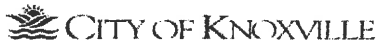


File #

5-H-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 LEN JOHNSON	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 724 TAYLOR ROAD	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip KNOXVILLE , TN. 37920	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number (865) 573-1148	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email lenedna@bellsouth.net		Other PRE-EXISTING/ADDITION <input checked="" type="checkbox"/>

THIS IS A REQUEST FOR:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Zoning Variance (Building Permit Denied) | <input checked="" type="checkbox"/> Extension of Non-Conforming Use/or Structure |
| <input type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation |

PROPERTY INFORMATION

Street Address 1805 FOREST AVENUE	City, State, Zip 37916
See KGIS.org for Parcel # 094NC020	and Zoning District RN-5

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.

REQUEST VARIANCE OF RIGHT (EAST) SIDE YARD SETBACK FROM 5.33' TO 0', REDUCE LOT WIDTH FROM 60' TO 26.30', AND INCREASE LOT COVERAGE FROM 35% TO 37.2%, DUE TO THE HARDSHIP EXPLAINED BELOW.

Describe hardship conditions that apply to this variance.

Bring the per-existing non-conforming duplex into compliance with Zoning Ordinances and adding an addition. This project was approved by City Council 17 December 2019 on appeal. Project has been reviewed for building permit and due to surveyor error in at this date still under review pending revisions.

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

DATE 07 APRIL 2021

File # 5-H-21-VA



BOARD OF ZONING APPEALS APPLICATION

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

Is a plat required? Yes No

Small Lot of record?

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

1. Reduce the minimum required lot area for a two-family dwelling from 5,000 s.f. to 3,857 s.f. Per Article 4, Section 4.3. Table 4-1.
2. Reduce the minimum required combined interior side yard setback from 15 feet to 0 feet. Per Article 4, Section 4.3. Table 4-1.
3. Increase the maximum permitted building coverage from 35% to 38.9%. Per Article 4, Section 4.3. Table 4-1.
4. Increase the maximum permitted impervious surface coverage from 45% to 55.7%. Per Article 4, Section 4.3. Table 4-1.
5. Reduce the minimum required lot width from 50 feet to 26.3 feet. Per Article 4, Section 4.3. Table 4-1.

PROJECT INFORMATION

Date Filed 4-07-21

Fee Amount \$250.00

Council District 1st

BZA Meeting Date 5-18-21

PLANS REVIEWER Scott Elder

DATE 4-26-21

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE APPROVING AN APPEAL BY LEN JOHNSON OF THE BOARD OF ZONING APPEALS' DENIAL OF HIS REQUEST FOR SIX VARIANCES, DESCRIBED HEREIN, FOR PROPERTY LOCATED AT 1805 FOREST AVENUE. (FILE NO. 11-F-19-VA).

RESOLUTION NO: R-410-2019
Plans Review &
REQUESTED BY: Inspections
PREPARED BY: Law Department

APPROVED: 12-17-2019

APPROVED AS AN EMERGENCY MEASURE: _____

MINUTE BOOK: 83 PAGE _____

WHEREAS, Len Johnson filed an application with the City of Knoxville Board of Zoning Appeals (the "BZA") for six (6) variances regarding property located at 1805 Forest Avenue, Knoxville, Tennessee, 37916. The variances requested are as follows:

- 1) Reduce the minimum required front yard setback in an R-2 zone from 25' to 20' (Article IV, Section 2.1.6.D.1.a.), and
- 2) Reduce the left side yard minimum required setback from 5' to 0' (Article V, Section 6.D.6), and
- 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article V, Section 6.D.6), and
- 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article IV, Section 2.1.6.D.4.a.), and
- 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 square feet to 4,433 square feet (Article IV, Section 2.1.6.D.5.b.), and

- 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article IV, Section 2.1.6.D.6); and

WHEREAS, on November 21, 2019, the BZA denied all six (6) requests by a failed vote of 2:2; and

WHEREAS, on November 25, 2019, Len Johnson filed an appeal of the BZA's action to City Council as provided in the Knoxville City Code, Appendix B, "Zoning Regulations," Article VII; and

WHEREAS, public notice of the hearing of this petition by the Board of Zoning Appeals on November 21, 2019 was published in the *Knoxville News Sentinel* on November 9, 2019 and public notice for the City Council meeting on December 17, 2019 was published in the *Knoxville News Sentinel* on November 29, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: Regarding the Appeal filed by Len Johnson for six (6) variances regarding property located at 1805 Forest Avenue, Knoxville Tennessee, 37916, the six (6) variances are approved as follows:

- 1) Reduce the minimum required front yard setback in an R-2 zone from 25' to 20' (Article IV, Section 2.1.6.D.1.a.), and
- 2) Reduce the left side yard minimum required setback from 5' to 0' (Article V, Section 6.D.6), and
- 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article V, Section 6.D.6), and
- 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article IV, Section 2.1.6.D.4.a.), and

- 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 square feet to 4,433 square feet (Article IV, Section 2.1.6.D.5.b.), and
- 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article IV, Section 2.1.6.D.6).

SECTION 2: This Resolution shall take effect from and after its passage, the welfare of the City requiring it.


Recorder


Presiding Officer of the Council

K:\COUNCIL\RESOLUTIONS\MPC\APPEALS\2019\John Holmes 9-D-19-VA.docx



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: December 17, 2019

DEPARTMENT: Plans Review

DIRECTOR: Peter Ahrens

AGENDA SUMMARY A Resolution approving an appeal by Len Johnson of the Board of Zoning Appeals' denial of his request for six variances, described herein, for property located at 1805 Forest Avenue. (File number 11-F-19-VA)

COUNCIL DISTRICT(S) AFFECTED Property is located in Council District 1.

BACKGROUND At the November meeting, the Board of Zoning Appeals denied the request of Len Johnson (File No. 11-F-19-VA) to 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.6.D.1.a.) and 2) Reduce the left side yard minimum required setback from 5' to 0' (Article 5, Section 6.D.6) and 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article 5, Section 6.D.6) and 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article 4, Section 2.1.6.D.4.a.) and 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.6.D.5.b.) and 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article 4, Section 2.1.6.D.6.) at 1805 Forest Ave. in the R-2 (General Residential) District.

OPTIONS Approve or deny the appeal.

RECOMMENDATION On November 21, 2019 the Board of Zoning Appeals denied the request of Len Johnson, (File No. 11-F-19-VA) by a Failed vote 2:2.

