

File #

5-D-20-VA



CITY OF KNOXVILLE

## BOARD OF ZONING APPEALS APPLICATION

## APPLICANT INFORMATION

Name Lacy B. Mellon, et al *Joshua Henson*  
 Street Address 625 Luttrell Street  
 City, State, Zip Knoxville, TN, 37917  
 Phone Number (865) 742-3936  
 Email lacymellon@gmail.com *jonddevelopment3@gmail*

## APPLICANT IS:

Owner ☒  
 Contractor ☐  
 Tenant ☐  
 Other ☐

## THIS PROPOSAL PERTAINS TO:

New Structure ☒  
 Modification of Existing Structure ☒  
 Off Street Parking ☐  
 Signage ☐  
 Other ☐

## THIS IS A REQUEST FOR:

- ☐ Zoning Variance (Building Permit Denied)  
☐ Appeal of Administrative Official's Decision  
☒ Extension of Non-Conforming Use/or Structure  
☐ Map Interpretation

## PROPERTY INFORMATION

Street Address 916 Phillips Avenue  
 City, State, Zip Knoxville, TN 379  
 Parcel # (see KGIS.org) 095OA028  
 Zoning District (see KGIS.org) SW-1, South Waterfront Form District

## 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.

The existing lot is sub-standard width, even more narrow than surrounding neighborhood lots, and tapers to the rear to less than 25 feet. The current residence on this lot is non-conforming to setbacks, is condemned, and is scheduled to be removed.

The owners wish to remove the existing house and to replace it with one moved from another lot on 904 Phillips Ave. This moved house also would be in violation of a side setback at its southeast corner, similar to the existing residence. That east property line is a rear property line to the adjacent lots. Buildings on those adjacent lots are far removed from this lot/residence.

Encroachment of the setback is existing. The moved structure would also encroach in the same manner, therefore a variance is requested.

(Josh Henson of Henson Developments is authorized to speak on the Owner's behalf at public meetings)

## Describe hardship conditions that apply to this variance.

The substandard width of this lot, as well as, the taper (narrowing) of the lot presents hardship for the replacement of the existing condemned structure with one of a similar size and design from the same neighborhood. Without a variance the width and taper of the lot leaves it impractical to build upon.

