

File # **5-M-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: Tailwater South, LLC	Owner <input checked="" type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address: 813 S. Northshore Dr., Suite 104	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) 588-8663	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email: lloyd@tailwaterproperties.com		Other: <input type="checkbox"/>

### THIS IS A REQUEST FOR:

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

### PROPERTY INFORMATION

Street Address : 1404 Island Home Avenue, #103 (Lot 14) City, State, Zip: Knoxville, TN 37920  
 See KGIS.org for Parcel #: 095 OD 001, 095 OD 002, 095 OD 003 and Zoning District: SW-4

### VARIANCE REQUIREMENTS

**City of Knoxville Zoning Ordinance Article 16.3**  
 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.**  
 Proposed project is a 20 unit residential town home (for sale) development on Island Home Avenue and McCormick Street, within the South Waterfront Form Based Zoning District.  
 Project is unable to meet requirements for 70% transparent glass on the ground level as required by Article 7, Section 7.1.3.E.6: "Building Frontages".  
 The façade frontages range from 20'-0", 24'-0" to 24'-8" wide and have corresponding Ground Level façade areas of 200sf, 240sf to 246sf. The minimum 70% transparency area required for these frontages range from 112sf, 135sf to 139sf. Due to the townhouses' B.O. Truss/T.O. Wall height being set at 9'-0" AFF and the 1'-0" structural header required above window, the T.O. Window height is set at 8'-0" AFF. With T.O. Window set at 8'-0" AFF, the corresponding window length, required to meet the minimum 70% transparency area, leaves inadequate room for wall structure and does not account for an entry door.  
**Describe hardship conditions that apply to this variance.**  
 Due to the limited size of the facade frontages, glass windows can not adequately meet the 70% transparency requirement while still leaving adequate room for wall structure and an entry door. That amount of transparency also creates security & privacy concerns for residential occupants.

