



BOARD OF ZONING APPEALS

MINUTES

May 17, 2022

The City of Knoxville **Board of Zoning Appeals** considered the following petitions for variance of requirements of the Knoxville City Code, Appendix B, Zoning Regulations at their May 17, 2022 meeting at 4:00 pm in the Small Assembly Room, City County Building, 400 Main Street, Knoxville, TN, and via the Zoom online meeting format.

This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 9-44-101, et seq.

An audio recording of the full BZA meeting can be accessed by clicking [here](#) or by visiting www.knoxvilletn.gov

CALL TO ORDER

Chairman Daniel Odle called the meeting to order at 4:01 PM

ROLL CALL

Board members present were Daniel Odle, Grant Rosenberg, Christina Boulter and Amy Sherrill

Others in attendance were Peter Ahrens, Building Official; Bryan Berry, Building Official; Christina Magráns-Tillery, City Attorney; Joshua Frerichs, Stormwater Engineering; Mike Reynolds, Knoxville-Knox County Planning; Jennifer Scobee

MINUTES

April 19, 2022 meeting

Vice-Chairman Grant Rosenberg made a motion to approve the Minutes from the April 19, 2022 meeting. It was seconded by member Christina Boulter. Chairman Daniel Odle, Vice-Chairman Grant Rosenberg, members Christina Boulter and Amy Sherrill voted to approve. The Board voted 4-0 to **APPROVE**.

NEW BUSINESS

File: 4-E-22-VA
Applicant: John Holmes
Address: 1537 Forest Ave
Zoning: RN-5 (General Residential) Zoning District

Parcel ID: 094KJ022
Council District: 1

Variance Request:

1. Reduce the combined minimum interior side setbacks for a multi-family development from 10 feet to 9 feet for an addition onto an existing residential structure in the RN-5 zoning district. Per Article 4.3; Table 4-1.
2. Reduce the minimum lot width from 60 feet to 49.9 feet for a multi-family dwelling (independent living facility use) in the RN-5 zoning district. Per Article 4.3; Table 4-1.
3. Reduce the number of required parking spaces for an independent living facility use from 6 spaces to 5 spaces. Per Article 11.4.A.1; Table 11-2.
4. Increase the driveway width for a multi-family development from a maximum of 30 feet to 49.9 feet. Per Article 11.7.C; Table 11-6. (NOTE: This variance was later determined to be not needed by City Engineering staff.

Applicant John Holmes was present and spoke to the application
No opposition

Vice Chairman Grant Rosenberg made a motion to approve Variance Requests #1 & #2. It was seconded by member Christina Boulter. The Board voted 4-0 to **APPROVE**.

Vice Chairman Grant Rosenberg made a motion to deny Variance Request #3. It was seconded by member Christina Boulter. The Board voted 4-0 to **DENY**.

File: 5-A-22-VA
Applicant: Skapa, LLC/Joe Fox
Address: 3917 Holston Dr
Zoning: C-G-2 (General Commercial) Zoning District

Parcel ID: 070MK018
Council District: 6

Variance Request:

Reduce the minimum required number of parking spaces for a two-family dwelling from 3 spaces to zero. Per Article 11.4.A.1; Table 11-2.

No one in attendance or on Zoom.

Chairman Daniel Odle made a motion to postpone to the June meeting. The Board voted 4-0 to **POSTPONE**.

File: 5-B-22-VA
Applicant: James Teal
Address: 4831 Summit Cir
Zoning: RN-6 (Multi-Family Residential Neighborhood) Zoning District

Parcel ID: 107FJ014
Council District: 2

Variance Request:

Reduce the minimum required amount of street frontage for a ground sign in an RN-6 zoning district from a number exceeding 150 linear feet to 50 linear feet. Per Article 13.9.D.1.c.

Applicant James Teal was present and spoke to the application.
No opposition

Vice Chairman Grant Rosenberg made a motion to approve. It was seconded by member Amy Sherrill. The Board voted 4-0 to **APPROVE**.

