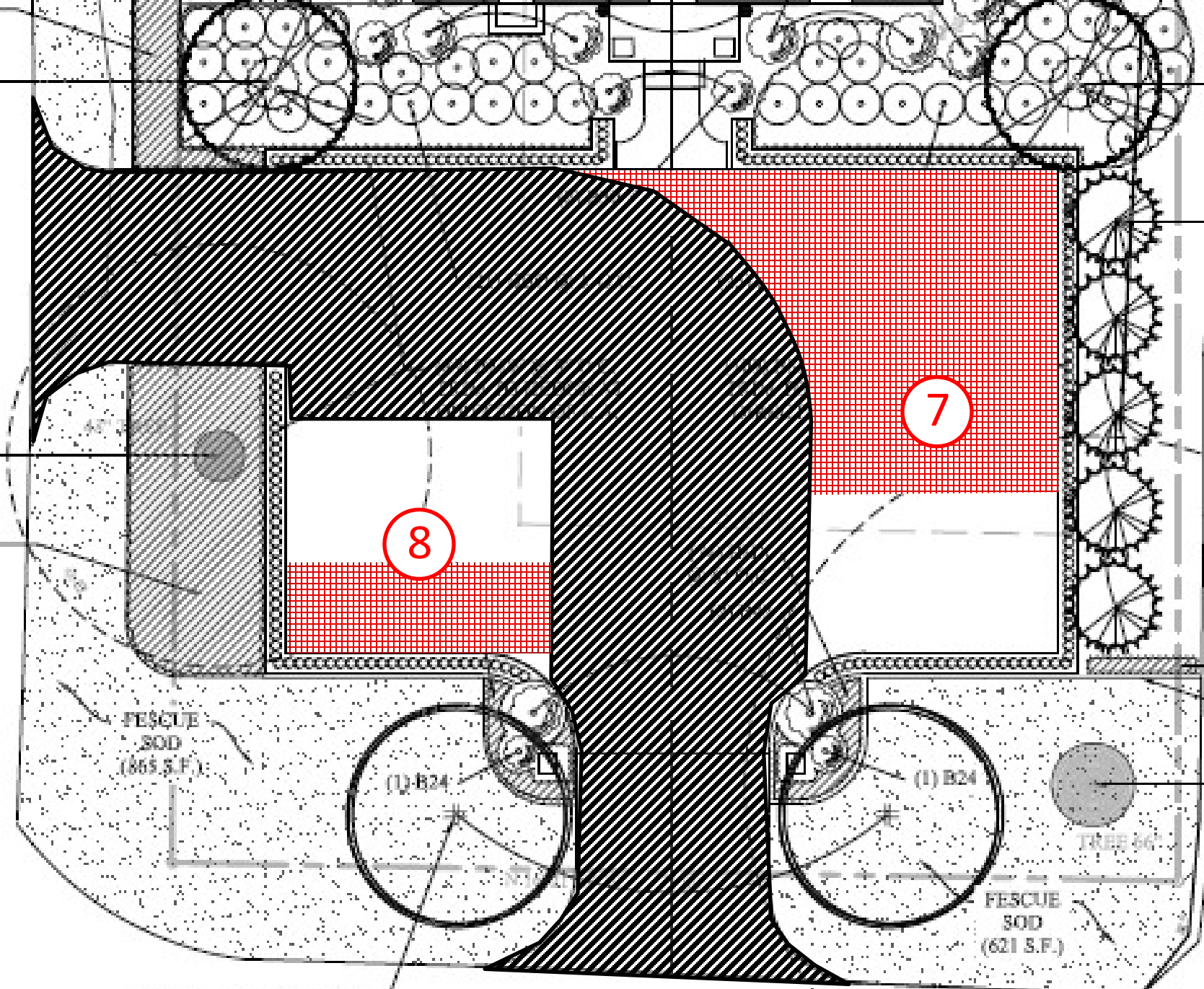
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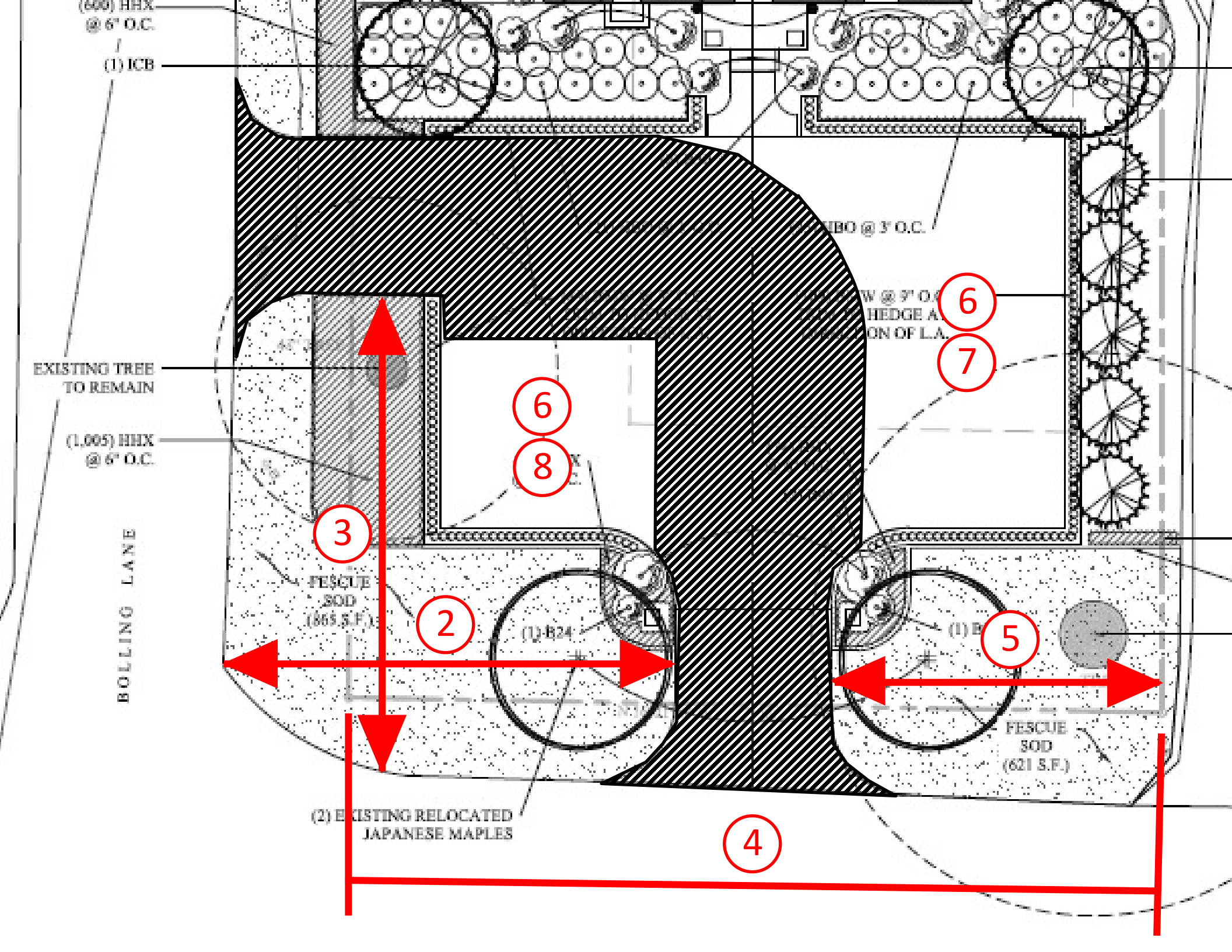
(1) B24

TREE 56"

FESCUE
SOD
(621 S.F.)

(2) EXISTING RELOCATED
JAPANESE MAPLES





OFFICIAL
NOTICE OF VIOLATION



CITY OF KNOXVILLE

0527

Name: Christopher Davis has been found to be in violation of the City of Knoxville's Stormwater and Street Ordinance
Section(s): 22.5-26 22.5-27 22.5-52 22.5-53 Other (see back of NOV)

Location of Violation(s) (provide sufficient information for identification of where violation has occurred): 710 Forest Heights Rd

Description of violation(s): Inadequate Erosion/Sediment controls Non-compliance with Approved Permit Illegal Dumping/Discharge
 Illicit Connection Grading/Filling w/o Permit, **10 TIMES STANDARD PERMIT FEE REQUIRED** (See Section 22.5-29 on reverse)
 Other Installation of unpermitted driveway and parking

Work remediation, or repair ordered to comply with the City Code: Stop Discharge/Dumping Provide Incident Report by ___/___/___
 Remediate/Remove Discharged Material or Sediment from street/catch basin/drainageway/etc. by ___/___/___
 Provide Spill/Pollution Prevention Plan by ___/___/___ Correct Erosion and Sediment Controls by ___/___/___
 Please call Linda Pierucki at 865-215-4125 for remediation and permit.

Name: Christopher Davis is hereby served with this Notice of Violation on 09/02/21, and ordered to correct the violation(s) or to stop work until the Engineering Department approves the continuance of work. Illegal Discharges Must Stop Immediately. As described above, all remediation, repair, or necessary work required to comply with the City Code must be completed by 09/16/21 unless specified otherwise. The above work, remediation, or repair does not preclude assessment of penalties and/or reimbursement of the City of Knoxville's related expenses/damages.

Notification received by: [Signature] Title (if applicable): _____
This order served by: [Signature] Date and Time 09/02/21 at 8:00 am/pm
Original — On-site person or signer above Yellow — Engineering Division

Due to Federal Mandate 40 CFR 122.26 and to State of Tennessee NPDES Permit No. TNS068055, the City of Knoxville is required to detect, remove, prohibit and enforce any non-stormwater discharges to the municipal separate storm drain system unless the illicit discharge or illegal dumping is specifically exempted or covered by an individual NPDES permit.

According to the City of Knoxville Code, Chapter 22.5 entitled Stormwater and Street Ordinance,

Section 22.5-8

- a) Any person violating the provisions of this chapter shall be guilty of a misdemeanor and punished as provided in the general provisions of the City Code. Each day that a continuing violation of this chapter is maintained or permitted to remain shall constitute a separate offense.
- b) Any person violating the provisions of this chapter may be assessed a civil penalty by the city of not less than fifty dollars (\$50.00) or more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation constitutes a separate violation.

Section 22.5-26

No person shall:

- a) Grade, dump, alter natural or existing topography, move or place fill material, excavate, remove any vegetation not exempted by the tree protection ordinance, or begin any development activities without first obtaining a site development permit from the Department of Engineering.
- b) Alter any natural or manmade drainage system so as to divert, constrict, increase, or change in any manner the natural or existing flow of any stream, or natural or existing drainage of any area without obtaining a site development permit from the Department of Engineering.
- c) Commerce site development and/or construction of any building or structure without obtaining a site development permit from the Department of Engineering.
- d) Clear any site by means that causes disturbance of soil without first obtaining a site development permit from the Department of Engineering.

Section 22.5-29

- c) The fee for a site development permit issued after site development has begun without a permit shall be ten times the standard fee.

Section 22.5-27

No person shall perform site development work that does not conform to an approved site development plan.

Section 22.5-52

a) No person shall:

- 1) Connect, or allow to be connected, any sanitary sewer to the stormwater system, including any sanitary sewer connected to the stormwater system as of the date of adoption of this chapter.
- 2) Cause or allow an illicit discharge to the stormwater system, or any component thereof, or onto driveways, sidewalks, parking lots, sinkholes, creek banks, or other areas draining to the stormwater system.

Section 22.5-53

As soon as any person has knowledge of any illicit spills or discharges to the stormwater system in violation of this chapter, such person shall immediately notify the Engineering Director by telephone of this discharge. If such person is directly or indirectly responsible for such discharge or responsible for the operations of the system or business, then such person shall also take immediate action to ensure the containment and cleanup of such discharge and shall confirm such telephone notification with a written report to the Engineering Director within three (3) calendar days. At a minimum, the written report for any illicit discharge shall include: 1) Date and time of the discharge, 2) Location of the discharge, 3) Material or substance discharged, 4) Duration and rate of flow, 5) Total volume discharged, 6) Total volume recovered, 7) Cause or reason for the discharge, 8) Remediation and containment action taken, 9) Material Safety Data Sheets (MSDS) for the discharged material, 10) Action taken to prevent further discharges, and 11) Description of any environmental impact.







