

**CITY OF KNOXVILLE
BOARD OF ZONING APPEALS
SPECIAL-CALLED MEETING MINUTES
July 1, 2016**

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 **July 1, 2016** meeting at 4:00 pm in the Small Assembly Room, City County Building, 400 Main St, 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. § 8-44-101, et seq.

ROLL CALL

Board Chairman Don Horton's called the meeting to order at 4:00 pm. Other Board members present were David Dupree, Daniel Odle, Kristin Grove and Charlie Van Beke.

Others in attendance were Peter Ahrens, Director of Building Inspections; Crista Cuccaro, Law Department; Brandon Littlejohn, Zoning Inspector; Mark Johnson, Engineering; and Angelia Rooks, Board Secretary.

NEW BUSINESS

File:	6-F-16-VA	Parcel ID:	094MH016, 017,
Applicant:	CDM Smith		018, 019, 020,
Address:	1311 Cumberland Avenue		021, and 022
Zoning:	O-2 (Civic and Institutional) District		
	1st Council District		

Variance Requests:

1. Increase the maximum permitted driveway width from 30 ft. to 53.36 ft. per Article 5, Section 7.B.3.c.Table.
2. Increase the maximum permitted curb cut length from 60 ft. to 83.51 ft. per Article 5, Section 7.B.3.c. Table.
3. Increase the maximum permitted number of driveways for a street frontage of 540 ft. from 3 to 4 per Article 5, Section 7.1.b.Table.
4. Decrease the minimum permitted distance between two driveways from 53.36 ft. to 35 ft. per Article 5, Section 7.B.1.d.
5. Reduce the minimum required distance the eastern driveway can be constructed from a projected right-of-way line on the non-continuous leg of a "T" intersection from 25 ft. to 0 ft. per Article 5, Section 7.B.2.b.
6. Reduce the minimum required distance the western driveway can be constructed from a projected right-of-way line on the non-continuous leg of a "T" intersection from 25 ft. to 0 ft. per Article 5, Section 7.B.2.b.

As per submitted plan to permit the construction of a building for academic use in an O-2 District.

Board member David Dupree recused himself.

Chris Kirby, the applicant, was present. He withdrew items 1, 2, 3, 4 and 6. A new site plan was submitted which eliminated the need for the other variances. He asked the Board to consider only item 5. Topography of the parcel limited the placement of a service truck entrance. There was no public driveway associated with this entrance.

Board member Kristin Grove made a motion to approve item 5. It was seconded by Board member Daniel Odle. The Board voted 4-0 to **APPROVE** the request.

File:	6-H-16-VA	Parcel ID:	108PF012
Applicant:	F.E. Trainer Construction Co.		

Address: 1185 Keowee Avenue
Zoning: C-1 (Neighborhood Commercial) District
2nd Council District

Variance Request:

Reduce the minimum required front yard setback for a ground sign from 10 ft. to 0 ft. per Article 8, Section 7.1.a.

As per submitted plan to permit the relocation of the on premise ground sign in a C-1 District.

Fred Trainer, the applicant, was present. The size and shape of the property prohibited compliance with the required setback. Otherwise, the sign would be in the drive aisle of the parking lot. It would not impact visibility if placed on the northeast island.

Board member Kristin Grove said her concern was setting a precedent. Other members agreed.

Board member David Dupree asked the staff for the City's position regarding the variance. Mr. Littlejohn said the City did not take a position. Ms. Cuccaro elaborated on that point. The City did not typically take a position on variances unless there was a distinct harm to the City as in the case of flood elevation variances.

Board member David Dupree made a motion to deny the request. It was seconded by Board member Daniel Odle. The Board voted 5-0 to **DENY** the request.

File: 6-I-16-VA
Applicant: Gary Smith, Southeast Commercial, LLC
Address: 6215 Enterprise Drive
Zoning: I-3 (General Industrial) District
3rd Council District

Parcel ID: 106CC02010

Variance Requests:

1. Reduce the minimum required southeast front yard setback from 35 ft. to 7.5 ft. per Article 4, Section 2.3.2.E.2.
2. Reduce the minimum required southwest front yard setback from 35 ft. to 27.5 ft. per Article 4, Section 2.3.2.E.2.
3. Reduce the minimum required north side rear yard setback from 25 ft. to 5 ft. per Article 4, Section 2.3.2.E.4.

As per submitted plan to permit the replacement of a fire damaged building in an I-3 District.

Gary Smith, the applicant, asked to postpone the request to the next meeting. They received a new survey and needed to amend the variance requests.

Board member Daniel Odle made a motion to postpone the request to next meeting. It was seconded by Board Chairman Don Horton. The Board voted 5-0 to **POSTPONE** the request to the July 21, 2016 meeting.

OTHER BUSINESS

The next BZA meeting is July 21, 2016.

ADJOURNMENT

The meeting was adjourned at 4:30 pm.

Respectively submitted,

Angelia Rooks