



# 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 Hitch Gilchrist	Owner <input checked="" type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address 5806 Westover Dr	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 9122760765	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email ehgilchrist@gmail.com		Other <input type="checkbox"/>

**THIS IS A REQUEST FOR:**

<input 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 5806 Westover Dr	City, State, Zip Knoxville, TN, 37919
See KGIS.org for Parcel # 107OB00203	City Council District 2 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.


At the applicants property, we would like to build a carport on the west side of the existing house. It is my understanding that if a carport structure is to be built within 5' of the property line, a variance must be obtained. I have attached a property plat that lays out the property lines and exiting structure. I have marked where the proposed carport would be located. We would like to be able to build the carport structure to be no closer than 2' from the property line. This would make the structure 16' wide where we have 18.4' to the property line per the plat.

Describe hardship conditions that apply to this variance.

With the property contour, dimensions, and exiting house there are very limited options for covered parking. The entire property slopes very steeply to Westover Dr. so we have a difficult time with entry/exit to parked vehicles. The only decent parking is at he proposed carport location. Having covered parking here would be a great help.

**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  E. NATH GILCHRIST JR DATE 5/23/22

File #



**BOARD OF ZONING APPEALS APPLICATION**

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

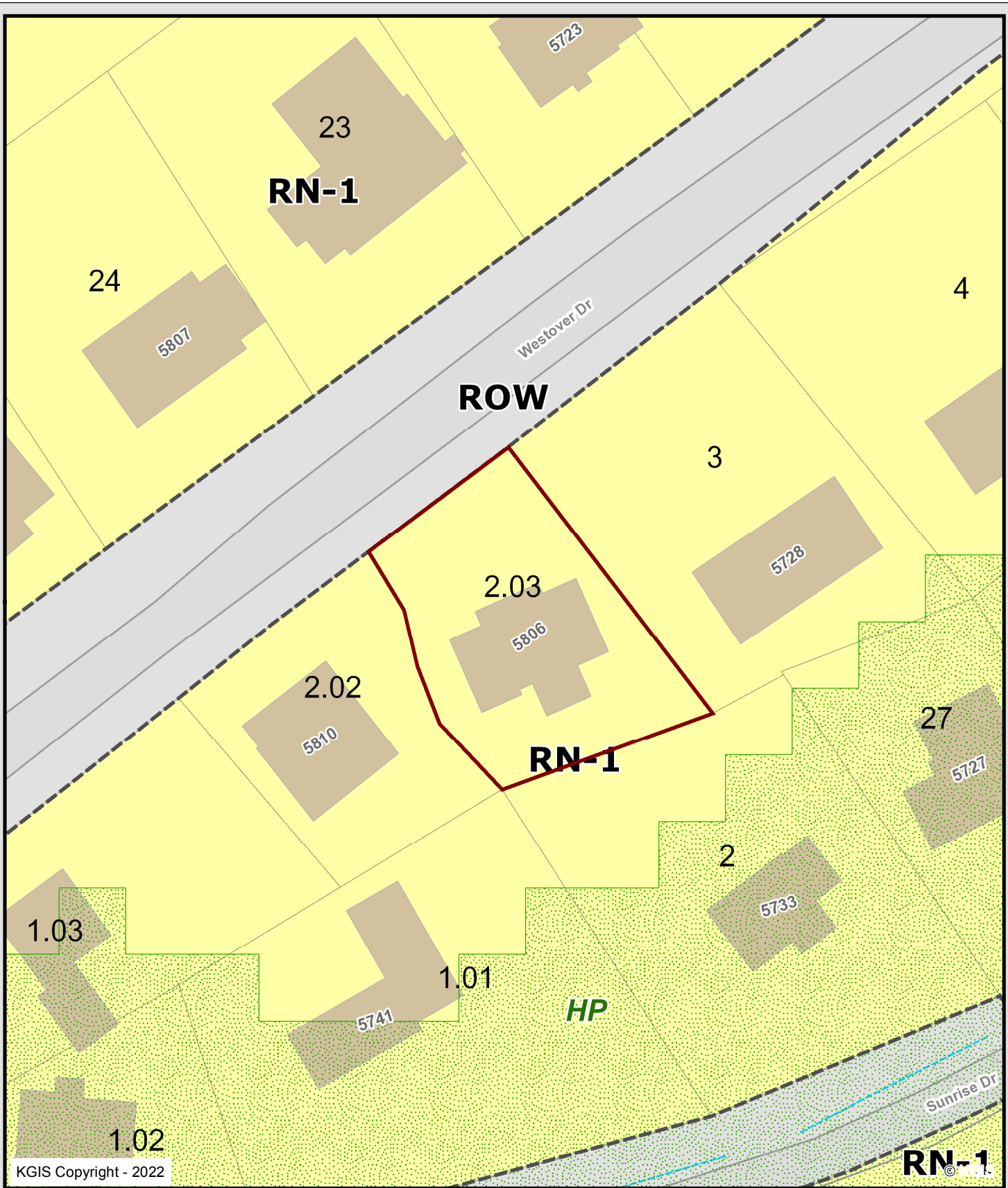
Is a plat required?    Yes     No

Small Lot of record?

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

**PROJECT INFORMATION**

Date Filed	Fee Amount
Council District	BZA Meeting Date
<b>PLANS REVIEWER</b>	<b>DATE</b>



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**RN-1**

**5806 WESTOVER DR**

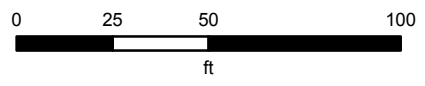
7-A-22-VA

HITCH GILCHRIST & AMANDA VANDAVEER

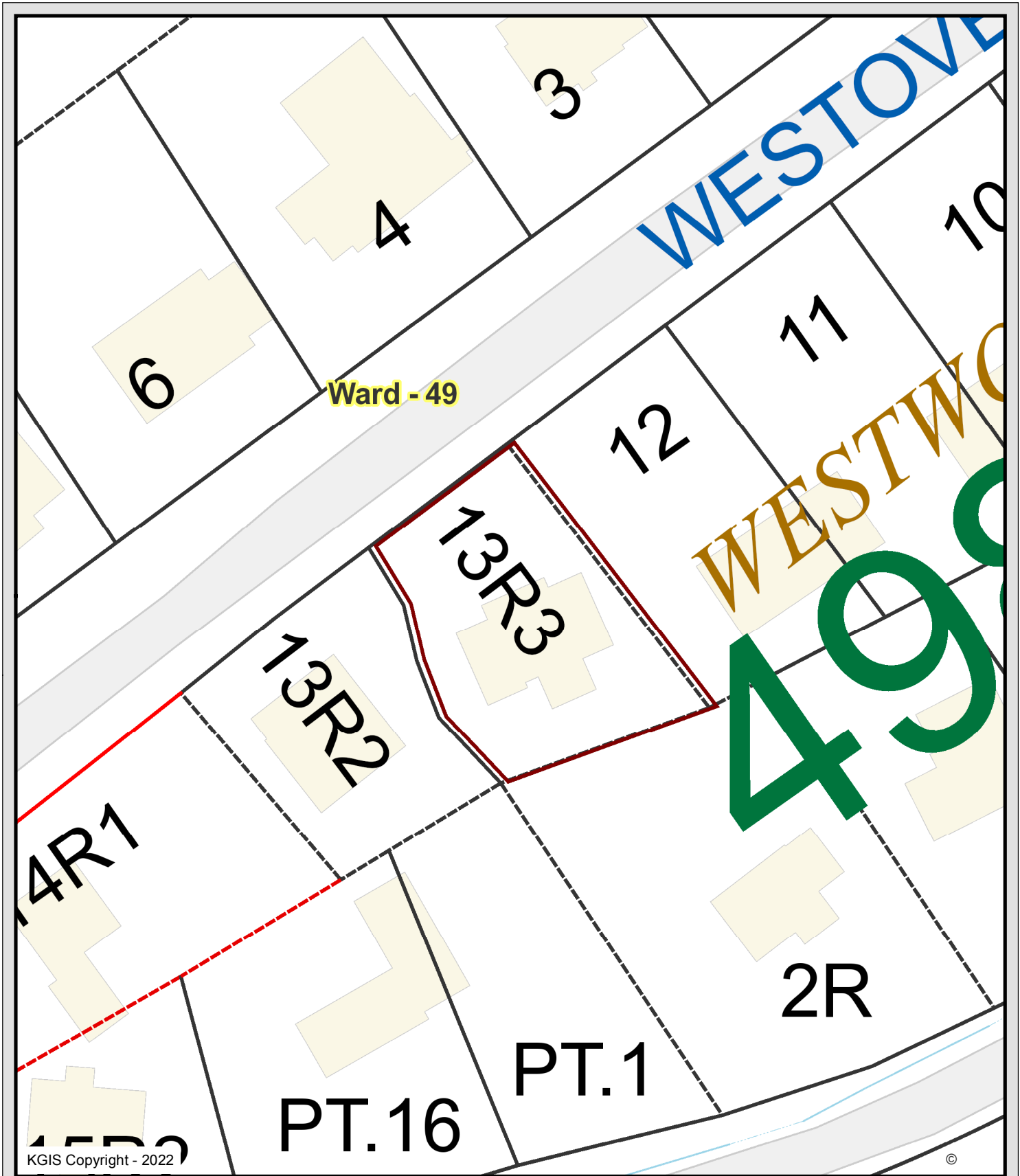
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5806 WESTOVER DR