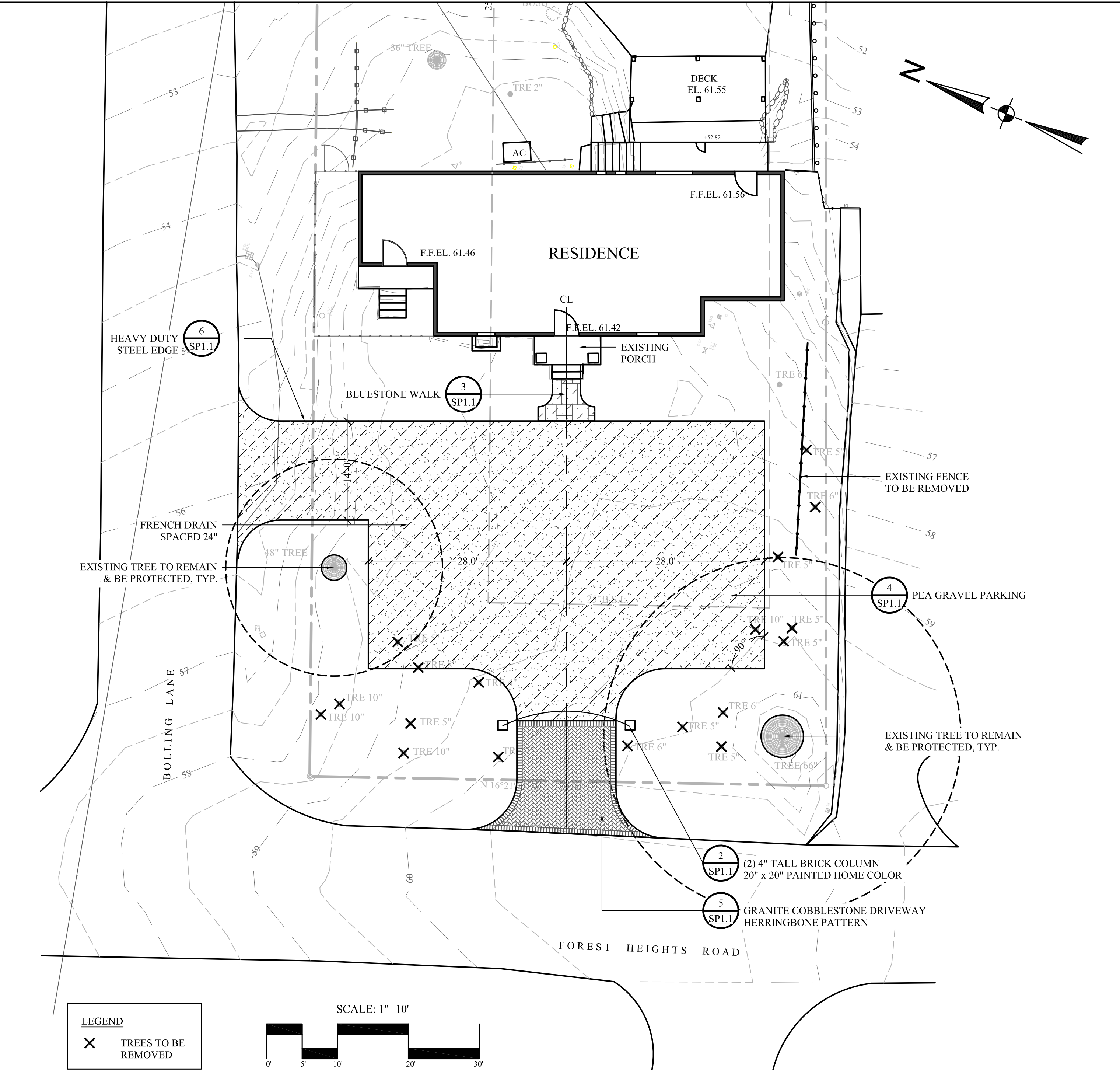
THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF STEPHEN W. HACKNEY AND SHALL NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE CONSENT OF STEPHEN W. HACKNEY. STEPHEN W. HACKNEY ASSUMES NO LIABILITY FOR ANY ELEMENTS CONSTRUCTED FROM THIS PLAN. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING ACTUAL CONSTRUCTION:

1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION.
2. CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING AND ZONING CODES IN THE AREA WHERE THE ELEMENTS ARE TO BE CONSTRUCTED.

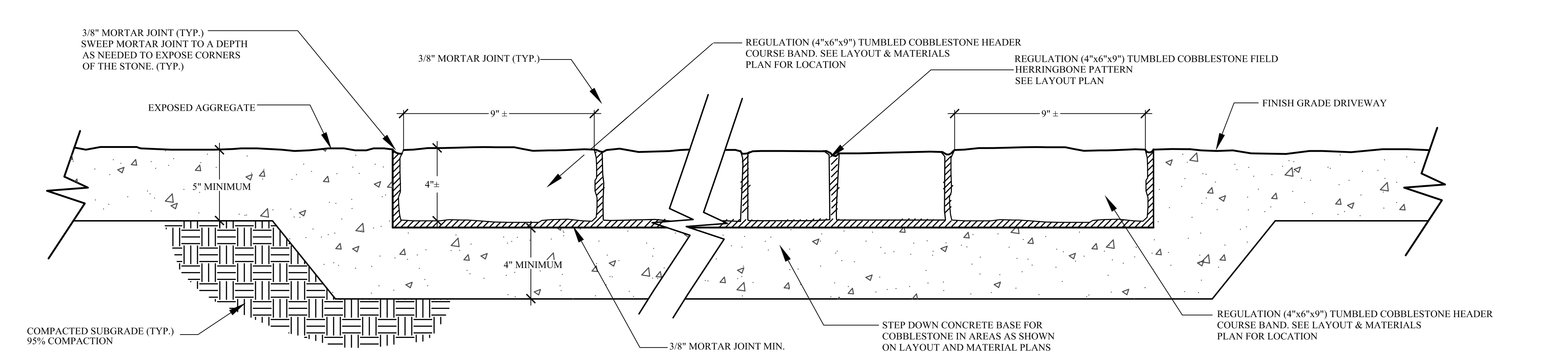
REVISIONS:

COPYRIGHT STEPHEN W. HACKNEY 2021
PROJECT NUMBER: XXXXX
ISSUE DATE: 09-07-2021

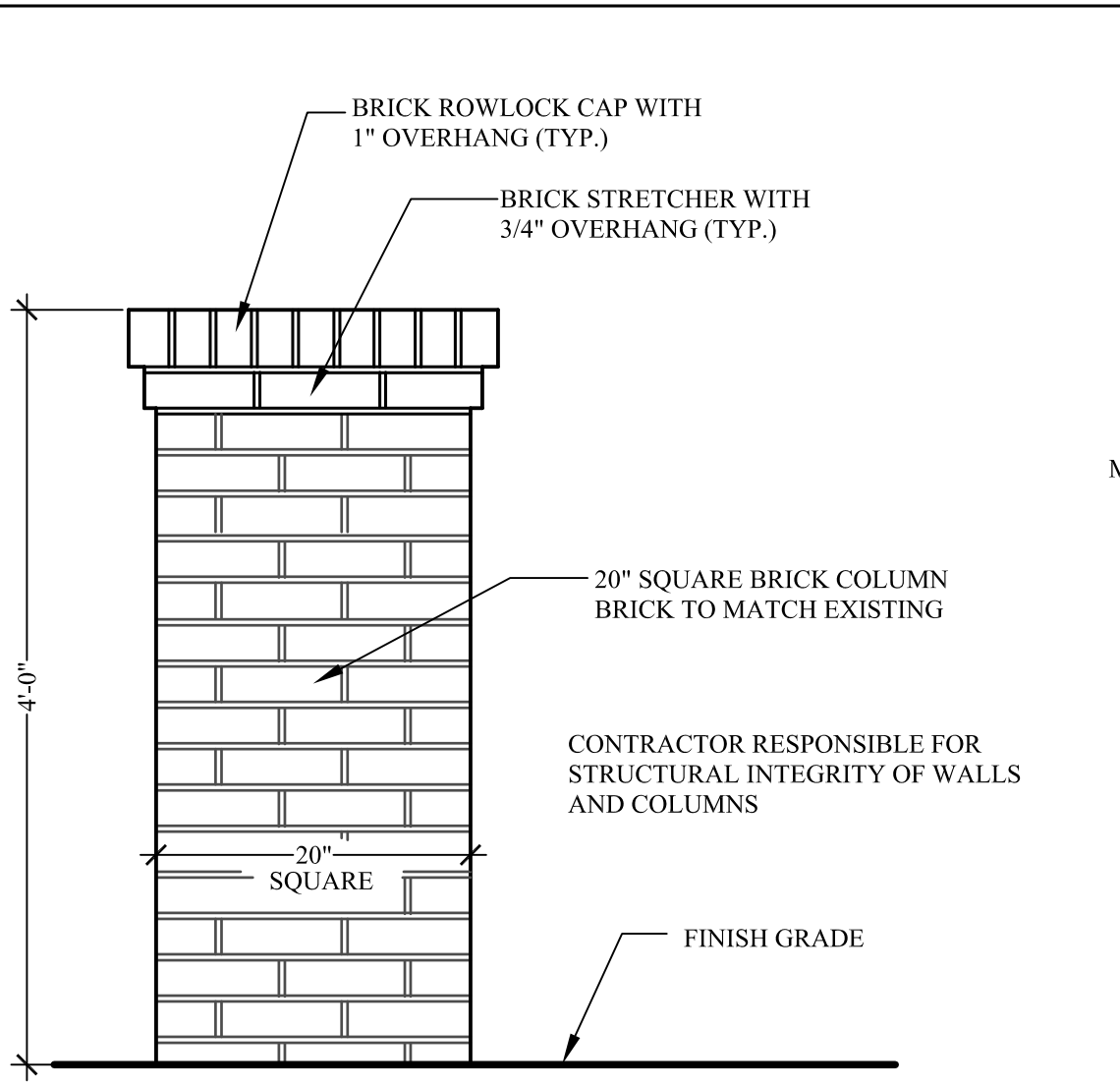
- PRELIMINARY
- NOT FOR CONSTRUCTION
- RELEASED FOR CONSTRUCTION



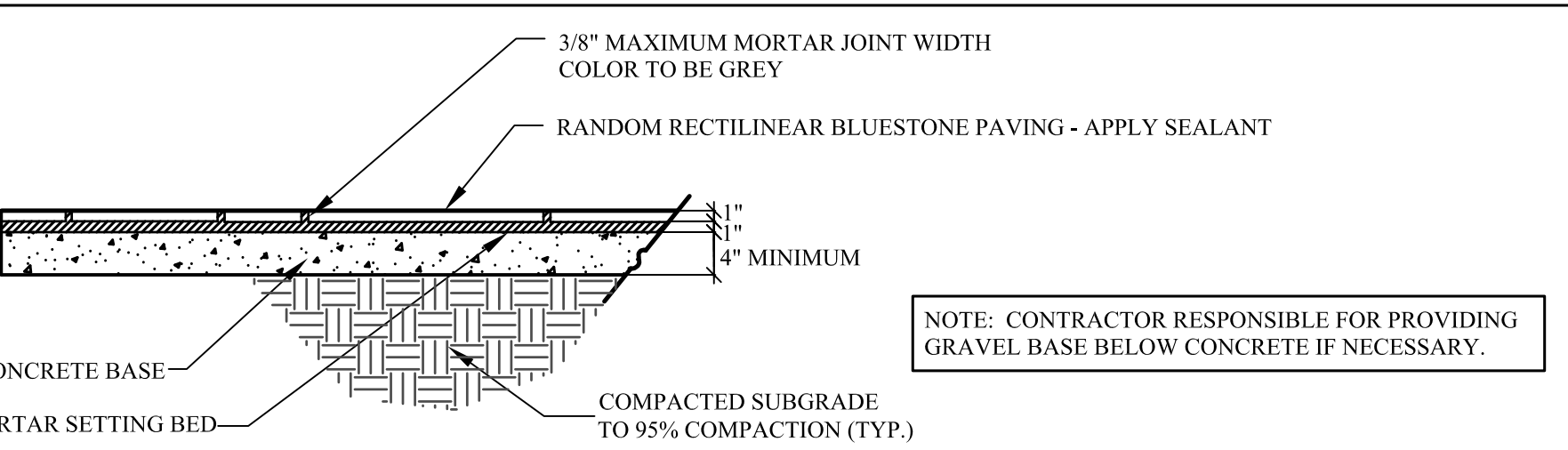
1 SITE PLAN SCALE: 1" = 10'-0"