File: 5-C-22-VA
Applicant: Johnathan Miller Architecture & Design/
Briana Burdorf
Address: 3908 Wilani Rd
Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Parcel ID: 122HA007
Council District: 2

Variance Request:

Increase the front setback from the blockface average of 96.8 feet to 115 feet for new single-family dwelling in the RN-1 zoning district. Per Article 4.3; Table 4-1

Applicant Briana Burdor was present via Zoom and spoke to the application.
No opposition

Member Christina Boulter made a motion to approve. It was seconded by Chairman Daniel Odle. The Board voted 4-0 to **APPROVE**.

File: 5-D-22-VA **Parcel ID:** 122HA006
Applicant: Stuart & Cindy Bresee **Council District:** 2
Address: 3912 Wilani Rd
Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Variance Request:

Increase the front setback from the blockface average of 96.8 feet to 133 feet for new single-family dwelling in the RN-1 zoning district. Per Article 4.3; Table 4-1.

Applicant Stuart Bresee was present and spoke to the application.
No opposition.

Vice Chairman Grant Rosenberg made a motion to approve. It was seconded by member Amy Sherrill. The Board voted 4-0 to **APPROVE**.

File: 5-E-22-VA **Parcel ID:** 109AA013
Applicant: Knoxville Student Property LLC/John Elliott 109AA13.01, 109AA014.01
Address: 200 E. Blount Ave 109AA015, 109AA16.01
Zoning: SW (South Waterfront) Zoning District **Council District:** 1

Variance Request:

1. Increase the front setback from 0 feet to 31 feet for a new multi-family dwelling in the SW-6 zoning district. Per Article 7.1.3.G.4.
2. Increase the maximum side setback from 25 feet to 40 feet for a new multi-family dwelling in the SW-6 zoning district. Per Article 7.1.3.G.4.
3. Increase the maximum footprint/floor plate from 50,000 square feet to 52,500 square feet for a new multi-family dwelling in the SW-6 zoning district. Per Article 7.1.3.G.4.
4. Decrease the ground level transparency on the principal frontage from a minimum of 70 percent to 31 percent for a new multi-family dwelling in the SW-6 zoning district. Per Article 7.1.3.G.4.
5. Increase the maximum number of parking spaces from 441 spaces to 484 spaces for a new multi-family dwelling in the SW-6 zoning district. Per Article 7.1.3.G.7.b.
6. Decrease the minimum front setback of 10 feet to 3 feet for structured parking in the SW-6 zoning district. Per Article 7.1.3.G.7.

Martin Ing was present and spoke to the application.
No opposition

Member Amy Sherrill made a motion to approve. It was seconded by Vice Chairman Grant Rosenberg. The Board voted 4-0 to **APPROVE**.

File: 5-F-22-VA
Applicant: Signco, Inc/Kayland Scheckles
Address: 2750 Schaad Rd
Zoning: C-R-2 (Regional Commercial) Zoning District

Parcel ID: 07909119
Council District: 3

Variance Request:

1. Increase the maximum allowable height from 10 feet to 48 feet for a detached sign in the C-R-2 zoning district. Per Article 13.9.F.3; Table 13-2.
2. Increase the maximum allowable sign area from 100 square feet to 248.13 square feet for a detached sign in the C-R-2 zoning district. Per Article 13.9.F.4; Table 13-3.

Keith Pankey was present and spoke to the application.
Kevin Murphy with Scenic Knoxville was present and spoke in opposition of the application

Chairman Daniel Odle made a motion to deny. It was seconded by Vice Chairman Grant Rosenberg. The Board voted 4-0 to **DENY**.

File: 5-G-22-VA
Applicant: Knoxville Multifamily/Benjamin Mullins
Address: 1905, 1909, 1911, 1915 Lake Ave
Zoning: CU-1 (Cumberland Avenue) Zoning District

Parcel ID: 108CH011
108CH012, 108CH013
108CH014
Council District: 1

Variance Request:

1. Increase the maximum height and stories from 120 feet and 10 stories to 126 feet and 12 stories for a new multi-family dwelling in the CU-1 zoning district. Per Article 7.2.3.A.3.A.
2. Increase the maximum width of a walk-out stoop from 6 feet to 11 feet for a new multi-family dwelling in the CU-1 zoning district. Per Article 7.2.4.B.1.
3. Increase the maximum height for an elevator bulkhead to exceed the maximum building height from 10 feet to 16 feet for a new multi-family dwelling in the CU-1 zoning district. Per Article 7.0.3.I.3.