## 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

dotloop verified  
 04/20/20 9:26 AM EDT  
 LWMY-ZLRS-P7VC-QBRP

DATE

File #5-D-20-VA



CITY OF KNOXVILLE

**BOARD OF ZONING APPEALS APPLICATION**

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

Is a plat required? Yes ☐ No ☒

Small lot of record/substandard lot ☒

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

1. Reduce the minimum side yard setback in a FD-SW1 from 5 feet to 3.5 feet.  
(Article 7, Section 4.1.3.B.4.)

REVISED

**PROJECT INFORMATION**

Date Filed 4-20-20

Fee Amount \$250.00

Council District 1st

BZA Meeting Date 5-21-20

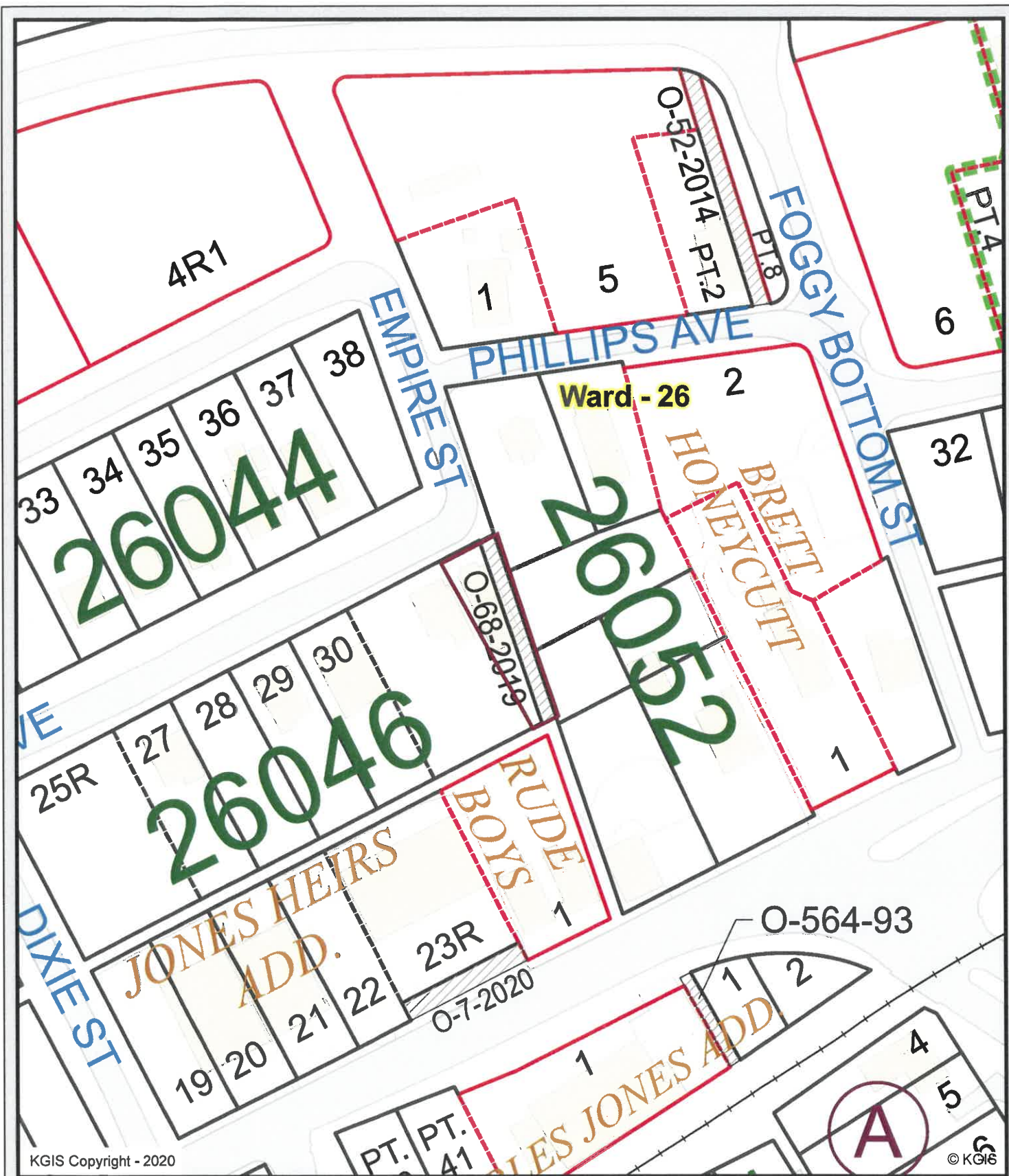
PLANS REVIEWER Scott Elder

DATE 4-21-20

Revised 4/23/2020







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916 Phillips Ave.

5-D-20-VA

Lacy B. Mellon

Knoxville - Knox County - KUB Geographic Information System



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916 Phillips Ave.

5-D-20-VA

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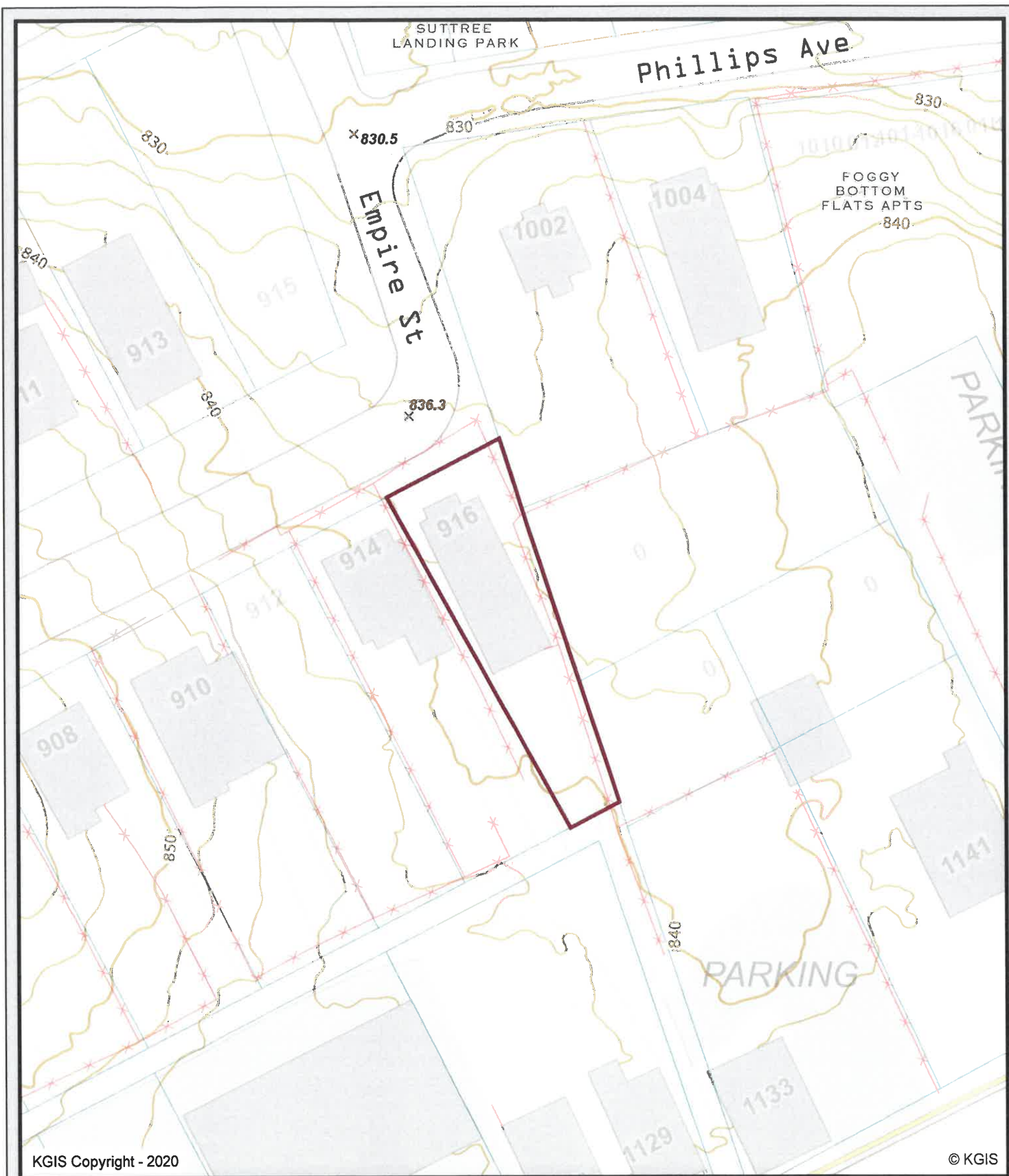


