

File # (office use only)

1-E-24-VA



BOARD OF ZONING APPEALS APPLICATION

Please reach out to a City of Knoxville Zoning Examiner about your project before submitting a variance application.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name (Individual not company) Taylor D. Forrester	Owner <input type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address 1111 N. Northshore Dr., S-700	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 865-584-4040	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email tforrester@lrwlaw.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 5628 Lyons View Pike City, State, Zip Knoxville, TN, 37919
 See KGIS.org for Parcel # 121GJ006 City Council District # 2nd and Zoning District RN-1/HP

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.

This project is the development of a single family residence in approximately the same location of an existing house pad on the Property. Article 4.3 Dimensional Standards, Residential Districts, Table 4-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

The minimum and maximum front setback for RN-1 is determined as +/- 10ft of the average of blockface (average front setback for the same zoned properties within a street or until a zone change, on one side of the street). The average front setbacks for Lyons View Pike is 74.9ft., resulting in a minimum front setback of 64.9ft. and a maximum front setback of 84.0ft. The maximum front setback based on this average has been determined to be 84.9ft. The variance requested is for a maximum front setback 171ft. The variance is requested be on the challenges associated the topography and steepness of grade of the Property.

Describe hardship conditions that apply to this variance.

See Addendum

Site plans and any other relevant information associated with the hardship must accompany this application.

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 12/14/23

File #



BOARD OF ZONING APPEALS APPLICATION

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

Is a plat required? Yes No

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

Large empty rectangular area for providing variance request details and ordinance citations.