Applicant Ben Mullins was present and spoke to the application
Brant Stiles with Subtext was present and spoke to the application
No opposition

Vice Chairman Grant Rosenberg made a motion to approve. It was seconded by member Christina Boulter. Daniel Odle voted to deny. The Board voted 3-1 to **APPROVE**.

File: 5-H-22-VA

Applicant: Ron Whittaker

Address: 4301 Kingston Pike

Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Parcel ID: 107LA017

Council District: 2

Variance Request:

1. Decrease the minimum interior side setback from 21 feet to 13 feet for a new primary or secondary educational facility in the RN-1 zoning district. Per Article 4.3; Table 4-1.

2. Reduce the minimum number of required parking spaces from 2 to 0 for a new primary or secondary educational facility in the RN-1 zoning district. Per Article 11.4.1; Table 11-2.

Applicant Ron Whittaker was present and spoke to the application

Gillian Denham was present via Zoom and spoke to the application

Vice Chairman Grant Rosenberg made a motion to approve. It was seconded by Chairman Daniel Odle. The Board voted 4-0 to **APPROVE**.

File: 5-J-22-VA

Applicant: Calvary Chapel Church/Robert Cox

Address: 3330 West Governor John Sevier Hwy

Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Parcel ID: 147 030

Council District: 1

Variance Request:

Increase the maximum height from 20 feet to 28 feet for a freestanding cutoff luminaire for the expansion of a church parking lot in a RN-1 zoning district. Per Article 10.2.B.5.

Applicant Ross Cox was present and spoke to the application

No opposition

Vice Chairman Grant Rosenberg made a motion to approve. It was seconded by Chairman Daniel Odle. Member Christina Boulter voted to deny. The Board voted 3-1 to **APPROVE**.

File: 5-K-22-VA
Applicant: Bo Jones
Address: 451 West Blount Ave
Zoning: SW4 (South Waterfront) Zoning District

Parcel ID: 108EA00702
Council District: 1

Variance Request:

1. Increase the maximum perimeter for block size from 1,400 feet to 1,922 lineal feet for a new multi-family dwelling in the SW-4 zoning district. Per Article 7.1.3.E.3.b.
2. Increase the maximum lot size from 3 acres to 5.5 acres for a new multi-family dwelling in the SW-4 zoning district. Per Article 7.1.3.E.4.
3. Increase the maximum front setback from 10 feet to 37.5 feet for a new multi-family dwelling on the northeastern portion of the parcel in the SW-4 zoning district. Per Article 7.1.3.E.4.
4. Increase the maximum building height from 50 feet and 4 stories to 64.5 feet and 5 stories for a new multi-family dwelling in the SW-4 zoning district. Per Article 7.1.3.E.4.
5. Increase the maximum building footprint from 30,000 square feet to 68,087 square feet for a new multi-family dwelling in the SW-4 zoning district. Per Article 7.1.3.E.4.
6. Decrease the ground level transparency on the principal frontage from a minimum of 70% to 38.5% for building 100 and 48% for building 200 in the SW-4 zoning district. Per Article 7.1.3.E.6.

Ben Mullins was present and spoke to the application.

Andrew Murray with Liv Dev was present and spoke to the application

No opposition

Chairman Daniel Odle made a motion to approve. It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 4-0 to **APPROVE**.

File: 5-L-22-VA
Applicant: Thomas Keeler
Address: 5705 Crestwood Dr
Zoning: EN (Established Residential Neighborhood) Zoning District

Parcel ID: 071ME011
Council District: 4

Variance Request:

Reduce the front setback from 73 feet to 55 feet for an addition to an existing single-family dwelling in the EN zoning district. Per Article 4.3; Table 4-1.

Applicant Thomas Keeler was present and spoke to the application.
Chris Golliher was present and spoke to the application
No opposition

Member Amy Sherrill made a motion to approve. It was seconded by Vice Chairman Grant Rosenberg. The Board voted 4-0 to **APPROVE**.

OTHER BUSINESS

The next BZA meeting will be held on June 21, 2022 in the Small Assembly Room.

ADJOURNMENT

The meeting was adjourned at 5:49 PM