	File #	3-J-21-VA					
CITY OF KNOXVILLE BOARD O	F ZONING	APPEALS APPLICATION	ON				
APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAI	NS TO:				
Name Billy C. Trent	Owner 🔽	New Structure					
Street Address 3900 Sam Cooper Lane	Contractor	Modification of Existing Structure					
City, State, Zip Knoxville, TN 37918	Tenant $\square$	Off Street Parking					
Phone Number 865-356-5802	Other $\square$	Signage					
Email bctrentjr@gmail.com		Other Variance Request	V				
THIS IS A REQUEST FOR:							
Zoning Variance (Building Permit Denied)  Appeal of Administrative Official's Decision	pronound	n of Non-Conforming Use/or Structu erpretation	ire				
PROPERTY INFORMATION							

#### 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.

**VARIANCE REQUIREMENTS** 

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.

See attached Addendum.

Street Address 1300 Morrell Road City, State, Zip Knoxville, TN 37919 Parcel # (see KGIS.org) 133EB02601 Zoning District (see KGIS.org) RN-1

Describe hardship conditions that apply to this variance.

Applicant is unable to comply with a contract for the fee simple conveyance of real property as a result of City recode, which increased the minimum lot size requirements. Prior to recode the Applicant was able to comply as the lot size resulting from the resubdivision satisfied the prior code requirements.

### 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.

DATE 2/19/21

				File # 3-J-21-VA		
<b> ☼</b> CITY O	F KN	OXVILI	Æ	BOARD OF ZONING APPEALS APPLICATION		
******OFFICE USE ONLY******						
Is a plat required?	Yes	✓ No		Small Lot of record?		
		VARIA	NCE R	REQUEST(S) WITH ORDINANCE CITATION(S):		
1				area for a single-family dwelling from 10,000 s.f. to 8064 s.f. for ticle 4, Section 4.3. Table 4-1).		

REVISED

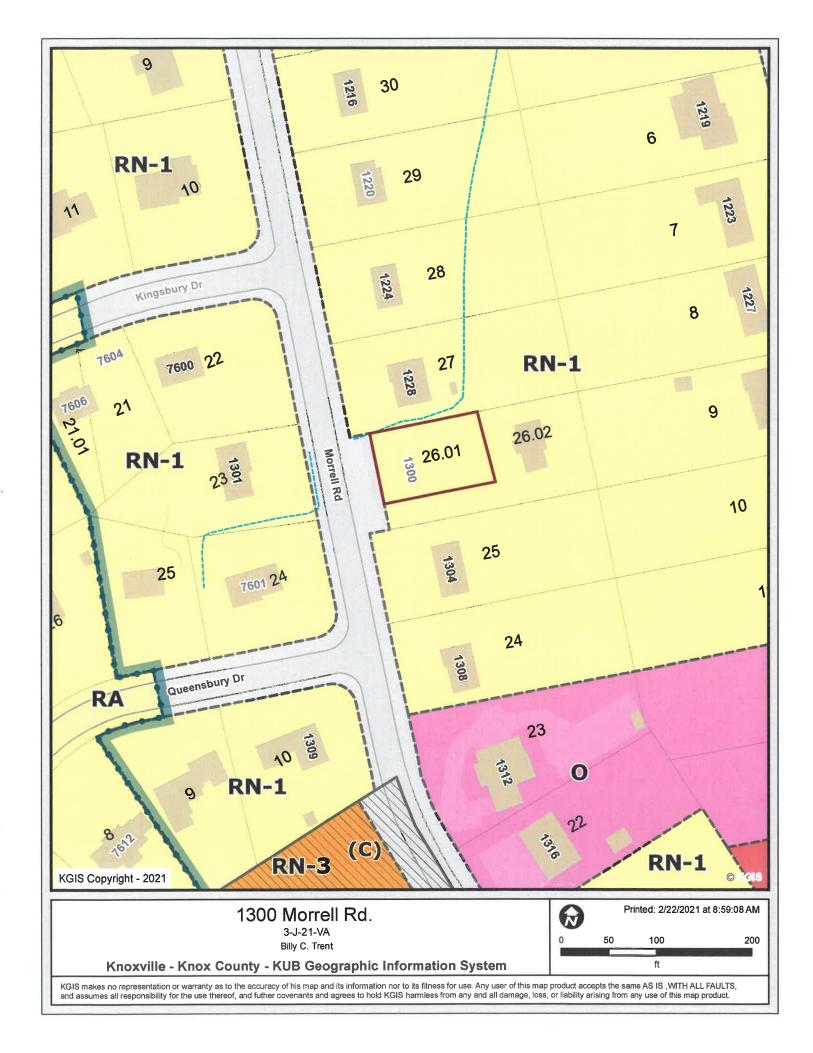
PROJECT INFORMATION				
Date Filed 2-19-21	Fee Amount \$500.00			
Council District 2	BZA Meeting Date 3-16-21			
PLANS REVIEWER Scott Elder	DATE 2-26-21			

