

File #

4-I-20-VA



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: Build Knox Construction LLC	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address: 310 Simmons Rd Suite E	Contractor <input checked="" type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip: Knoxville, TN 37922	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number: 865-363-4446	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email: Brice@constructtn.com		Other: Setback Variance <input checked="" type="checkbox"/>

THIS IS A REQUEST FOR:

- | | |
|--|---|
| <input checked="" 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 : 1100 Pineola Ln City, State, Zip: Knoxville TN
 See KGIS.org for Parcel #: 121OA00503 and Zoning District: District 6

VARIANCE REQUIREMENTS

City of Knoxville Zoning Ordinance Article 7, Section 2

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.

Please see attached letter (Build Knox Construction LLC)

Attached supporting documents:

- Letter
- Hardship letter
- Plat provided by seller dated 6-26-2019 (201906260076999)
- Site development outline
- KGIS topo maps
- KGIS maps of Pineola Ln with varying setbacks of other properties on state and adjacent.
- Site Plans

Describe hardship conditions that apply to this variance.

-See attached hardship letter with detail.

-Requesting variance on front setback of existing 72' to 45'-50' Front Setback.

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

3/13/2020

File #

4-I-20-VA



CITY OF KNOXVILLE

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):**

Reduce the minimum required front setback from +/- 10' of the average of blockface, which is 82', from 72' to 50' for a single family residence in an RN-1 zone. (Article 4.3.A Table 4-1)