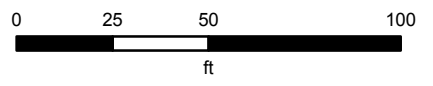
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5806 WESTOVER DR

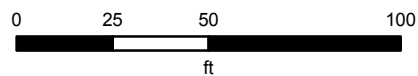
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**Knoxville - Knox County - KUB Geographic Information System**

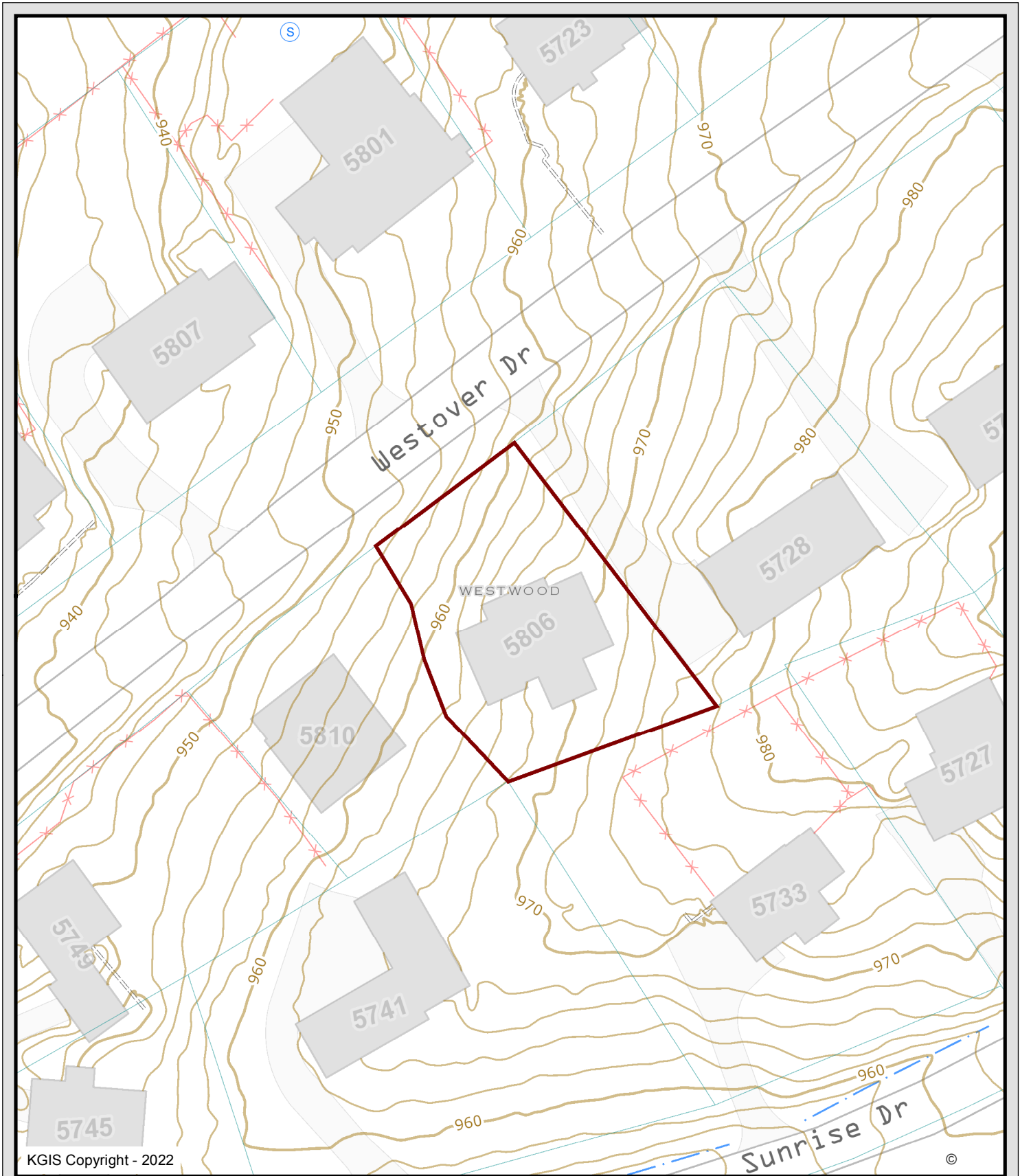


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# 5806 WESTOVER DR

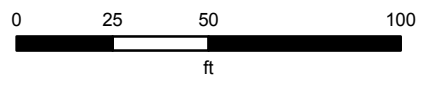
7-A-22-VA

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CERTIFICATE OF OWNERSHIP & GENERAL DEDICATION

(I, We) RYAN McNALLY the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.

Signed: Ryan McNally  
State of Tennessee, County of Knox  
On this 5th day of Dec, 2016

Before me personally appeared Ryan P. McNally to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.  
Witness my hand and notarial seal, this the day and year above.  
Written: Susan E. Forie Notary  
My Commission expires 12/31/2019 "Seal"

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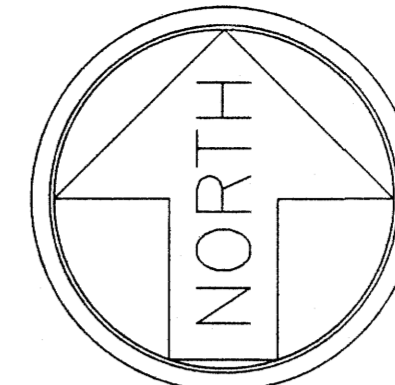
CERTIFICATE OF APPROVAL FOR RECORDING ADMINISTRATIVE PLAT

This is to certify that the subdivision plat shown has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, and the record plat is hereby approved for recording in the office of the Knox County Register of Deeds.