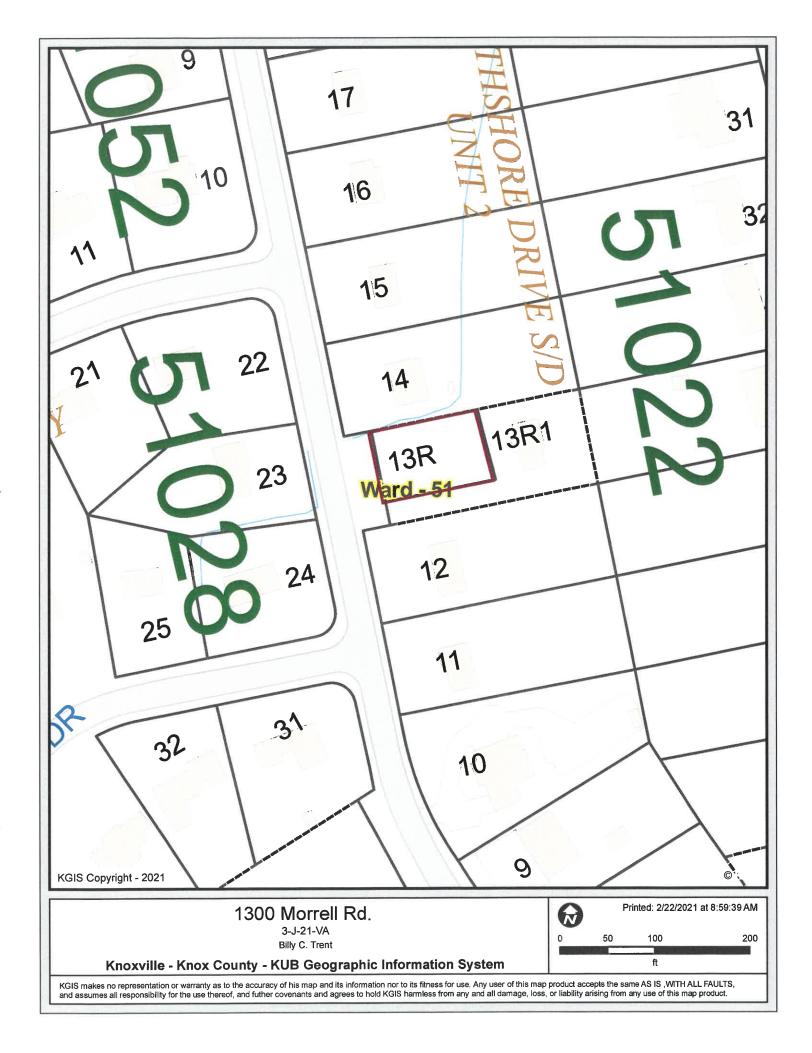
### **Addendum**

The Subject Property and the adjacent tract at 1302 Morrell Rd were created by a Final Plat approved in 2014, a copy of which is attached hereto as Exhibit A. Applicant constructed a single-family residence on 1302 Morrell Rd and conveyed it to the current property owners on December 31, 2015 ("1302 Owners"). Prior to the closing, Applicant entered into an agreement to convey +/-450 sq. ft. of the Subject Property to the 1302 Owners. A proposed Final Plat was prepared in 2016 reflecting the resubdivision, however it was not submitted for final approval because the signatures of the 1302 Owners could never be obtained. A copy of the proposed 2016 Final Plat is attached as Exhibit B.

In 2020, the Applicant obtained a building permit for the Subject Property, at which time the 1302 Owners raised issue about never being conveyed the fee simple for the +/- 450 sq. ft. Applicant cannot convey the +/- 450 sq. ft. based on the minimum lot size requirements increasing under Recode (now 10,000 sq. ft.). The 1302 Owners have threatened litigation against the Applicant if the fee simple of the +/- 450 sq. ft. is not conveyed. The Applicant has explained that he has always been agreeable to convey the +/- 450 sq. ft., however the ability to do so now is impossible absent a variance.

The resulting lot size for Lot 13R on the proposed 2016 Final Plat satisfied the minimum lot size requirements under the previous Zoning Code for the City of Knoxville.



