

File # 5-D-22-VA

CITY OF KNOXVILLE 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 Stuart and Cindy Bresee	Owner	New Structure
Street Address 1132 Andalusian Way	Contractor	Modification of Existing Structure
City, State, Zip Knoxville, TN 37922	Tenant	Off Street Parking
Phone Number 865-696-0155	Other	Signage
Email sbresee@utmck.edu		Other _____

THIS IS A REQUEST FOR:

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

PROPERTY INFORMATION

Street Address City, State, Zip 3912 Wilani Road, Knoxville, TN 37919

See KGIS.org for Parcel # 122HA006

and Zoning District **RN-1**

VARIANCE REQUIREMENTS

City of Knoxville Zoning Ordinance Article 16, Section 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.

We plan to construct a single family home on the "pie-shaped" lot designated 3912 Wilani Road.

Describe hardship conditions that apply to this variance.

The RN-1 zoning for this lot requires a setback +/- 10' from the average block face of 77' for the south side of Wilani Road.

We believe the maximum setback of 87' creates a hardship on the appropriate use of the lot for a single family residence. The lot was recently created as a pie shape with the narrow front to the road. The lot is approximately 37,204 sq. ft. As shown by the diagrams on the proposed site plan, the code required front yard space allowed by this setback is only 6,463 sq. ft. or 17.5% of the total lot area.

We are proposing a 133 ft setback; this would increase the front yard area to 10,703 sq. ft. or 28.8% of the total lot area. If approved, the proposed rear yard setback would be 98' which is clearly in excess of the required 25". This change will then provide for the following benefits to the community and home design:

1. Due to the lot "pie" shape, the lot width at the maximum setback is only 85'6" compared to the proposed 98'-10" width. This topography creates a hardship on the proper design of a residential floor plan.
2. The home located to the west of the subject property is currently set back to the same front yard setback we are proposing. To force our house closer to the road would disturb the current rhythm of yards on Wilani.
3. By bringing the proposed home back to a front yard setback of 133' allows the design to take advantage of the natural hillside topography in order to create a walk-out basement area under the home. This change will allow for a more appropriate building height at the front or street elevation becoming more harmonious with the neighborhood.
4. We believe the lot to the east of the subject property is facing the same hardships and would benefit from a similar front yard setback. If both properties were setback similarly it would provide a harmonious and consistent look on Wilani.