PROJECT INFORMATION

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

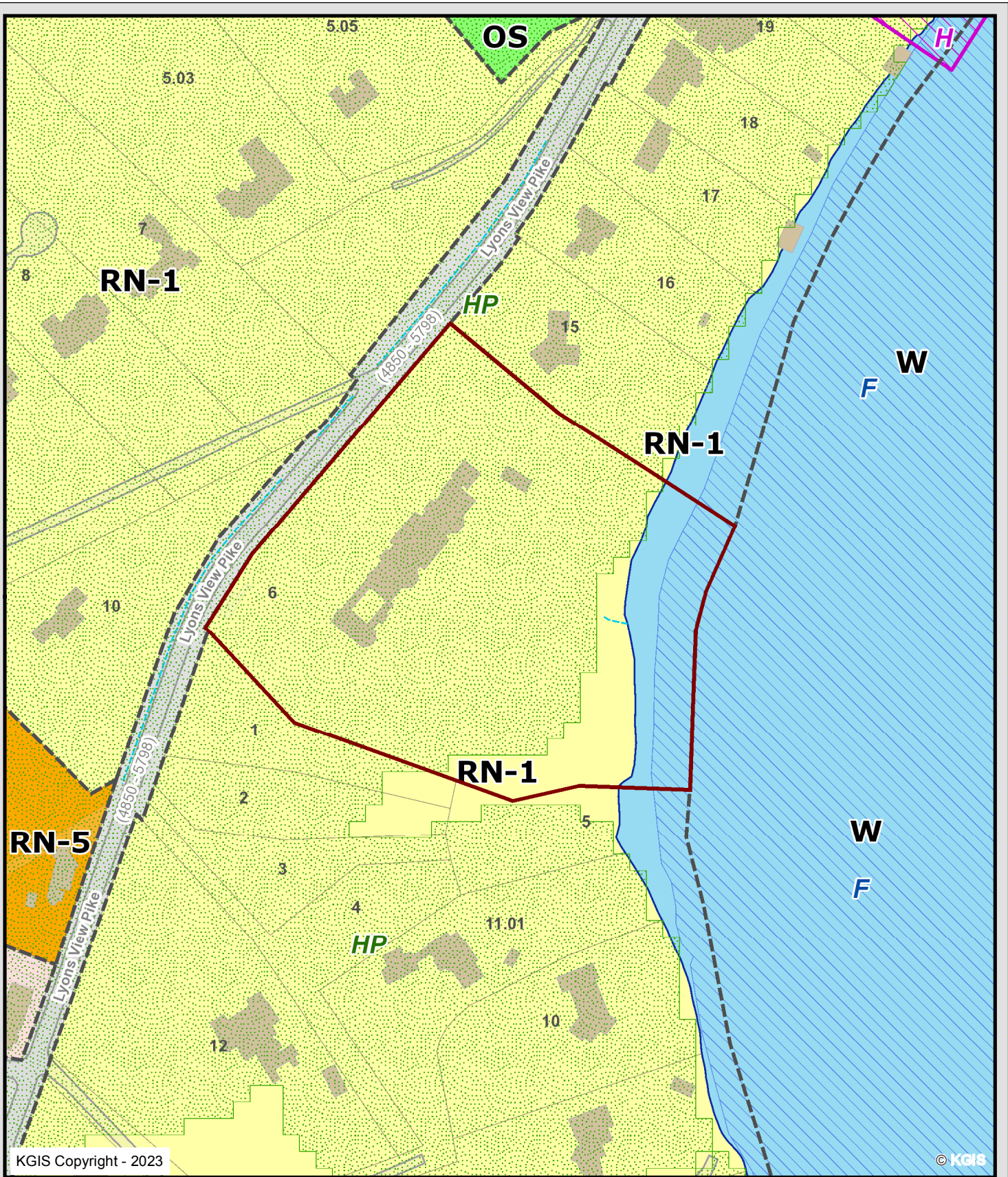
ADDENDUM

A strict application of the specific requirements of Article 4.3 of the Zoning Ordinance is impractical and will result in unnecessary hardship when considering the property's significant topographical and siting constraints. The highest point of the Property is the boundary line adjacent to Lyons View Pike. The grade steeply drops towards Lake Loudon. Complying with the maximum setback of 84.9 feet will result in incredibly steep and unsafe driveways. The northern driveway gradient would be 18.9%, which is above the allowed maximum of 15%. This would only leave the southern driveway, which is dangerous at the driveway entry due to a non-conforming site distance pursuant to the City of Knoxville, Land Development manual, Chapter 12, Section 12.5. Based on a maximum allowed setback of 84.9 feet, the southern driveway would also require an approximately 8 foot wall to function.

In addition, complying with the maximum allowed setback of 84.9 feet will result in the residence being developed at the base of a 20-foot slope. Constructing the residence in this location will require an approximately 13.5 foot wall within the front setback. This would be necessary to ensure proper drainage from the residence's foundation and for the function of the driveways. Per Article 10.3.L. of the Zoning Ordinance, such a wall is not allowed in the front yard because it would exceed 42 inches in height.

The proposed maximum front setback of 171 feet for the residence is essentially where the existing house pad is located on the Property. Granting the requested setback variance will not result in a development being out of character with the other properties along Lyon View Pike. In fact, the property to the south at 5720 Lyons View Pike has a front setback of 210 feet. The properties to the north of the Property on Lyons View Pike consist of much smaller lots with less road frontage, thereby largely necessitating that the residences be constructed closer to Lyons View Pike. The property located at 5326 Lyons View Pike has a setback of only 8 feet, thereby resulting in the average front yard setback along Lyons View Pike being greatly reduced.

The granting is in harmony with the general purposes and intent of the Zoning Ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the General Plan for development. The spirit of the Zoning Ordinance will be observed, and, furthermore, by granting the variance, substantial justice will be done.