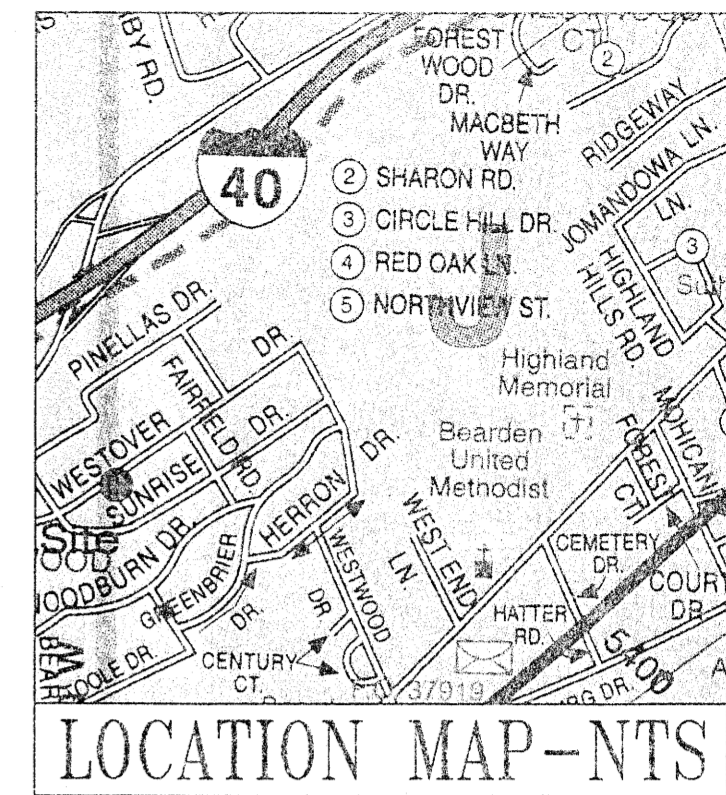
Signed: [Signature]  
Date: 12/5/2016

LEGEND

- CLEAN OUT
- EXISTING 1/2" IRON PIN
- MANHOLE
- WATER METER
- IRON PIN SET
- UTILITY POLE
- MAGNAIL/CAP SET



PLAT NORTH 20020927-0026704



CITY OF KNOXVILLE ENGINEERING DIVISION  
The Knoxville Engineering Division hereby approves this plat on this the 5th day of December, 2016.  
James R. Hogeman, P.E.  
Engineering Director

CERTIFICATION OF CATEGORY AND ACCURACY OF SURVEY  
I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is not less than 1:10,000.  
Registered Land Surveyor: NED D. FERGUSON  
Tenn. Reg. No. 1643

CERTIFICATION OF FINAL PLAT CONSTRUCTION COMPLETE  
I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plan and accompanying drawings, documents, and statements conform to all applicable provisions of the Knoxville/Knox County Subdivision Regulations except as has been itemized, described and justified in a report filed with the Metropolitan Planning Commission, or for variances for which application has been filed. The indicated monuments were in place on the 18 day of Oct, 2016.

Registered Land Surveyor: NED D. FERGUSON  
Tennessee Certificate No. 1643

IN THE CITY OF KNOXVILLE AND SEWERED AREAS OF KNOX COUNTY  
This is to certify that the subdivision shown hereon is approved subject to the installation of sanitary sewers and treatment facilities, and that such installation shall be in accordance with state and local regulations.

Date: 12-5-16  
Knox County Health Department: Boonie Moore (see)

ZONING  
Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission as follows:  
Zoning Shown on Official Map: R-1E

Date: 12/5/16  
By: [Signature]

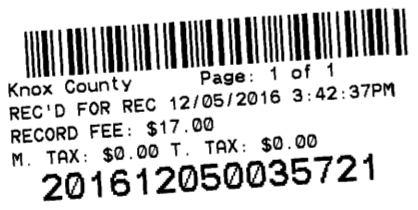
THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.

City Tax Clerk: C. Neuenchwander  
Date: 12-5-16  
Knox County Trustee: Bart A.  
Date: 12-5-16

ADDRESSING DEPARTMENT CERTIFICATION

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

Signed: [Signature]  
Date: 12/5/16



I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is 1:10,000 or better as shown hereon. This survey meets the minimum standards for the State of Tennessee.

