

File #

S-V-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 : 404 McCormick Street, #103 (Lot 9) 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-Y-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):**

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 22.8%. Per Article 7, Section 7.1.3.E.6. Table.

**PROJECT INFORMATION**

Date Filed 4-8-21

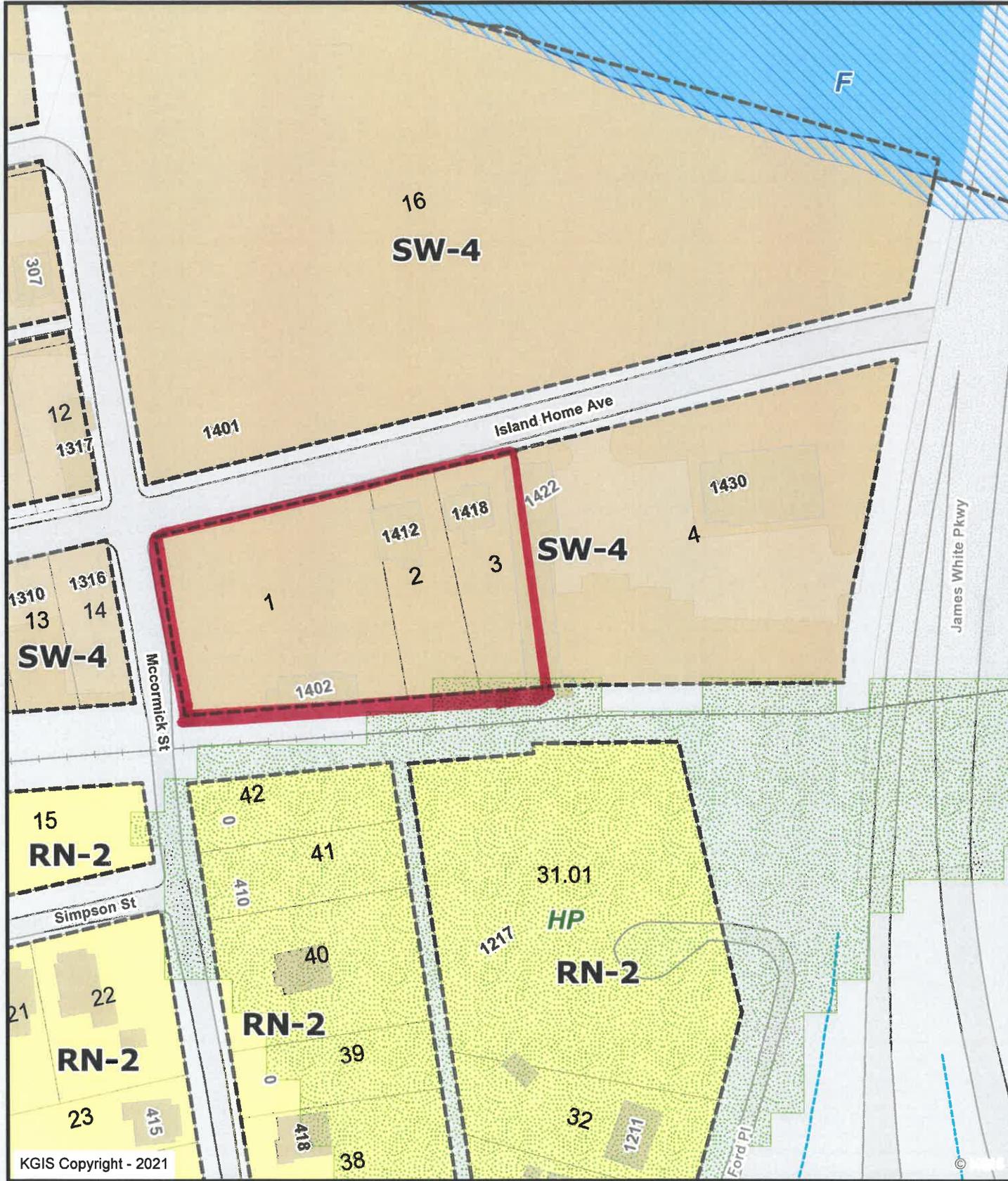
Fee Amount \$250.00

Council District 1st

BZA Meeting Date 5-18-21

**PLANS REVIEWER** Scott Elder

**DATE** 4-8-21



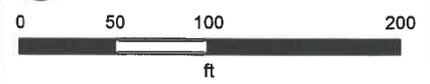
1404, 1408, 1416 Island Home Ave. & 404 McCormick St.