APPLICANT AUTHORIZATION

File #



BOARD OF ZONING APPEALS APPLICATION

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

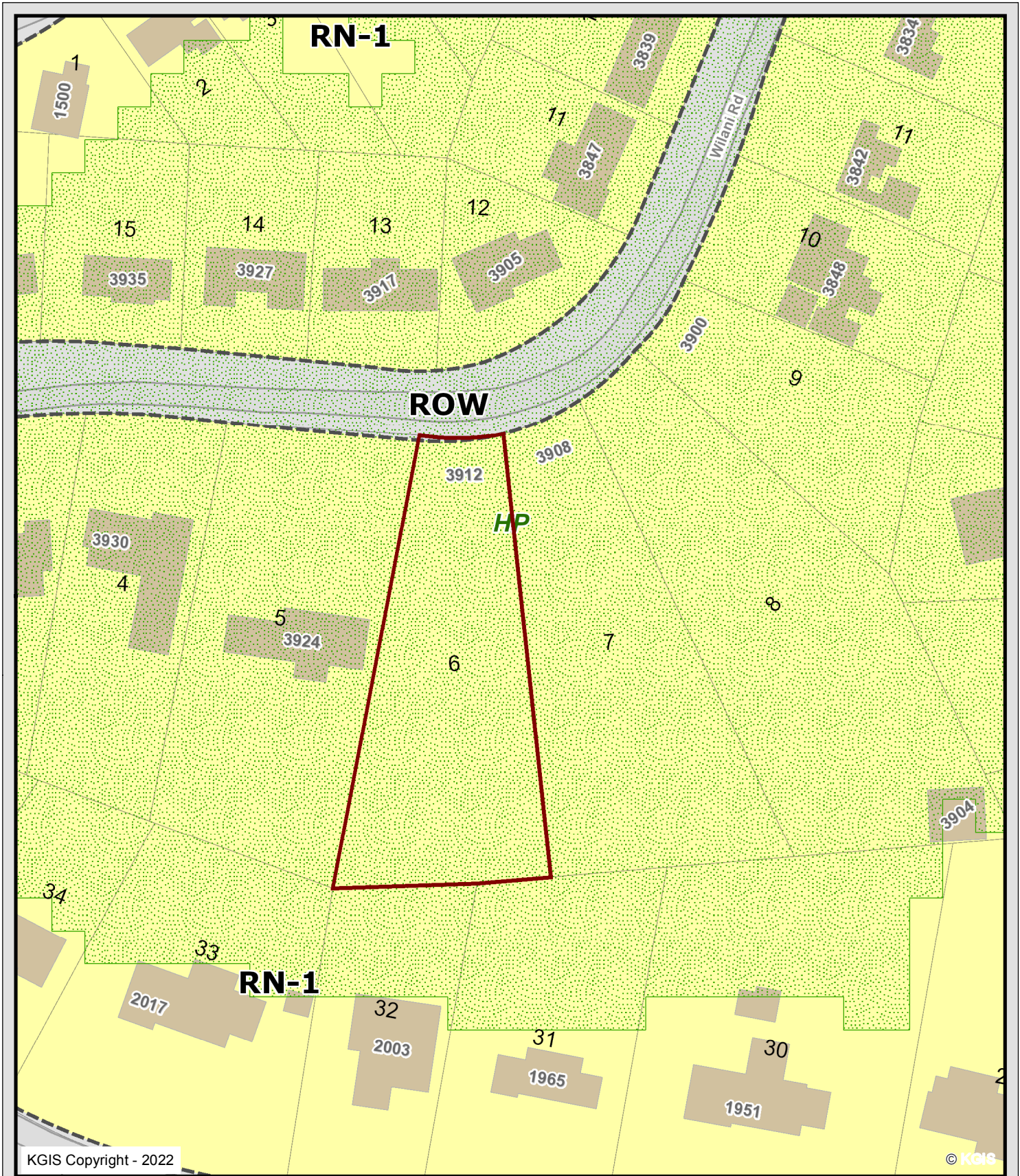
Is a plat required? Yes No

Small Lot of record?

