



## BOARD OF ZONING APPEALS MINUTES

**DECEMBER 20, 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 December 20, 2022 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](http://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.

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**

November 15, 2022

Member Amy Sherrill made a motion to approve the November 15, 2022 minutes. It was seconded by Vice-Chairman Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

## **OLD BUSINESS**

<b>FILE:</b>	<b>9-C-22-VA</b>	<b>PARCEL ID:</b> 120GA001
<b>APPLICANT:</b>	Gilmore Conners	<b>COUNCIL DISTRICT:</b> 2
<b>ADDRESS:</b>	7727 Kingston Pk	
<b>ZONING:</b>	C-H-2 (Highway Commercial) Zoning District	

### **VARIANCE REQUEST**

Request to decrease the minimum front setback from 20 feet to 10 feet for a multi-family dwelling in the C-H-2 district. Per Article 5.3.A; Table 5-1.

Per plan submitted to decrease the minimum front setback in the C-H-2 (Highway Commercial) Zoning District, 2nd Council District.

Applicant Gilmore Conners and Budd Cullom were 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 Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

## **NEW BUSINESS**

<b>FILE:</b>	<b>12-A-22-VA</b>	<b>PARCEL ID:</b> 070MG007
<b>APPLICANT:</b>	Javonte Cotner	<b>COUNCIL DISTRICT:</b> 6
<b>ADDRESS:</b>	3940 Seahorn Ave	
<b>ZONING:</b>	O (Office) Zoning District	

### **VARIANCE REQUEST**

Request to decrease the minimum interior side setback from 15 feet to 9.34 feet for the construction of a single-family residence in the O district. Per Article 5.3; Table 5-1.

Per plan submitted to decrease minimum interior side setback in the O (Office) Zoning District, 6<sup>th</sup> Council District.

Applicant Javonte Cotner was present via ZOOM 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:** 12-B-22-VA  
**APPLICANT:** John Holmes  
**ADDRESS:** 1915 Forest Ave  
**ZONING:** I-MU (Industrial Mixed-Use) Zoning District

**PARCEL ID:** 094NB011  
**COUNCIL DISTRICT:** 1

#### **VARIANCE REQUEST**

1. Decrease the minimum interior side setback from 15 feet when abutting a residential district to four feet for the construction of a multi-family dwelling in the I-MU district. Per Article 6.3; Table 6-1.
2. Decrease the minimum ground floor transparency of the front facade from 30% to 20% for the construction of a multi-family dwelling in the I-MU district. Per Article 6.3; Table 6-2.
3. Decrease the interior side setback for a parking lot from 20 feet to 8 feet 6 inches when an industrial district abuts a residential district. Per Article 11.3.C.1.

Per plan submitted to decrease minimum interior side setbacks, and decrease minimum ground floor transparency in the I-MU (Industrial Mixed-Use) Zoning District, 1<sup>st</sup> Council District.

Applicant John Holmes 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 Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

**FILE:** 12-C-22-VA  
**APPLICANT:** Gary Hayes  
**ADDRESS:** 4103 Chapman Hwy  
**ZONING:** C-G-2 (General Commercial) Zoning District

**PARCEL ID:** 109PG012  
**COUNCIL DISTRICT:** 1

#### **VARIANCE REQUEST**

Request to increase the maximum allowable area from 68.4 square feet to 96.32 square feet for attached signage on a nonresidential development in the C-G-2 district. Per Article 13.9.F.1.b.

Per plan submitted to increase maximum allowable area for attached signage in the C-G-2 (General Commercial) Zoning District, 1<sup>st</sup> Council District.

Applicant Gary Hayes was present and spoke to the application. Kevin Murphy was present and spoke in opposition.

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

**FILE:** 12-D-22-VA  
**APPLICANT:** Glenn Richters  
**ADDRESS:** 701 Cherry St  
**ZONING:** C-N (Neighborhood Commercial)

**PARCEL ID:** 082JF019  
**COUNCIL DISTRICT:** 6

#### **VARIANCE REQUEST**

Request to increase the maximum distance a patio can encroach into a corner side setback from 5 feet to 15 feet for a nonresidential development in the C-N district. Per Article 10.4; Table 10-1.

Per plan submitted to increase patio into corner side setback in the C-N (Neighborhood Commercial) Zoning District, 6<sup>th</sup> Council District

Applicant Glenn Richters was present and spoke to the application. Glenn Wyatt was present and spoke in opposition.

Chairman Daniel Odle made a motion to deny the application. It was seconded by member Eboni James. The Board voted 3-1 to deny the motion to deny. The motion to deny failed. A new motion was made by Vice-Chairman Grant Rosenberg to approve the application. It was seconded by Chairman Daniel Odle. The Board voted 3-0 to **APPROVE**. Member Amy Sherrill abstained from the vote.

**FILE:** 12-E-22-VA  
**APPLICANT:** R. Bentley Marlow  
**ADDRESS:** 1100 University Ave  
**ZONING:** C-N (Neighborhood Commercial)

**PARCEL ID:** 094FQ010  
**COUNCIL DISTRICT:** 6

#### **VARIANCE REQUEST**

Request to decrease the minimum vehicle parking required for an eating and drinking establishment from four spaces to zero spaces in a C-N district. Per Article 11.4.1; Table 11-2.

Per plan submitted to decrease minimum vehicle parking in the C-N (Neighborhood Commercial) Zoning District, 6<sup>th</sup> Council District

Applicant R. Bentley Marlow 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 Chairman Daniel Odle. The Board voted 5-0 to **APPROVE**.

**FILE:** 12-F-22-VA  
**APPLICANT:** Daryl Johnson  
**ADDRESS:** 400 Neyland Dr  
**ZONING:** C-G-1 (General Commercial)

**PARCEL ID:** 095PB00901  
**COUNCIL DISTRICT:** 6

#### **VARIANCE REQUEST**

Request to decrease the minimum finished floor elevation from 828.4 feet to 825 feet to enclose an existing roofed deck.

Per plan submitted to decrease minimum finished floor elevation in the C-G-1 (General Commercial) Zoning District, 6th Council District.

Applicant Daryl Johnson 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**.

#### **OTHER BUSINESS**

The next BZA meeting will be held on January 17, 2023 in the Small Assembly Room.

#### **ADJOURNMENT**

The meeting was adjourned at 5:01 p.m.