

File #

6-H-19-VA



# BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Greg Terry	Owner <input checked="" type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address 3701 Terrace View Drive	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37918	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-603-1521	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email gsterry@comcast.net		Other <input type="checkbox"/>

### THIS IS A REQUEST FOR:

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

### PROPERTY INFORMATION

Street Address 3701 Terrace View Drive

City, State, Zip Knoxville, TN 37918

Parcel # (see KGIS.org) 048MF001

Zoning District (see KGIS.org) R-1

### 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.**

Proposed detached carport (Permit #R18-1068) has yet to be constructed due to contractor confirmation that there is limited site availability to fit originally permitted structure behind front yard setback (the main structure, not 25'), around existing mature trees, beyond original 1923 driveway position, while still providing service utility access to back yard of residence.

Design has been revised to reduce carport size and position, so that structure is subordinate to main structure, still provides utility access, and avoids trees. However, to meet all of the other zoning and existing condition issues, a corner of the proposed structure would encroach over the current rear yard setback.

Proposing to reduce rear yard requirement of 8' to 0" (property line) to allow for back corner support and roof overhang to come within 6" of the property line.

**Describe hardship conditions that apply to this variance.**

Design has been revised to reduce carport size and position, so that structure is subordinate to main structure, still provides utility access, avoids trees and meets functional needs of the homeowner. Approximately 8% of the back corner of the open carport is within the subject area, so this yard reduction has negligible visual impact on the neighborhood.

### 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

5.24.19

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**BOARD OF ZONING APPEALS APPLICATION**

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

Is a plat required?    Yes     No

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

Reduce the minimum required side yard setback from 8' to 0 for a proposed detached carport.

Per Article 4, Section 2.1.1.E.2.b.