### 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 Lloyd L. Montgomery IV DATE 04/08/2021

File #

5-M-21-VA



CITY OF KNOXVILLE

**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):**

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

**PROJECT INFORMATION**

Date Filed 4-8-21

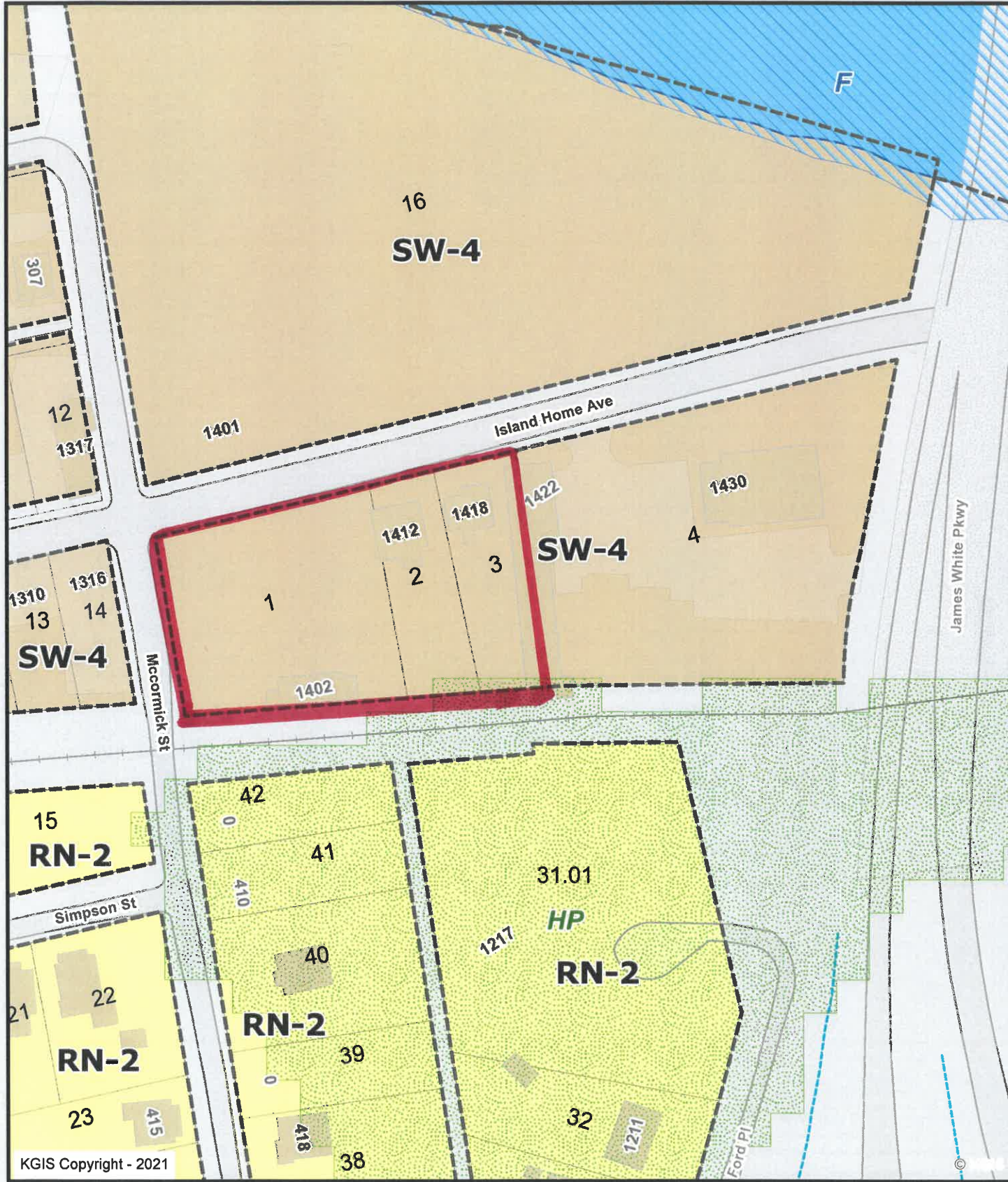
Fee Amount \$250.00

Council District 1st

BZA Meeting Date 5-18-21

PLANS REVIEWER Scott Elder

DATE 4-8-21



1404, 1408, 1416 Island Home Ave. & 404 McCormick St.