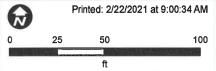




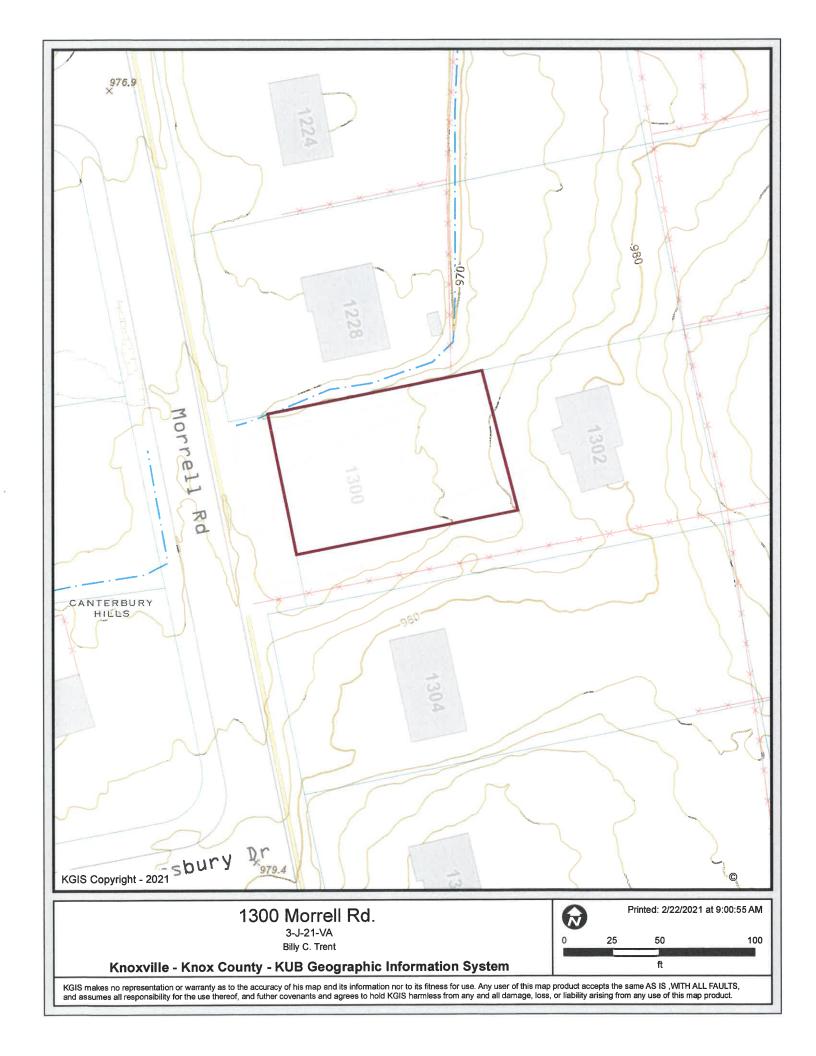
# 1300 Morrell Rd.

3-J-21-VA Billy C. Trent

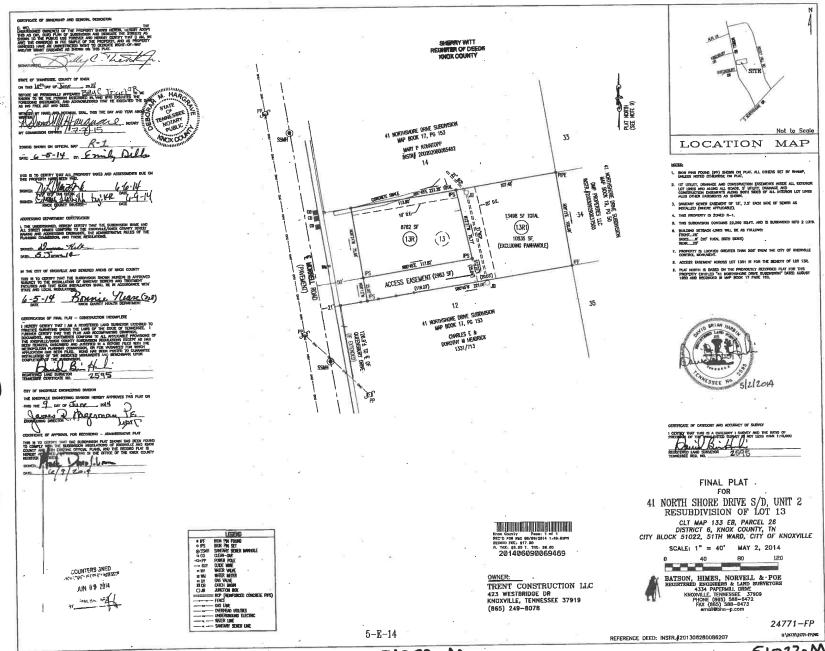
**Knoxville - Knox County - KUB Geographic Information System** 



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