PROJECT INFORMATION

Date Filed

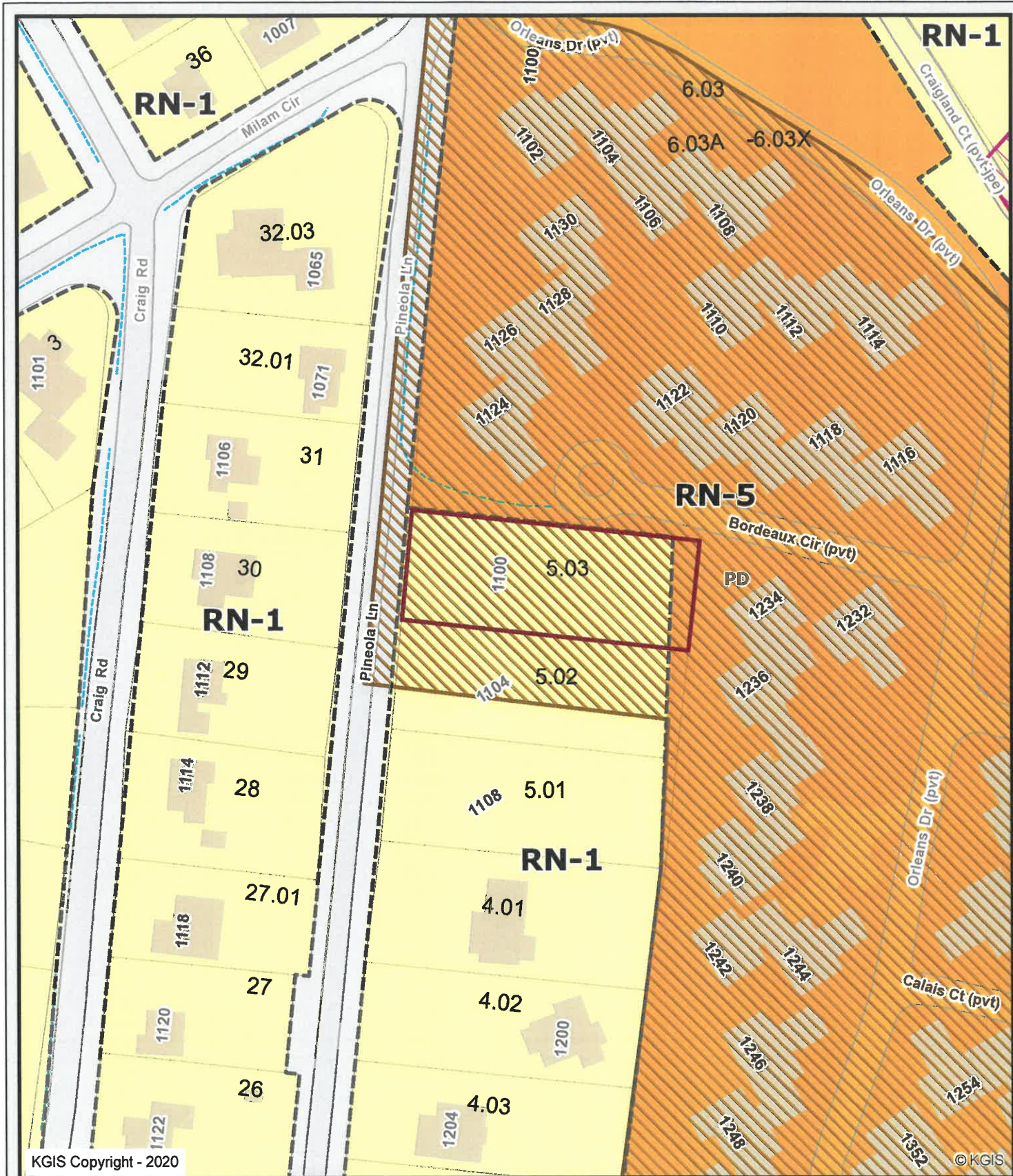
Fee Amount

Council District 2

BZA Meeting Date

PLANS REVIEWER J Van Horn

DATE 3/17/2020



1100 Pineola Ln.

4-I-20-VA

Build Knox Construction, LLC

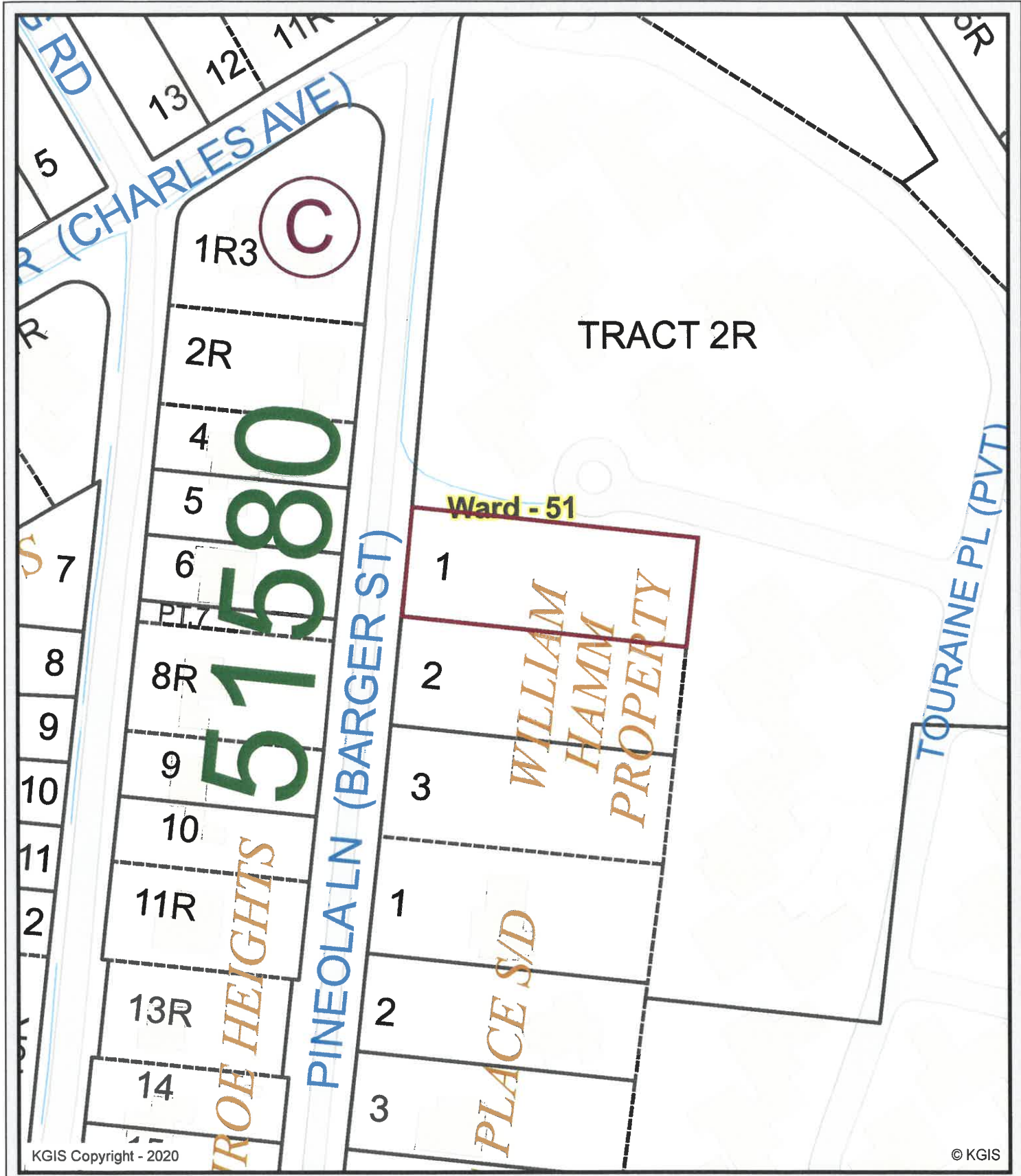
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1100 Pineola Ln.

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Build Knox Construction, LLC

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1100 Pineola Ln.

4-I-20-VA

Build Knox Construction, LLC

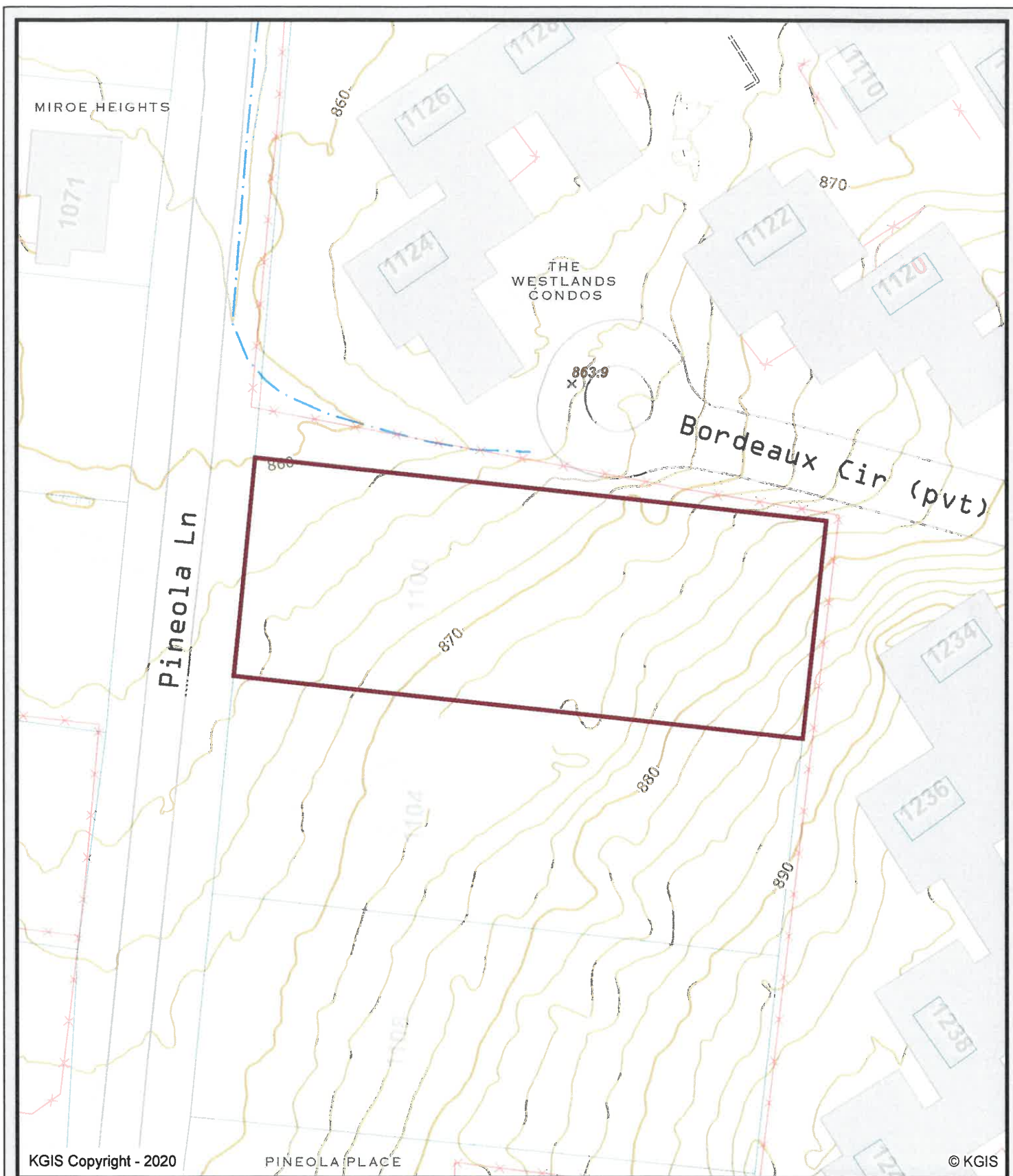
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1100 Pineola Ln.