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

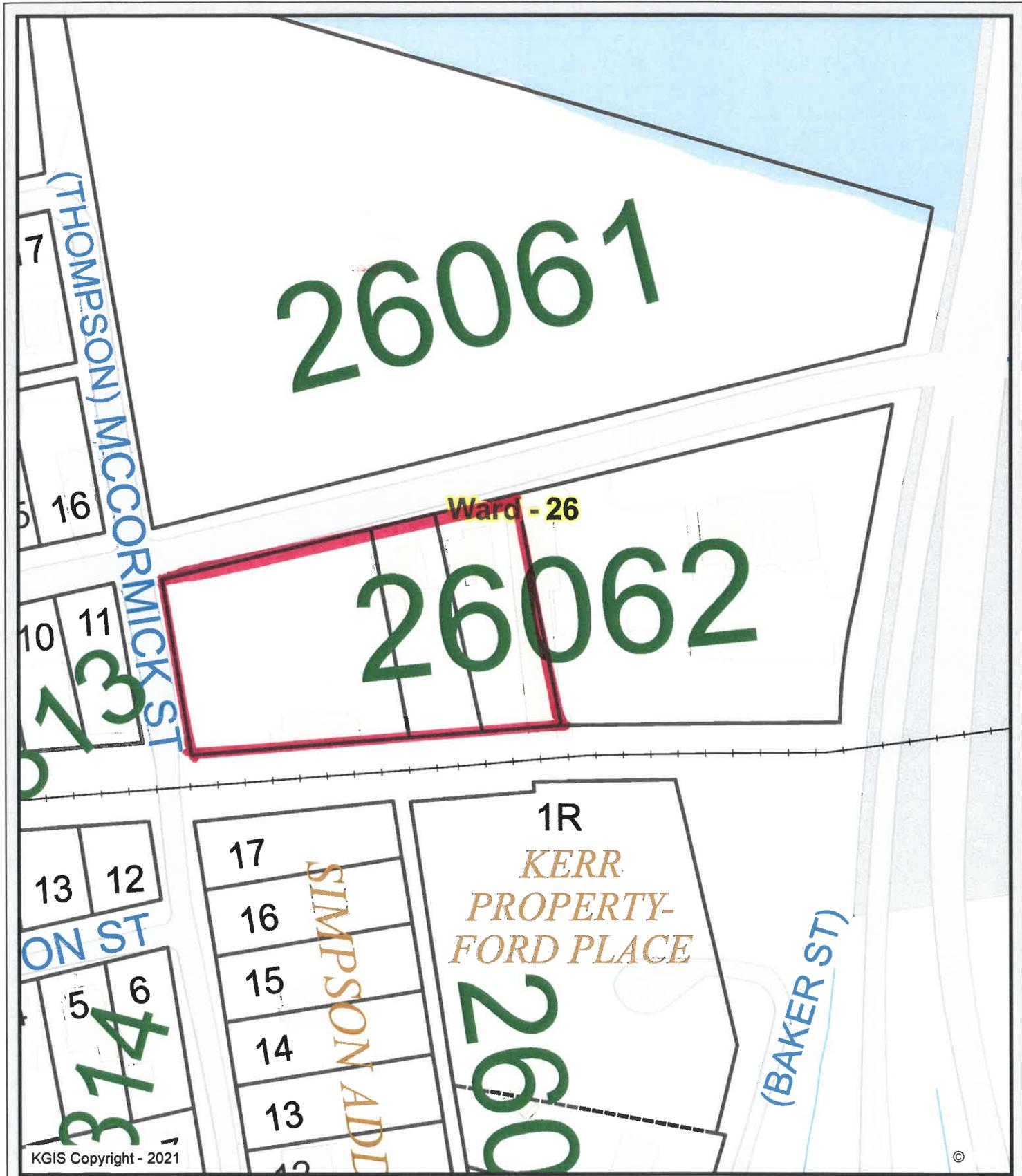
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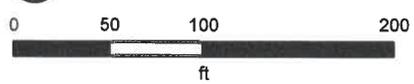
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Tailwater South, LLC