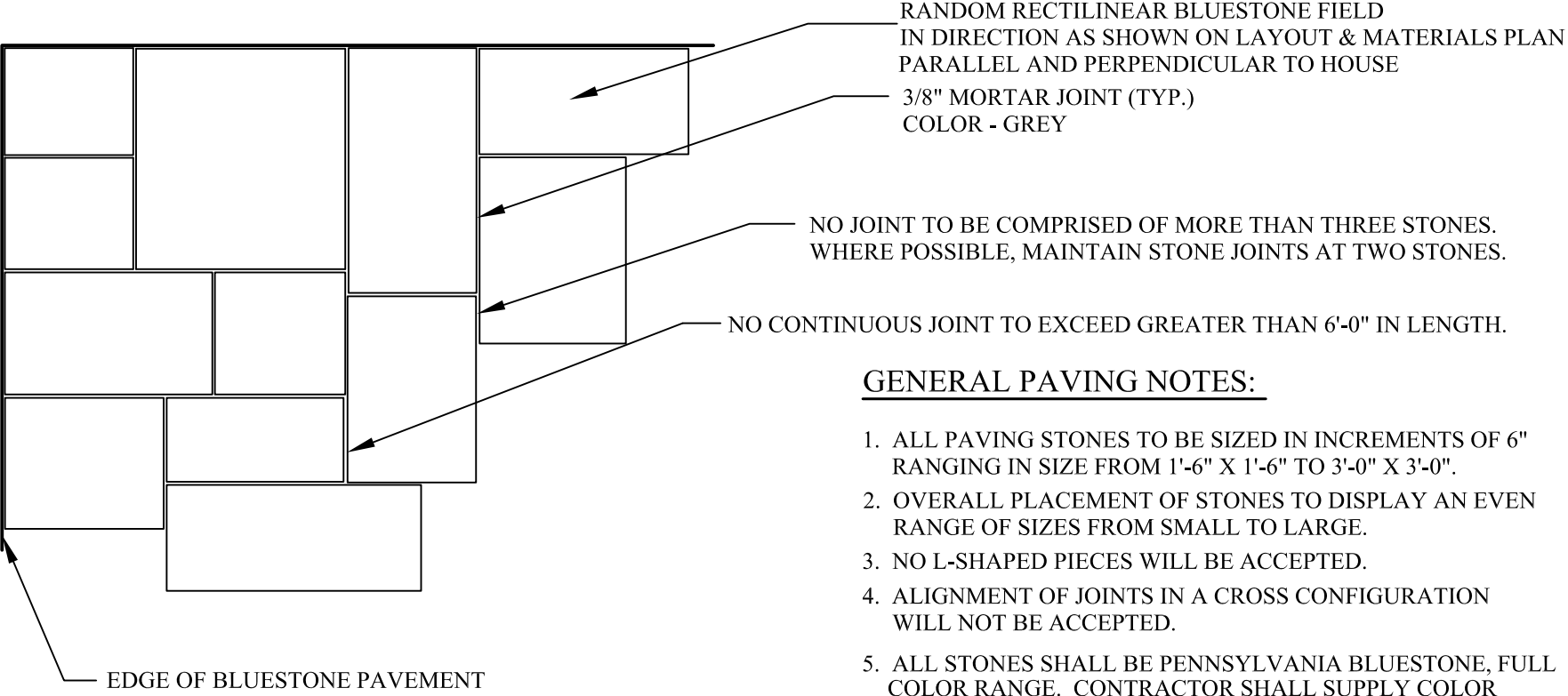
5 GRANITE COBBLESTONE DRIVEWAY SCALE: 3" = 1'-0"



2 4' TALL BRICK COLUMN SCALE: 1" = 1'-0"

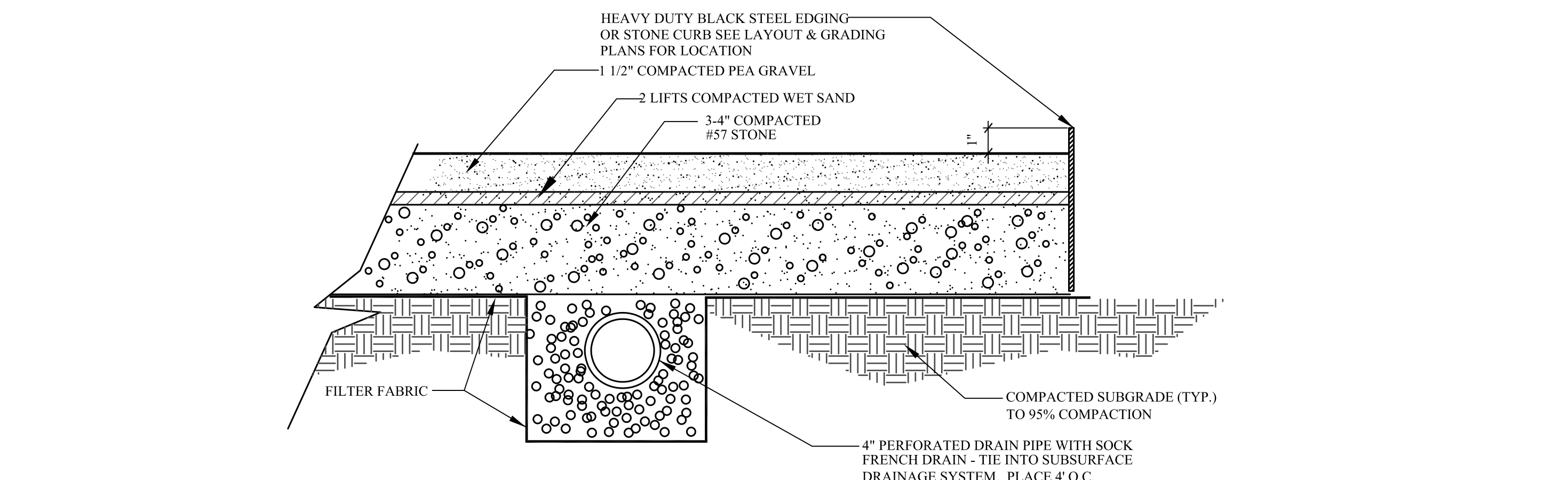


SECTION OF BLUESTONE PAVING

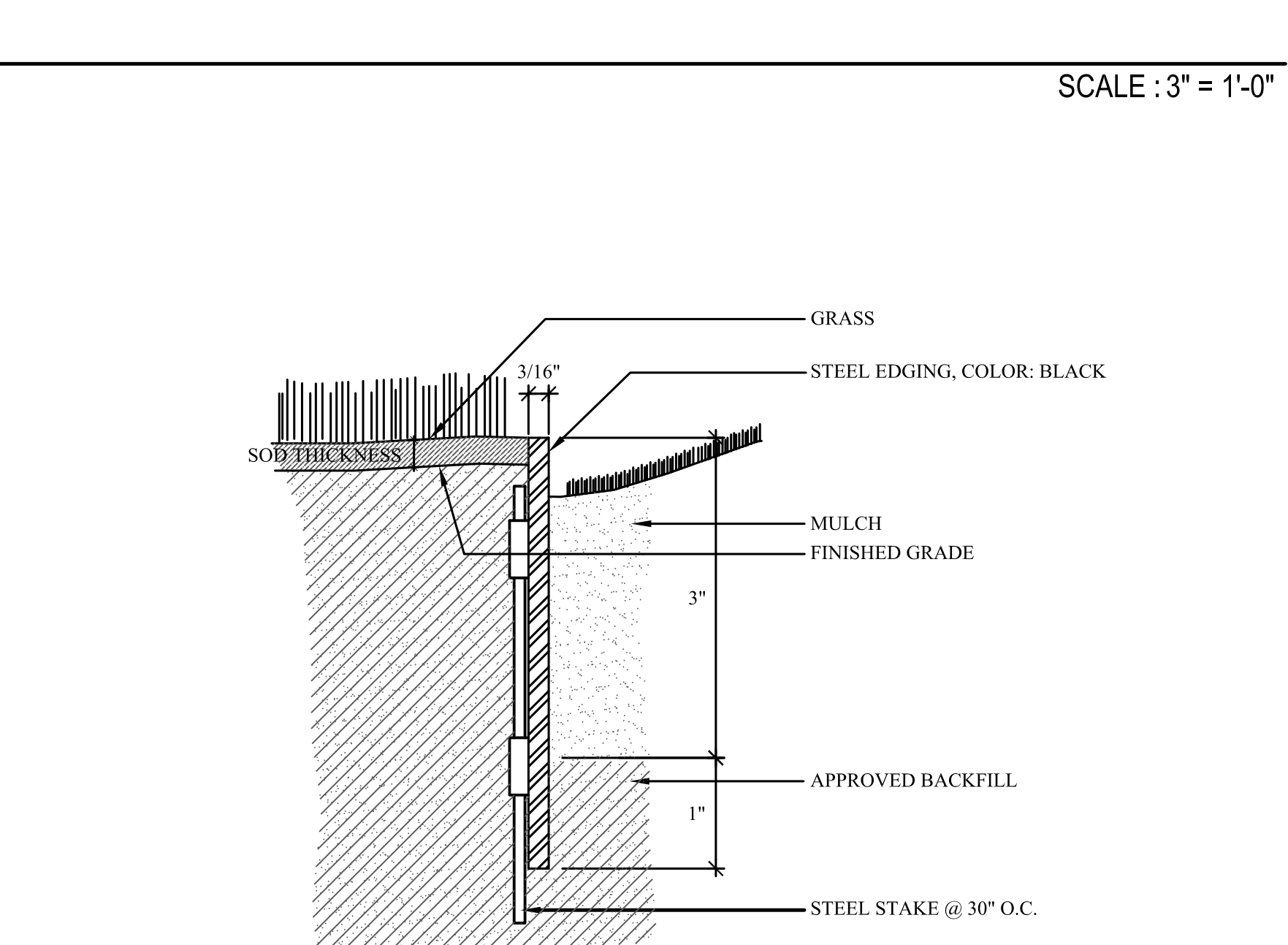


PLAN OF BLUESTONE PAVING

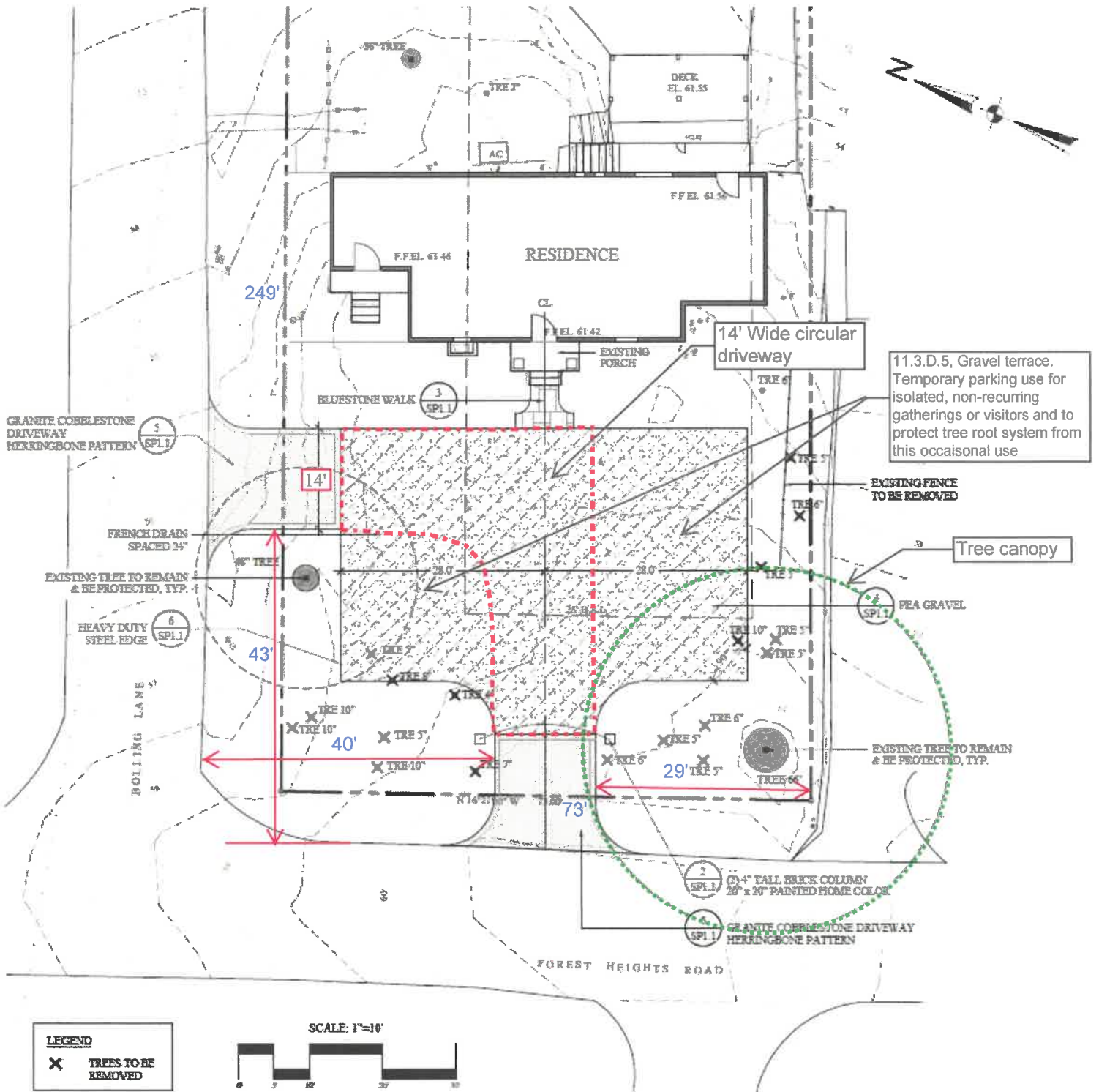
3 BLUESTONE PAVING SCALE: 3/4" = 1'-0"