ESTIMATED PROJECT SCHEDULE Not applicable.

PRIOR ACTION/REVIEW

Board of Zoning Appeals meeting 11/21/2019

Published ad on 11/9/2019

Knoxville City Council 12/17/2019

Published as on 11/29/2019

FISCAL INFORMATION Not applicable.

ATTACHMENTS:

- RESOL Len Johnson 11-F-19-VA (DOCX)
- 11F19VA BZA APPEAL PACKET (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Campan, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

CITY OF KNOXVILLE **APPEAL OF BZA DECISION**

(Please Note: Original application is made a part of this application.)

Type : New Structure Modification of Existing Structure Off Street Parking Signage Other: _____

Decision by: BZA Other: _____ Date of Decision: 21 NOV 19
Jurisdiction: City 1ST Councilman District County _____ Commission District

Original Applicant Name: LEN JOHNSON/CARL LANSDEN Original File Number: 11-F-19-VA

Name of Owner of Subject Property: LENDALL L. ROBERTS

Description of Subject Property (Include city block and parcel number or lot number): PARCEL #094NC020, AN EXISTING NARROW LOT OF RECORD WITH A DUPLEX THAT WAS BUILD 1968 +/-

Zoning map of all property within 300 feet of the subject property is attached.

DECISION BEING APPEALED

DENIAL OF VARIANCES (6) NECESSARY TO MAKE THE DUPLEX LEGAL FOR THE DEVELOPMENT OF TWO BEDROOM & BATH ADDITION TO EACH UNIT.

REASON FOR THE APPEAL

Attach additional pages, if necessary. THE EXISTING DUPLEX HAS ONE UNIT CONDEMED AND IN ORDER TO RENOVATE TO MEET THE 2018 INTERNATIONAL BUILDING CODE THE VARIANCES ARE NECESSARY FOR THE RENOVATIONS TO THE EXISTING UNITS NECESSARY FOR THE CITY TO ISSUE A CERTIFICATE OF OCCUPANCY.

PETITIONER INFORMATION

Name of Petitioner: LEN JOHNSON/CARL LANSDEN

Petitioner's Interest in the Matter (Include a description of affected property owned by Petitioner): ARCHITECT AND FUTURE OWNER.

Application Authorization: I hereby certify that I am the applicant/authorized representative for the above named petitioner.

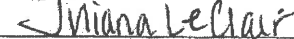
Signature: 

All correspondence should be sent to: Name (Print): LEN JOHNSON

724 TAYLOR ROAD KNOXVILLE TN. 37920
Street Address City State Zip

Phone: (865) 573-1148 Fax: _____ E-mail: lenedna@bellsouth.net

For Staff Use Only

Application Accepted by Staff Member: 

Appeal Fee Amount: \$130.00 pd cc 11/25/19 Date Appeal Received: 11/25/19

BODY WHO WILL HEAR THE APPEAL & MEETING DATE OF THE APPEAL

City Council - 6 p.m.

12-17-19

Month • Date • Year



BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION	APPLICANT IS	THIS PROPOSAL PERTAINS TO
Name LEN JOHNSON / CARL LANSDEN	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 724 TAYLOR ROAD	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip KNOXVILLE, TN. 37820	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number (865) 573-1148	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email lanedna@bellsouth.net		Other PRE-EXISTING/ADDITION <input checked="" type="checkbox"/>

THIS IS A REQUEST FOR

- | | |
|--|---|
| <input checked="" type="checkbox"/> Zoning Variance (Building Permit Denied) | <input type="checkbox"/> Extension of Non-Conforming Use/or Structure |
| <input type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation |

PROPERTY INFORMATION

Street Address **1805 FOREST AVENUE**
 City, State, Zip **KNOXVILLE, TN. 37916**
 Parcel # (see KGIS.org) **094NC020**
 Zoning District (see KGIS.org) **094NC020**

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.

REQUEST VARIANCE OF FRONT YARD SETBACK FROM 25 FEET TO 20 FEET AND LEFT SIDE YARD SETBACK FROM 5 FEET TO ZERO FEET, AND RIGHT SIDE SETBACK FROM 7' TO 5.33 FEET. REDUCE LOT WIDTH FROM 75 FEET TO 33.33 FEET. REDUCE LOT INTENSITY FROM 12,000 SQ. FT. TO 4,433 S.F. & MAX. LOT COVERAGE FROM 30% TO 33.4%.

REVISED

Describe hardship conditions that apply to this variance.

BRING NARROW LOT OF RECORD, PRE-EXISTING, NON-CONFORMING DUPLEX LOT AND PROPERTY INTO COMPLIANCE WITH ZONING ORDINANCE AND ADDING AN ADDITION CONSISTING OF 2 BEDROOM AND BATH ADDED TO EACH APARTMENT OF THE DUPLEX.

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

DATE **25 OCT 19**

File # 11-F-19-VA



BOARD OF ZONING APPEALS APPLICATION

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

Is a plat required? Yes No

Small Lot of record?

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

1. Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' per Article 4,Section 2.1.6.D.1.a.
2. Reduce the left side yard minimum required setback from 5' to 0' per Article 5,Section 6.D.6.
3. Reduce the right side yard minimum required setback from 7' to 5.33' per Article 5,Section 6.D.6.
4. Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' per Article 4,Section 2.1.6.D.4.a.
5. Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. per Article 4,Section 2.1.6.D.5.b.
6. Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% per Article 4,Section 2.1.6.D.6. to add a 2-story addition.