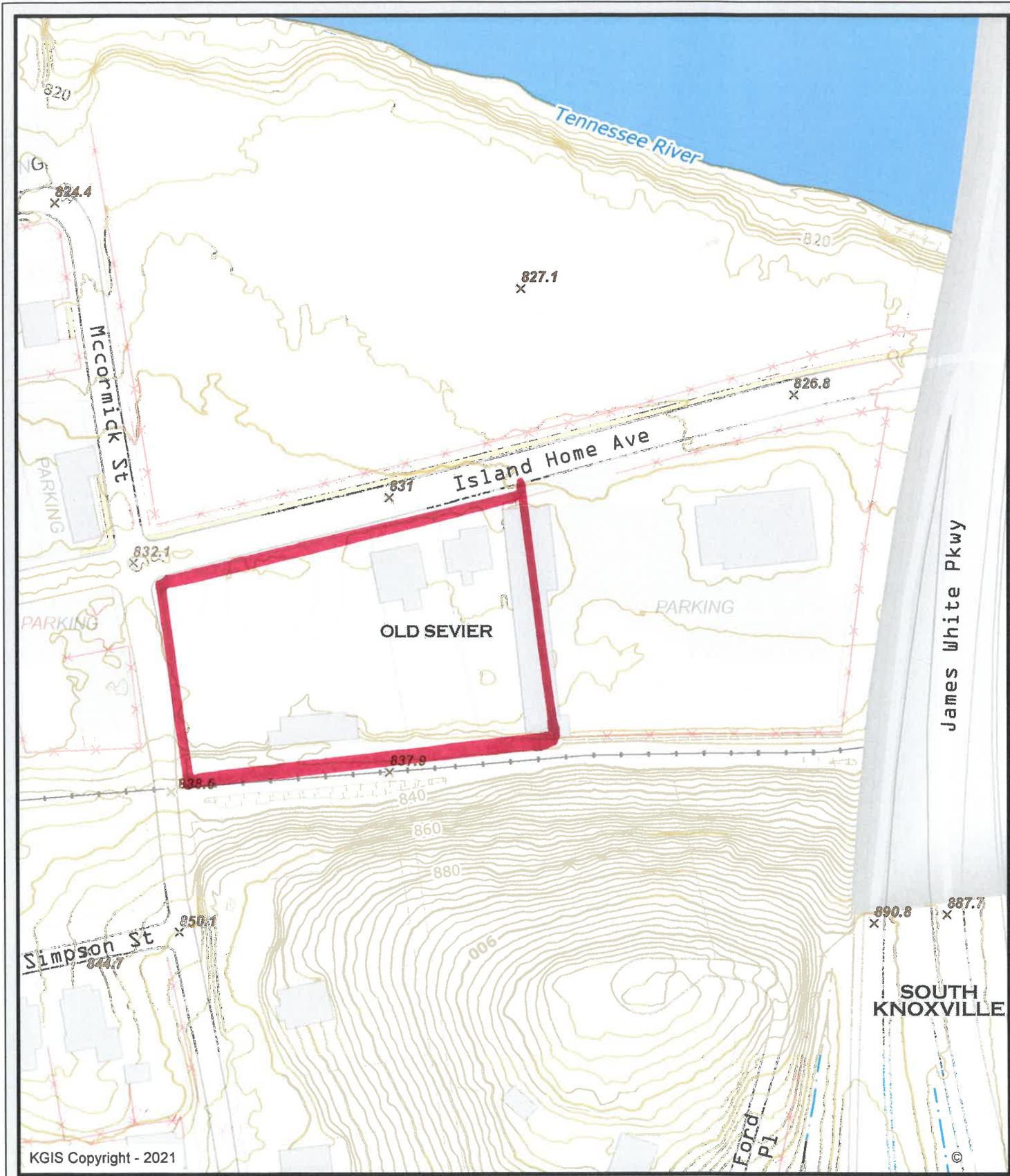
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Tailwater South, LLC