4 PEA GRAVEL WITH DRAINAGE SCALE: 3" = 1'-0"



6 HEAVY DUTY STEEL EDGE SCALE: N.T.S.



11.3.D.5, Gravel terrace. Temporary parking use for isolated, non-recurring gatherings or visitors and to protect tree root system from this occasional use

EXISTING FENCE TO BE REMOVED

Tree canopy

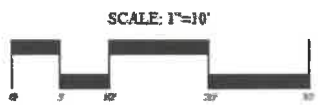
PEA GRAVEL

EXISTING TREES TO REMAIN & BE PROTECTED, TYP.

2 (SPL.1) 4" TALL BRICK COLUMN 20" x 20" PAINTED HOME COLOR

4 (SPL.1) GRANITE COBBLESTONE DRIVEWAY HERRINGBONE PATTERN

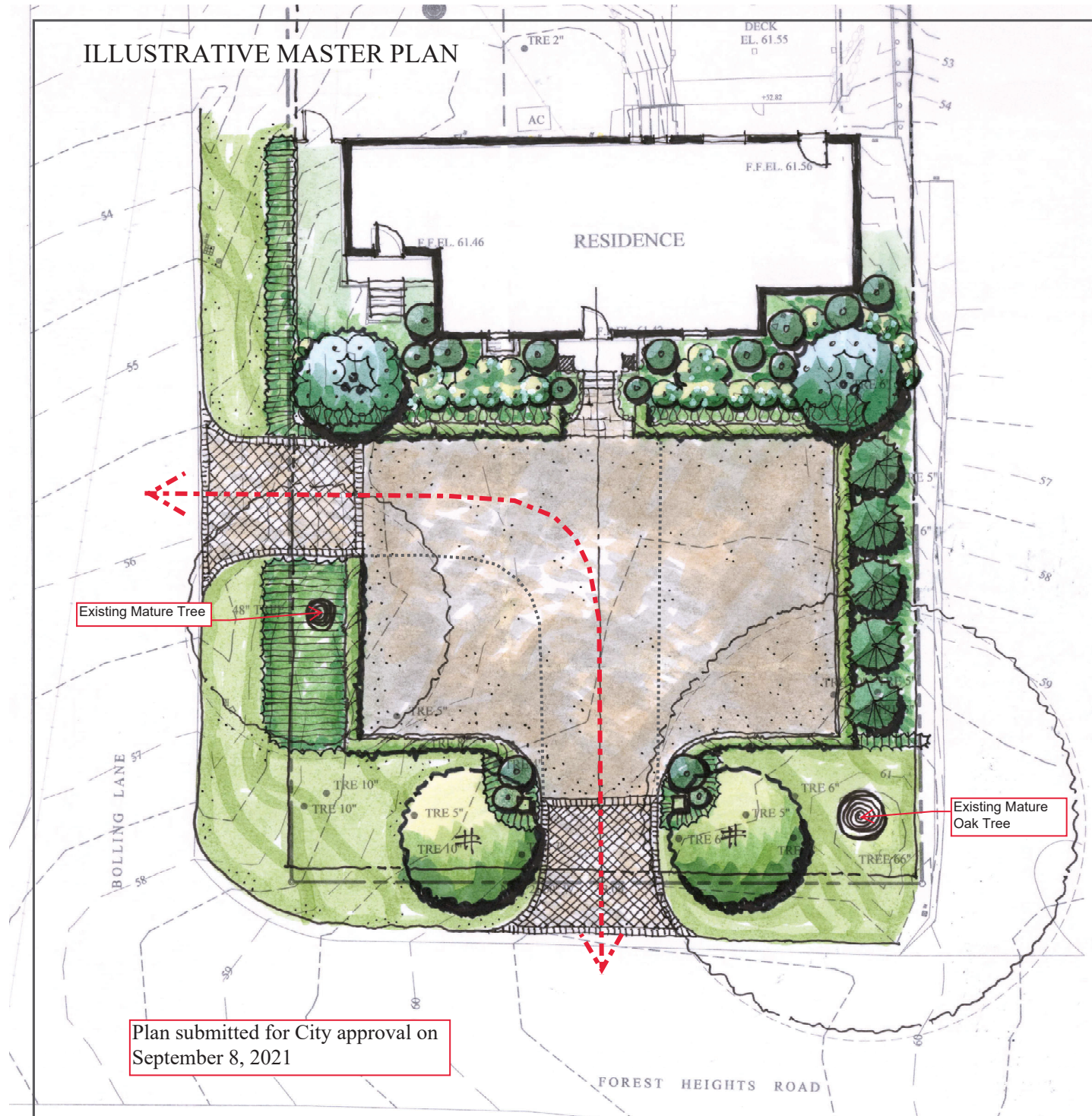
LEGEND
 X TREES TO BE REMOVED



1 SITE PLAN

SCALE : 1" = 10'-0"

ILLUSTRATIVE MASTER PLAN



DAVIS RESIDENCE
710 Forest Heights Road, Knoxville, Tennessee

S W H

From: Linda Pierucci <lpierucci@knoxvilletn.gov>
Sent: Friday, September 10, 2021 9:36 AM
To: Christopher <cielodrawing@hotmail.com>
Subject: Re: Davis Residence 710 forest heights

Chris, I apologize for the delay. I did look over the plans you sent. I am at home today, but I meant to get the permit to you today. I will backdate the permit to today's date. And consider it issued as of today. I will send you the paperwork Monday.

Linda

Sent from [Outlook Mobile](#)

From: Christopher <cielodrawing@hotmail.com>
Sent: Friday, September 10, 2021 9:24:44 AM
To: Linda Pierucci <lpierucci@knoxvilletn.gov>
Subject: Re: Davis Residence 710 forest heights

Linda,

Do you have any idea how long this process will take? Will I need to release Prideland to do other jobs? Just let me know what I can expect. Thank you for all your help.

Chris

From: Linda Pierucci <lpierucci@knoxvilletn.gov>
Sent: Wednesday, September 8, 2021 12:30 PM
To: Christopher <cielodrawing@hotmail.com>
Subject: Re: Davis Residence 710 forest heights

Sorry,

We no longer have a working fax. You may mail it to me at the below address.

From: Christopher <cielodrawing@hotmail.com>
Sent: Thursday, September 16, 2021 12:02 PM
To: Linda Pierucci <lpierucci@knoxvilletn.gov>
Subject: Re: Davis Residence 710 forest heights

Linda could you please tell me again the city restrictions I am violating?
Thank you again for your help.
Chris Davis

Sent from my iPhone

On Sep 14, 2021, at 11:39 AM, Linda Pierucci <lpierucci@knoxvilletn.gov> wrote:

Chris,

Please give me a call right away. I made a mistake with the approval.

Sorry,

Linda

From: Christopher <cielodrawing@hotmail.com>
Sent: Friday, September 10, 2021 9:47 AM
To: Linda Pierucci <lpierucci@knoxvilletn.gov>
Subject: Re: Davis Residence 710 forest heights

Thank you so much! That's wonderful news.

Sent from my iPhone

On Sep 10, 2021, at 9:36 AM, Linda Pierucci <lpierucci@knoxvilletn.gov> wrote:

Chris, I apologize for the delay. I did look over the plans you sent. I am at home today, but I meant to get the permit to you today. I will backdate the permit to today's date. And consider it issued as of today.
I will send you the paperwork Monday.

Linda

Sent from [Outlook Mobile](#)



710 Forest Heights

Prototypical Gravel Forecourt at Residential Entry





Eugenia Williams House - Aslan Foundation



Bailey Residence, Knoxville, TN



Motor-court

Scenic Dr

Oakhurst Dr

Victor Ashe Residence Knoxville, TN









Existing neighborhood conditions - Gravel Drive and parking



Wide Asphalt Drive



Existing Conditions - Permanent off street asphalt parking area in front of Residence

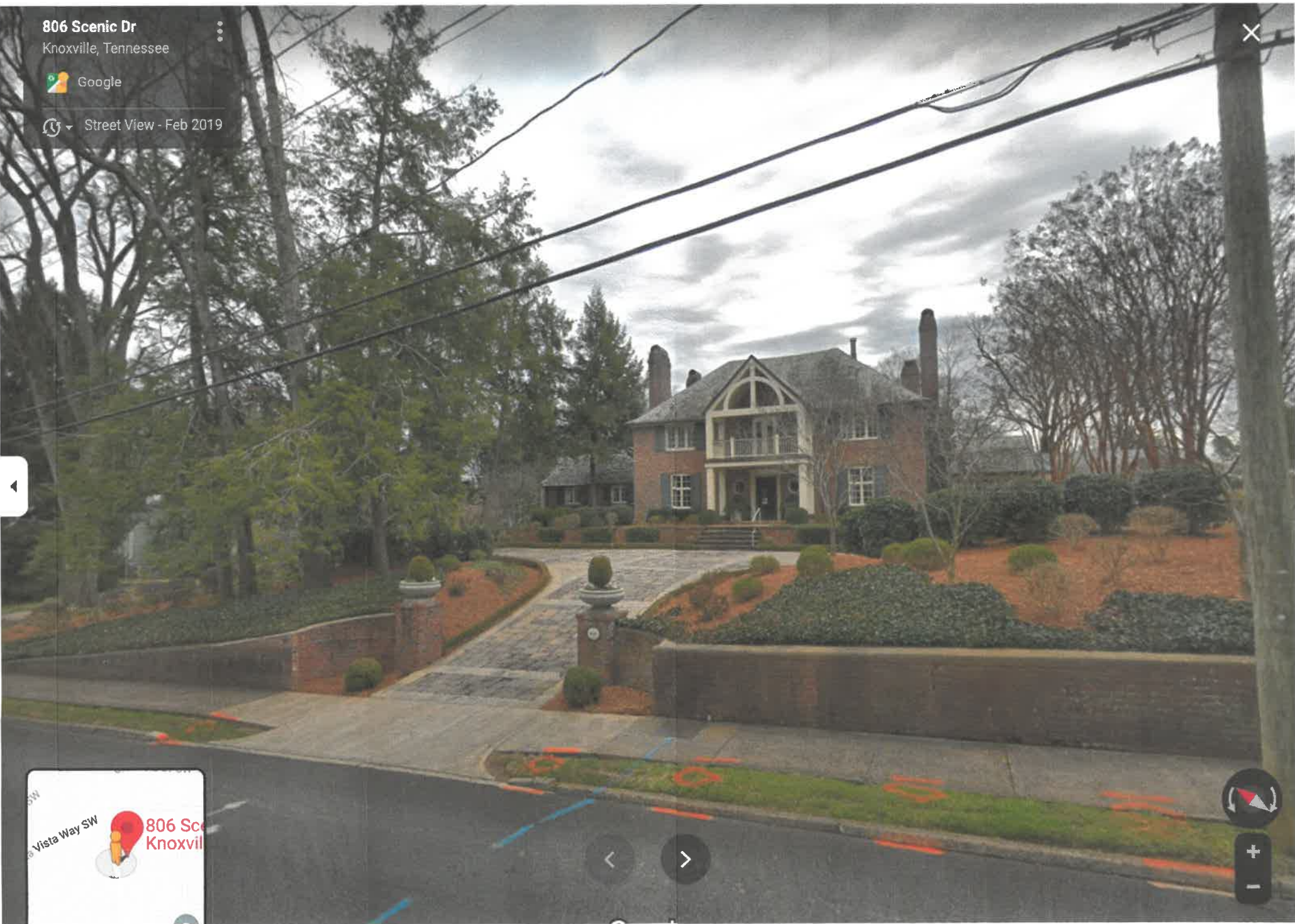
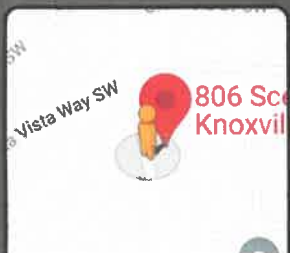