5628 LYONS VIEW PK

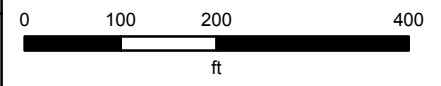
1-E-24-VA

TAYLOR D. FORRESTER

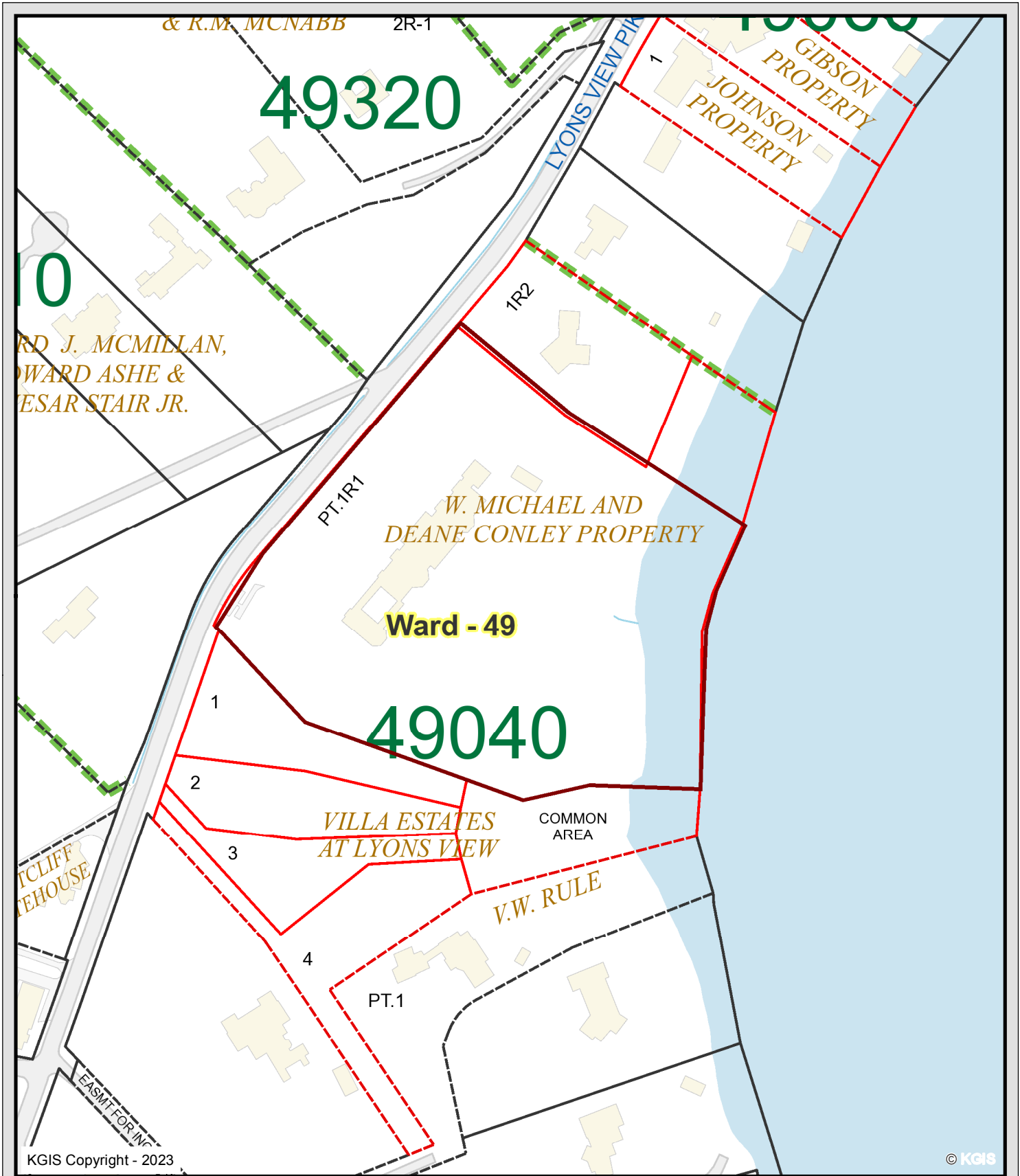
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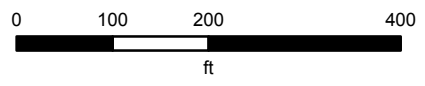
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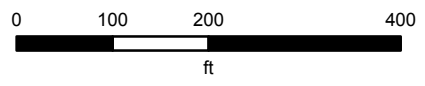
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TAYLOR D. FORRESTER