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

PROJECT INFORMATION

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



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3912 WILANI RD

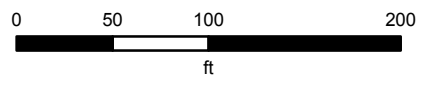
5-D-22-VA

STUART & CINDY BRESEE

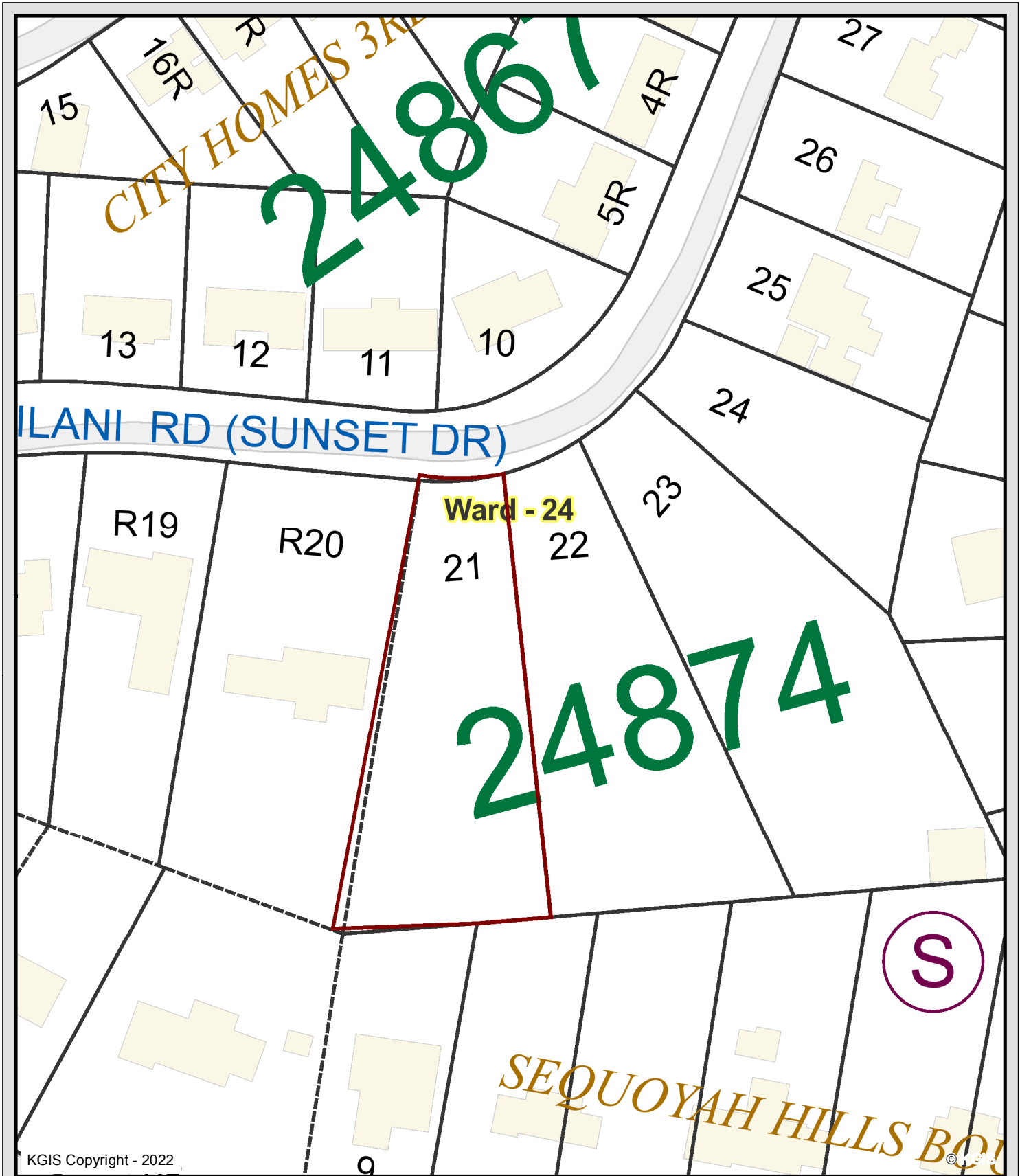
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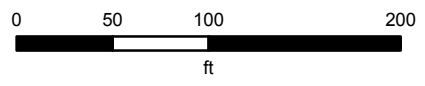
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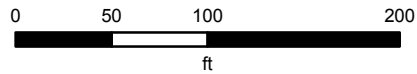
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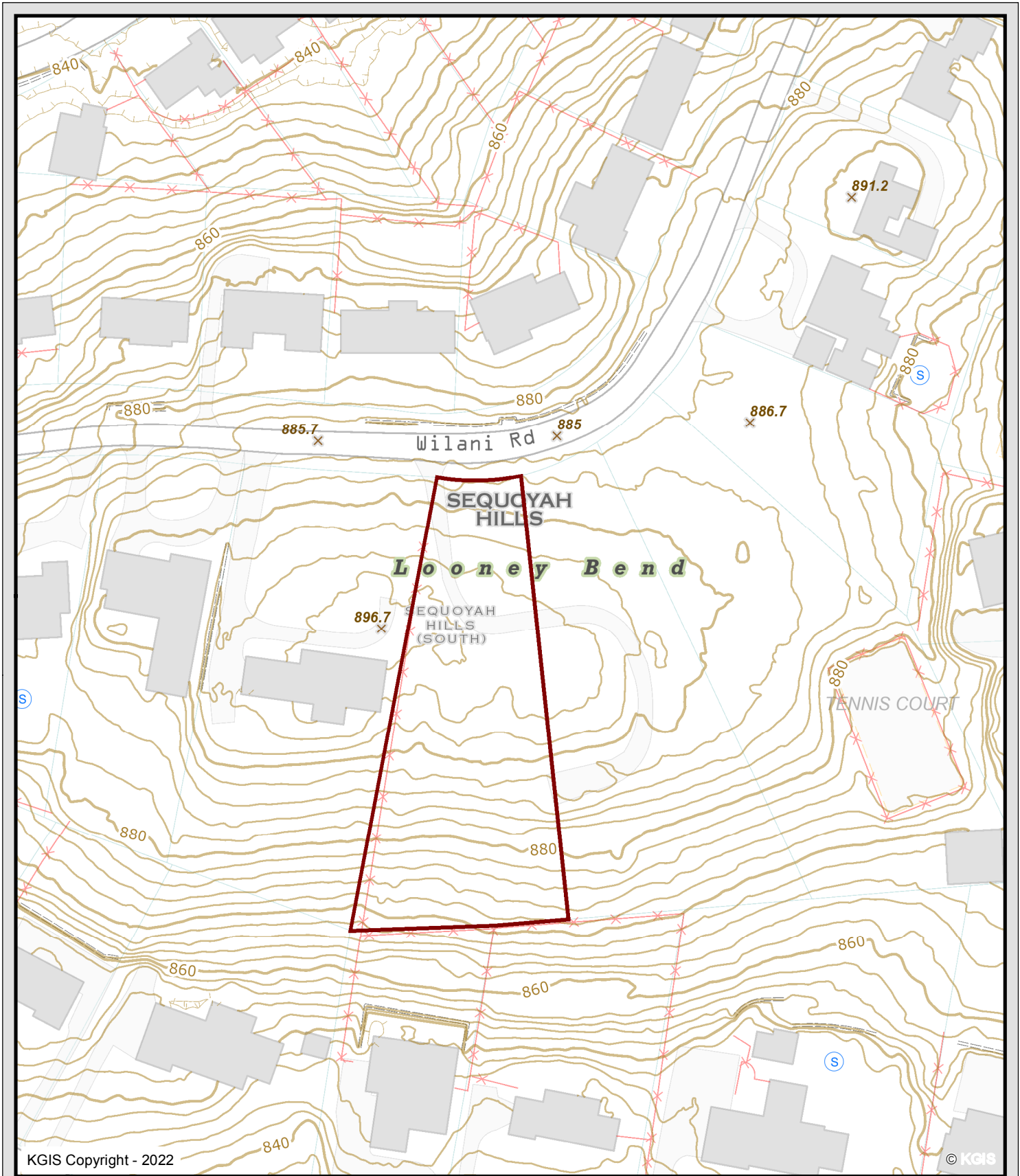
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3912 WILANI RD