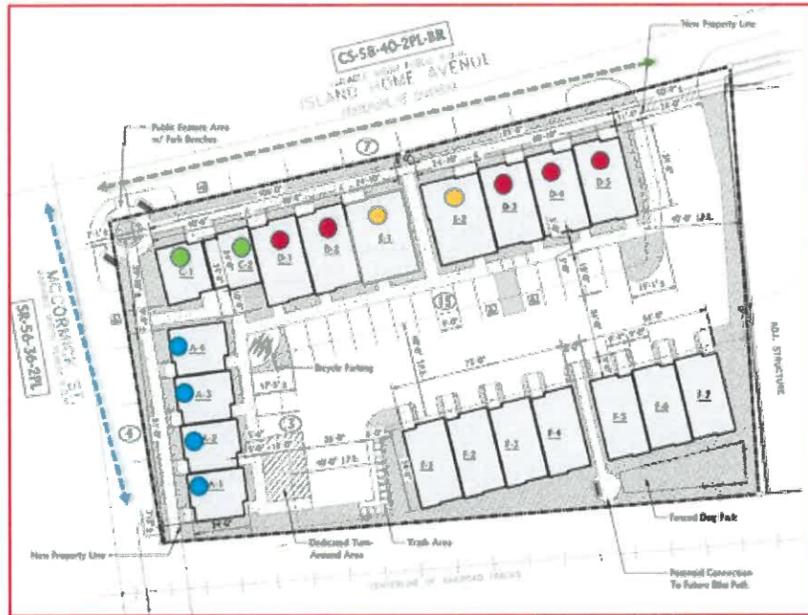
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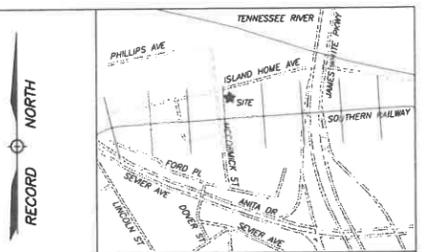


Unit:	Ground Level Transparency:	Windows:	Doors:	Street Frontage:
<b>A Series:</b> ●	22.8% = (45.6sf / 200sf) - MCS	36sf Double (6'-0"x6'-0")	9.6sf Single (40% of 3'-0"x8'-0")	20'-0" - MCS
<b>C Series:</b> ●	31.8% = (63.6sf / 200sf) - IHA	54sf Triple (9'-0"x6'-0")	9.6sf Single (40% of 3'-0"x8'-0")	20'-0" - IHA
	37.5% = (90sf / 240sf) - MCS	54sf Triple (9'-0"x6'-0")	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")	9.6sf Single (40% of 3'-0"x8'-0")	24'-8" - IHA
		4.5sf Single (1'-6"x3'-0")		

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% = (286sf / 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