5K - 5W-21-VA  
Tailwater South, LLC

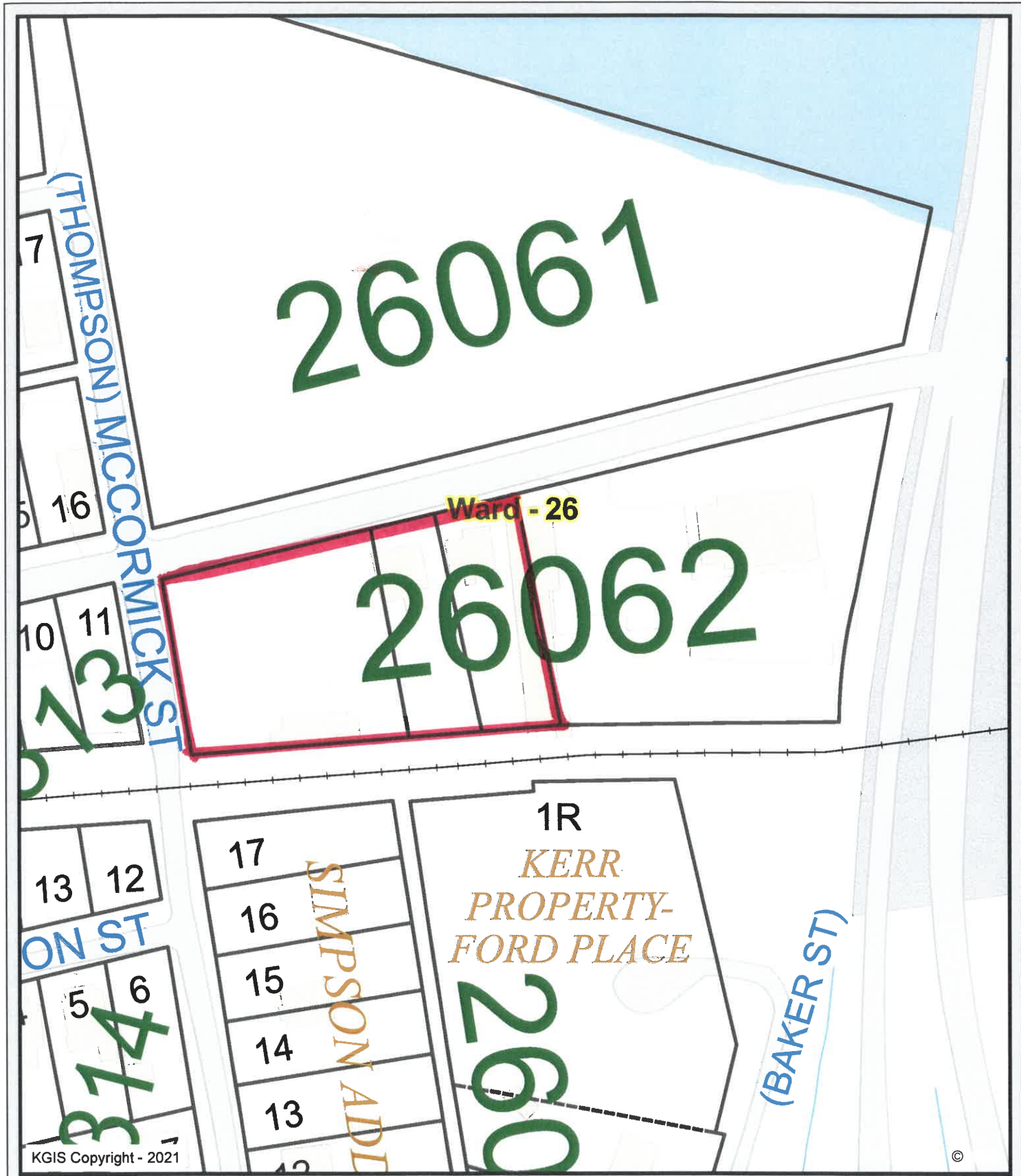
Knoxville - Knox County - KUB Geographic Information System



Printed: 5/3/2021 at 2:29:24 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 futher 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 - 2021

©

1404, 1408, 1416 Island Home Ave. & 404 McCormick St.

5K - 5W-21-VA  
Tailwater South, LLC

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/3/2021 at 2:29:58 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 futher 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 - 2021

© KGIS

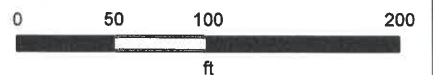
1404, 1408, 1416 Island Home Ave. & 404 McCormick St.