4-I-20-VA

Build Knox Construction, LLC

Knoxville - Knox County - KUB Geographic Information System

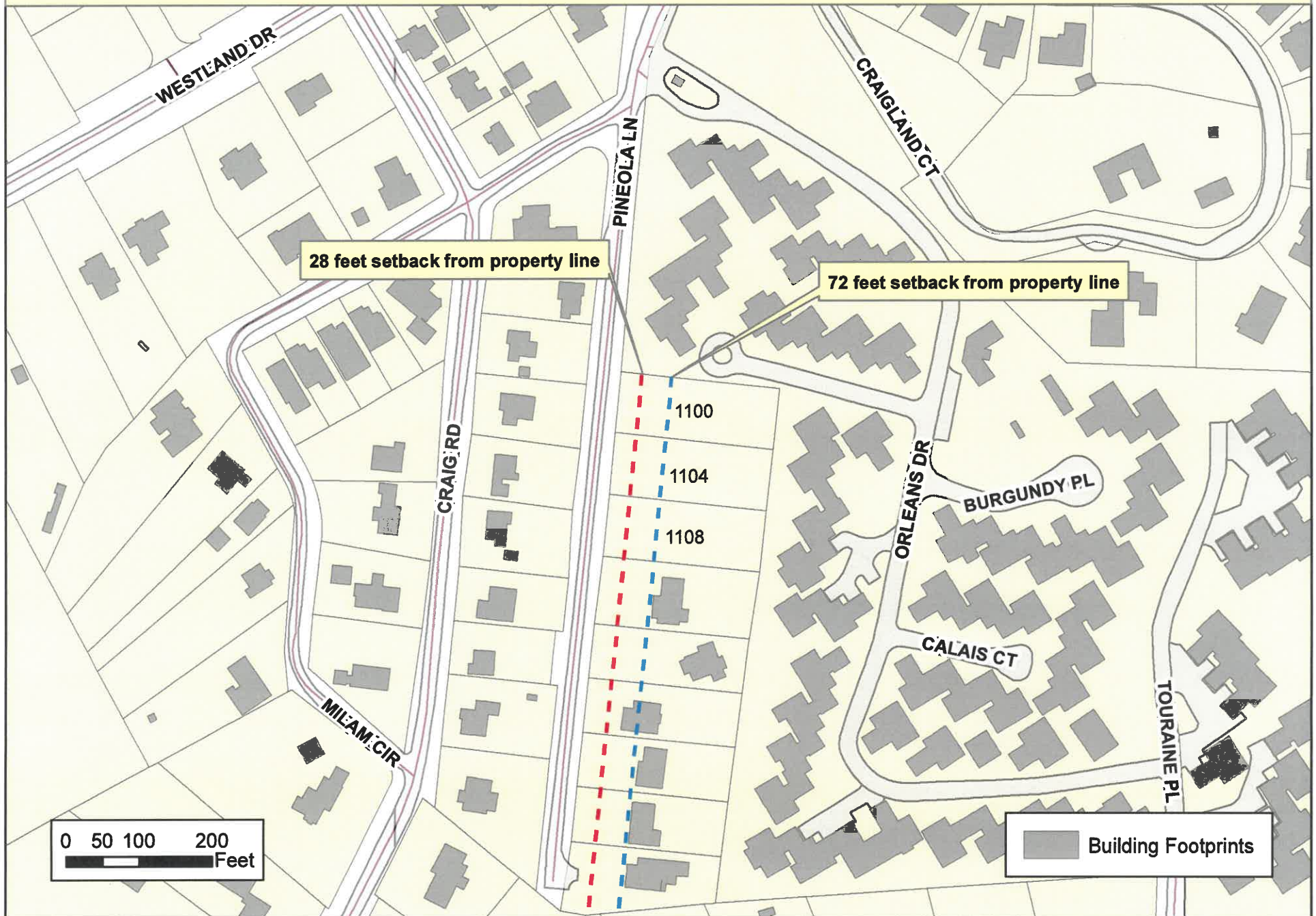


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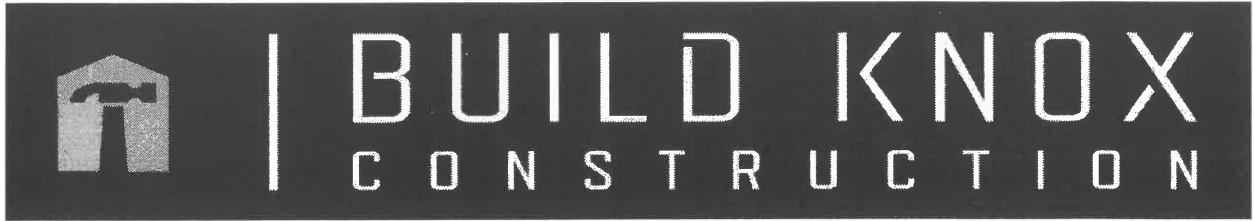


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PINEOLA LANE AND PROPOSED SETBACK



4-I-20-VA



I am the licensed general contractor representing my clients who own the lot at 1100 Pineola Ln. The certified plat the seller gave my client issued on 6/26/19 has the property as RP-1 and R-1. Seller informed my clients it was getting rezoned from RP-1 to R-1 in January and unfortunately, we did not do enough research to see that he was incorrect and the front setbacks would be changing.

I went to pull a building permit in December and was told to wait till new zoning went into effect because the lot was zoned RP-1 and I would need to go through a use on review to clear that. Being that close to the end of the year and the time frame in which a use on review takes it made sense to wait until Jan 1 2020 to apply. Based on the plat provided and the lots directly next this one along with the setbacks stated on the plat I was confident that recode would deem this R-1.

I applied for a grading permit stating my intent to keep as many of the beautiful mature trees on the property as possible. The roughly 35-40' feet of maturity remaining not only provided preservation my clients desired but also privacy from the multi-unit complex that backs up to this property.