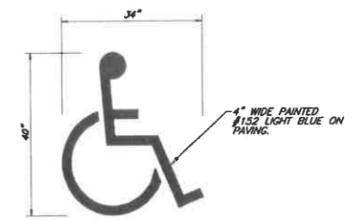
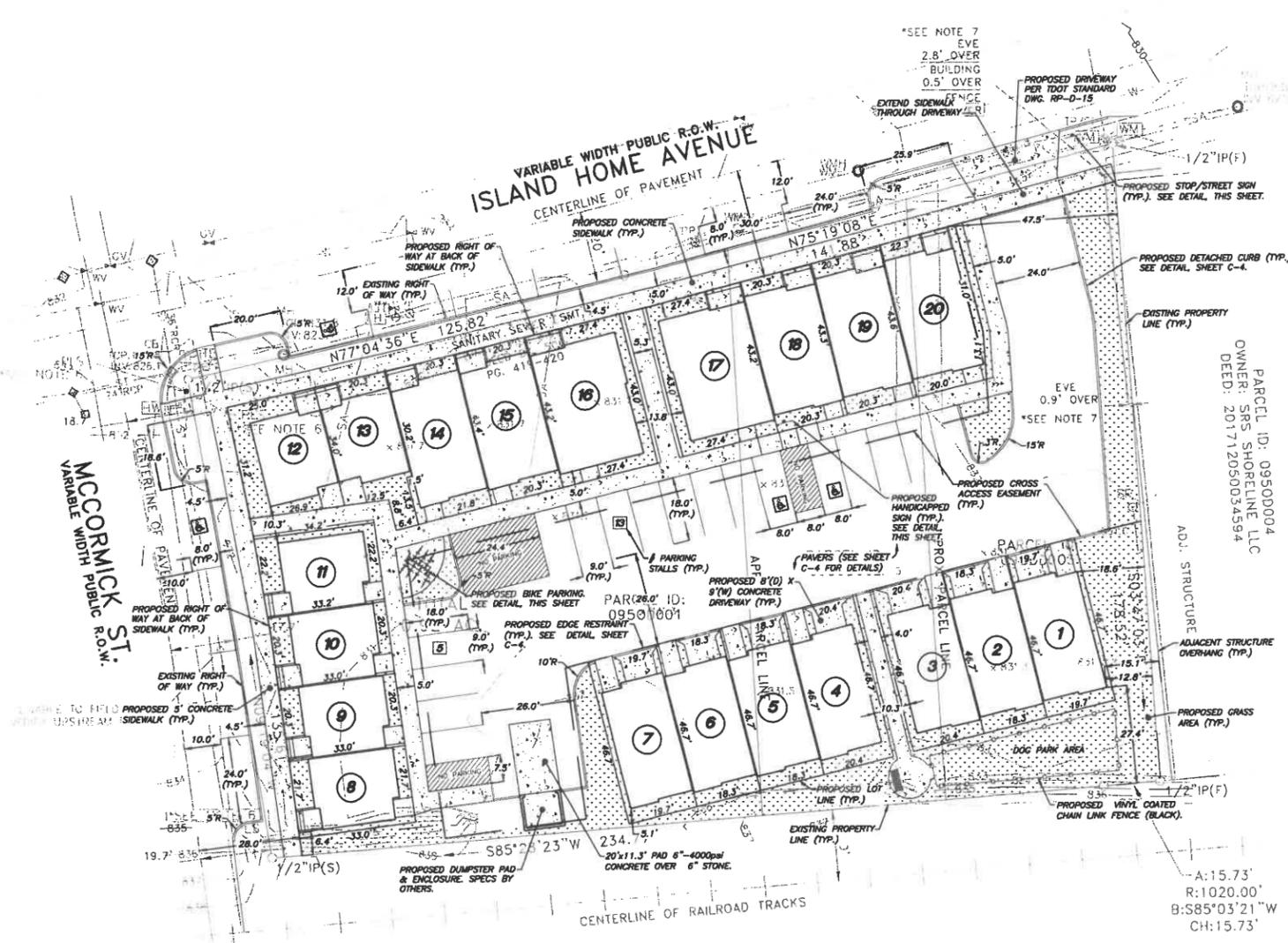




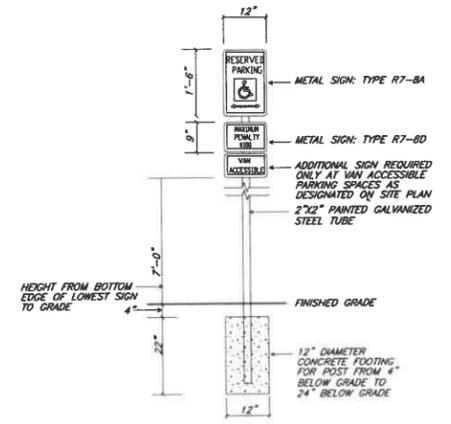
LOCATION MAP N.T.S.