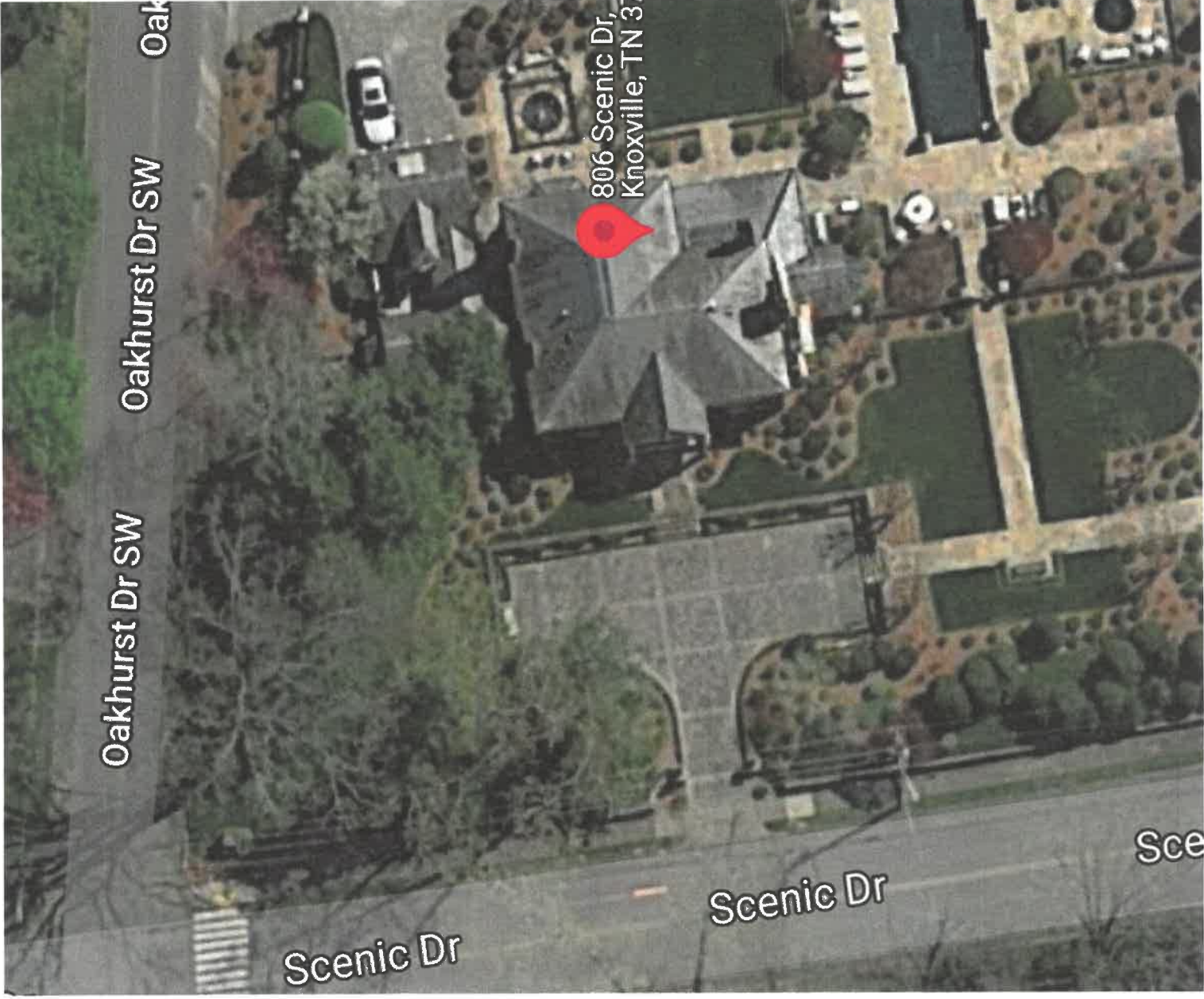
Existing conditions - Permanent off Street Parking area in front of Residence

806 Scenic Dr
Knoxville, Tennessee

Google

Street View - Feb 2019





Oakhurst Dr SW

Oakhurst Dr SW

Oak

806 Scenic Dr,
Knoxville, TN 37921

Scenic Dr

Scenic Dr

Sce



2742
KINGSTON
PIKE

EUGENA WILLIAMS HOUSE



1008

1024 Cherokee Blvd,
Knoxville, TN 37919



Cherokee Blvd

Greenway

Sequoyah Greenway

Cherokee Blvd SW

C



437
CHEROKEE
BLVD

1024 Cherokee Blvd

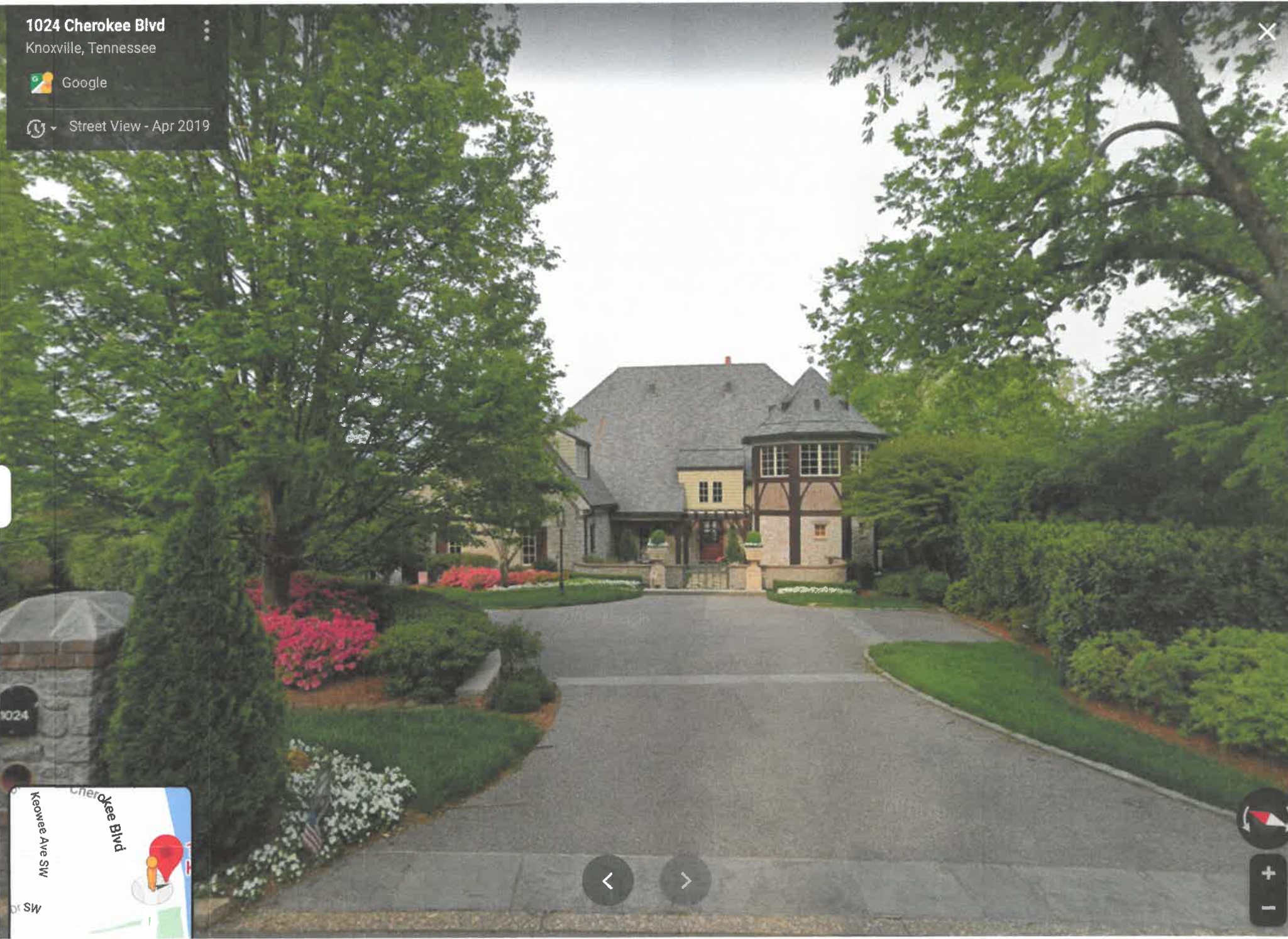
Knoxville, Tennessee



Google



Street View - Apr 2019





Imagination Photo

From: Amy <agmidis@comcast.net>
Date: September 20, 2021 at 7:27:54 PM EDT
To: Christopher <cielodrawing@hotmail.com>
Cc: Amy Hathaway <amymhathaway@gmail.com>
Subject: Re:

Hi Chris,

Welcome to the neighborhood! You landed in a great house and on a very historic street.

My first thought would be for you to construct a semi circle driveway that enters where you have already constructed the entrance and exits onto Boling Lane. George and Ann Ioannides who live across the street have a similar driveway pattern exiting onto Ridgeway. This is legal and allowed on corner lots like yours. This would allow you to easily exit your property onto Boling. You could also construct a ramp from your new driveway into the front door, allowing your Mom level access to the first floor.

Please know that our concern is not personal. The neighborhood really appreciates the much needed improvements you have made to your house. It looks wonderful! There are very few restrictions within the city code and they are established to protect the character of the neighborhood. While I am sure your plan will be executed and maintained to enhance the beauty of the lot, you will not be the last owner of your house. Furthermore, if the neighborhood turns a blind-eye to your plans, all future neighbors who move into Forest Heights will expect the same consideration.

I hope this helps! Let me know if you would like to discuss further.

Cipprone landscape design by SWH
for the home of Chris Davis at 7110 Forest Hgts -

Name	address	telephone
Craig Shelton	4123 Jomenebore LN	865-386-3721
MJ Emmerich	708 Forest Heights	865 310 1729
Ligh Henderson	4117 Ridgeway Ln	
Jed Cope	904 FOREST HEIGHTS	(865) 202-3489
Gary Newley	905 FOREST HEIGHTS RD.	865.584.4722
Linda Smith	4117 Ridgeway Lane	865-659-1728
Gregory Swanson	4801 Bolling Ln	865 773 3333
Carlyn Kay	4801 Bolling Ln	865-335-8081
Robert H. Smith	4117 Ridgeway Ln	865-603-4251
Olyssseus Bastick	4807 Summit Cir	(310) 663-2364
Jennifer Heppert	4805 Bolling Ln	785 (760) 4062
Tyler Adams	4805 Bolling Ln	919 419 3878
Andrew Hahe	908 Forest Heights	865-257-2353
CHRISTY COLEMAN	4125 Ridgeway LN	865-256-6849
Anna Clark	700 Forest Heights Rd.	(615) 496-5190

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
Al Amy	700 Forest Heights Rd.	(865) 335-042
Derek Osborne	4124 Ridgeway Lane	865-805-7667
M. J. Osborne	4124 Ridgeway Ln	865-805-7668
John	432 Highland Hills Rd	865-441-5891
Al Nick Barron	437 Highland Hills Rd	865-604-9898
Wendy Hickman	517 Highland Hills Rd.	865-306-8343
Joe Hickman	517 Highland Hills Rd	865-306-8357
Mana C. Hurt	445 Circle Hill Dr.	865-712-1963
Chris Hurt	445 Circle Hill Dr	865 712 4600
John	409 Circle Hill Dr.	865-266-7774
DREW EDWARDS	409 Highland Hills Rd	865-567-2958
eukemagnus	431 Highland Hills Rd.	865 5888 215
John	" " "	865 705 9507
KP Shwedo	509 Highland Hills Rd.	865 661 3168
Rob Butt	4116 Tomandova Dr	865 441 1109
Stephanie Kodish	" "	865. 242. 9101
Mike Lowry	4131 Tomandova Dr.	865-202-8020
Lind Lowry	4141 Tomandova Dr.	704-813-2272

George Formidas
801 Forest Heights

CHRIS GARY / CYNTHIA HARVEY
4129 TOMAROUA DR

Ann Santomassino
801 Forest Heights Rd.
858-213-6625
Ann

Andrew & Ashley Stovall
4136 Ridgeway Ln
ann stovall

Kathryn Sands
4135 RIDGEWAY
Kathy

Adam FENTON 4901 SOMMIT CRESC
865-207-3499

Nancy M. Ewell 4166 Ridgeway Lane

Cindy Spangler 4175 Ridgeway Lane
865-776-1301

Clyde
Kramer
865-850-9132
701 Forest Heights Rd
Knoxville TN 37909
865-712-3446

James L. Carter, IV
865-588-5523
600 Forest Heights Rd.

