



BOARD OF ZONING APPEALS

MINUTES

JANUARY 17, 2023

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 January 17, 2023 meeting at 4:00 p.m. in the Small Assembly 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, Eboni James and Christina Boulter.

Others in attendance were Peter Ahrens, Building Official, Bryan Berry, Building Official; Mike Robinson, Zoning Official, Joshua Frerichs, Stormwater Engineering; Christina Magrans-Tillery, City Attorney; Jessie Hillman, Knoxville-Knox County Planning and Jennifer Scobee, Board Secretary

MINUTES

December 20, 2022

Vice-Chairman Grant Rosenberg made a motion to approve the December 20, 2022 minutes. It was seconded by member Amy Sherrill. The Board voted 5-0 to **APPROVE**.

NEW BUSINESS

FILE: 1-B-23-VA **PARCEL ID:** 094LN017
APPLICANT: John Holmes **1st COUNCIL DISTRICT**
ADDRESS: 1401 Forest Ave
ZONING: RN-5 (General Residential Neighborhood) Zoning District

VARIANCE REQUEST

Decrease the minimum lot width from 60 feet to 50.8 feet to convert an existing duplex to a 3-unit, multi-family dwelling. Per Article 4.3; Table 4-1.

Per plan to decrease minimum lot width in the RN-5 General Residential Neighborhood Zoning District, 1st Council District.

Applicant John Holmes was present and spoke to the application. There was no opposition present.

Member Christina Bouler made a motion to deny the application. It was seconded by member Eboni James. The Board voted 5-0 to **DENY**.

FILE: 1-C-23-VA **PARCEL ID:** 081MP013
APPLICANT: Juliana Terra **4th COUNCIL DISTRICT**
ADDRESS: 828 N. Broadway, Suite 201
ZONING: C-G-2 (General Commercial) Zoning District

VARIANCE REQUEST

Decrease the minimum required number of parking spaces for a mixed-use multi-tenant structure from 3 per 1,000 square feet of gross floor area to 0 spaces. Per Article 11.4.C.1.

Per plan submitted to decrease the required minimum number of parking spaces in the C-G-2 (General Commercial) Zoning District, 4th Council District.

Applicant Juliana Terra was present and spoke to the application. There was no opposition present.

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

FILE: 1-D-23-VA **PARCEL ID:** 106OB015
APPLICANT: Thomas & ReNee' Pelicano **2nd COUNCIL DISTRICT**
ADDRESS: 7601 Bennington Dr
ZONING: RN-1 (Single Family Residential Neighborhood) Zoning District

VARIANCE REQUEST

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

Per plan submitted to increase the permitted height of a solid fence in the RN-1 (Single Family Residential Neighborhood) Zoning District, 2nd Council District.

Applicants Thomas Pelicano and ReNee' Pelicano were present and spoke to the application. There was no opposition present.

Member Amy Sherrill made a motion to deny. It was seconded by Chairman Daniel Odle. The Board voted 5-0 to **DENY**.

FILE: 1-E-23-VA **PARCEL ID:** 094LN015
APPLICANT: John Holmes **1st COUNCIL DISTRICT**
ADDRESS: 1315 Forest Ave
ZONING: RN-5 (General Residential Neighborhood) Zoning District

VARIANCE REQUEST

1. Decrease the minimum lot width from 60 feet to 49.73 feet for construction of a multi-family dwelling in the RN-5 district. Per Article 4.3; Table 4-1.

2. Decrease the minimum front setback from 25 feet to 13 feet for construction of a multi-family dwelling in the RN-5 district. Per Article 4.3; Table 4-1.

3. Decrease the west interior side setback from 10 feet to 3.1 feet for construction of a multi-family dwelling in the RN-5 district. Per Article 4.3; Table 4-1.

4. Decrease the east interior side setback from 10 feet to 5 feet for construction of a multi-family dwelling in the RN-5 district. Per Article 4.3; Table 4-1.

Per plan submitted to decrease minimum lot width, front setback, west interior side setback, east interior side setback in the RN-5 (General Residential Neighborhood) Zoning District, 1st Council District.

Applicant John Holmes was present and spoke to the application. There was no opposition present.

Member Christina Boulter made a motion to postpone. It was seconded by Chairman Daniel Odle. The Board voted 3-2 to **POSTPONE**.

FILE: 1-F-23-VA
APPLICANT: Barry Rhoads
ADDRESS: 809 Emerald Ave, NE
ZONING: O (Office) Zoning District

PARCEL ID: 081EH025
5th COUNCIL DISTRICT

VARIANCE REQUEST

1. Decrease the rear setback from 5 feet to 4.5 feet for an accessory structure (electrical equipment) in the O district. Per Article 10.3.A.5.
2. Decrease the minimum parking spaces required from 85 spaces to 18 spaces for an existing residential care facility. Per Article 11.4.A.1; Table 11-2.

Per plan submitted to decrease the rear setback and minimum parking space requirement in the O (Office) Zoning District, 5th Council District

Applicant Barry Rhoads and David Estes were present and spoke to the application. There was no opposition present.

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

FILE: 1-G-23-VA
APPLICANT: Ben Mullins
ADDRESS: 1905, 1909, 1911, 1915 Lake Ave
ZONING: CU-1 (Cumberland Avenue) Zoning District

PARCEL ID: 108CH011
108CH012, 108CH013
108CH014
1st COUNCIL DISTRICT

VARIANCE REQUEST

1. Increase the maximum height and stories from 120 feet and 10 stories to 151 feet and 14 stories for a new multi-family dwelling in the CU-1 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.

Per plan submitted to increase maximum height and stories and increase maximum width of walk-out stoop for a new family dwelling in the CU-1 (Cumberland Avenue) Zoning District, 1st Council District (108CH011, 108CH012, 108CH013, 108CH014).

Applicant Ben Mullins, Ross Kirby and Rodney King were present and spoke to the application. There was no opposition present.

Member Eboni James made a motion to approve. It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 3-2 to **APPROVE**.

OTHER BUSINESS

NOMINATIONS

Per the Board of Zoning Appeals Administrative Rules and Procedures adopted by City Council on February 23, 2021, the committee shall elect one of its members to serve as chairperson and another as vice-chair at its first regular meeting in January of each year.

Member Christina Bouler nominated Vice-Chairman Grant Rosenberg to the Chairman position. Member Christina Bouler nominated herself to the Vice-Chairman position.

The Board voted 5-0 in favor of the nominations.

The new Chairman is Grant Rosenberg and the new Vice-Chairman is Christina Bouler.

The next BZA meeting will be held on February 28, 2023 in the Small Assembly Room.

ADJOURNMENT

The meeting was adjourned at 5:59 p.m.