**SITE PLAN NOTES:**

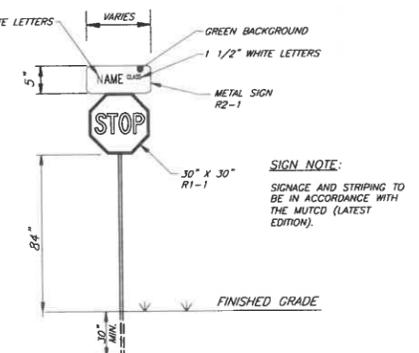
- 1) THE LOCATIONS OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON FIELD LOCATION OF VISIBLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATER VALVES, ETC., AND CORRELATING INFORMATION FROM PLANS SUPPLIED BY VARIOUS UTILITY COMPANIES AND GOVERNMENT AGENCIES. THE CONTRACTOR SHALL NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES AND ALSO CALL TOWN ONE-CALL PRIOR TO ANY EXCAVATION WORK, TO VERIFY INFORMATION SHOWN AND DETERMINE THE LAYOUT OF THE IRRIGATION SYSTEM AND IF ADDITIONAL IMPROVEMENTS MAY EXIST.
- 2) SIGNAGE AND STRIPING TO BE IN ACCORDANCE WITH THE MUTCD (LATEST EDITION).
- 3) SETBACKS ARE PER CITY OF KNOXVILLE SW-4 ZONING AND ARE AS FOLLOWS:  
 FRONT (MAX) - 10'  
 FRONTAGE AT SETBACK (MIN.) - 50'  
 SIDE (MAX) - 25'  
 REAR (MIN.) - 3'
- 4) BOUNDARY INFORMATION PER SURVEY PREPARED BY MATTHEW DAWSON RLS NO. 3050, DATED AUGUST 30, 2019.
- 5) ALL CONCRETE WALKS SHALL BE BROOM FINISHED AND COMPLY WITH CURRENT ADA REQUIREMENTS.
- 6) IT IS THE RESPONSIBILITY OF THE DEVELOPER TO OBTAIN PERMISSION FOR OFFSITE WORK.
- 7) ANY NON ADA COMPLIANT RAMPS OR DAMAGED SIDEWALKS WILL BE REPLACED WITH COMPLIANT SIDEWALKS AS SHOWN. ALL NEW WALKS SHALL BE ADA COMPLIANT.
- 8) NO LANDSCAPING SHALL BE INSTALLED WITHIN PUBLIC RIGHT OF WAY UNTIL A PERMISSIVE USE AGREEMENT HAS BEEN DRAFTED AND APPROVED BY THE CITY OF KNOXVILLE. ALL LANDSCAPING SHALL COMPLY WITH ALL ASPECTS OF THE KNOXVILLE TREE PROTECTION ORDINANCE.
- 9) ALL PROPOSED SIDEWALKS WITHIN THE R.O.W. SHALL COMPLY WITH THE CITY OF KNOXVILLE'S SPECIFICATIONS. ALL WALKS ON PRIVATE PROPERTY SHALL BE PER PROJECT SPECIFICATIONS.
- 10) ALL ASPHALT DAMAGED WITHIN PUBLIC R.O.W. SHALL BE REPAIRED PER THE CITY'S SPECIFICATIONS.
- 11) A PLAT WILL BE RECORDED DURING THE PERMITTING PROCESS TO MOVE PROPERTY LINES AND TO DEDICATE THE PEDESTRIAN ACCESS EASEMENT SHOWN HEREON.
- 12) PARKING SUMMARY: RESERVED AND SHARED  
 MAXIMUM OF 3 PARKING SPACES PER 1,000 SQUARE FEET AND MAXIMUM OF 2 PARKING SPACES PER RESIDENTIAL UNIT.  
 TOTAL UNITS = 20  
 TOTAL BUILDING AREA = 24,140 S.F.  
 REQUIRED BICYCLE PARKING SPACES = 3  
 TOTAL VEHICULAR SPACES PROVIDED (ONSITE) = 25 (INCLUDING GARAGES)
- 13) LANDSCAPING SHALL COMPLY WITH THE CITY OF KNOXVILLE'S TREE PROTECTION ORDINANCE.
- 14) REFER TO C.O.K. ZONING ORDINANCE (ARTICLE 11.9) FOR BIKE RACK SPECIFICATIONS. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.



PAINTED HANDICAPPED SYMBOL N.T.S.



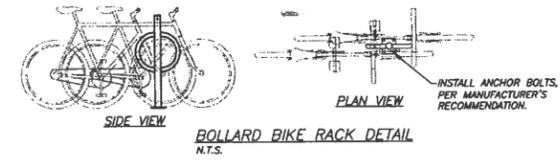
HANDICAPPED SIGN DETAIL N.T.S.



COMBINATION STOP SIGN / STREET NAME SIGN DETAIL

**BIKE RACK NOTES:**

- 1) 2-BIKE BOLLARD BIKE RACK, AS MANUFACTURED BY THE PARK AND FACILITIES CATALOG, OR APPROVED EQUAL.
- 2) REFER TO C.O.K. ZONING ORDINANCE (ARTICLE 11.9) FOR BIKE RACK SPECIFICATIONS. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.