Julie
602 Forest Heights
508-231-4561

Jim Paul P.O. Spivey
906 Forest Heights
865-607-422

Included are photos of like driveways. Some are historical homes built in the same time period as mine. Some are the most expensive celebrated homes in the area, and some are new.

I realize the city has adopted a new code for driveways. I would think that if someone is going to great expense to invest in their property that design would be of consideration. A neighbor told me that the house originally had the drive entrance where Mr. Hackney has it in his plan.

Thank you for your consideration.

Chris

My vote of approval of Variance on 710 Forrest Heights Rd

pshankles3@gmail.com <pshankles3@gmail.com>

Wed 11/10/2021 12:21 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Hello,

I own the house just up the street from 710 Forrest Heights Rd (4819 Summit Cir) and I just want to take a moment and voice my approval for this variance. It is my understanding that the variance will not determine if the driveway will be built, but rather if an old-growth tree will be removed to accommodate the current owners. I don't see any safety or environmental problems arising from the variance and so I am in favor of granting the variance.

Thank you for your time,
Peter Shankles

Sent from my iPhone

Variance at 710 Forest Heights Rd

Dorene Gryder <moody705@bellsouth.net>

Tue 11/9/2021 8:42 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Dear Ms. Burke,

I own the house at 705 Forest Heights Rd., across the street from Chris Davis' house. Although I was sorry to see some of the previous owner's landscaping removed, I am confident that Chris will make his yard beautiful AND provide handicapped access to the house for his Mother.

I am in full support of allowing this to happen.

Thank you,

Pamela Dorene Gryder

705 Forest Heights Rd.

(865) 604-9994

Sent from my iPhone

Approve Variance on 710 Forest Heights Road

Nick Barron <kayaknickyb@gmail.com>

Tue 11/9/2021 8:27 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Hi Cheri, my name is Nick Barron, resident of Forest Heights Neighborhood, and owner of Albright Grove Brewing on Sutherland Ave.

I just wanted to take a minute to write my support in granting the variance sought by the homeowners of 710 Forest Heights Road. They have been doing a wonderful job in updating the home and property, and have discussed their plan in detail and understand the hardship their property presents in creating a private driveway.

The plans as I understand them do a great deal of improving their parking, taking stress off of the street parking along Bolling St, as well as thoughtfully retains the large trees on their property and protects their neighbors trees as well.

I know personally how hard it can be to update older properties to meet with current codes - improving the property for the brewery on Sutherland was a long challenge! I do support their plans and intentions in updating and improving their property

Thank you for your time and please feel free to reach out with any questions or clarifications!

Nick Barron
437 Highland Hills Road
Knoxville, TN 37919

SUPPORT the Variance at 710 Forest Heights Road

Nichole Miller <nkm5120@gmail.com>

Tue 11/9/2021 8:11 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Good Evening,

I live at 437 Highland Hills Road, Knoxville Tn and want to express my support of the variance at 710 Forest Heights. I'm impressed with the improvements to the property the new owners have made and support their efforts with the driveway. Please let me know if there is anything else i need to do to express my support!

Thank you,
Nichole Miller

Sent from my iPhone

710 Forest Heights Road Driveway Variance

Gregory Swanson <gregory.d.swanson@gmail.com>

Wed 11/10/2021 8:44 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Cheri, I support the driveway variance filed for 710 Forest Heights Road. I am an adjacent neighbor and approve of the project. Thanks.

Gregory D Swanson

4801 Bolling Ln, Knoxville, TN 37919

865-773-3333

--

"no worries mate"

Greg Swanson

variance request at 710 Forest Heights Road

Lowell Gaertner <lowellgaertner@gmail.com>

Wed 11/10/2021 9:54 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Dear Cheri,

I live in the Forest Heights neighborhood at 5013 W Summit Circle Knoxville, TN 37919. I was informed by my neighborhood association that I could write to you with my opinion on the variance request at 710 Forest Heights Road. I am writing in support of the home owner's proposal. The request is reasonable and the plan is attractive and appropriate for the style of the house and the neighborhood. I understand that some folks in the neighborhood oppose the plan because it involves a driveway in the front of the house. If you were to drive up Forest Heights Road you would notice at least two other houses with driveways with two entrances that span across the yard and cars parked on those driveways. I see no reason why that would be permissible for those homes but not the house in question. Anyway, I support the efforts of the home owner of 710 Forest Heights Road. If you have questions you can reach me by cell at 205-563-2255. You are more than welcome to share my email with the BZA and attendees of the BZA meeting.

Sincerely,

Lowell Gaertner
5013 W Summit Cir
Knoxville, TN 37919

support

craig shelton <sheltoncraig70@gmail.com>

Wed 11/10/2021 12:59 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

I am writing in support of the landscape and drive project at 710 Forest Heights Rd. I have lived at 4123 Jomandowa Dr. for 28 years and I welcome the aesthetic and the investment in the neighborhood. Chris Davis and his landscape architect Stephen Hackney are creating a beautiful landscape and safe access for his elderly mother. I am thrilled with all the work he has done to improve the house and raise the value of one of the oldest and most beautiful homes in the neighborhood. It was much neglected, but now fully restored. I feel he has raised the value of all the homes in the neighborhood. Much issue has been made of parking in the front of the home, and the integrity of our neighborhood, but most all the homes, because of the age and size of the lots, have front parking. I myself do. This design actually obscures any car that may be in front and places the car to the left or right and out of the view of the entrance, unlike the parking pads that are randomly placed all over the neighborhood including the homes of the non-supporters. I might add to that this keeps cars off the streets and allows easier access for utility, garbage, and fire trucks. The former owners parked in the street partially blocking a fire hydrant and access to Boling drive.

Thank you,

Craig Shelton

710 forest heights

Leigh Henderson <leigh.p.henderson@gmail.com>

Wed 11/10/2021 1:25 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

I live in forest heights and support the variance for the property located at 710 forest heights.

Leigh Henderson

Zoning Request Support

Linda Smith <lindavolssmith@gmail.com>

Thu 11/11/2021 1:29 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

As a resident and member of Forest Heights Neighborhood Association for 33 years, I fully support Mr. Chris Davis and I am in favor of the zoning request.

Sincerely,
Linda Smith

Sent from my iPhone

SUPPORT for the Variance at 710 Forest Heights Road

George Ioannides <GEORGEI@yahoo.com>

Fri 11/12/2021 12:11 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

We write to support our neighbors' variance request. We live across the street from Chris, Rene and now Chris's mother. We have seen first hand the quality work they have done to their home.

Chris showed us the plans (from a well known local landscape architect) for the front, which include hardscape, ground cover plants and screening hedges. When complete, we know this will be one of the premier properties in the neighborhood.

For what it is worth, our home at 801 Forest Heights Road, has a simple paved circle driveway where we often park. We took a quick survey of the homes around ours and found the following homes with parking in front: (1) 4909 Summit Circle (concrete circle driveway); (2) 706 Forest Heights (asphalt parking pad); (3) 703 Forest Heights (asphalt parking pad); (4) 604 Forest Heights Road (parking pad); and (5) 602 Forest Heights (parking pad). I did not survey the other neighborhood streets, but I am certain there are more.

We strongly SUPPORT our neighbors' request and believe granting the variance under these circumstances will only positively impact our neighborhood.

Thanks for your consideration,

Ann Santomassino & George Ioannides
801 Forest Heights Road

Zoning request support

Bob Smith <bobvolssmith@gmail.com>

Fri 11/12/2021 7:24 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

As a resident and member of Forest Heights Neighborhood Association. I fully support Mr. Chris Davis and I am in favor of the zoning request.

Bob Smith

865-603-4251

Comment on Forest Heights Variance

Erika Magnuson <erikawmagnuson@gmail.com>

Thu 11/11/2021 9:04 PM

To: Cheri Burke <cmurke@knoxvilletn.gov>

Hello, Ms Burke,

My name is Erika Magnuson and I live at 431 Highland Hills Rd. My husband, Jon, and I would like to express our support for the variance for 710 Forest Heights Rd. Based on my understanding of the situation I believe that the approval of the variance would result in a helpful and appropriate solution to a safety issue that is present at this address. Although street parking on one of the streets is legal, the way the home is positioned on the corner and at the top of a blind hill creates an unsafe situation, especially if emergency services were ever needed on the street. The current driveway restrictions create a hardship for the family residing in this home in finding safe and accommodating parking on their property. Based on the drawings, of which 90% has already been installed at the house, it is clear that this design will accommodate vehicles in a safe way, while also being subjectively beautiful, and consistent with the neighborhood's upscale aesthetic.

It is also my understanding that the city issued a permit for this work, and then rescinded said permit. In the meantime, based on the approved permit, work began and was nearly completed. If the permitting office regretted their original approval, that should not be the burden of the homeowner. Simply put, it is not right to approve something and then rescind it after much of the work is finished, especially if there is no safety issue present.

I hope that your board can approve this variance, I personally know of many residents of Forest Heights who agree with this perspective. The common link for most of these residences is that they are newer to the neighborhood and as such are able to make a judgement of the situation void of the emotion that seems to be accompanying the naysayers. These folks, for the most part, have deep historical connections to the neighborhood. But, this is not an emotional or historic conversation. And logically, the only answer can be to approve the variance based on the facts.

Thank you for your time. I very much appreciate our city employees and government and I am grateful for the opportunity to share my thoughts.

Regards,

Erika and Jon Magnuson
431 Highland Hills Rd.
37919

710 Forest Heights: Variance

Cat Coffin <catcoffin@gmail.com>

Fri 11/12/2021 10:43 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

As the resident & owner of a home 145 feet from 710 Forest Heights, I strongly support the addition of hardscaping and landscaping made by the that home's owners.

The thoughtful design, excellent workmanship and quality materials enhance the property's overall value and prolong its useful life while artfully adapting it accommodate accessibility for the homeowners and elderly family members.

Additionally, this feature relieves our neighborhood's stringently limited off-street parking of hazards and congestion.

As a neighbor and design professional, I am confident that this enhancement—so beautifully conceived and executed— stands in harmony with the home's aesthetic.

I strongly urge the granting of this variance.

Respectfully,

Cat Coffin

4807 Summit Circle

Knoxville, TN 37919

C: (310) 977-2250

Support 11A21VA (710 Forest Heights Rd)

Michal Grivetti <michalgrivetti@gmail.com>

Fri 11/12/2021 10:49 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Ms. Burke,

I am writing to you today to voice my full support as a neighbor of the variance request 11A21VA. I live in Forest Heights neighborhood. My address is 4173 Jomandowa Dr, Knoxville, TN 37919. This project adds value to the community and the character of the neighborhood. Please approve this variance request.