**PROJECT INFORMATION**

Date Filed 5-24-19

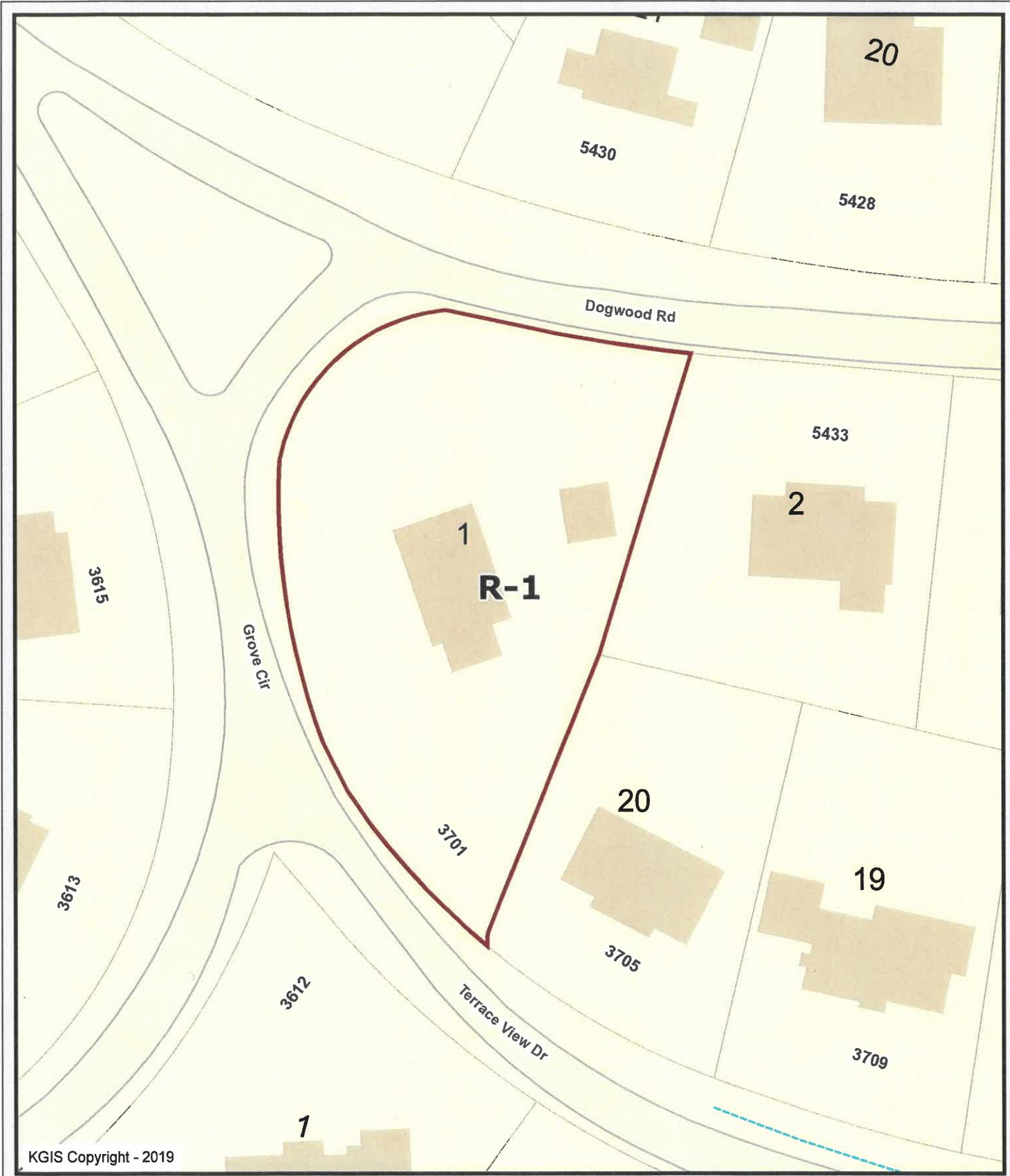
Fee Amount \$500 *PACK 5/24/19 JH*

Council District 4

BZA Meeting Date 6-20-2019

**PLANS REVIEWER**    Rebecca Johnson

**DATE**    5-24-19



3701 Terrace View Dr.

6-H-19-VA  
Greg Terry

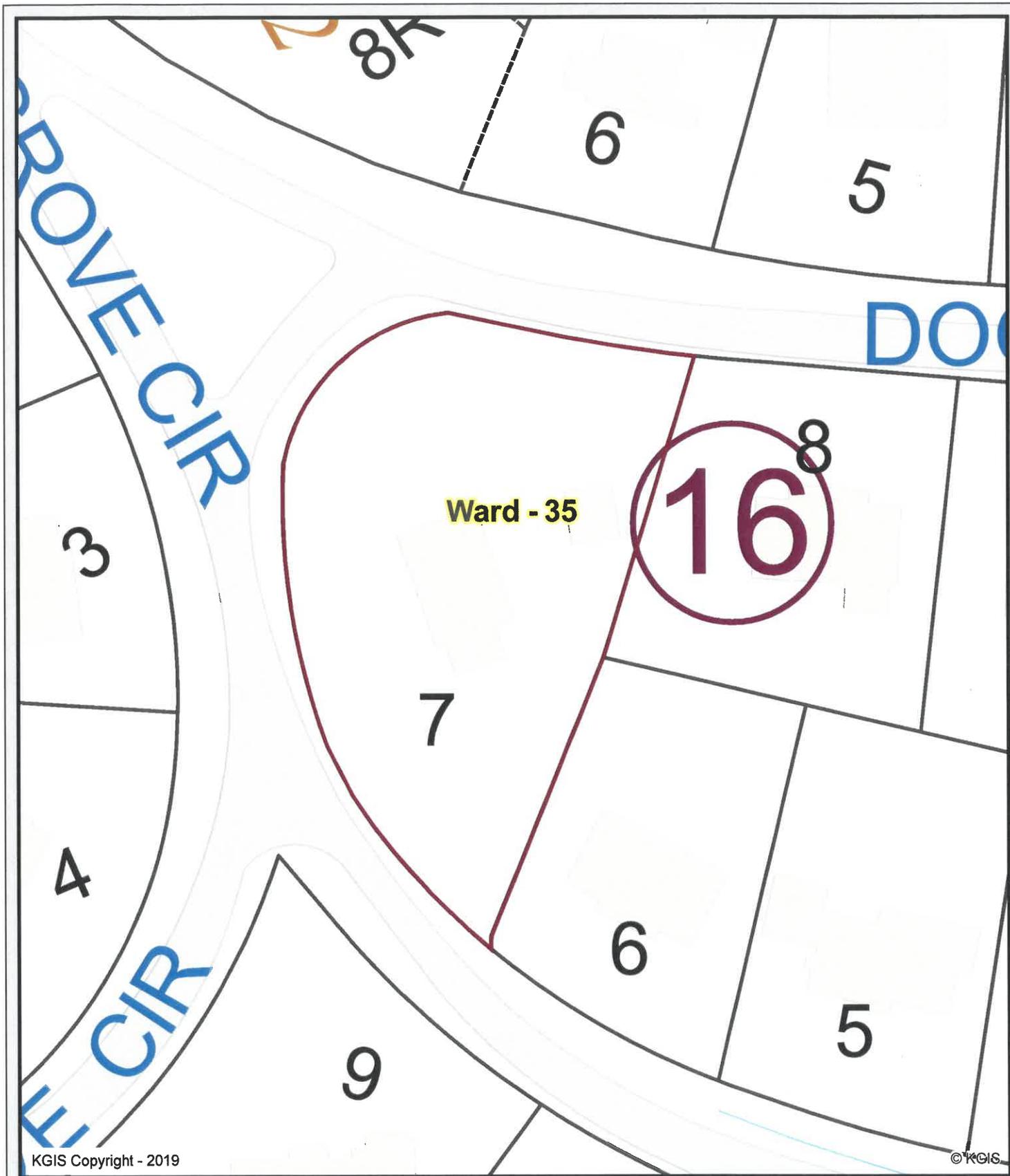
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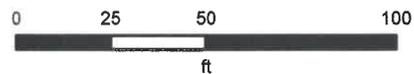
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Greg Terry