With a 72' setback it would require me to remove most of the barrier trees, install a large retaining wall, and would not provide much of a back yard to the home. The more concerning part is the water run off from the multi-unit complex and the neighboring lots. My clients plan to install a pool and would still desire to have ample green space along with the privacy the existing maturity provides. The lot size provides all of the desired above with a more favorable front setback.

There are homes on the other side of Pineola and across the street on Milam Circle that are setback 18' to 25' and a home on this side of Pineola sitting at 52' (see attached map).

Some of the residents in The Westlands which backs up to this property have raised concern with how close the homes will be to them and I have shown them the distance based on the setback we assumed so I anticipate some residents being very unhappy that the home would much closer than shown and the barrier trees would be gone with a retaining wall in place.

4-I-20-VA

Hardships:

- Moving home back will increase foundation height and possibly exceed current zoning regulations on roof height.
- My clients intend to install a pool and the with the current slop of the land a retaining wall will be necessary, the trees will have to be removed, and run off from the neighboring lots may still present a problem.
- 72' setback will require the removal of all mature trees on the back of the lot due to root damage from installation of retention walls which will remove all buffer between homes and The Westland Condos. Neighborhood representative has already voiced concern about leaving barrier trees.
- 72' there would be extensive amount of engineered retention walls due to the slope of the lot. This will greatly increase project timeline, scope, and budget.
- Concern for the condo residents about having retention walls in place of the barrier trees.
- Retention walls will change current drainage structure of property for rainwater and shed onto neighboring lots that sit at a lower elevation possibly causing water issues. (see pictures)

Positives:

- Greatly increase property value on Pineola Lane
- Beautiful homes designed to fit well into current surroundings.
- Tax dollars: 1100, 1104, and 1108 will be over \$600,000.00 in value
- The Westlands Condo residents keep mature trees separating the property.
- Planned coordination between builders to finish the remaining 3 lots on the street to a caliber that all neighbors will appreciate.

4-I-20-VA



PER PLAT
201906260076999

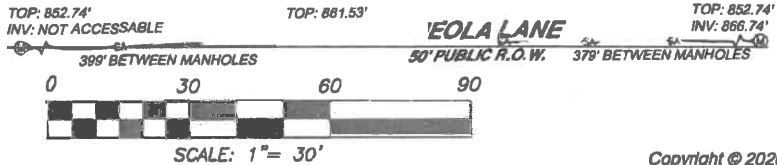
NOTES:

- 1) VERIFY EXACT SIZE, DEPTH, AND LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- 2) UTILITY, DRAINAGE, CONSTRUCTION EASEMENTS OF 10' INSIDE ALL EXTERIOR LOT LINES AND ALONG ALL ROAD LINES, 5' UTILITY, DRAINAGE, CONSTRUCTION EASEMENT ALONG ALL INTERIOR LOT LINES.
- 3) ELEVATIONS SHOWN HEREON ARE ON THE NAVD83 DATUM AND WERE DETERMINED BY GPS OBSERVATIONS USING A TRIMBLE R10-2 RECEIVER UTILIZING TDOT VRS FOR CORRECTIONS.
- 4) PROPOSED HOUSE FOOTPRINT IS 2,331 SQ. FT.
- 5) PROPOSED DRIVEWAY IS 1,462 SQ. FT.

SYMBOL LEGEND

- IRON PIN FOUND
- IRON PIN SET
- ⊙ NON-MONUMENTED POINT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT
- ⊕ GAS VALVE
- ⊕ MANHOLE
- ⊕ UTILITY POLE
- ⊕ LIGHT POLE
- ⊕ CABLE TV
- ⊕ ELECTRIC BOX
- ⊕ TELEPHONE BOX
- FENCE LINE
- SANITARY SEWER
- STORM SEWER
- OVER-HEAD UTILITIES
- CATCH BASIN
- CURB INLET

370' TO THE EXTENDED
C OF MILAM CIRCLE



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SCALE: 1" = 30 FT.

SITE PLAN

DATE: 03/09/2020

Lot: 1 Block: " S/D: WILLIAM HAMM PROPERTY Unit:
Deed: 201910220027686 Map: 201906260076999
CLT Map: 1210 Group: " A " Parcel: 005.03
County: Knox Dist: 6th City: Knoxville Ward: 51st
ADDRESS: 1100 PINEOLA LANE
SURVEY FOR: SCHWEITZER PROPERTIES

This site plan is not intended to represent a Boundary or General Property Survey as defined in Chapter 0820-3-.07 as set forth by the Tennessee Board of Land Surveyors pursuant to T.C.A. Title 62-18-106(c), and was performed under the authority of T.C.A. Title 62-18-128.

IN ACCORDANCE WITH H.U.D. FEDERAL INSURANCE
ADMINISTRATION FLOOD HAZARD BOUNDARY MAPS, THIS
PROPERTY IS NOT WITHIN A FLOOD HAZARD ZONE.
REFERENCE: H.U.D. F.I.A. MAP No. 47083C0267G
DATE: 08/05/2013

REVISIONS:



WARD LAND SURVEYING, LLC

ALTA-ACSM · RESIDENTIAL · COMMERCIAL · TOPOGRAPHIC · GPS
P.O. Box 30654, Knoxville, TN 37930-0654
Office: 865.690.0104



JOB # 2003002

drawn by: SWW

U-F-20-VA

Required
for
Current
Zoning



PER PLAT
201906260076999

NOTES:

- 1) VERIFY EXACT SIZE, DEPTH, AND LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- 2) UTILITY, DRAINAGE, CONSTRUCTION EASEMENTS OF 10' INSIDE ALL EXTERIOR LOT LINES AND ALONG ALL ROAD LINES, 5' UTILITY, DRAINAGE, CONSTRUCTION EASEMENT ALONG ALL INTERIOR LOT LINES.
- 3) ELEVATIONS SHOWN HEREON ARE ON THE NAVD88 DATUM AND WERE DETERMINED BY GPS OBSERVATIONS USING A TRIMBLE R10-2 RECEIVER UTILIZING TDOT VRS FOR CORRECTIONS.
- 4) PROPOSED HOUSE FOOTPRINT IS 2,331 SQ. FT.
- 5) PROPOSED DRIVEWAY IS 1,462 SQ. FT.
- 6) FRONT SETBACK IS SHOWN PER R1 ZONING MINIMUM. BLOCK FACE AVERAGE IS 62'.