PROJECT INFORMATION

Date Filed 10-21-19

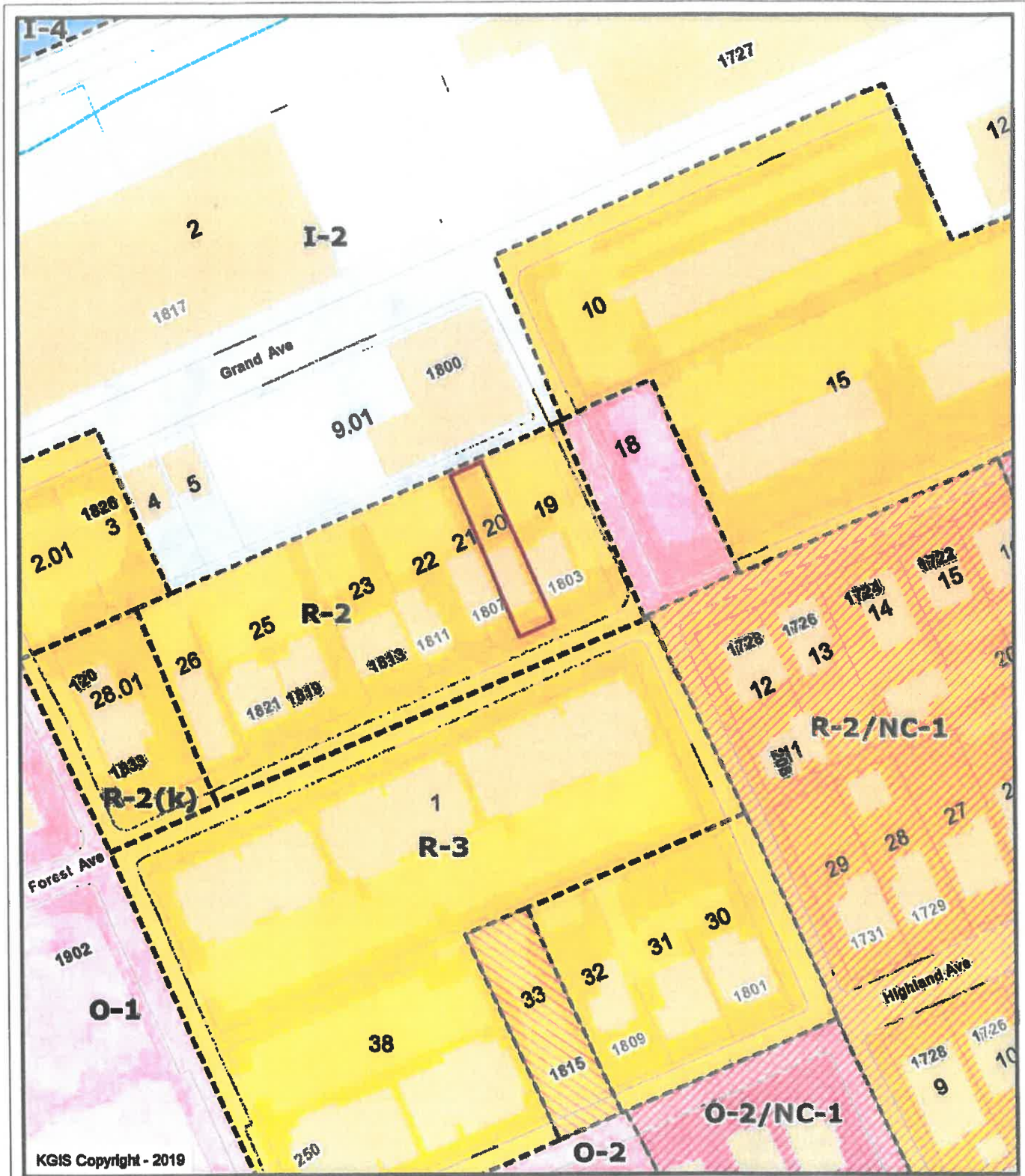
Fee Amount \$250

Council District 1

BZA Meeting Date 11-21-19

PLANS REVIEWER Rebecca Johnson

DATE 10-21-19



1805 Forest Ave.

11-F-19-VA

Len Johnson/Carl Lansden

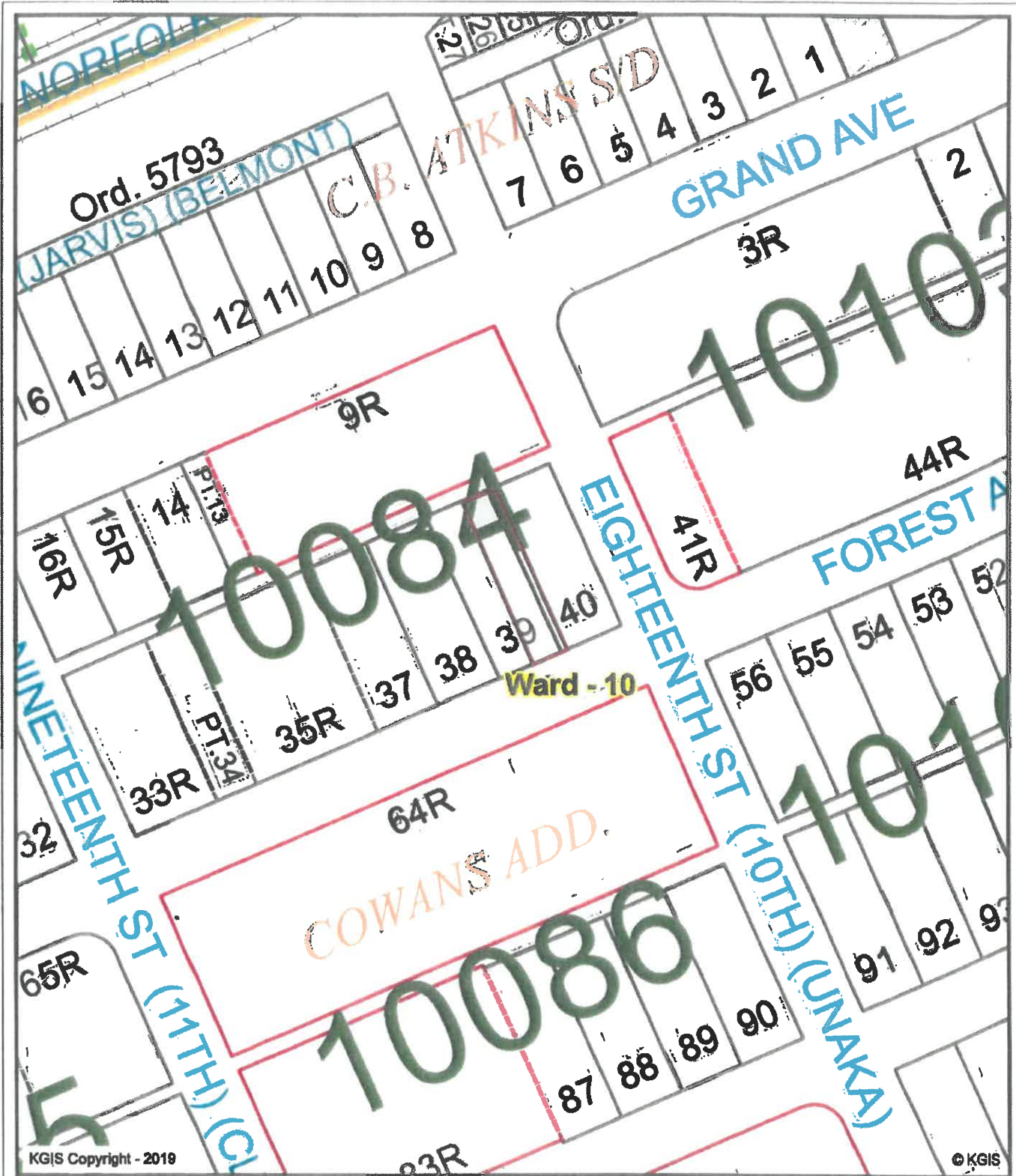
Knoxville - Knox County - KUB Geographic Information System