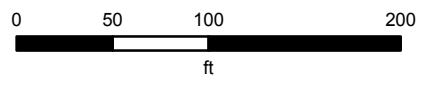
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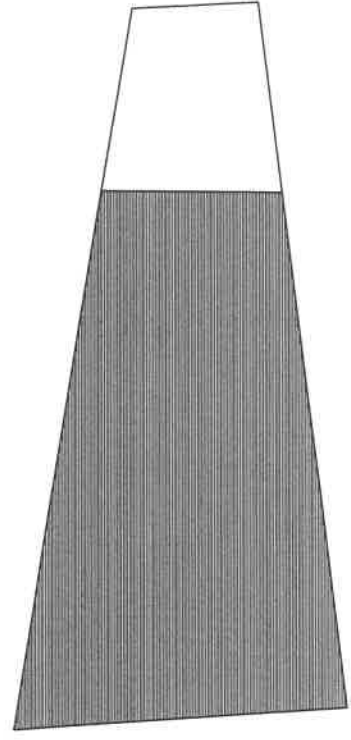
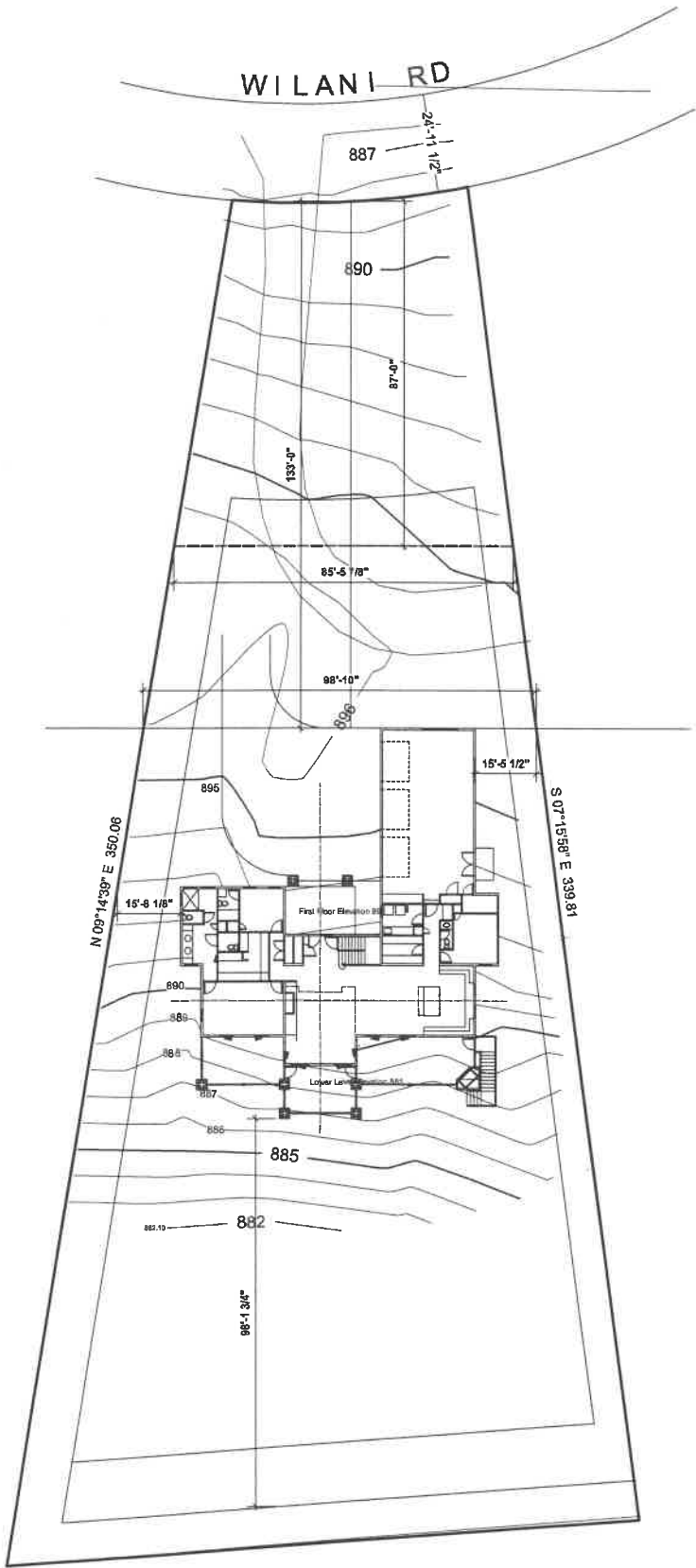
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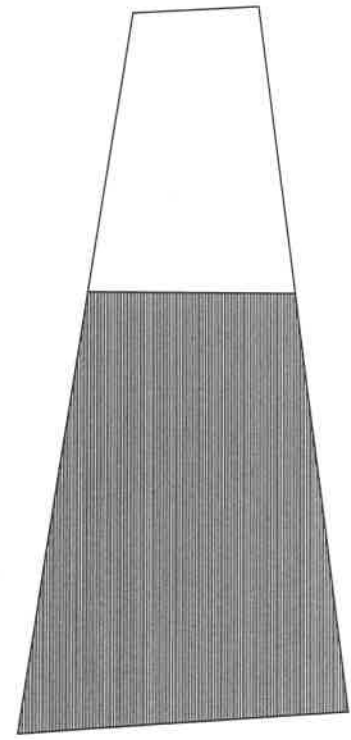
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Front Yard Area Required by MPC