WESTLANDS HOMEOWNERS
DEED BOOK 1680 PAGE 581
S83°44'00"E 217.69'

S06°16'00"W 83.34'

WESTLANDS HOMEOWNERS
DEED BOOK 1680 PAGE 581

1/2" REBAR (HINDS)
ELEV. 878.3'

1/2" REBAR (HINDS)
ELEV. 887.3'

25' REAR SETBACK

①
0.42 Acres
18,105 Sq. Ft.

10' SIDE SETBACK

10' SIDE SETBACK

N83°44'00"W 216.78'

PROPOSED HOUSE
FFE=

19.3'

20.0'

20.0'

PROPOSED
CONCRETE
DRIVEWAY

25' FRONT
SETBACK

62.2'

1/2" REBAR (HINDS)
ELEV. 864.0'

N05°39'00"E 83.34'

SYMBOL LEGEND

- IRON PIN FOUND
- IRON PIN SET
- ⊙ NON-MONUMENTED POINT
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- ⊙ GAS VALVE
- ⊙ MANHOLE
- ⊙ UTILITY POLE
- ⊙ LIGHT POLE
- ⊙ CABLE TV
- ⊙ ELECTRIC BOX
- ⊙ TELEPHONE BOX
- FENCE LINE
- SANITARY SEWER
- ST— STORM SEWER
- DMU— OVER-HEAD UTILITIES
- ⊙ CATCH BASIN
- ⊙ CURB INLET

370' TO THE EXTENDED
C OF MILAM CIRCLE

TOP: 852.74'
INV: NOT ACCESSABLE

TOP: 861.53'
INV: 854.03'

PINEOLA LANE

TOP: 852.74'
INV: 866.74'

370' BETWEEN MANHOLES 50' PUBLIC R.O.W. 370' BETWEEN MANHOLES



SCALE: 1" = 30'

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SCALE: 1" = 30 FT.

SITE PLAN

DATE: 03/15/2020

Lot: 1 Block: "S/D: WILLIAM HAMM PROPERTY Unit:
Deed: 201910220027686 Map: 201906260076999
CLT Map: 1210 Group: "A " Parcel: 005.03
County: Knox Dist: 6th City: Knoxville Ward: 51st
ADDRESS: 1100 PINEOLA LANE
SURVEY FOR: SCHWEITZER PROPERTIES

This site plan is not intended to represent a Boundary or General Property Survey as defined in Chapter 0820-3-.07 as set forth by the Tennessee Board of Land Surveyors pursuant to T.C.A. Title 62-18-106(c), and was performed under the authority of T.C.A. Title 62-18-126.

IN ACCORDANCE WITH H.U.D. FEDERAL INSURANCE
ADMINISTRATION FLOOD HAZARD BOUNDARY MAPS, THIS
PROPERTY IS NOT WITHIN A FLOOD HAZARD ZONE.
REFERENCE: H.U.D. F.I.A. MAP No. 47083C0267G
MAP DATE 08/05/2013

REVISIONS:



WARD LAND SURVEYING, LLC

ALTA-ACSM · RESIDENTIAL · COMMERCIAL · TOPOGRAPHIC · GPS
P.O. Box 30654, Knoxville, TN 37930-0654
Office: 865.690.0104



JOB # 2003002

drawn by: SWW

4-I-20-VA

51600-62

Certificate of Ownership and General Dedication.

(I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the estate 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 payment easement on this plat.

Owner(s) Printed Name: William Mark Hamm

Signature(s): William Mark Hamm

Date: 6-26-19

Notary Signature and Seal

My commission expires 6-22-2021

Certification of Final Plat - All Indicated Markers, Monuments and Benchmark Set.

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 plat and accompanying drawings, documents, and statements conform, to the best of my knowledge, 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 which have been approved as identified on the final plat. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the 11 day of June, 2019.

Registered Land Surveyor

Tennessee License No. 787

Date: 4/17/19

Certification of Category and Accuracy of Survey. Survey accuracy shall meet the requirements of the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.

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

Tennessee License No. 787

Date: 4/17/19

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: William Mark Hamm

Date: 6-26-19

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: RP-1/R-1

Date: 6-26-19

By James Ford

This is to certify that all property taxes and assessments due on this property have been paid.

Knox County Trustee: Signed: James Ford

Date: 6-26-19

City of Knoxville: Signed: James Ford

Date: 6-26-19

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.

Knox County Health Department: Signed: James Ford

Date: 6-26-19

City of Knoxville Department of Engineering

The Knoxville Department of Engineering hereby approves this plat on this the 26 day of June, 2019.

Engineering Director: James Ford

Certification of Approval for Recording - Final Plat

This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and allocations noted on this plat and in the minutes of the Knoxville-Knox County Metropolitan Planning Commission, on this the 13 day of June, 2019, and that the record plat is hereby approved for recording in the Office of the Knoxville Register of Deeds. Pursuant to Section 13-3-405 of Tennessee Code, Annotated, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the City of Knoxville or Knox County of the dedication of the plat and upon the plat.

Signed: James Ford

Date: 6-26-19

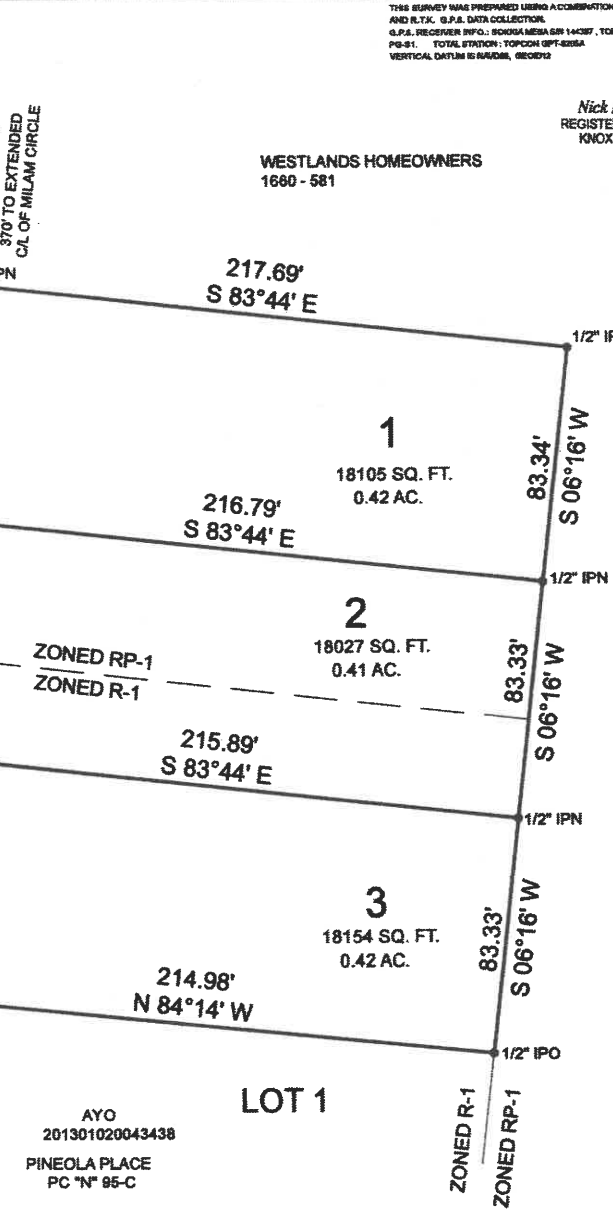
State of TN County of Knox

On this 26 day of June, 2019

Before me personally appeared William Mark Hamm 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 26 day of June, 2019.