Printed: 10/21/2019 at 1:02:19 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



1805 Forest Ave.
 11-F-19-VA
 Len Johnson/Carl Lansden

Knoxville - Knox County - KUB Geographic Information System

Printed: 10/21/2019 at 1:02:55 PM

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



KGIS Copyright - 2019

KGIS

1805 Forest Ave.

11-F-19-VA

Len Johnson/Carl Lansden

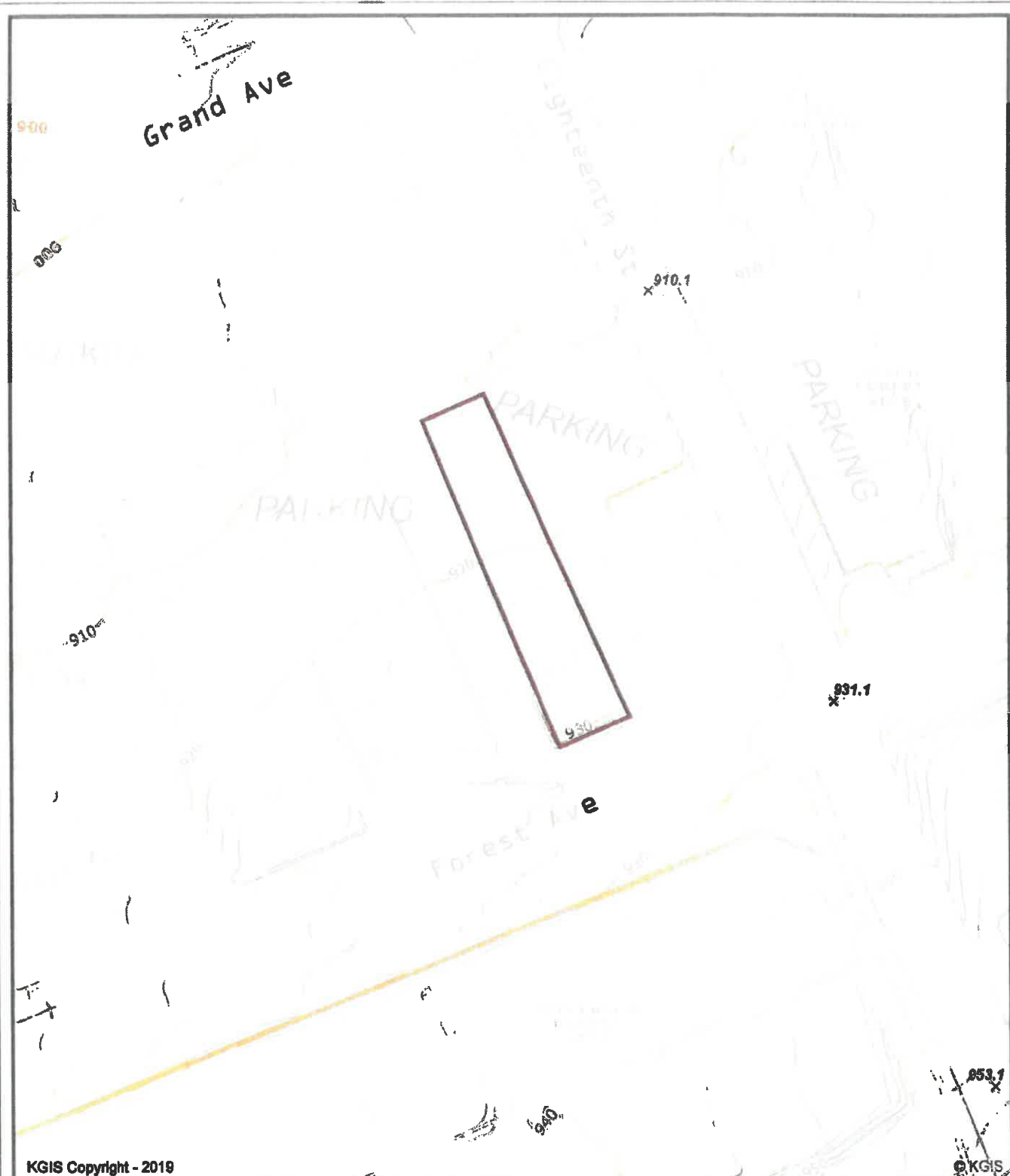
Knoxville - Knox County - KUB Geographic Information System



Printed: 10/21/2018 at 1:03:25 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



KGIS Copyright - 2019

KGIS

1805 Forest Ave.

11-F-18-VA

Len Johnson/Carl Lansden

Knoxville - Knox County - KUB Geographic Information System



Printed: 10/21/2019 at 1:03:48 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

November 18, 2019

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-19-VA through 11-G-19-VA, 11-I-19-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

Electricity · Gas · Water · Wastewater

P.O. Box 59017 · Knoxville, TN 37950-9017 · (865) 524-2911 · www.kub.org

TDOT District 18 Operations provided the following for this month's BZA applications:

10D19VA – No Comment

11A19VA – No Comment

11B19VA – No Comment

11C19VA – No Comment

11D19VA – No Comment

11E19VA – No Comment

11F19VA – No Comment

11G19VA – Both subject properties abut State owned ROW. It appears this site plan depicts direct impacts to State owned CA fence along the southeast property lines of both lots (picture of CA fence attached). The State does not authorize any site work that encroaches on State ROW or requires removal, relocation, or any other modification of State owned CA fence.