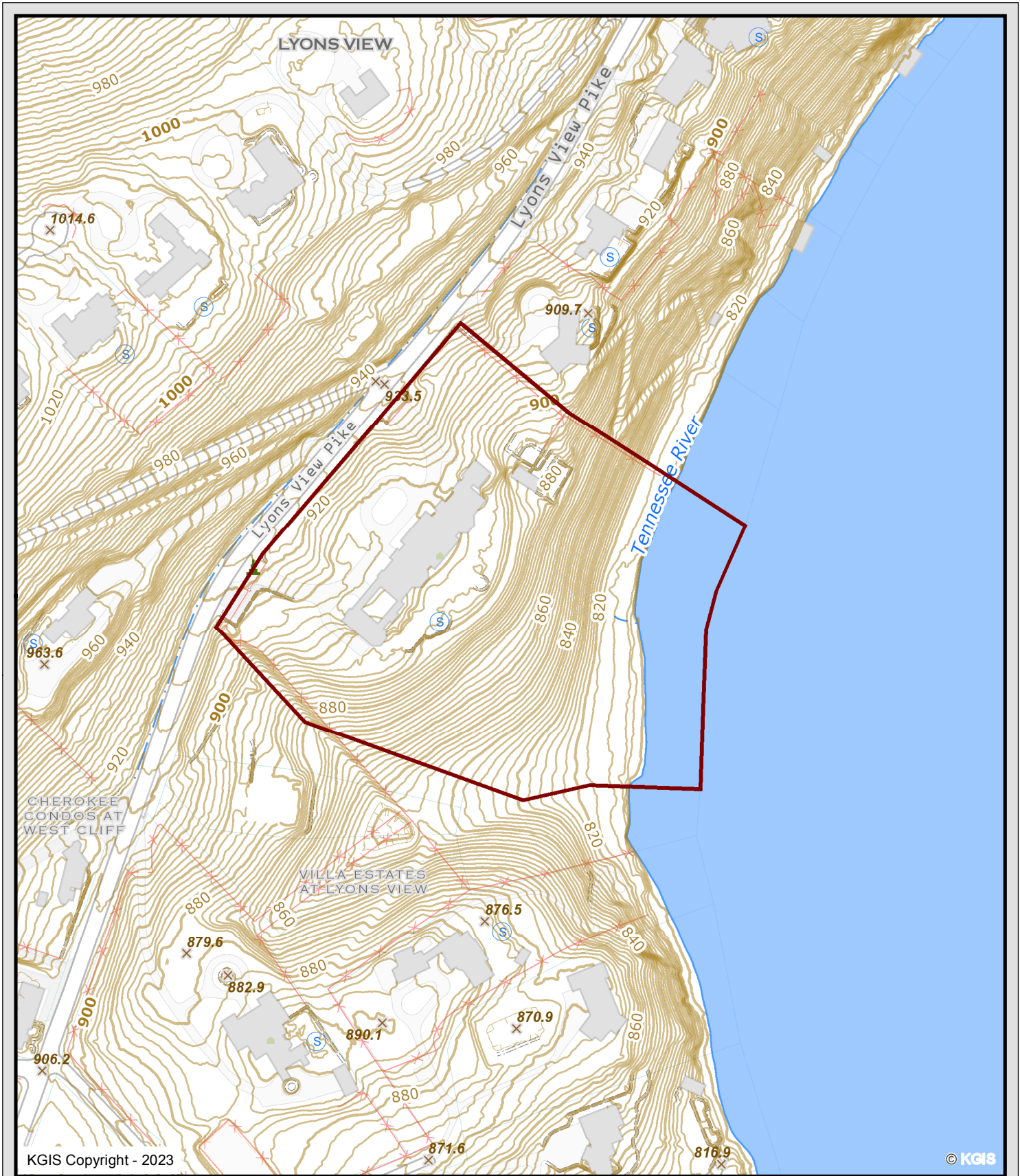
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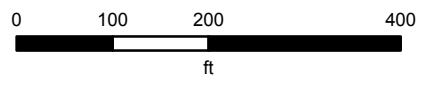
1-E-24-VA