My commission expires 6-22-2021



AYO
201301020043438
PINEOLA PLACE
PC "N" 85-C

LOT 1

GRAPHIC SCALE
0 30 60 90

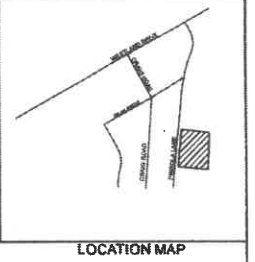
WILLIAM MARK HAMM
1225 ANSLEY WOOD WAY
KNOXVILLE, TN 37923
(865) 207-4516

THIS SURVEY WAS PREPARED USING A COMBINATION OF TOTAL STATION AND R.T.K. G.P.S. DATA COLLECTION.

G.P.S. RECEIVER INFO: SONOMA MESA 14C37, TOPCON ANTENNA: PD-S1. TOTAL STATION: TOPCON SPT-8255A

VERTICAL DATUM IS NAVD83, GEOD13

Nick McBride
REGISTER OF DEEDS
KNOX COUNTY



1. IRON PIN AT EACH CORNER.
2. 10' UTILITY AND DRAINAGE INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY (INCLUDING JOINT PERMANENT EASEMENTS). EASEMENTS OF FIVE (5) FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES.
3. 3 LOTS EQUALING 1.25 ACRES.
4. BUILDING SETBACKS
FRONT = 25'
SIDE = 5'
REAR = 15'
PERIPHERAL SETBACK 25'
5. SETBACKS ARE DEFAULTS PER ZONING. FINAL SETBACKS, BEFORE CONSTRUCTION, WILL BE SET BY USE ON REVIEW.