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

TDOT – Region 1

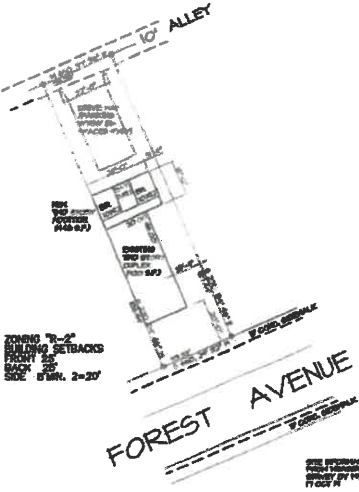
7345 Region Lane

Knoxville, TN 37914

(865) 594-2400

Steve.Borden@tn.gov

tn.gov/tdot



ZONING T-2
BUILDING SETBACKS
FRONT 10'
REAR 10'
SIDE 10'



SEE REVISIONS
AND REVISIONS
ON SHEET 11-F-19-1A

REVISED
11-F-19-1A

DEVELOPMENT
3444 FOREST AVENUE
HOUSTON, TEXAS 77058
MR. CLAY LANSBURY



R. LEN JOHNSON & ASSOCIATES
Architects, Construction Analysis & Inspection
J & A
724 THUNDER ROAD, HOUSTON, TX 77058 (713) 662-5168

DATE: 11-19-11
BY: R. L. JOHNSON
CHECKED BY: R. L. JOHNSON
APPROVED BY: R. L. JOHNSON
TITLE: SITE DEVELOPMENT PLAN

NO.	DATE	DESCRIPTION
1	11-19-11	ISSUED FOR PERMIT
2	11-19-11	REVISED PER PERMIT COMMENTS
3	11-19-11	REVISED PER PERMIT COMMENTS
4	11-19-11	REVISED PER PERMIT COMMENTS
5	11-19-11	REVISED PER PERMIT COMMENTS
6	11-19-11	REVISED PER PERMIT COMMENTS
7	11-19-11	REVISED PER PERMIT COMMENTS
8	11-19-11	REVISED PER PERMIT COMMENTS
9	11-19-11	REVISED PER PERMIT COMMENTS
10	11-19-11	REVISED PER PERMIT COMMENTS
11	11-19-11	REVISED PER PERMIT COMMENTS
12	11-19-11	REVISED PER PERMIT COMMENTS
13	11-19-11	REVISED PER PERMIT COMMENTS
14	11-19-11	REVISED PER PERMIT COMMENTS
15	11-19-11	REVISED PER PERMIT COMMENTS
16	11-19-11	REVISED PER PERMIT COMMENTS
17	11-19-11	REVISED PER PERMIT COMMENTS
18	11-19-11	REVISED PER PERMIT COMMENTS
19	11-19-11	REVISED PER PERMIT COMMENTS
20	11-19-11	REVISED PER PERMIT COMMENTS

SD1

CITY OF KNOXVILLE, TENNESSEE
BOARD OF ZONING APPEALS
DECISION

Application filed for variance of requirements of the City of Knoxville Zoning Ordinance was considered by the Board of Zoning Appeals at the public hearing on 11/21/2019 at 4:00PM , in the Small Assembly Room of the City/County Building, 400 Main Street, Knoxville.

BZ11F19VA LEN JOHNSON/CARL LANSDEN (1805 FOREST AVE KNOX)

- 1 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.6.D.1.a.)
DESCRIPTION: DENIED (FAILED VOTE: 2-2)
11/21/2019: BZA Denied
- 2 2) Reduce the left side yard minimum required setback from 5' to 0' (Article 5, Section 6.D.6)
DESCRIPTION: DENIED (FAILED VOTE 2:2)
11/21/2019: BZA Denied
- 3 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article 5, Section 6.D.6)
DESCRIPTION: DENIED (FAILED VOTE 2:2)
11/21/2019: BZA Denied
- 4 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article 4, Section 2.1.6.D.4.a.)
DESCRIPTION: DENIED (FAILED VOTE 2:2)
11/21/2019: BZA Denied
- 5 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.6.D.5.b.)
DESCRIPTION: DENIED (FAILED VOTE 2:2)
11/21/2019: BZA Denied
- 6 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article 4, Section 2.1.6.D.6.)
DESCRIPTION: DENIED (FAILED VOTE 2:2)
11/21/2019: BZA Denied

Appeal to City Council: 11/25/2019
Date of Council Hearing: 12/17/2019
Council Action:
Resolution Number, if approved:

Appeal to Chancery Court:
Docket Number:
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.

BOARD OF ZONING APPEALS**UNAPPROVED MINUTES
For Appeal to 11-F-19-VA
November 21, 2019**

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 November 21, 2019 meeting at 4:00 pm in the Circuit Court Division III, City County Building, 400 Main St, Knoxville, TN.

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.

File: 11-F-19-VA
Applicant: Len Johnson/Carl Lansden
Address: 1805 Forest Ave.

Parcel ID: 094NC020
1st Council District

Zoning: R-2 (General Residential) District

Variance Request:

- 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.6.D.1.a.)
- 2) Reduce the left side yard minimum required setback from 5' to 0' (Article 5, Section 6.D.6)
- 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article 5, Section 6.D.6)
- 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article 4, Section 2.1.6.D.4.a.)
- 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.6.D.5.b.)
- 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article 4, Section 2.1.6.D.6.)

As per plan to construct a two bedroom, 1 bath addition to each apartment of a duplex in the R-2 (General Residential) District.

Peter Ahrens advised the last legal use was a single family. It appeared that some previous owner created a duplex and during the remodel the applicant wanted to legal the duplex. Mr. Ahrens advised variance #6 was based on the addition so that was something that was not pre-existing. Mr. Ahrens also advised that they were providing parking in Fort Sanders which was always a good thing.

Applicant Len Johnson an architect was present representing the owner Carl Lansden. Mr. Johnson advised that the previous owner actually owned the property twice and to the best of his recollection it had been a duplex since 1968. Mr. Johnson felt it was important to establish that it was pre-existing, non-conforming which was the reason they were asking for the variances and in the process of making it legal they wanted to add an addition to it.

Member Daniel Odle asked if the property was permitted as a duplex a long time ago. Mr. Johnson advised that as best they could establish, there was a building permit pulled but it was never executed. The existing residence had two electric meters and two water meters, the previous owner couldn't remember the exact date that that took place. The previous owner owned it back in the 60's and purchased it from a landowner who had it as a rental property back then and the best he could tell, 68' was the year it was probably established as a duplex. Member Daniel Odle confirmed that it was a very narrow lot and confirmed that the house was divided up and down and the second unit was down below and sloped down to the back. Mr. Johnson advised there was an alley in the back and that is what they were accessing for their parking.