BOLLARD BIKE RACK DETAIL N.T.S.

INDIVIDUAL LOT SUMMARY							
LOT NO.	TOTAL AREA (S.F.)	OPEN SPACE (S.F.)	#	FLOOR AREA (S.F.)	FAR	BUILDING AREA (S.F.)	BUILDING COVERAGE (%)
1	918	303	33.0	2,011	2.19	615	67.0
2	856	236	27.6	2,011	2.35	620	72.4
3	953	338	35.5	2,011	2.11	615	64.5
4	953	338	35.5	2,011	2.11	615	64.5
5	856	236	27.6	2,011	2.35	620	72.4
6	856	236	27.6	2,011	2.35	620	72.4
7	918	303	33.0	2,011	2.19	615	67.0
8	715	252	35.2	824	1.15	463	64.8
9	671	204	30.4	824	1.23	467	68.6
10	671	204	30.4	824	1.23	467	68.6
11	746	283	37.9	824	1.10	463	62.1
12	848	385	45.4	967	1.14	463	54.6
13	756	289	38.2	967	1.28	467	61.8
14	905	221	24.4	1,464	1.62	684	75.6
15	880	194	22.0	1,464	1.66	686	78.0
16	1,181	341	28.9	1,983	1.68	840	71.1
17	1,181	340	28.8	1,983	1.68	841	71.2
18	880	194	22.0	1,464	1.66	686	78.0
19	884	198	22.4	1,464	1.66	686	77.6
20	958	277	28.9	1,464	1.53	681	71.1

SITE SUMMARY	
CURRENT USE	VACANT
PROPOSED USE	RESIDENTIAL
ZONING	SW-4
TOTAL AREA	0.92-ACRE
RIGHT OF WAY DEDICATION	0.09 ACRE
TOTAL AREA AFTER DEDICATION	0.83 ACRE
BUILDING COVERAGE	12,214 S.F.
PERMEABLE PAVEMENT AREA	10,650 S.F.
TOTAL FLOOR AREA	30,593 S.F.
FLOOR AREA RATIO	0.85
FLATWORK / CONCRETE	4,970 S.F.
GRASS AREA	6,112 S.F.
TOTAL IMPERVIOUS AREA	17,184 S.F.
PERCENT IMPERVIOUS	47.5%
TOTAL NUMBER OF LOTS	20
TOTAL BIKE PARKING SPOTS	7

LOT SUMMARY (OVERALL)	
TOTAL AREA	0.92-ACRE (40,079 S.F.)
RIGHT OF WAY DEDICATION	0.09 ACRE (3,765 S.F.)
TOTAL AREA AFTER DEDICATION	0.83 ACRE (36,313 S.F.)
TOTAL FEE SIMPLE LOTS AREA	0.40 ACRE (17,586 S.F.)
PRIVATE RIGHT OF WAY AREA	0.28 ACRE (12,185 S.F.)
OPEN SPACE*	0.43 ACRE (18,557 S.F.)-51.0%

\*OPEN SPACE AREA SHOWN IS THE AREA OUTSIDE OF THE PROPOSED LOTS.



REVISION	DATE	DESCRIPTION	BY	DWN: CLM	CHK: CAS	DWG. NO. 2102003



**SHEET C-2 (3 OF X)**

**SITE PLAN**

**STATION SOUTH**

SITE ADDRESS: ISLAND HOME AVENUE, KNOXVILLE, TN 37920

CITY OF KNOXVILLE KNOX CO., TN  
 WARD NO. 26 CITY BLOCK NO. 26062  
 CLT MAP 95 INSERT 0 GROUP D PARCELS 1,2,3  
 SCALE: 1"=20' MARCH 5, 2021

OWNER/DEVELOPER:  
**TAILWATER SOUTH, LLC.**  
 813 SOUTH NORTHSHORE DRIVE, SUITE 104  
 KNOXVILLE, TN 37919  
 (865) 588-8663

**URBAN ENGINEERING, INC.**  
 11852 KINGSTON PIKE  
 FARRAGUT, TENNESSEE 37922  
 (865) 966-1924