Thank you,

Michal Grivetti

4173 Jomandowa Dr, Knoxville, TN 37919

865-661-6283

Support 11A21VA (710 Forest Heights Rd)

Grace Trent <mgracetrent@gmail.com>

Fri 11/12/2021 11:06 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Hello Cheri,

I write you today as a neighbor residing in the Forest Heights neighbor in full support of the variance request 11A21VA. The project does not interfere with any of the character that makes our historic neighborhood so wonderful. This neighborhood is loving and welcoming to all, regardless of background. I want this neighborhood to continue to be a safe place for neighbors to grow in community. I believe that stopping these neighbors from doing the project that works for their home and their needs will do a disservice neighborhood. This has caused a lot of divide in a normally very unified neighborhood.

Please do not hesitate to reach out with any additional questions regarding my support.

Margaret Grace Trent
501 Highland Hills Rd.
Knoxville, TN, 37919

Support 11A21VA (710 Forest Heights Rd)

Courtney Fox <courtdaly@gmail.com>

Fri 11/12/2021 11:25 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Hello Cheri,

I write to you today as a neighbor residing in the Forest Heights neighborhood in full support of the variance request 11A21VA. The project does not interfere with what makes the historic neighborhood so wonderful. It does not impede on other neighbors and making their home work for them should be priority as long as it does not impede the city. I would hope my neighbors would support any efforts we would like to make in improving and upkeep of our home and property as well.

Thank you for your time and consideration. Feel free to reach out for any questions regarding my support.

Courtney Fox
452 Circle Hill Dr.
Knoxville, TN 37919.

710 Forest Heights Road Variance

chackney <chackney@utk.edu>

Fri 11/12/2021 3:43 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Cc: Dave Payne <dpayne@stephenwhackney.com>

Good afternoon,

I am writing to support approval for the variance for 710 Forest Heights Road. The new owners have taken a property that was neglected for several years and made substantial improvements.

I appreciate the need for codes in neighborhoods; however they evolve to fit the needs and desires of current residents.

Forest Heights looks substantially different than when the neighborhood was originally platted between 1929 and 1936. A wide variety of housing types and parking options now exist throughout to meet the current challenges and provide safety given the narrow streets.

Warm Regards,

Dr. Cynthia Hackney

Please Approve Variance Request Forest Heights Rd

Ashley Stokes <bayoustokes@gmail.com>

Sun 11/14/2021 7:12 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

I wanted to voice my support for the variance request for Forest Heights Road. The owners have done a beautiful job of restoring this home, improved the property, and have designed a very classic style driveway with landscaping. I counted and over 1/2 of the homes on our street (I'm a neighbor on Forest Heights) and connecting neighborhood streets have drives and parking in the front. Their design is classic and well done. I'm supportive.

Thank you,

Ashley Stokes

706 Forest Heights Rd, Knoxville, TN 37919

Variance request at 710 Forest Hts Road

spangler <spangler@utk.edu>

Fri 11/12/2021 8:43 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

I am writing on behalf of Chris Davis who has a variance hearing Nov 16 at 4 PM re his property at 710 Forest Hts Road. I live one street away and I am in complete support of Mr. Davis' plan for his front yard. He has completed extensive improvements on this property and per the landscape design, more shrubs and natural greenery are to be added. Again, I find the current plan an improvement over what was previously there and I'm happy to have Chris (and his mom) as new neighbors on an improved piece of property.

Thank you in advance for your thoughtful consideration regarding this variance request.

Cindy Spangler

4175 Ridgeway Lane, 37919

12 November 2021

Dear Knoxville County Board of Zoning Appeals,

I am writing in support of Variance Request 11A21VA at 710 Forest Heights Rd. The homeowners have a solid plan to add parking to their property with easy access to first level of the home which their family requires. My house is on Bolling Ln, the road adjacent to the home. Bolling Ln is very narrow with a steep drop-off on the homeowner's side of the street, making street parking for more than one vehicle disruptive to traffic and poor option. The homeowners have freely shared their driveway plan and landscaping plan which appears well thought-out and professionally derived. For these reasons I ask you to please consider supporting Variance Request 11A21VA at 710 Forest Heights Rd.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Heppert', with a long, sweeping horizontal stroke extending to the right.

Jennifer Heppert
4805 Bolling Ln
Knoxville, TN 37919

710 Forest Heights Blvd

trey coleman <treycoleman@yahoo.com>

Wed 11/17/2021 6:30 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Howdy,

I live on 4125 Ridgeway Lane, so just a few doors down from the home having the variance issue, and I wanted to voice my support for my neighbors project.

However, I will add that I don't know why the work stoppage was issued. I've asked several people and get several different answers.

The only concern I have is that where the new driveway is now located its at the top of Forest Heights Blvd and at a point where people coming up the hill are likely accelerating to clear the top of the hill. The mitigant here is apparently anyone leaving the driveway can see down the hill but I have not personally confirmed this. I would certainly support and recommend that the new drive be only for an entrance and a new driveway be added on the dead end alley for exiting vehicles. I've been told this was the owners original plan but that is just hearsay.

As to my support, I think the improvements enhance the beauty of the home and neighborhood. the quality of construction has been top notch and the owner has done a lot internally with the home as well. I think he has impeccable taste and his true intent to make things nicer, something any homeowner should be allowed to do (within the confines of code and other regulations).

Thanks,

Trey Coleman

From: Cynthia Estes <tigercke@comcast.net>

Date: November 6, 2021 at 7:37:52 PM EDT

To: cmburke@knoxvilletn.gov

Subject: 710 Forest Heights

Cheri,

I live in Forest Heights and object to the front yard parking lot that has been built. No one needs a parking lot that fills the front yard. Chris Davis knew his needs before he bought the house also and if the house did not fit his needs he should not have bought it. I also noticed that he submitted pictures from "historical houses" but with no cars parked in them. Also these houses are estates. He also said his mother needed to park in front but she doesn't need the whole front yard. He has parking in the back. We have had a neighbor who put an elevator into her house as she aged.

Many people have worked hard over the years to improve our neighborhood and to have codes that protect our neighborhood. I don't know why we have codes if someone can build something ignoring the codes and then come and say look I've spent all this money so you need to let me keep this. If they had lived there a long time and aged into it I could understand a small driveway coming in from Forest Heights and out Boling Lane to help accommodate them but they knew what they were buying. Even then no one needs a parking lot that fills the front yard. Also the runoff of rainwater.

Also the homeowner states that he is protecting the trees with the gravel. That makes no sense since parking and driving on the roots damages them and hurts the trees.

I also find it difficult to believe that if he was working with someone who was reputable that they would not have discussed codes. The first time I met with a contractor we discussed the codes and what I could and could not do per the codes.

All this is to say the homeowner did not follow the codes for our neighborhood and should be turned down. We appreciate your help in protecting our neighborhood.

I work full time and cannot attend the zoning meeting but wanted to voice my objections.

Thank you,

Cynthia Estes,

4151 Ridgeway Lane, Knoxville, TN, 37919

710 Forest Heights Dr.

John Ulmer <julmer3498@aol.com>

Thu 11/11/2021 10:03 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

To the Board of Zoning Appeals:

We are long term residents of the Forest Heights Neighborhood, residing at 4124 Jomandowa Drive.

The fact that the driveway/courtyard work on this property was done in violation of the zoning code notwithstanding, if the BZA does not reject the homeowners appeal outright serious consideration should be given to requiring the closure of the driveway entrance on Forest Heights Drive which lies at the top of a blind hill. We believe the traffic engineer would agree that a driveway in this location presents a serious risk of future traffic accidents.

John & Martie Ulmer

[Sent from the all new AOL app for iOS](#)

710 Forest Heights Rd.

qpass@aol.com <qpass@aol.com>

Thu 11/11/2021 4:50 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

November 11, 2012

Ms. Burke I am writing regarding the property at 710 Forest Heights Rd. 37919. I am against the current landscaping plan the owner has proposed for the property. The parking area would take up at least 50 percent of the front yard. No amount of landscaping can improve or enhance that. A parking area of approximately 58ft x 28ft is hardly the definition of a circular driveway. The comparable properties in the proposal have literally acres surrounding the parking areas.

This proposal is not in keeping with the character of neighborhood. If this request is granted, I am concerned a precedent will be set that allows for front yard parking in the neighborhood.

Respectfully,

Susan R. Passarello

516 Forest Hills Blvd

Knoxville, TN 37919

Dear Board Members,

I am writing you today in **opposition** of the application for a variance at 710 Forest Heights Drive. This is a case of both good and bad judgement.

I was a member of the Recode Knoxville Stakeholder's Advisory Committee during the creating of the City of Knoxville's new zoning ordinance. Good judgement was applied by the Planning Commission with the guidance of the Department of Plans Reviews and Inspections when the ordinance prohibited "front-yard parking except in approved parking spaces". While it is a subjective argument that front-yard parking detracts from the character of the neighborhood, it was clear that since the 1960's when the previous zoning code was created, there were thousands of complaints from residents who had issues with neighbors who park in their front-yard. This cost the City and taxpayers a great expense in both money and resources to send inspectors out to police a problem that was hard to sometimes enforce. Therefore, the new zoning ordinance clearly defines based on specific dimensions, what constitutes an "approved parking space". I don't recall many, if any, issues from Knoxville residents regarding the approved driveway dimensions.

The city zoning ordinance shows a drawing of a circular driveway. The entrance and exit of the driveway must be on the same street. This plan does not. Furthermore, if approved, the large number of variances needed and the substantial dimensional increases that will be granted further supports that this is not a circular driveway.

I agree that the landscaping design that the applicant has proposed is lovely. He purchased a beautiful house located on a very historic street and neighborhood. However, there are numerous lovely designs that could be created for his yard. Both him and his professional landscape designer had bad judgement in creating a landscape plan that surrounds a motor-court. The original plan that was not shown in this application did not have an egress onto Boling Lane. This egress was only added to justify his request that the motor-court be defined as a "circular driveway". The applicant also used bad judgement in not applying for a building permit prior to implementing the plan. It is surprising that his landscape designer did not suggest a permit application be filed or even know that a motor-court is not allowed in the City.

I ask you to honor the good judgement of the Planning Commission and staff, City Council, numerous City directors and staff members as well as thousands of residents who provided input into the new zoning ordinance and **deny** this variance.

Best Regards,

Amy Midis
5015 W Summit Circle

710 Forest Heights Variance

Courtney Huster <juliacourt@mac.com>

Fri 11/12/2021 5:25 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

To Whom this May Concern,

I am writing this to strongly oppose the variance for the property at 710 Forest Heights Drive.

I lived in this neighborhood throughout most of my childhood and now again as an adult. I have a unique perspective as I know much of the history of this property and of the neighborhood. However, I realize that that is NOT what this is about. It is about the parking lot (for lack of a better term) that the new owner of this property is installing in place of a front yard.

Forest Heights is a neighborhood known for it's old growth trees, houses with character and gardens with native wildflowers. It is one of the reasons people love living here and that people are quick to purchase homes in this neighborhood. In 2020 the neighborhood worked collectively to be recognized as a Community Wildlife Habitat. It was a big effort and if you were to drive through the neighborhood you could easily see why it was a priority. This new parking lot does not fit. The Fuller family who lived in this home for decades took loving care of the yard and gardens- this is the norm in this neighborhood.

I have heard that this parking lot will add value to my home- I do not see how that could happen. In my opinion it is a detriment to the neighborhood.

I have heard that there are drainage issues- I find that hard to believe as this house sits very close to the top of the hill. The family who lived in the house for many years never had such problems. I am doubtful of a drainage issue.

I have heard that it's a parking issue. I am certain that there are many more tasteful ways to solve this problem in keeping with the look and feel of the neighborhood. Additionally, the home has a two car garage, ample room in the driveway and is on the corner of a dead end street.

I am imploring you to drive through the neighborhood and see for yourself how this does not fit and is actually a very unwelcome idea and design. As I mentioned before there are MANY other ways in which this problem could be taken care of that would keep the charm and character of the neighborhood in tact.

Please deny this variance as the project it is attached to is one that will be bad for the neighborhood.

Thank you for your time and Consideration,

Julia Courtney Huster
4138 Jomandowa

City of Knoxville Board of Zoning Appeals

Zoning Variance request for 710 Forest Heights Rd.

When Chris Davis purchased 710 Forest Heights we (neighbors) wondered what would transpire and watched closely the progress of renovations. I spoke with his contractor and walked through during the renovations. I was impressed with the quality of construction and with the renovations overall. This gave me a level of comfort to see that Chris appeared to have only the best intentions for our neighborhood.

When work began in the front yard, I felt that the quality of work mentioned above would naturally continue. When the dump trucks backed into the front yard and dumped tons of stone, I realized that the good design had not been continued. By City Zoning Code, section 11.3, paragraph D, parking in the front yard is forbidden.