TAYLOR D. FORRESTER

Knoxville - Knox County - KUB Geographic Information System

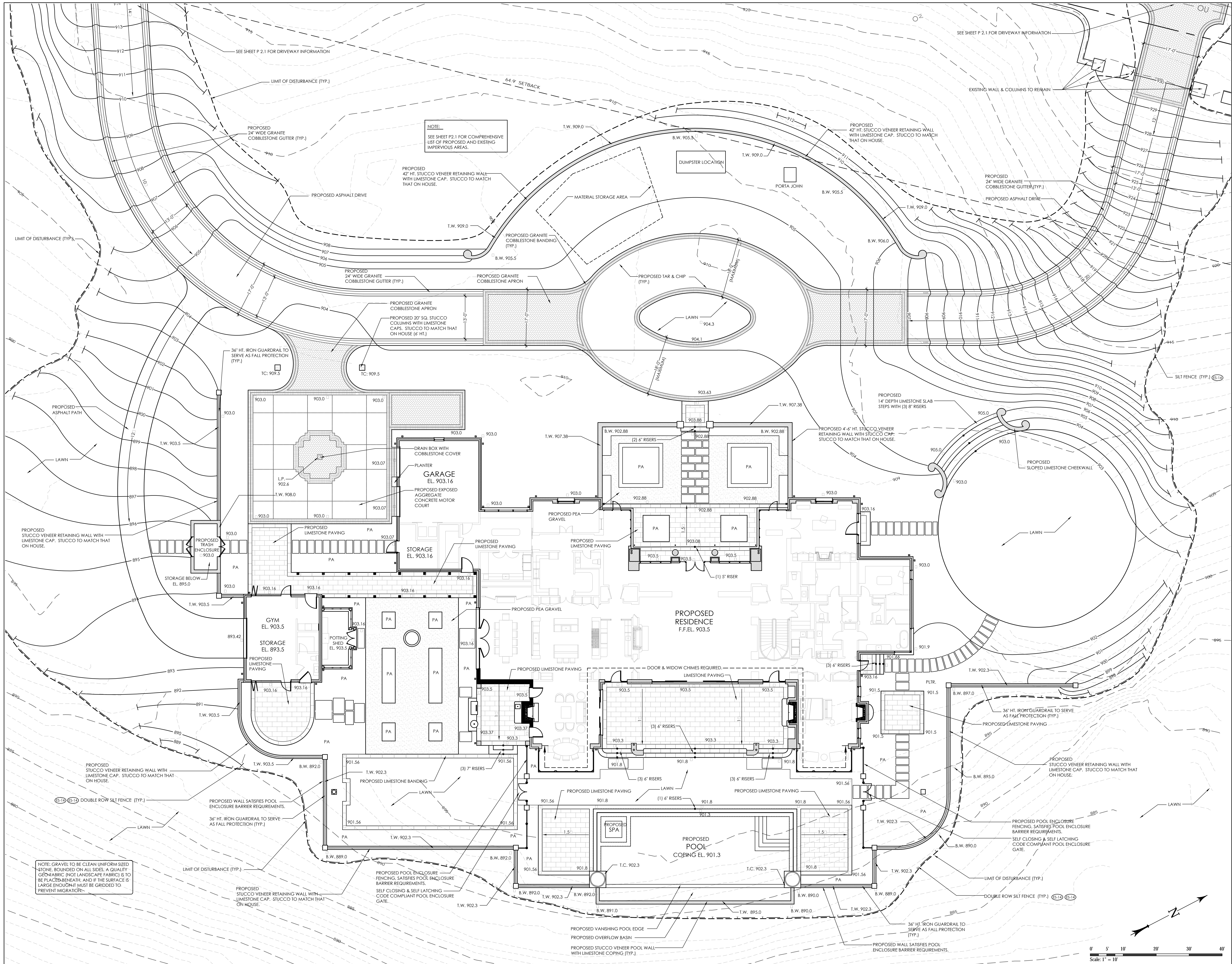


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COMPTON RESIDENCE
5628 LYONS VIEW PIKE • KNOXVILLE, TENNESSEE

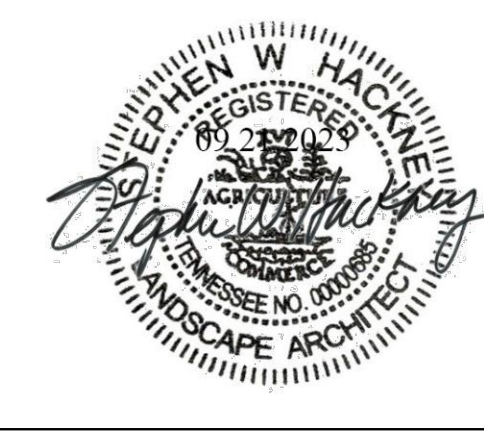


NOTE:
SEE SHEET P2.1 FOR COMPREHENSIVE LIST OF PROPOSED AND EXISTING IMPERVIOUS AREAS.

NOTE: GRAVEL TO BE CLEAN UNIFORM SIZED STONE, BOUNDED ON ALL SIDES. A QUALITY GEO-FABRIC (NOT LANDSCAPE FABRIC) IS TO BE PLACED BENEATH. AND IF THE SURFACE IS LARGE ENOUGH IT MUST BE GRIDDED TO PREVENT MIGRATION.

REVISIONS

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 RELEASED FOR PERMIT

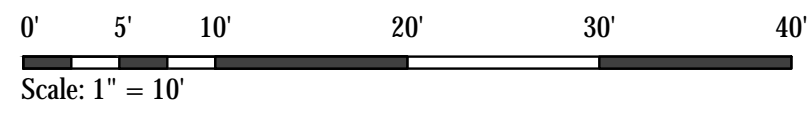
DATE OF ISSUE: SEPTEMBER 22, 2023
DRAWN BY: RP

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1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION.
2. CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL ORDINANCES AND ZONING CODES IN THE AREA WHERE THE ELEVATIONS ARE TO BE CONSTRUCTED.

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PERMIT SET
PERMIT PLAN



COMPTON RESIDENCE

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REVISIONS	DATE
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DATE OF ISSUE: DECEMBER 13, 2023
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1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION.
2. CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL CODES IN THE AREA WHERE THE ELEMENTS ARE TO BE CONSTRUCTED.

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OVERALL SITE PLAN



January 8, 2024

Mr. Bryan Berry, Deputy Director
Board of Zoning Appeals
Room 475, City-County Building
P. O. Box 1631
Knoxville, Tennessee 37901

Dear Mr. Berry:

Re: Variance Requests 1-B-24-VA, 1-C-24-VA, 1-D-24-VA, 1-E-24-VA, 1-F-24-VA, and 1-G-24-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.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Wiberley".

Christian Wiberley, P.E.
Engineering

Jennifer Scobee

From: Steve Borden <Steve.Borden@tn.gov>
Sent: Monday, January 8, 2024 11:24 AM
To: Jennifer Scobee
Subject: RE: 1-16-24 BZA Applications

Jennifer,

In reviewing the BZA applications, no impacts to State owned property or streets have been identified. District 18 has no objection to these requests.

Thank you,



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



VARIANCE
Knoxville BZA
PUBLIC HEARING
985 215-4244