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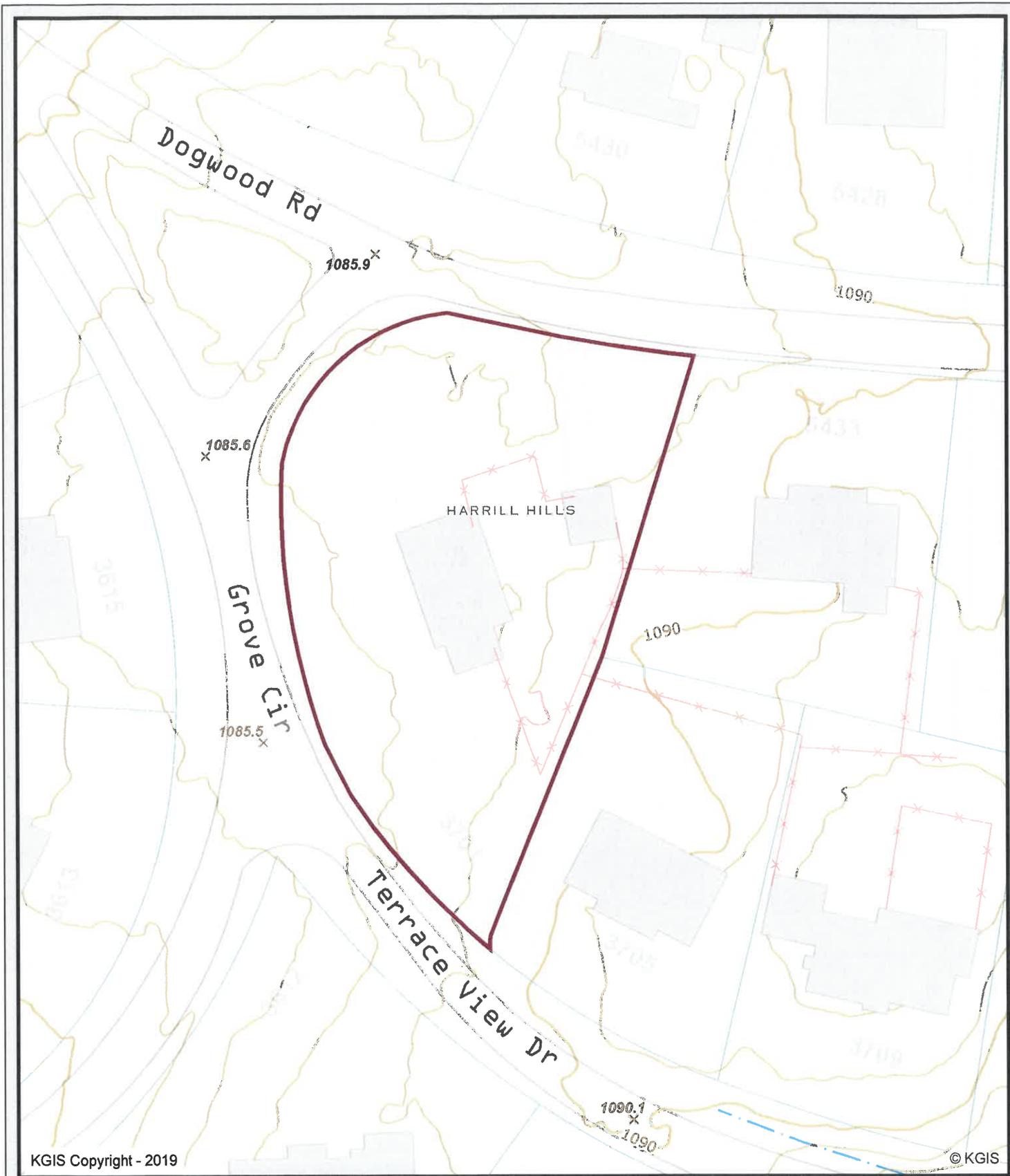
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**3701 Terrace View Dr.**