City officials soon came to the site and stopped work and as a result Chris began a door to door campaign seeking support. While visiting with me, he had a basic drawing of the landscape architect's design and stated that he had a permit for the work. I found this confusing since the city should not have issued a permit for a non-conforming use and a professional landscape architect would be aware of the existing local codes and regulations. I assumed that there must be something in the new zoning ordinance that I am not aware of which allowed the project. I told Chris that because he had done such good work on the interior renovations and because he had proceeded with the expense to create the front parking court with the required permit, and even though I strongly dislike his design, I supported his right to apply for a Zoning Variance. Since he had a permit and used a registered landscape architect, I further promised that I would not actively oppose the project.

In later conversations, Chris continued to assert that the design is not a parking lot but instead access for his elderly mother who cannot back her car out of the existing driveway and cannot maneuver the existing stairs at the rear entry. Recently, I watched as his mom exited the front door, down the steps, across the parking area, down a slope to the old steps, down those steps to the side street and to the mailbox to retrieve the mail. She then retraced the route in good fashion. As a 76 year old myself, I applaud her efforts but it shot holes in Chris's implication that it is her frailty that gives his parking court validity.

Chris further proudly states that a decision was made to use pea gravel for the surface of the parking area. In fact the area was paved using "crusher run" limestone which is the typical underlayment for asphalt pavement. Yet another misrepresentation to make me question what's next.

One recent Sunday afternoon, there were 4 cars parked in the lot. When I brought this to his attention, he said that it was only for a few hours, implying that made it o.k. He even stated that he enjoys entertaining and that there will be times when it is indeed full of cars. Recently, there were 3 cars parked there most of the day and today, Nov. 18th, there are 4 cars parked in the "parking court".

We (Forest Heights Neighborhood Association) recently found out that he did not have a permit and this coupled with his lack of care for the codes and for the inappropriateness of his design, has shown me what he is made of.

No matter what labels or lame excuses he tries to attach to the project, it is a 6 car parking lot and against the code. Chris Davis has thumbed his nose at aesthetics, at City Codes and at his neighbors. The Board of Zoning Appeals should deny the variance and require its' removal.

With disappointment and frustration,

Gary R. Nunley
Architect, retired
905 Forest Heights Rd.
865-584-4722
Email: nclan@comcast.net

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November 4, 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 11-A-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

RE: BZA November applications

Steve Borden <Steve.Borden@tn.gov>

Thu 11/4/2021 4:23 PM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Please find the following responses from TDOT District 18 Operations for the November BZA applications:

[10B21VA: 210 Stratford Rd](#) - TDOT Operations has No Comment regarding the privacy fence and setbacks for property not adjacent to state owned ROW.

[11A21VA: 710 Forest Heights Rd](#) - TDOT Operations has No Comment regarding the circle drive and setbacks for property not adjacent to state owned ROW.



Steven M. Borden, P.E. | Director/Assistant Chief Engineer

TDOT – Region 1

7345 Region Lane

Knoxville, TN 37914

(865) 594-2400

Steve.Borden@tn.gov

tn.gov/tdot

From: Cheri Burke <cmburke@knoxvilletn.gov>

Sent: Tuesday, November 2, 2021 3:40 PM

To: Steve Borden <Steve.Borden@tn.gov>

Subject: [EXTERNAL] BZA November applications

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good afternoon Steve,

Please have your staff review the following application (located [at this link](#)) and provide your response by 11/8/21.

11A21VA: 710 Forest Heights Rd

Thank you,

Cheri Burke

Administrative Specialist





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To whom it may concern;

I am writing this with earnest to oppose the variance being considered for this old house on the top of the hill. It was my family home for 59 years with 3 generations adoring every tree and wildflower, its fabulous woods and its neighbors. The area was named Forest Heights for a reason. And now, this home built in 1937 or so (we were the second owners) has an ongoing project of diminishing everything this fabulous neighborhood represents. While I have not owned this treasure for 7 years, I do have many friends there and Forest Heights Rd IS a city street! I have watched gardens die, trees be taken down, and now tons of gravel cover what I hear is to become a "motor court." Those are the words the owner used to describe his plans.

Never was there any drainage problem in the yard! Never was there a parking issue! My father bought the first mirror to aid in getting onto Forest Heights. When the bridge came down, the traffic was reduced from 5000 cars/day to just 500. Never was there a problem maneuvering the driveway. And the two-car garage was an extra benefit in owning that home. I believe about 7 cars can fit in the driveway and 2 cars comfortably in the spot on Boling Lane. To watch this GREEN SPACE disappear in a neighborhood that is now a Community Wildlife Habitat is simply unfathomable to me.

I urge you to not allow this homeowner to complete his motor court. He and his landscaper should have done more homework and known about city codes. It sets a terrible precedent for the future. Boats? RV's? Perhaps not this owner, but future owners who do not respect what is around them. And other neighbors following suit is just very frightening.

Please deny this variance and use good common sense for helping Forest Heights remain just that!

Thank you for helping uphold Knoxville's codes for beautiful and old established neighborhoods,

Margaret Fuller

Terry Faulkner
4178 Ridgeway lane
Knoxville, TN 31919
Homeowner/ Forest
Heights Neighborhood
November 15, 2012

Dear Board of Zoning Appeals Member,

I am writing in regards to the variance requested at 710 Forest Heights Road which would allow a parking "lot" (the area for parking presently covers 50% [2000 square feet] in front of one of the most beautiful houses, located on the most traveled road, in our neighborhood.

My husband and I are longtime residents (55 years) here and I have been actively involved in preserving the integrity of the neighborhood and to beautifying, adding greenways/sidewalks and improving public transit stops in the Bearden area. As President of the Bearden Village Council, which represented six small neighborhoods in the area for over 14 years, I helped to organize a city wide citizen task force at the request of Knoxville City Council members, and with the assistance of city engineers, lawyers and council members, helped to write and pass an ordinance which defined the area which could be used for vehicular parking in a city homeowner's front yard. This ordinance provides protections which helped to end an increasing blight of too many cars and various other vehicles parked in front yards throughout the city, which not only devalued adjoining property, but also degraded the appearance of the entire neighborhood as well.

Allowing a variance at the above location would completely undermine the ordinance as it would set a precedent which could be used again and again in the future to justify approving variances such as this one. I urge you to vote against this request.

Thank you for your consideration of this matter.

Sincerely,

Terry Faulkner

November 16, 2021

RE: File 11-A-21-VA
Parcel ID: 107KA001
Applicant: Chris Davis
Address: 710 Forest Heights Road
Zoning: RN-1 (Single-Family Residential Neighborhood) Zoning District

To the Members of the Board of Zoning Appeals:

This letter is submitted to request denial of the variance application 11-A-21-VA for 710 Forest Heights Road. As a resident of Forest Heights, I am firmly opposed to the current plan that covers the front yard for parking, whether paved or permeable coverage.

This request for denial is not meant as a punitive measure, simply as a preventive to the potential precedent of front yard parking in Knoxville low-density residential neighborhoods, a problem previously addressed and designated illegal by Knoxville Code of Ordinances (Appendix B – Zoning Code/ Article 11. – Off-Street Parking) as follows:

11.3 – Locations and Setbacks

D. For single-family and two-family dwellings, parking is prohibited in the front and corner side yard except as follows:

1. On approved driveways and in approved parking spaces.
2. A maximum of two vehicles with a current and properly displayed accessible/disabled parking license plate or placard/hang tag.
3. Temporary loading or unloading.
4. When construction, remodeling, maintenance, or repairs are being performed on the property, temporary front yard parking cannot exceed the period for which the permit is valid or as necessary to complete the work.
5. Parking for isolated, non-recurring gatherings, parties, or visitors. This exception is not intended to provide permanent or semi-permanent parking for extra cars.
6. Areas within a two-mile radius of Neyland Stadium during University of Tennessee-Knoxville home football games and areas within a one-mile radius of Chilhowee Park and Exposition Center during city-approved events.

As a former member of the committee which drafted this ordinance, I trust that you will uphold the reasoning and work behind this Code. It was designed and championed by low- and medium density neighborhoods across the City of Knoxville (Old North Knoxville, Fountain City Town Hall, Forest Heights – just to name a few). After months of hard work, multiple drafts and much compromise, an article was formulated and presented to appropriate governmental bodies and ultimately approved by City Council as part of our Zoning Code. It is this code that helps stabilize the property values in our traditional neighborhoods, as well as contribute to the safety and welfare of the citizens within.


I implore you to remember that this variance does not only have long-term implications for Forest

Submitted by Sara Bryant at 11/15/21 meeting

Heights, but for almost every other neighborhood in Knoxville as well. I am sure an alternative solution for the homeowner's request could be reached without compromising the integrity of our current Zoning Code. Please deny this request for variance.

Thank you for your time and attention to this matter.

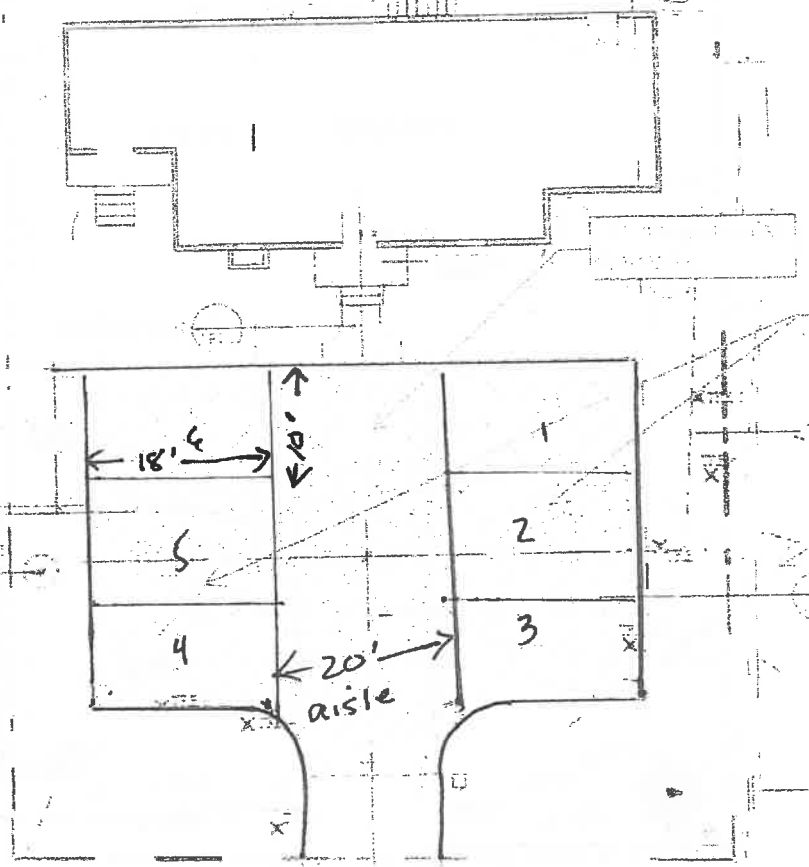
Sincerely,


Cathryn E. Irwin
4174 Ridgeway Lane
Knoxville, Tennessee 37919
cirwin1521@aol.com

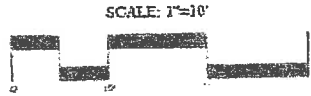
Submitted by Sara Bryant at 11/15/21 meeting

- Area of front yard approximately 4380 sq ft
- Area of parking lot approximately 2002 sq ft
- Available off street parking
 - Basement 2 car garage unless altered in the last 7 years
 - Rear driveway with space for at least 4 or 5 cars
- Available street parking on south side of Bowling Lane
 - 2 graveled parking spaces adjacent to the walkway leading to the front door
 - Approximately 250 feet of space between the dead end and the driveway at 710 Forest Heights Rd which can accommodate 6-8 cars

Boring Lane
↑
↓



LEGEND
x TREES TO BE REMOVED



1 SITE PLAN

6 parking spaces with a 20' drive aisle

SCALE: 1"=1'

Front yd \approx 4380 sqft

Parking area \approx 2002 sqft or almost 50%







Court Action:

***CONDITIONS OF APPROVAL**

1. Approved variances are limited to the variance request(s) as shown on the site plan submitted to the Board of Zoning Appeals.
2. A building permit may be issued on _____, if no appeal is filed with MPC within fifteen (15) days after the BZA meeting.