This is to certify that the described property is not located in a special flood hazard area as shown on the National Flood Insurance Program Flood Insurance Rate Map.

Call Before You Dig! 1-800-351-1111  
UTILITIES SHOWN WERE LOCATED FROM ACTUAL FIELD EVIDENCE, EXISTING UTILITY AGENCY RECORDS AND OTHER AVAILABLE EVIDENCE. OTHER UNDERGROUND UTILITIES MAY EXIST AND NOT BE SHOWN OR UTILITIES MAY VARY FROM WHERE SHOWN. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE LOCATION OF ANY UTILITIES SHOWN WHICH ARE NOT VISIBLE FROM THE SURFACE. UTILITY DATA SHOULD NOT BE RELIED UPON WITHOUT VERIFICATION FROM THE PROPER UTILITY AUTHORITY HAVING JURISDICTION. T.C.A. 0820-3-.06.

49864-D

- 1. THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- 2. SIGNIFICANT OBSERVABLE EVIDENCE OF UTILITIES IS SHOWN. OTHER UTILITIES MAY EXIST AND NOT BE SHOWN. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE LOCATION OF ANY UTILITIES WHICH ARE NOT VISIBLE FROM THE SURFACE.
- 3. TAX PARCEL 1070800201.
- 4. SUBJECT TO UTILITY & DRAINAGE EASEMENTS OF 5' INSIDE INTERIOR LOT LINES; 10' INSIDE EXTERIOR LOT LINES AND ROADS, EXCEPT AS MODIFIED BY THE SUBDIVISION VARIANCE.
- 5. DEED 20071120-0041127.
- 6. 2 LOTS CONTAINING 16,216 SQUARE FEET.
- 7. THIS SURVEY INDICATES A PROPERTY BOUNDARY ENCROACHMENT. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. OWNERS ARE RESPONSIBLE FOR RESOLVING PROPERTY BOUNDARY CONFLICTS.
- 8. VARIANCE TO REDUCE THE UTILITY AND DRAINAGE EASEMENT ON LOT 13R3 FROM 10 FEET TO 8.7 FEET AT THE EXISTING BUILDING GRANTED BY MPC ON AUGUST 6, 2002.
- 9. CITY BLOCK 4964.
- 10. MPC STAFF NOTES THAT AT THE TIME THIS PLAT WAS REVIEWED STRUCTURES HAD BEEN ERECTED WITHIN THE REQUIRED UTILITY AND DRAINAGE EASEMENT ON LOT 13R2. THE DEVELOPER AND SUBSEQUENT OWNERS OF LOT 13R2 MAY BE REQUIRED TO REMOVE ANY SUCH STRUCTURES UPON DEMAND BY THE APPROPRIATE UTILITY OR GOVERNMENTAL AGENCIES.
- 11. THIS PLAT INDICATES A PROPERTY BOUNDARY ENCROACHMENT. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. OWNERS ARE RESPONSIBLE FOR RESOLVING PROPERTY BOUNDARY CONFLICTS.



MPC FILE #10-0-16

FINAL PLAT, RESUB. OF LOT 13R1 BLOCK B WESTWOOD ADDITION FORMERLY PLAT 20020927-0026704	
COUNTY: KNOX DISTRICT: 6 CITY: KNOXVILLE WARD: 49	DATE: 10/18/2016 SCALE: 1"=20' DRAWN BY: NDF
Ned D. Ferguson, R.L.S. 205 Lamar Avenue Clinton, Tn. 37716 Phone: (865) 689-6169 Fax: (888) 232-8718 Toll Free	
Professional Land Systems www.PLSurvey.com	
When you need to know, knowing is our business.	