Christina Magrans advised that the Board of Zoning Appeals did not have the power to issue opinions on the use, whether it was legally pre-existing or not. Ms. Magrans cautioned the Board in terms of where the discussion would ultimately go and that it was really within the purview of the Planning Commission.

Member Charlie Van Beke asked about the new two-story addition. Mr. Johnson advised the west wall of the building was actually on the property line and as best they could tell it never actually met the requirements of a fire wall. Mr. Johnson advised if they were to get the variances then they planned on renovating the whole thing because it would need to meet the requirements of 2018 IRC. Member Charlie Van Beke asked if it was renovatable and Mr. Johnson advised that it was.

Member Daniel Odle made a motion to approve and noted that it was a small lot and a hard lot to work with which applied to all of the variances they were asking for. Member Charlie Van Beke stated that that didn't necessarily mean it had to be a duplex. Christina Magrans advised the Board did not have the power to rule on whether or not it was a permitted use or if it had ever been legal or pre-existing, that was more within the purview of the Planning Commission. Chairman Kristin Grove seconded the motion. Members Daniel Odle and Kristin Grove voted to approve. Members Charlie Van Beke and David Dupree were opposed. Member David Dupree made a motion to deny. It was seconded by member Charlie Van Beke. Members David Dupree and Charlie Van Beke voted in favor of denial. Members Kristin Grove and Daniel Odle were opposed. The application was **DENIED** (Failed Vote: 2-2).

Knoxville NEWS SENTINEL

PART OF THE USA TODAY NETWORK

PLANS REVIEW INSPECT IONS
400 MAIN ST. ROOM 475 KRISTI T

KNOXVILLE, TN 37902

State of Wisconsin)

County of Brown)

Before me, the undersigned, a Notary Public in and for said county, this day personally came said legal clerk first duly sworn, according to law, says that he/she is a duly authorized representative of *The Knoxville News-Sentinel*, a daily newspaper published at Knoxville, in said county and state, and that the advertisement of

(The Above Referenced)

of which the annexed is a copy, was published in said paper on the following date(s):

November 29, 2019

and that the statement of account herewith is correct to the best of his/her knowledge, information, and belief.

Pamela Pappachopoulos
Legal Clerk

Subscribed and sworn to before me this November 29 2019

Tara Mondloch
Notary Public

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: \$88.56
Ad No: 0003923996
Customer No: 1317904
PO #: 12-17-19

This is not an invoice

PUBLIC NOTICE

The following item will be considered by the Knoxville City Council on December 17, 2019, at 6:00pm, in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. This item may be seen in the Plans Review and Building Inspections Office, Fourth Fl. of the City County Bldg., 400 Main St., Knoxville, TN. If you need assistance or accommodation for a disability, please contact the City ADA Coordinator at 215-2304.

APPEAL OF DECISION

Appeal by Len Johnson of the BZA denial to 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.3.1, last sentence); 2) Reduce the left side yard minimum required setback from 5' to 0' (Article 6, Section 6.1.3) and 3) Reduce the right side yard minimum required setback from 7' to 5.5' (Article 6, Section 6.1.3) and 4) Reduce the minimum required lot width in an R-2 zone from 75' to 55' (Article 4, Section 2.1.5.1.1.a.) and 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.2.1.1.b.) and 6) Increase the minimum lot coverage in an R-2 zone from 30% to 35% (Article 4, Section 2.1.2.1.1.c. 1995 Municipal Code). District 1st Council District (06-00020) BZA File No. 13-P-19-VA.

Knoxville NEWS SENTINEL

PART OF THE USA TODAY NETWORK

PLANS REVIEW INSPECT IONS
400 MAIN ST. ROOM 475 KRISTI T

KNOXVILLE, TN 37902

State of Wisconsin)

County of Brown)

Before me, the undersigned, a Notary Public in and for said county, this day personally came said legal clerk first duly sworn, according to law, says that he/she is a duly authorized representative of *The Knoxville News-Sentinel*, a daily newspaper published at Knoxville, in said county and state, and that the advertisement of

(The Above Referenced)

of which the annexed is a copy, was published in said paper on the following date(s):

November 9, 2019

and that the statement of account herewith is correct to the best of his/her knowledge, information, and belief

Renee Koppitz
Legal Clerk

Subscribed and sworn to before me this November 12,
2019

Sara Mondloch

Notary Public

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: \$488.16
Ad No: 0003887700
Customer No: 1317904
PO #: BZA 2019-11

PUBLIC NOTICE

The City Board of Zoning Appeals will consider the following petitions for variances of requirements of the City of Knoxville Zoning Ordinance at their November 21, 2019 meeting at 4:00 p.m. in the Small Assembly Room, City County Bldg., 400 Main St, Knoxville, TN. Data pertinent to this amendment may be seen in the office of City of Knoxville Department of Plans Review and Building Inspections, 4th Floor of the City County Bldg. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at 215-2104.

An agenda review meeting will be held at 3:00 p.m. in Room 461 of the City County Building, prior to the meeting.

THE P GROUP (SHAILESH PATEL) (1100/1104/1110/1114 Clinch Ave.) 10-D-19-VA 1) Reduce the required front yard setback in an O-1 zone on Twelfth St. from 25' to 5' (Article 4, Section 2.2.1.D.1.) and 2) Reduce the required front yard setback in an O-1 zone on Clinch Ave. from 25' to 5' (Article 4, Section 2.2.1.D.1.) and 3) Reduce the required front yard setback in an O-1 zone on Eleventh St. from 25' to 5' (Article 4, Section 2.2.1.D.1.) and 4) Reduce the required side yard setback in an O-1 zone along the existing alley from 15' to 0' (Article 4, Section 2.2.1.D.2.) and 5) Increase the required maximum lot coverage in an O-1 zone from 35% to 85% (Article 4, Section 2.2.1.D.5.b.) and 6) Increase the height maximum in an O-1 zone from 45' to 85' (Article 4, Section 2.2.1.E.2.) and 7) Reduce the minimum distance between a driveway and an intersecting street from 50' to 33.9' (Article 5, Section 7.H.2.a Table 5.) as per plan submitted to build a new hotel and parking garage in the O-1 (Office, Medical and Related Services) District, 1st Council District (094MG012, 094MG011, 094MG010, 094MG008, 094MG007)