6-H-19-VA  
Greg Terry

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Below are District 18's comments regarding the BZA applications for this month:

6A19VA: No comment

6B19VA: No comment

6C19VA: No comment

6D19VA: No comment

6E19VA: Although the property abuts state-owned rights-of-way, the plans submitted do not appear to depict any encroachment. It should be noted that ROW encroachments during construction activities are not permitted and that no signage or signage overhang is allowed on state-owned rights-of-way.

6F19VA: No comment

6G19VA: No comment

6H19VA: 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)

# PROPOSED DETACHED CARPORT for GREG & JENNIFER TERRY

Property Address: 3701 Terrace View Drive Knoxville, TN 37918

Parcel ID: 048MF001  
Subdivision: Harrill Hills

PERMIT NUMBER: R18-1068

## CITY of KNOXVILLE - ZONING

### Code of Ordinances: Appendix B - Zoning Regulations

Zoning District:	R-1	Low Density Residential	
Area Regulations:			
Front	25'	<i>in no case shall an accessory building be located or extend into the front yard.</i>	<b>complies (behind existing house)</b>
Rear	<del>8'</del>	<i>confirmed indicated setback is a rear yard under current permit.</i>	<b>requested rear yard reduction to 0'</b>
Height	15'	<i>max for accessory buildings.</i>	<b>complies (as designed = 11')</b>
Max Lot	30%	<i>existing lot area = 0.50 acre (+/- 23,692 sf) existing structures and proposed structure (carport) = 2,143 sf</i>	<b>complies (as designed = 9% lot coverage)</b>
Article IV, Section 2 2.1.1-B.4		Residential Districts - Permitted principal and accessory uses and structures <i>Accessory buildings and structures, subject to the provisions of article V, section 4</i>	<b>complies</b>
Article V, Section 4 B.1.G		Permitted accessory structures <i>Private garage or carport</i>	<b>complies</b>
Article V, Section 6 B.8		Yard, building setback exceptions <i>Overhanging roof, eave, gutter, cornice or other architectural feature, not to exceed 3'</i>	<b>complies</b>

### Non-Compliant Condition: Rear Yard Setback

Proposed corner of carport structure sits *between* required ~~8'~~ minimum rear yard setback and property line

### Variance Request:

**Reduce REAR YARD setback from ~~8'~~ to 0'.**

### Standards for Variance:

In granting a variance, the board shall ascertain that the following criteria are met:

- Variations shall be granted only where special circumstances or conditions do not apply generally in the district.  
Proposed carport is sited to leave existing driveway (in original 1923 location), to allow utility access to rear portion of property, and to maintain all existing mature trees. Angle of property line along rear yard becomes restrictive.
- Variations shall not be granted to allow a use otherwise excluded from the particular district in which requested.  
Proposed use is allowed in this district.
- Conditions are such that the strict application of this ordinance would deprive applicant reasonable use of his land.  
Proposed structure is in compliance with all other prescribed zoning ordinances.
- Any variance granted shall be the minimum adjustment necessary for the reasonable use of the land.  
Proposed encroachment into Rear Yard is **7.5'**, and represents only **5%** of the total carport SF.
- Granting of any variance is in harmony with the general purposes and intent of this ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.  
Proposed structure is located to maintain subordinate architectural proximity to primary structure (see concept diagrams).  
It's position addresses all other more critical existing conditions and zoning regulations (trees, utility access, front yard setback).