WESTLANDS HOMEOWNERS
1660 - 581



COUNTERSIGNED
KNOX COUNTY PROPERTY ASSESSOR

JUN 26 2019

BY John R. White

6-SC-19-F

FINAL PLAT OF THE
WILLIAM HAMM PROPERTY

DISTRICT 6 WARD 51 CITY BLOCK 51606 CITY OF KNOXVILLE

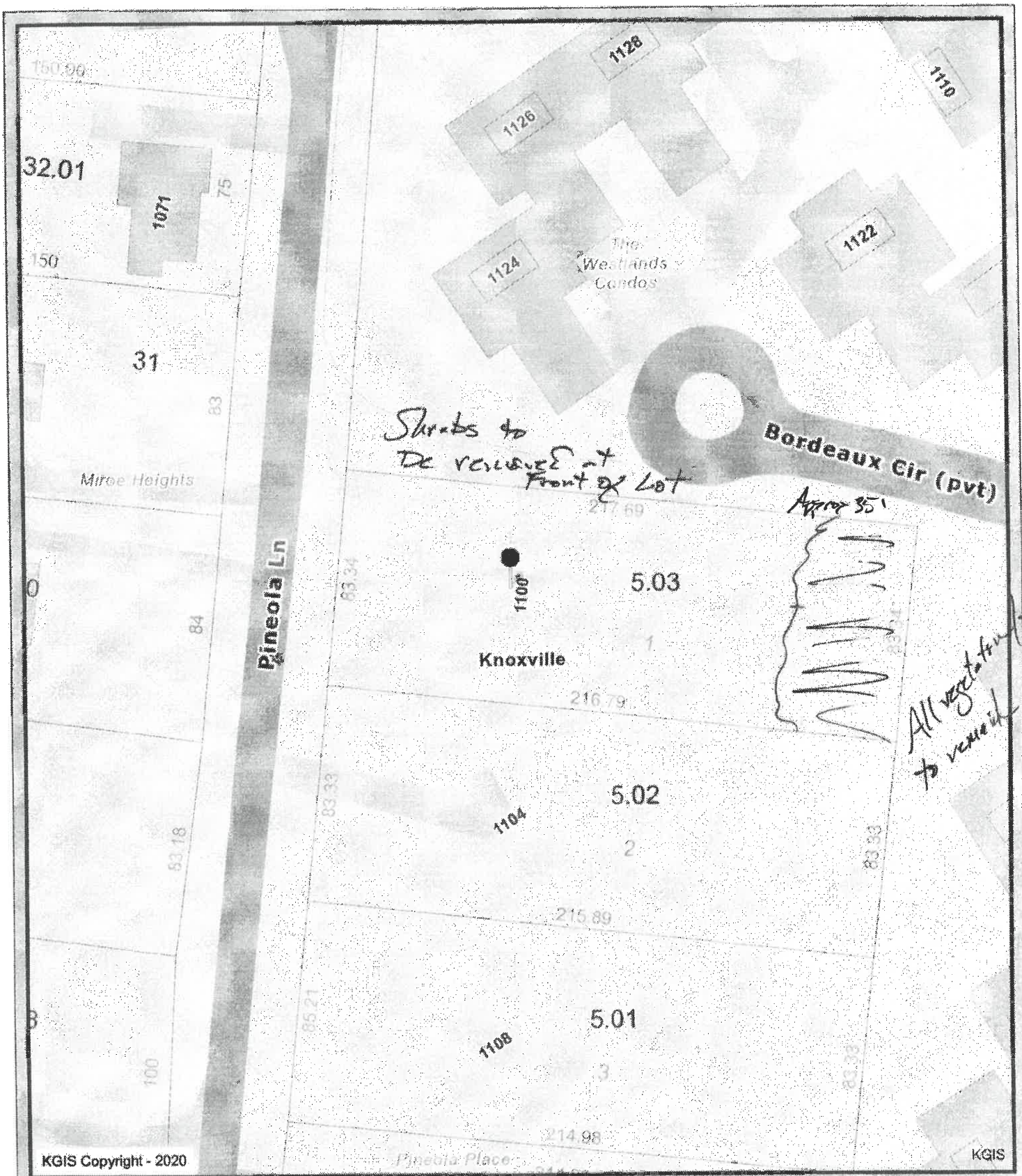
INSTR. 201904040058137 KNOX COUNTY

C.L.T. MAP 1210 A 005

SCALE: 1"=30' DATE: 4/17/2019

HINDS SURVEYING CO.
3905 WINDY 3 FARMS DR. LOUISVILLE, TN 37777
PH. 508-9799 FAX. 233-3393
WWW.HINDSSURVEYING.COM



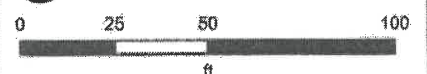


1100 Pineola

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U-I-20-VA



KGIS Maps
a KGIS website

Search By: Add

Enter Address: 1108 PINE

Launch





KGIS Maps
a Kgis website

Search By:

Enter Address: 1106 PINE

Launch



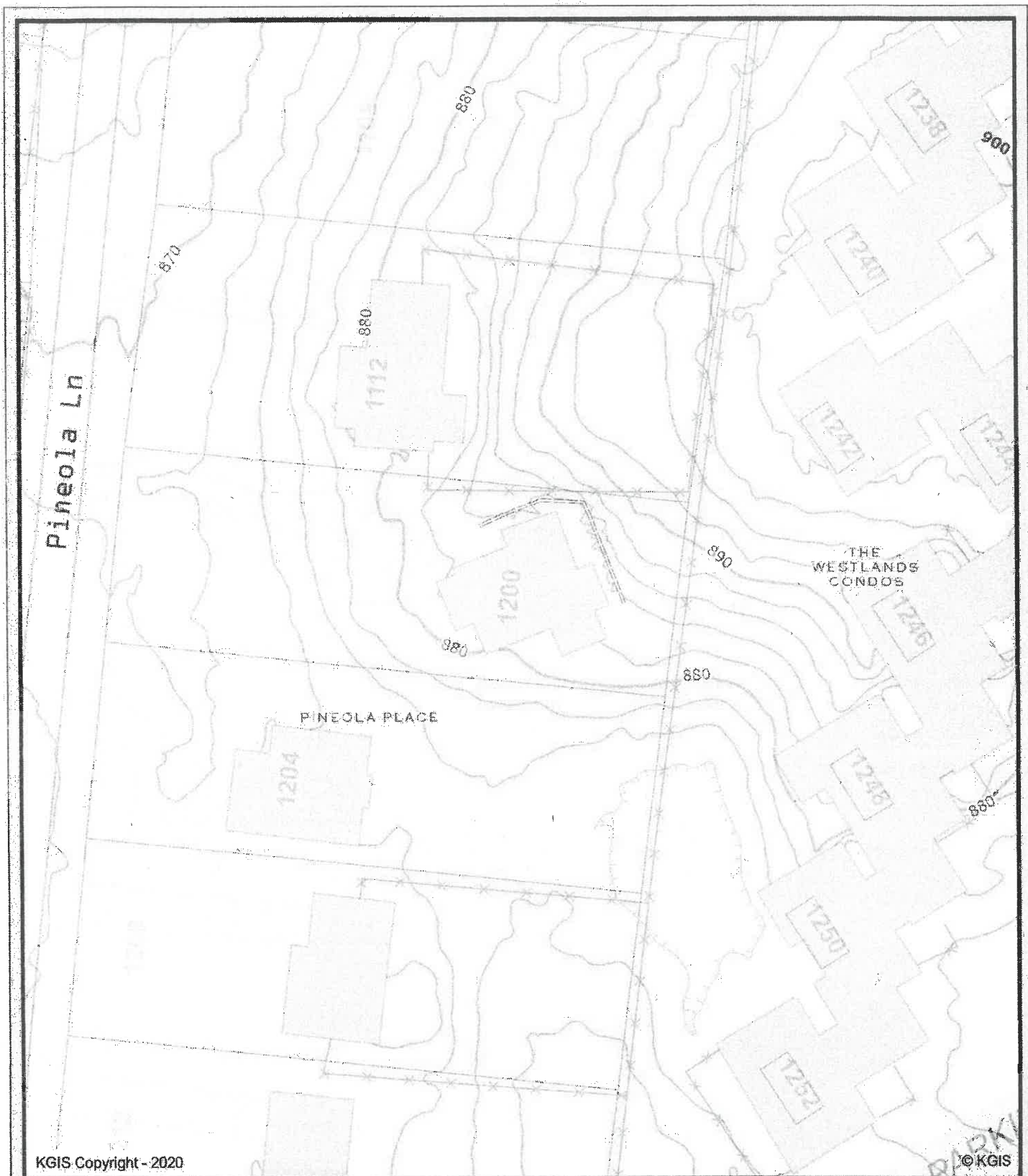


KGIS Maps
a Kgis website

Search By:

Enter Address: 1106 PINE



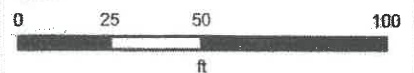


Topo

4-I-70-VA

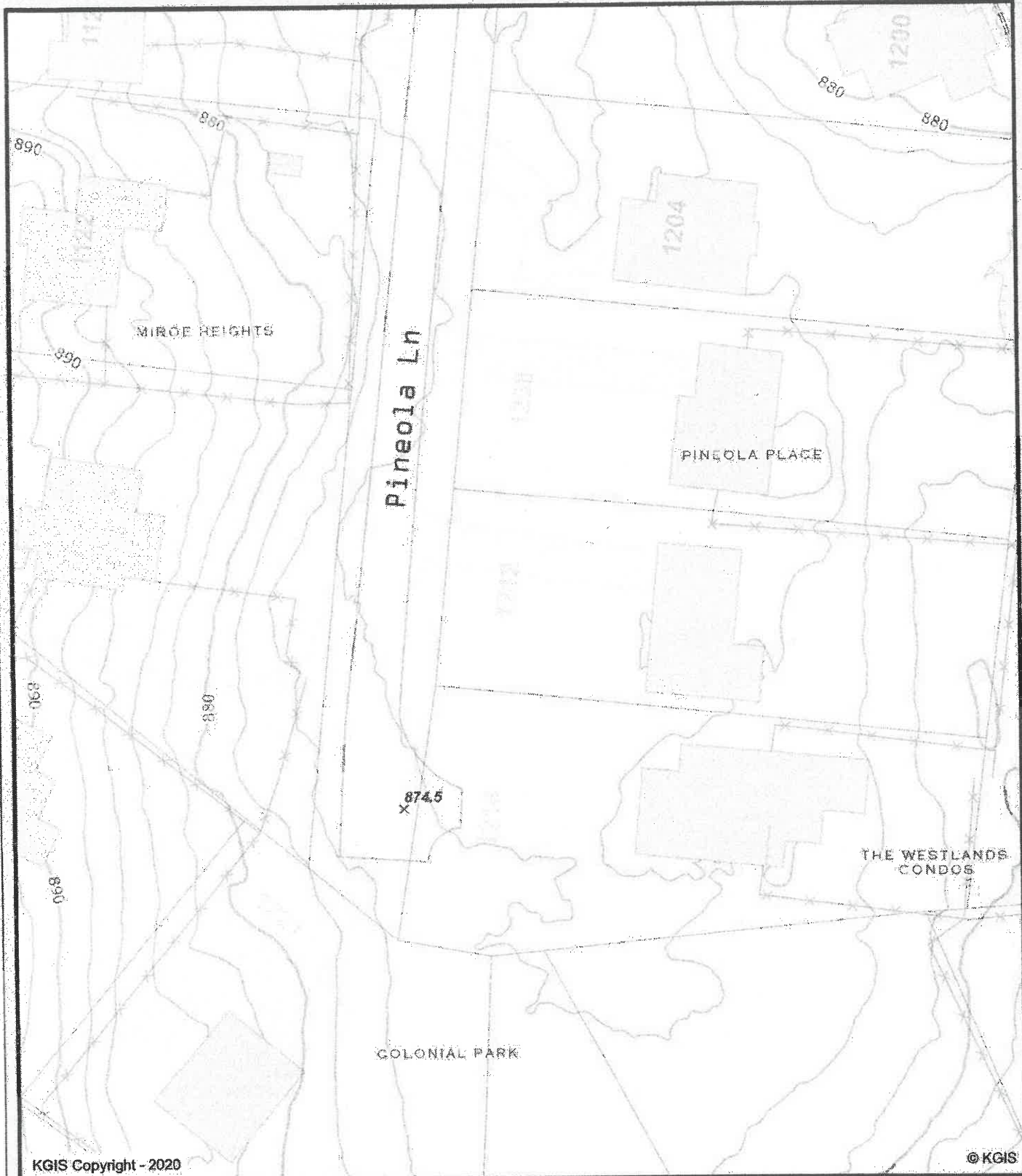


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Topo

4-I-20-VA

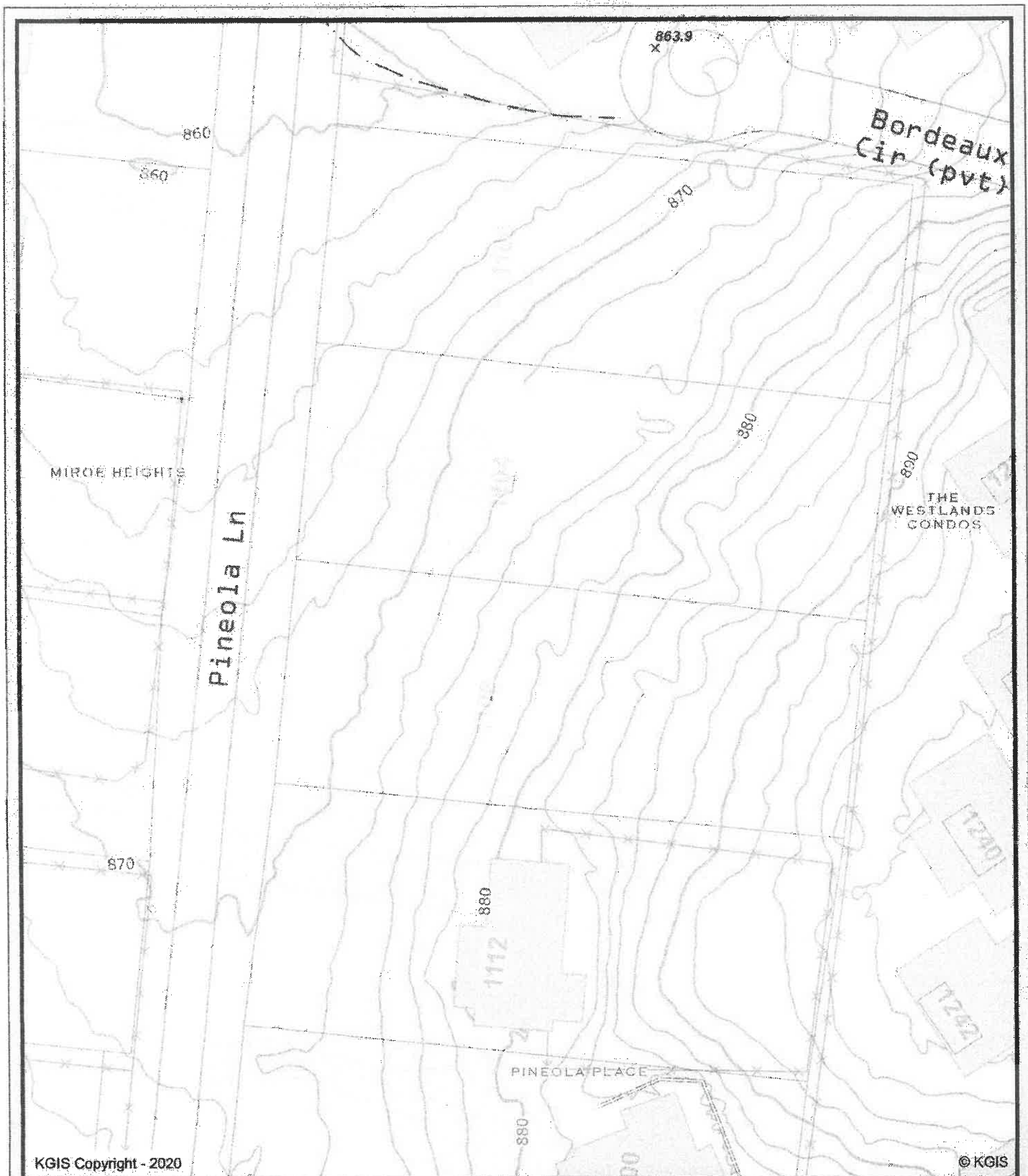
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Letter Portrait

4-I-20-VA



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