Front Yard Area Proposed by Owner

Jennifer Scobee

From: Steve Borden <Steve.Borden@tn.gov>
Sent: Monday, May 9, 2022 5:45 PM
To: Jennifer Scobee
Subject: RE: Board of Zoning Appeals - May 17, 2022 Application Packets

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

4-E-22-VA – 1537 FOREST AVE- Operations has no comment.
5-A-22-VA – 3917 HOLSTON DR- Operations has no comment
5-B-22-VA – 4831 SUMMIT CIR- Operations has no comment.
5-C-22-VA – 3908 WILANI RD- Operations has no comment.
5-D-22-VA – 3912 WILANI RD- Operations has no comment.
5-E-22-VA – 200 E. BLOUNT AVE – If setback is reduced/eliminated, operations would comment that no part of any structure shall be allowed to encroach on State-owned ROW including the structure itself, overhanging roof/awnings, or signage.
5-F-22-VA – 2750 SCHAAD RD- Operations has no comment.
5-G-22-VA – 1905, 1909, 1911, 1915 LAKE AVE- Operations has no comment.
5-H-22-VA – 4301 KINGSTON PK- Operations has no comment.
5-J-22-VA – 3330 WEST GOVERNOR JOHN SEVIER HWY- Operations has no comment. (Lighting in request not adjacent to roadway section.)
5-K-22-VA – 451 WEST BLOUNT AVE- Operations has no comment.
5-L-22-VA – 5705 CRESTWOOD DR- Operations has no comment.



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