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916 Phillips Ave.

5-D-20-VA

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## Juliana LeClair

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**From:** Steve Borden <Steve.Borden@tn.gov>  
**Sent:** Monday, May 11, 2020 9:30 AM  
**To:** Juliana LeClair  
**Subject:** RE: BZA May Applications

Please find District 18's comments below:

5A20VA: No Comment  
5B20VA: No Comment  
5D20VA: No Comment  
5F20VA: No Comment  
5G20VA: No Comment  
5I20VA: No Comment



**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](mailto:Steve.Borden@tn.gov)  
[tn.gov/tdot](http://tn.gov/tdot)

---

**From:** Juliana LeClair <JLeClair@knoxvilletn.gov>  
**Sent:** Thursday, April 30, 2020 10:31 AM  
**To:** Steve Borden <Steve.Borden@tn.gov>  
**Subject:** [EXTERNAL] BZA May Applications

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

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Hello,

Please see the attached BZA applications for May. Please provide your team's response by Thursday, 5/14/20.

Thank you,

Juliana LeClair - Principal Secretary  
Plans Review & Building Inspections Department

# LEGEND

THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

- PROPERTY CORNER AS NOTED
- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- - - INTERIOR WARD LINE
- x - FENCE LINE
- UTILITY POLE
- W WATER METER
- S SANITARY SEWER MANHOLE