5K - 5W-21-VA  
Tailwater South, LLC

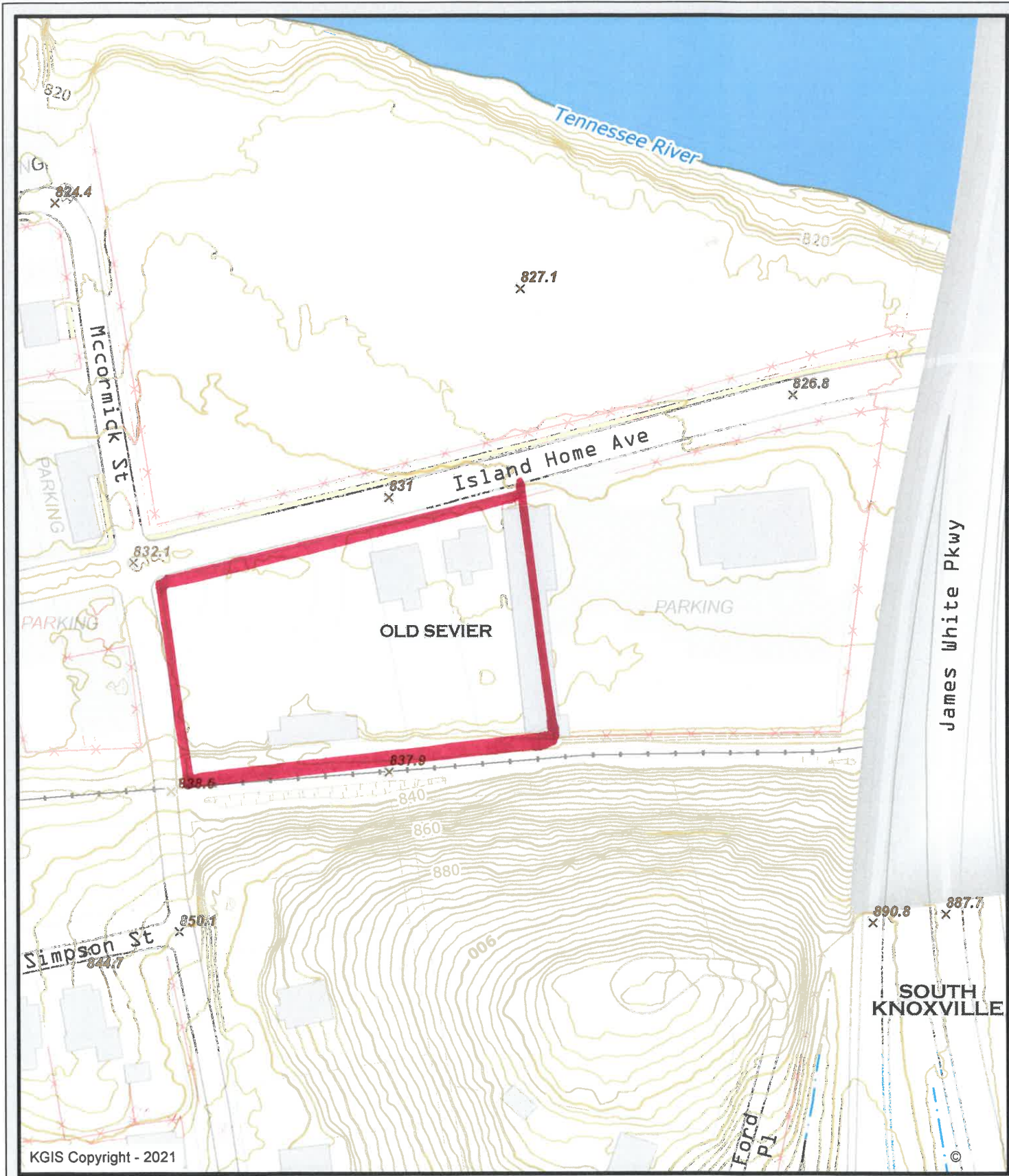
**Knoxville - Knox County - KUB Geographic Information System**



Printed: 5/3/2021 at 2:30:32 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 futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



1404, 1408, 1416 Island Home Ave. & 404 McCormick St.

5K - 5W-21-VA  
Tailwater South, LLC

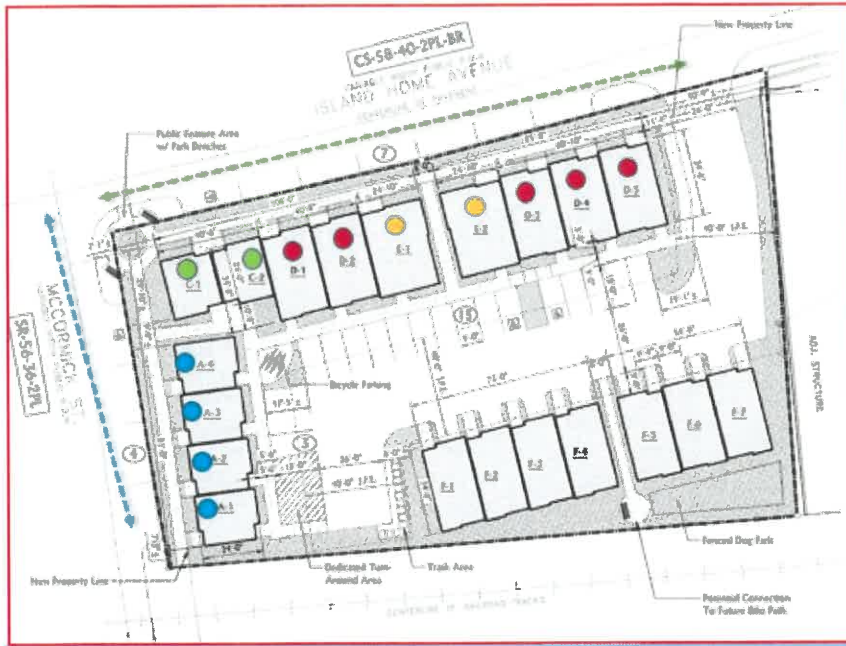
Knoxville - Knox County - KUB Geographic Information System