RYAN STEFFY (3701 Sevierville Ave.) 11-A-19-VA 1) Reduce the minimum required setback for a detached sign in the C-1 zone from 10' from Right-of-Way to 7' (Article 8, Section 7.1.a) as per plan submitted to place a sign on the Sevierville Pike side of a restaurant in the C-1 (Neighborhood Commercial District), 1st Council District (109KD00203)

BOB ALCORN ARCHITECT (2126 & 2128 Forest Ave.) 11-B-19-VA 1) Reduce the minimum depth of the setback between the parking lot and Forest Ave from 25 feet to 19 feet (Article V, Section 7.C.2) and 2) Reduce the minimum depth of the setback between the parking lot and Twenty Second St from 6 feet to 2 feet (Article V, Section 7.C.3) and 3) Reduce the minimum depth of the setback between the parking lot and the alley from 6 feet to 4 feet (Article V, Section 7.C.3) and 4) Reduce the minimum depth of the setback between the parking lot and the neighboring property from 15 feet to 5 feet (Article V, Section 7.C.4.b) as per plan submitted to remove two dilapidated buildings to create parking for a neighborhood convenience market in the C-1 (Neighborhood Commercial District), 1st Council District (094NR013, 094NR014)

HATCHER HILL PROPERTIES, LLC (6408 Papermill Dr.) 11-C-19-VA 1) To reduce the required number of parking spaces for a 1,779

sq. ft. addition from seven to zero (Article V, Section 7.D Table) as per plan submitted to construct an addition on an existing building in the C-4 (Highway and Arterial Commercial District), 2nd Council District (121AA006)

SALAM HABIBI (3603 Dance Ave.) 11-D-19-VA 1) Reduce the front yard setback on Harry St. from 25 feet to 13.51 feet (Article 4, Section 2.1.6.D.1.a) as per plan submitted to construct a new single family residence in the R-2 (General Residential District), 6th Council District (107DC018)

RICHARD & CHARLOTTE HIGGINBOTHAM (1612 Stormont Trl) 11-E-19-VA 1) Reduce the sum of the combined side yards in an R-1 zone for the construction of a garage from 20' to 18.3' (Article 4, Section 2.1.1.E.2.a) as per plan submitted to construct a garage addition in the R-1 (Low Density Residential District), 2nd Council District (107GB012)

LEN JOHNSON/CARL LANSDEN (1805 Forest Ave.) 11-F-19-VA 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.6.D.1.a.) and 2) Reduce the left side yard minimum required setback from 3' to 0' (Article 5, Section 6.D.6) and 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article 5, Section 6.D.6) and 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article 4, Section 2.1.6.D.4.a.) and 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.6.D.5.b.) and 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article 4, Section 2.1.6.D.6.) as per plan to construct a two bedroom, 1 bath addition to each apartment of a duplex in the R-2 (General Residential District), 1st Council District (094NC020)

URBAN ENGINEERING (104 & 114 E. Fifth Ave.) 11-G-19-VA 1) Reduce the required front yard setback in a C-3 zone from 25' to 0' (Article 4, Section 2.2.6.E.1.) and 2) At the eastern parking lot, reduce the minimum parking lot setback to right-of-way (Fifth Ave) from 6 feet to 0 feet (Article V, Section 7.C.3.) and 3) At the eastern parking lot, reduce the minimum parking lot setback to right-of-way (Interstate) from 6 feet to 2.0 feet (Article V, Section 7.C.3.) and 4) At the western parking lot, reduce the minimum parking lot setback to right-of-way (Interstate) from 6 feet to 4.0 feet (Article V, Section 7.C.3.) and 5) Reduce the required number of parking stalls from 63 to 24 (Article V, Section 7.D.1.) as per plan submitted to construct a 7,187 sq ft building and parking lot in the C-3 (General Commercial District), 4th Council District (094DH004, 094DH00402, 094DH002)

SMEE + BUSBY ARCHITECTS (531 Vanosdale Rd.) 11-H-19-VA 1) Permit the extension and erection of an additional building for a pre-existing non-conforming use (Article 6.A.) and 2) Reduce the minimum parking lot setback from the street line (property line) from 25 feet to 10 feet (Article V Section 7.C.2.) as per plan submitted to construct an after After School Facility in the R-1E (Low Density Exclusive Residential District), 2nd Council District (120BD008)

MICHAEL DAVIS (931 Langford

Ave.) 11-1-19-VA Empire Block: 1) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 32.3% for Building "A" along Empire St. (Article 4 Section 4.1.3.C.4) and Dixie Block; 2) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 49.2% for Building "F" along Waterfront Dr. (Article 4 Section 4.1.3.C.4) and Claude Block; 3) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 69.6% for Building "H" along Waterfront Dr. (Article 4 Section 4.1.3.C.4) and Barber Block; 4) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 62% for building "K" along Waterfront Dr. (Article 4 Section 4.1.3.C.4) as per plan submitted to construct a 230-unit multi-family development in the SW-2 (River Road, Goose Creek ROW and Island Home Ave. District), 1st Council District (0950B0270, 0950B0280, 0950B03004, 0950B03003, 0950B03002)



December 2nd, 2019

Len Johnson
724 Taylor Road
Knoxville, TN. 37920

Via Certified Mail

RE: 1805 Forest Ave. – Appeal

Appeal by Len Johnson of the BZA denial to 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.6.D.1.a.) and 2) Reduce the left side yard minimum required setback from 5' to 0' (Article 5, Section 6.D.6) and 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article 5, Section 6.D.6) and 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article 4, Section 2.1.6.D.4.a.) and 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.6.D.5.b.) and 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article 4, Section 2.1.6.D.6.) at 1805 Forest Ave. in the R-2 (General Residential) District, 1st Council District (094NC020) BZA File No. 11-F-19-VA.

Dear Mr. Johnson:

This is to advise you that the attached appeal will be heard by City Council on December 17, 2019, at 6:00p.m. in the Main Assembly Room of the City County Building, 400 Main St., Knoxville, TN. You or your representative should be present.

If you have any questions, please let us know.