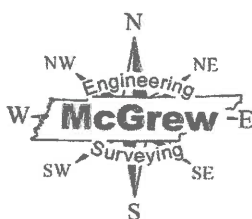
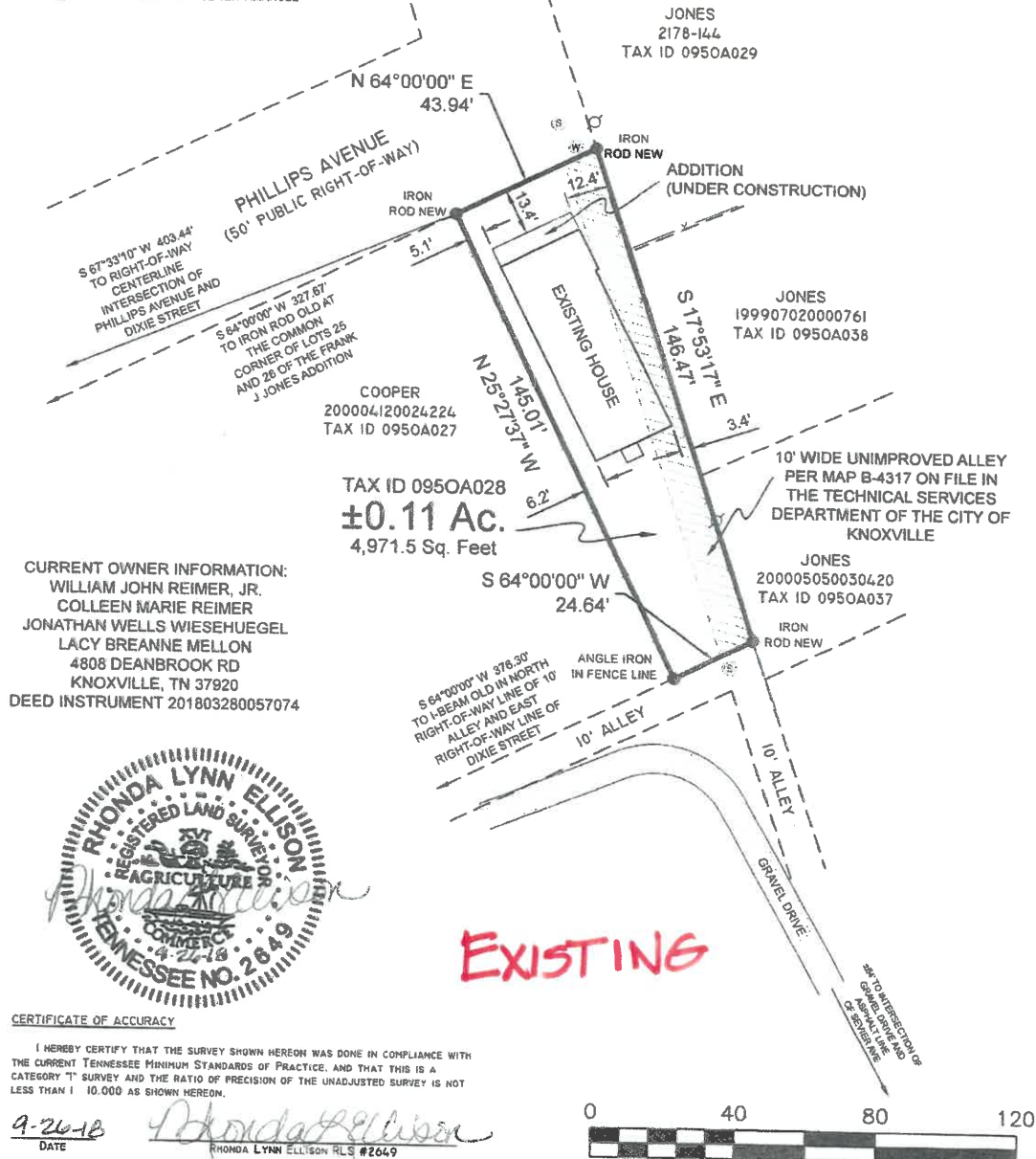
## NOTES

NORTH IS BASED ON DEED REFERENCES TO THE FRANK J JONES ADDITION

THIS PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON FLOOD INSURANCE RATE MAP 47093C0284F WITH A REVISION DATE OF MAY 2, 2007.

PROPERTY IS SUBJECT TO ANY FINDINGS AN ACCURATE TITLE SEARCH MIGHT REVEAL. NO TITLE REPORT WAS FURNISHED AT THE TIME OF THIS SURVEY.

PROPERTY IS ZONED "FD-SW-1" BY THE CITY OF KNOXVILLE. BUILDING SETBACK LINES SHALL CONFORM TO THE CURRENT CITY OF KNOXVILLE ZONING STANDARDS.



## BOUNDARY SURVEY OF THE LACY MELLON PROPERTY

916 PHILLIPS AVENUE  
9TH CIVIL DISTRICT  
KNOX COUNTY, TENNESSEE  
26TH WARD OF THE CITY OF KNOXVILLE  
CITY BLOCK 26046

353 N. CULLOM ST. CLINTON, TN. 37716  
PHONE : (865) 457-1664 FAX : (865) 463-7609  
EMAIL : mcgreweng@gmail.com

DRAWN BY: RLE

APPROVED BY: RLE

SCALE: 1" = 40'









DATE: 9-26-18

DRAWING NO:  
MKV-4523D

5-D-20-VA



THESE STANDARD SYMBOLS WILL  
BE FOUND IN THE DRAWING.