COUNTERSIGNED  
KNOX COUNTY PROPERTY ASSESSOR  
DEC. 05 2016  
BY: John R. White  
OWNER(S):  
McNALLY RYAN P & JENNIFER B  
5806 WESTOVER DR  
KNOXVILLE, TN 37919  
865.523.6254





# SITE DEVELOPMENT PERMIT

APPLICATION DATE: 04/17/2015 PERMIT NUMBER: DSD15-0080 REVIEWER: Boone Hillenbrand  
 TITLE: 5806 WESTOVER DR  
 OWNER OR AGENT: MCNALLY RYAN P & JENNIFER B  
 PHONE NUMBER:  
 ADDRESS: 5806 WESTOVER DR  
 KNOXVILLE TN 37919

CONTRACTOR NAME:  
 PHONE NUMBER:  
 ADDRESS:

CONTACT NAME: RYAN MCNALLY  
 PHONE NUMBER: 865-789-3201

MAINTENANCE AGREEMENT: N PERFORMANCE BOND AMOUNT: \$0.00  
 LOCATION OF WORK: 5806 WESTOVER DR /  
 WARD: 49 CITY BLOCK: 49264 ZONE: R-1E / / CLT NUMBER: 107OB00201

### REQUIREMENTS:

1. This permit does  does not  constitute approval for entrance design, curbing, parking layout, building location and setbacks.
2. Adequately sized drainage swales must be maintained by contractor during and after construction along all appropriate property lines.
3. The property owner, developer and contractor agree to install, inspect and maintain adequate erosion and sediment controls ("controls") in accordance with the City of Knoxville's Best Management Practices and Land Development Manuals or as per the approved site plan before beginning any site development and during site development and construction. "Site development" includes physically altering the site, clearing vegetation, grading, and providing utilities and access. Controls shall not be removed until the site has been adequately stabilized to prevent erosion to the satisfaction of the City.
4. Earthen slopes may be no greater than 2 to 1 at any time. Construct final slopes per approved grading plan.
5. This permit expires one year from date of issue.
6. Additional requirements may be required by the field inspector at the time of construction or inspection.
7. Plans must be revised and approved in writing by the City of Knoxville, Department of Engineering prior to implementing changes in the field.
8. This permit does not constitute approval of utility installations and modifications which are obtained from utility owner.
9. Statewide TN One-Call Utility Location Service is 1-800-351-1111; allow three working days.

### REMARKS:

RGR - ROUGH GRADING/ERSN/SED

### APPROVALS

DRAINAGE DESIGN: NA EROSION CONTROL: Best ARBORIST: NA

ZONING: NA USE ON REVIEW: NA

I, THE UNDERSIGNED OWNER OR AGENT, UNDERSTAND ALL OF THE REQUIREMENTS STATED ON THIS PERMIT AND ANY ATTACHED SITE PLANS AND/OR LETTERS. I ALSO UNDERSTAND THAT FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY RESULT IN A CIVIL PENALTY BY THE CITY OF KNOXVILLE OF NOT LESS THAN FIFTY DOLLARS (\$50) OR NOT MORE THAN FIVE THOUSAND DOLLARS (\$5,000) PER DAY FOR EACH DAY OF VIOLATION. EACH DAY OF VIOLATION SHALL CONSTITUTE A SEPARATE VIOLATION.

R McNally  
 SIGNATURE OF OWNER OR AGENT

Best  
 PERMIT ISSUED BY

DATE: 4/17/2015

PERMIT FEE: \$10.00  
 PAYMENT: check # 1841  
 DATE: 4-17-15

RECEIVED BY: Best





CITY OF KNOXVILLE  
DEPT. OF ENGINEERING  
215-2148

**PERMIT  
CONSTRUCTION  
WITHIN  
RIGHT-OF-WAY**

DATE APPLIED: 04/17/2015

PERMIT NUMBER: DRW15-0020

APPLICANT

NAME: MCNALLY RYAN P & JENNIFER B  
ADDRESS: 5806 WESTOVER DR  
PHONE NUMBER:

OWNER

NAME: MCNALLY RYAN P & JENNIFER B  
ADDRESS: 5806 WESTOVER DR  
PHONE NUMBER:

