



BOARD OF ZONING APPEALS

MINUTES

OCTOBER 18, 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 October 18, 2022 meeting at 4:00 pm in the Division II Circuit Court Room, City County Building, 400 Main Street, Knoxville, TN.

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 p.m.

ROLL CALL

Board members present were Chairman Daniel Odle, Vice-Chairman Grant Rosenberg, Amy Sherrill, Christina Boulter and Eboni James. Let the record show that Eboni James arrived at 4:03 p.m.

Others in attendance were Peter Ahrens, Building Official, Bryan Berry, Building Official; Mike Robinson, Zoning Official, Joshua Frerichs, Stormwater Engineering; Lisa Hatfield, City Attorney; Christina Magrans-Tillery, City Attorney; Mike Reynolds, Knoxville-Knox County Planning, Cheri Burke, Administrative Specialist; Jennifer Scobee, Board Secretary

MINUTES

September 20, 2022 meeting

Member Amy Sherrill made a motion to approve the September 20, 2022 minutes. It was seconded by member Eboni James. The Board voted 5-0 to **APPROVE**.

OLD BUSINESS

FILE: 9-G-22-VA

APPLICANT: Janice Tocher

ADDRESS: 451 W. Blount Ave

ZONING: SW4 (South Waterfront) Zoning District

PARCEL ID: 108EA00702

1st COUNCIL DISTRICT

ADMINISTRATIVE APPEAL:

The project mentioned above is not subject to appeal as the project earned vested rights under Article 15, Section 15.3.B.5.

None of the variances or the scope of the variances were appealed when this board granted them on 5/17/2022. The appeal period for those variances expired on 6/2/2022, and cannot be appealed at this time.

Article 16, Section 16.12 does not provide a time limit under which the Zoning Administrators decision may be appealed.

The applicant is appealing the Zoning Administrators decision to utilize the Level II Development Plan Review compliance path for projects if six variances are required. The applicant asserts that Article 7, Section 7.0.2.F.8.c "Unlisted Standards" - Any request for relief from a required standard, other than those listed above, must be reviewed by the City of Knoxville Board of Zoning Appeals does not apply if a proposed project requires 6 or more variances, and must follow the Level III Alternative Compliance Review path.

Level III Alternative Compliance Review applies to any development that does not meet the requirements of Level I Site Plan Review, Level II Development Plan Review, or Variances per Article 7.0.2.G.3.

Applicant Janice Tocher was present and spoke to the application. Debra Mallard was present spoke to the application on behalf of Rachel Craig. Benjamin Mullins was present and spoke against the application.

Member Amy Sherrill made a motion to deny the application. It was seconded by Grant Rosenberg. The Board voted 4-0 to **DENY** the application. Daniel Odle abstained from the vote.

NEW BUSINESS

FILE: 10-A-22-VA

APPLICANT: Arlene Gnoose

ADDRESS: 3934 Alma Ave

ZONING: RN-2 (Single Family Residential Neighborhood) Zoning District

PARCEL ID: 070MJ009

4th COUNCIL DISTRICT

VARIANCE REQUEST:

Increase the permitted height of a solid fence from five feet behind the front building line forward to the front lot line from 42 inches to 72 inches. Per Article 10.3.L.1.a

Per plan submitted to increase permitted height of fence in the RN-2 (Single Family Residential Neighborhood) Zoning District, 4th Council District.

Applicant Arlene Gnoose was present and spoke to the application. There was no opposition present.

Member Eboni James made a motion to approve the application. It was seconded by member Christina Boulter. The Board voted 1-4 to deny the motion to approve. Chairman Daniel Odle made a motion to deny the application. It was seconded by member Christina Boulter. The Board voted 4-1 to **DENY** the application.

FILE: 10-B-22-VA

APPLICANT: David Drozhzin

ADDRESS: 5858 Lucerne Ln

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

PARCEL ID: 092MB01603

3rd COUNCIL DISTRICT

VARIANCE REQUEST:

Decrease the average blockface front setback from 56.4 feet to 32 feet for a new single-family dwelling in the RN-1 district. Per Article 4.3; Table 4-1.

Per plan submitted to construct a new single family dwelling in the RN-1 (Single Family Residential Neighborhood) Zoning District, 3rd Council District.

Applicant David Drozhzin was present and spoke to the application. There was no opposition present.

Vice Chairman Grant Rosenberg made a motion to approve the application. It was seconded by member Eboni James. The Board voted 5-0 to **APPROVE**.

FILE: 10-C-22-VA

APPLICANT: Steven Abbott, Jr.

ADDRESS: 2323 E. Glenwood Ave

ZONING: RN-2 (Single Family Residential Neighborhood) Zoning District

PARCEL ID: 082JW013

6th COUNCIL DISTRICT

VARIANCE REQUEST:

Decrease the minimum lot width from 50 feet to 40 feet on an existing lot for a new single-family dwelling in the RN-2 district. Per Article 4.3; Table 4-1.

Per plan submitted to construct a new single family dwelling in the RN-2 (Single Family Residential Neighborhood) Zoning District, 6th Council District.

Applicant Steven Abbott was present and spoke to the application. There was no opposition present.

Member Amy Sherrill made a motion to approve the application. It was seconded by Vice Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

FILE: 10-D-22-VA

APPLICANT: Javonte Cotner

ADDRESS: 2113 Sunny Ln

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

PARCEL ID: 080KB013

5th COUNCIL DISTRICT

VARIANCE REQUEST:

1. Decrease the rear setback from 25' to 21.1' for a new single-family residence in an RN-1 zoning district. Per Article 4.3; Table 4-1.
2. Decrease the front setback from a minimum of 38.8" to 25' for a new single-family residence in a RN-1 zoning district. Per Article 4.3; Table 4-1.

Per plan submitted to reduce rear and front setback for a new single family residence in the RN-1 (Single Family Residential Neighborhood) Zoning District, 5th Council District.

Applicant Javonte Cotner was present and spoke to the application. There was no opposition present.

Chairman Daniel Odle made a motion to approve the application. It was seconded by Eboni James. The Board voted 5-0 to **APPROVE**.

FILE: 10-E-22-VA

APPLICANT: Phillip Lopez

ADDRESS: 4208 Garden Dr.

ZONING: RN-2 (Single Family Residential Neighborhood) Zoning District

PARCEL ID: 049PA052

4th COUNCIL DISTRICT

VARIANCE REQUEST:

Decrease the interior side setback for an accessory structure from 5 feet to 0 feet to permit an attached carport. Per Article 10.3.A.5.

Per plan submitted to reduce accessory structure setback in the RN-1 (Single Family Residential Neighborhood) Zoning District, 4th Council District.

Applicant Phillip Lopez was present and spoke to the application. There was no opposition present.

Chairman Daniel Odle made a motion to approve the application. It was seconded by Christina Boulter. The Board voted 5-0 to **APPROVE**.

OTHER BUSINESS

The next BZA meeting will be held on November 15, 2022 in the Small Assembly Room.

ADJOURNMENT

The meeting was adjourned at 5:31 p.m.