- |   |                          |
|---|--------------------------|
|  | PROPERTY CORNER AS NOTED |
|  | PROPERTY LINE            |
|  | ADJOINING PROPERTY LINE  |
|  | INTERIOR WARD LINE       |
|  | FENCE LINE               |
|  | UTILITY POLE             |
|  | WATER METER              |
|  | SANITARY SEWER MANHOLE   |

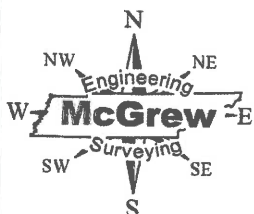
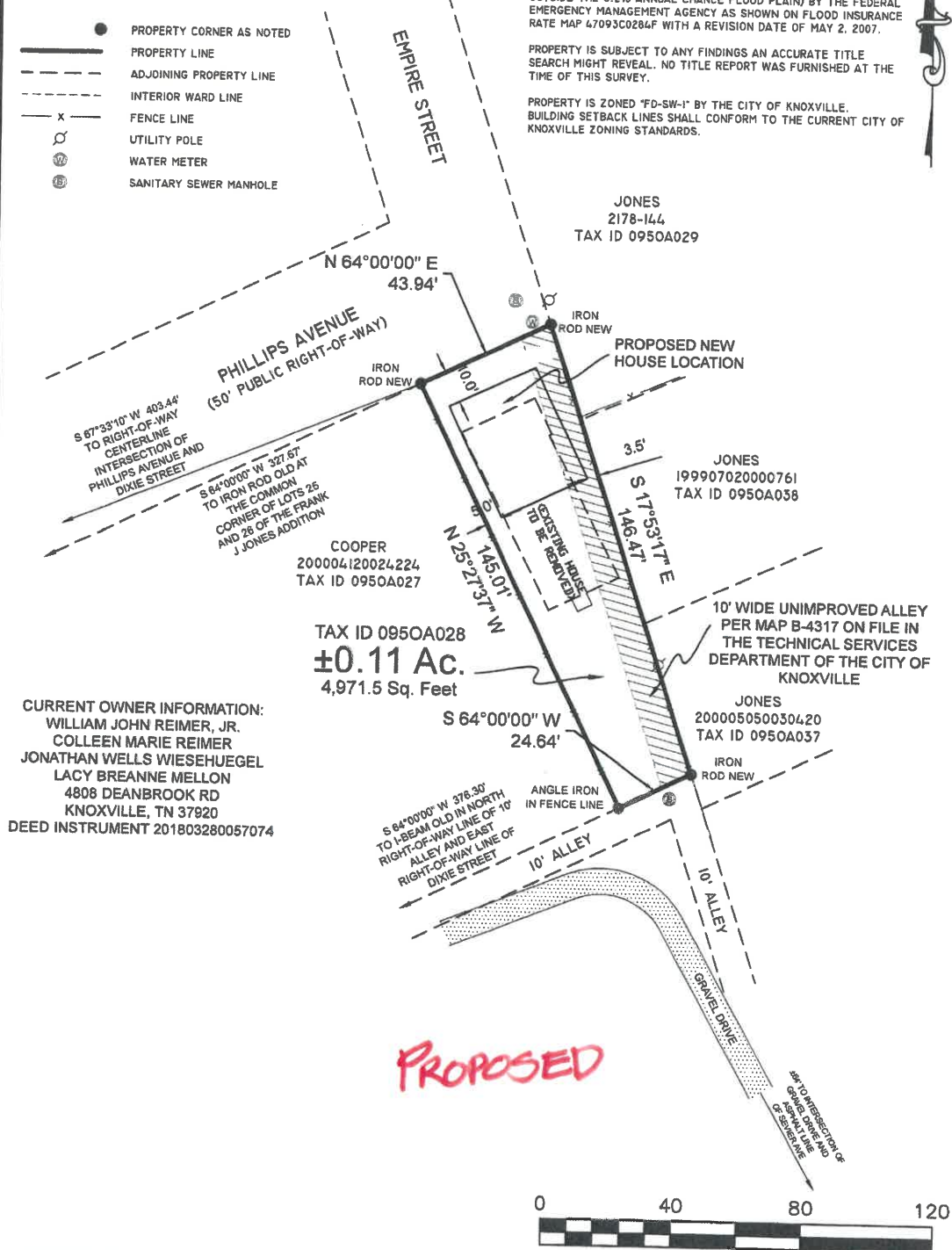
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PHONE : (865) 457-1664 FAX : (865) 463-7609  
EMAIL : mcgreweng@gmail.com

DRAWN BY:	RLE/III
APPROVED BY:	GAM
SCALE:	1" = 40'
DATE:	04/14/2020

DRAWING NO:  
MKV-4523DI

5-D-20-YA