Sincerely,

Peter Ahrens
Director of Plans Review and Building Inspections



December 2nd, 2019

Carl Lansden
1201 Clinch Ave.
Knoxville, TN. 37916

Via Certified Mail

RE: 1805 Forest Ave. – Appeal

Appeal by Len Johnson of the BZA denial to 1) Reduce the front yard minimum required setback in an R-2 zone from 25' to 20' (Article 4, Section 2.1.6.D.1.a.) and 2) Reduce the left side yard minimum required setback from 5' to 0' (Article 5, Section 6.D.6) and 3) Reduce the right side yard minimum required setback from 7' to 5.33' (Article 5, Section 6.D.6) and 4) Reduce the minimum required lot width in an R-2 zone from 75' to 33.33' (Article 4, Section 2.1.6.D.4.a.) and 5) Reduce the minimum required lot area in an R-2 zone for a duplex from 9,000 S.F. to 4,433 S.F. (Article 4, Section 2.1.6.D.5.b.) and 6) Increase the maximum lot coverage in an R-2 zone from 30% to 33.4% (Article 4, Section 2.1.6.D.6.) at 1805 Forest Ave. in the R-2 (General Residential) District, 1st Council District (094NC020) BZA File No. 11-F-19-VA.

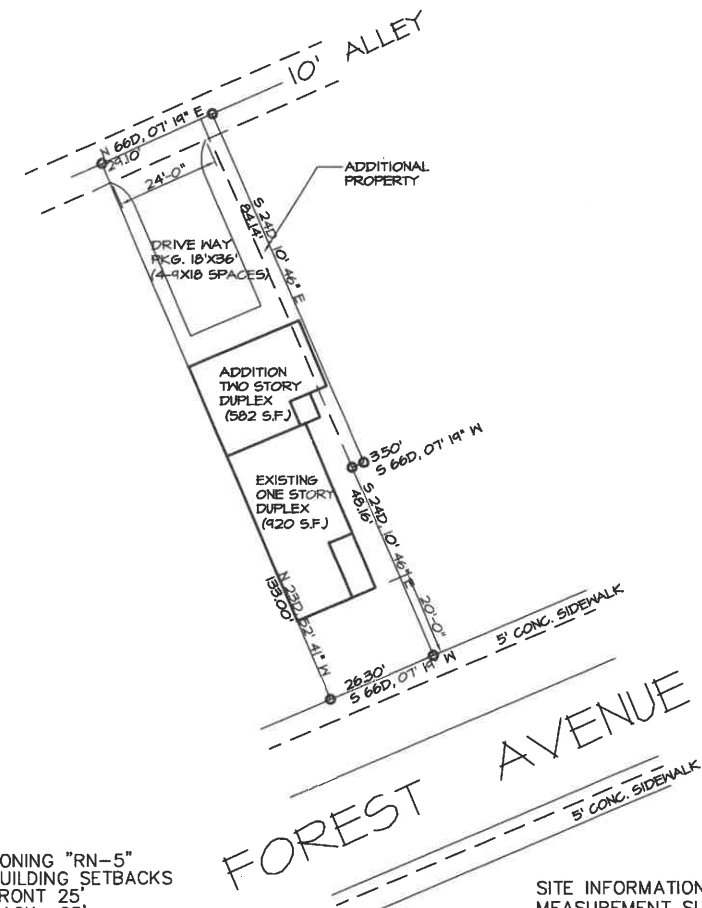
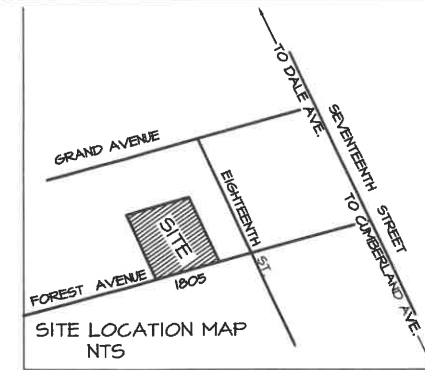
Dear Mr. Lansden:

This is to advise you that the attached appeal will be heard by City Council on December 17, 2019, at 6:00p.m. in the Main Assembly Room of the City County Building, 400 Main St., Knoxville, TN. You or your representative should be present.

If you have any questions, please let us know.

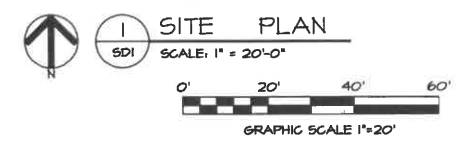
Sincerely,

Peter Ahrens
Director of Plans Review and Building Inspections



ZONING "RN-5"
BUILDING SETBACKS
FRONT 25'
BACK 25'
SIDE 5'MIN.

SITE INFORMATION FROM
MEASUREMENT SURVEY BY
TERRY ROMANS 05 FEB 21



SITE DATA:
LOT = 38575.F.
EXISTING DUPLEX = 4205.F.
NEW ADD. = 5825.F.
PAVEMENT = 6485.F.
TOTAL IMPERVIOUS = 21505.F.

RESIDENTIAL (DUPLEX)
DEVELOPMENT
1805 FOREST AVENUE
KNOXVILLE, TN. 37916
MR. CARL IANSDEN
20012



R. LEN JOHNSON & ASSOCIATES
Architects, Construction Analysts & Inspectors
J & A
724 TAYLOR ROAD, KNOXVILLE, TN 37920 (VOL.) (865) 573-1148

Drawing Description.....
SITE DEVELOPMENT PLAN

REVISIONS	
No.	Date
0	CORRECTED SITE 07 APR 21
1	ADDED SITE DATA 28 APR 21

Plot Scale 1" = 20'

Drn. RLJ

Appd. RLJ

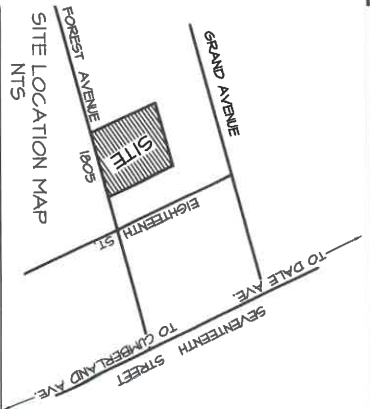
Project No. 20012

Date 07 APR 21

Sh. No. 2

of 13

SD1
of 1



*Do Not
include in packet.
SE*



RESIDENTIAL (DUPLICATE)
DEVELOPMENT
1805 FOREST AVENUE
KNOXVILLE, TN. 37916
MR. CARL LANSDEN
20012

724 T

Drawing Description.....
**SITE
DEVELOPMENT
PLAN**

REVISIONS	
No.	Date
0	CONSTRUCTION PERMITS 07 APR 21

Plot Scale 1" = 20'
Dwn. R/LJ
Appl. R/LJ
Project No. 20012
Date 07 APR 21
Sh. No. 2
of 13

SD1
of 1