LOCATION OF WORK

STREET ADDRESS: 5806 WESTOVER DR  
WARD: 49 CITY BLOCK: 49864 ZONE: R-1E / /  
CLT NUMBER: 107OB00201 LOT SIZE:

CONSTRUCTION TYPE

DRIVEWAY	Y	PAVEMENT CUT	N	STORM SEWER	N
SIDEWALK	N	CURB & GUTTER	N	OTHER	N
UTILITY CON	N	DRAIN DITCH	N		

STARTING DATE :

SIZE (SPECIFY DIMENSIONS OF WORK): 12' wide driveway

REQUIREMENTS

THE APPLICANT HEREBY AGREES TO COMPLY WITH ALL PROVISIONS OF THE CODE, ORDINANCES, SPECIFICATIONS, AND REGULATIONS OF THE CITY OF KNOXVILLE, TENNESSEE.

ALL WORK SHALL BE PERFORMED BY A LICENSED AND BONDED CONTRACTOR.

THIS PERMIT SHALL BECOME VOID IF CONSTRUCTION HAS NOT BEGUN WITHIN 10 DAYS OF NOTED ANTICIPATED STARTING DATE. PERMIT EXPIRES 90 DAYS FROM DATE OF APPLICATION.

A PLAN OR TYPICAL SKETCH SHALL ACCOMPANY ALL PERMITS.

APPLICANTS SIGNATURE *R McNally*

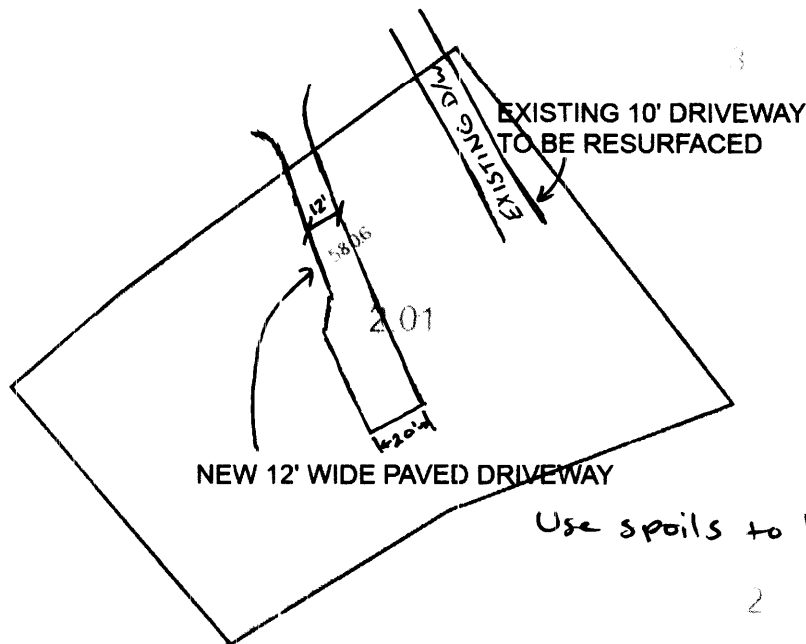
APPLICATION APPROVED James R. Hagerman, P.E. 364 PERMIT DATE 4-17-15  
DIRECTOR OF ENGINEERING

BY *BH* PERMIT FEE \$15.00

BUILDING PERMIT NUMBER PAYMENT \$0.00

FEE WAIVED? N REASON

INSPECTION NOTES \_\_\_\_\_



**CITY OF KNOXVILLE**  
**DEPARTMENT OF ENGINEERING**  
**APPROVED**

1 0 1

PERMIT #: DSD15-0080

BY: BSA DATE: 4-17-15

New 2nd Driveway

Adequate erosion and sediment controls must be used and maintained by the contractor during construction until final site stabilization has been achieved. Additional measures may be required by the Field Inspector. Refer to the City of Knoxville BMP Manual and the Tennessee Erosion and Sediment Control Handbook as needed for additional information regarding controls and maintenance.

**5806 WESTOVER DRIVE**



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