Printed: 5/3/2021 at 2:30:50 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 futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



Unit:	Ground Level Transparency:	Windows:	Doors:	Street Frontage:
<b>A Series:</b> ●	22.8% = (49.6sf / 200sf) - MCS	36sf Double (6'-0"x6'-0")	9.6sf Single (40% of 3'-0"x8'-0")	20'-0" - MCS
<b>C Series:</b> ●	31.8% = (63.6sf / 200sf) - IHA	54sf Triple (9'-0"x6'-0")	9.6sf Single (40% of 3'-0"x8'-0")	20'-0" - IHA
	37.5% = (90sf / 240sf) - MCS	54sf Triple (9'-0"x6'-0") 36sf Double (6'-0"x6'-0")	N/A	24'-0" - MCS
<b>D Series:</b> ●	31.8% = (63.6sf / 200sf) - IHA	54sf Triple (9'-0"x6'-0")	9.6sf Single (40% of 3'-0"x8'-0")	20'-0" - IHA
<b>E Series:</b> ●	27.6% = (68.1sf / 246.6sf) - IHA	54sf Triple (9'-0"x6'-0") 4.5sf Single (1'-6"x3'-0")	9.6sf Single (40% of 3'-0"x8'-0")	24'-8" - IHA

Note: (1) Windows & Doors Are Conceptual In-Nature.  
 (2) Island Home Avenue (IHA)  
 (3) McCormick Street (MCS)

Unit:	Openings - All Levels:	Windows:	Doors:	Street Frontage:	T.O. Roof:
<b>A Series:</b> ●	28% = (114sf / 413sf) - MCS	One (1) Single (1 x 18sf) = 18sf Two (2) Doubles (2 x 36sf) = 72sf	One (1) Single (1 x 24sf) = 24sf	20'-0" - MCS	20'-8" - MCS
<b>C Series:</b> ●	35% = (216sf / 620sf) - IHA {Front Façade Facing IHA}	Two (2) Singles (2 x 18sf) = 36sf Two (2) Triples (2 x 54sf) = 108sf	One (1) Single (1 x 24sf) = 24sf One (1) Double (1 x 48sf) = 48sf	20'-0" - IHA	31'-0" - IHA
	16% = (117sf / 744sf) - MCS {Side Façade Facing MCS}	One (1) Double (1 x 36sf) = 36sf One (1) Triple (1 x 54sf) = 54sf One (1) Triple Half Height (1 x 27sf) = 27sf	N/A	24'-0" - MCS	31'-0" - MCS
<b>D Series:</b> ●	40% = (246sf / 620sf) - IHA	Two (2) Singles (2 x 18sf) = 36sf Three (3) Triples (3 x 54sf) = 162sf	Two (2) Singles (2 x 24sf) = 48sf	20'-0" - IHA	31'-0" - IHA
<b>E Series:</b> ●	33% = (249sf / 765sf) - IHA	One (1) Single (1 x 18sf) = 18sf Two (2) Singles Half Height (2 x 4.5sf) = 9sf One (1) Double (1 x 36sf) = 36sf Three (3) Triples (3 x 54sf) = 162sf	One (1) Single (1 x 24sf) = 24sf	24'-8" - IHA	31'-0" - IHA