Before the board shall have the authority to grant a variance, the person claiming the variance has the burden of showing:

- That the granting of the permit will not be contrary to the public interest.  
No proposed work conflicts with the public interest.
- That the literal enforcement of the ordinance will result in unnecessary hardship.  
Through compliance with existing **front yard** line and odd property shape, an alternate position would create severely limited utility access to rear yard, require removal of existing mature trees and change original 1923 driveway position.
- That by granting the permit contrary to the provisions of the ordinance the spirit of the ordinance will be observed.  
Proposed structure is in compliance with all other prescribed zoning ordinances.
- That by granting the permit, substantial justice will be done.  
Proposed structure is allowed in this district and is in compliance with all other prescribed zoning ordinances.

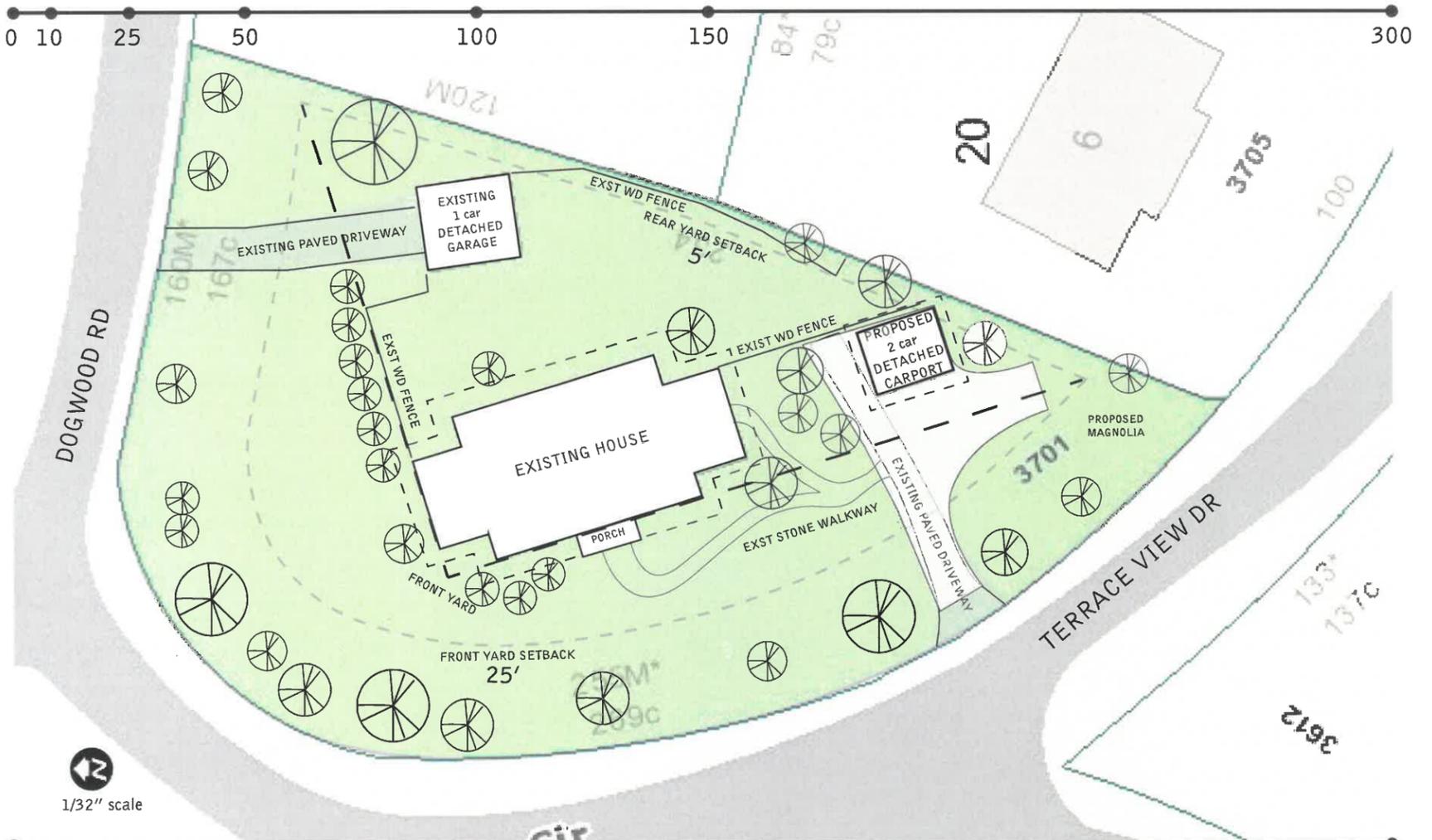
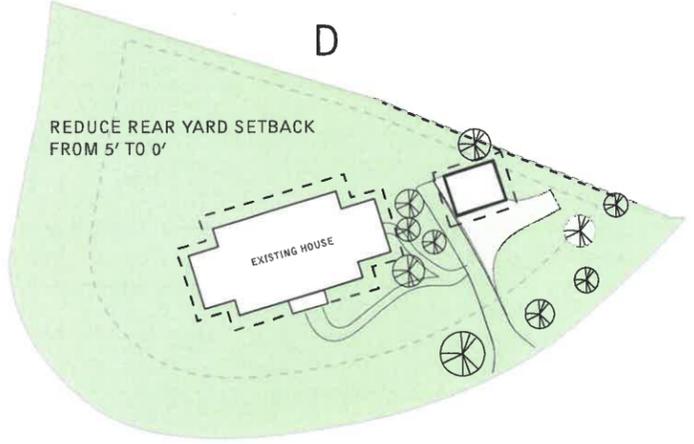
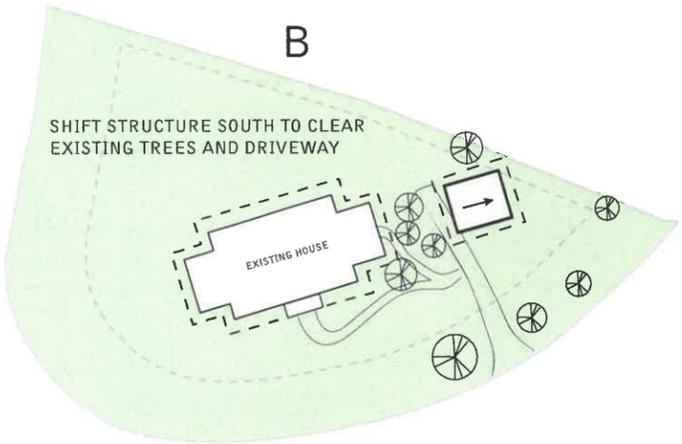
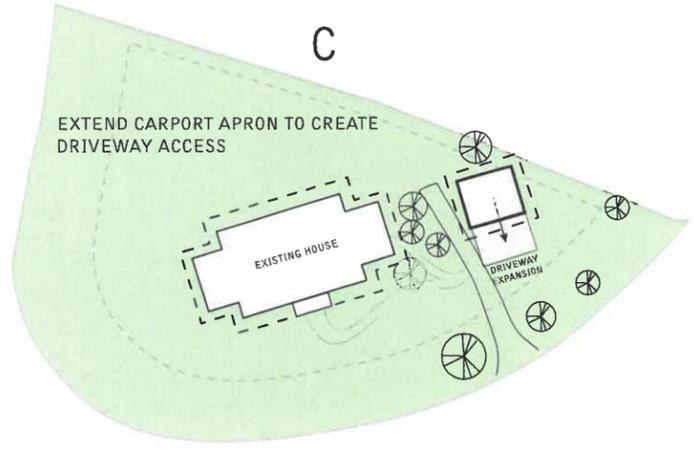
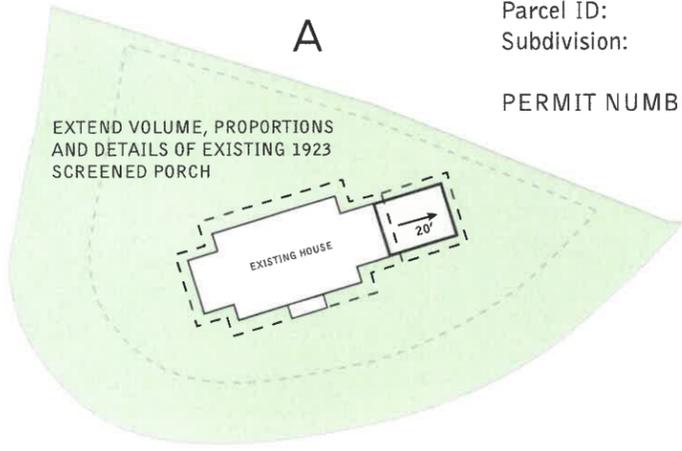
0-H-19-VA

# CITY of KNOXVILLE - ZONING

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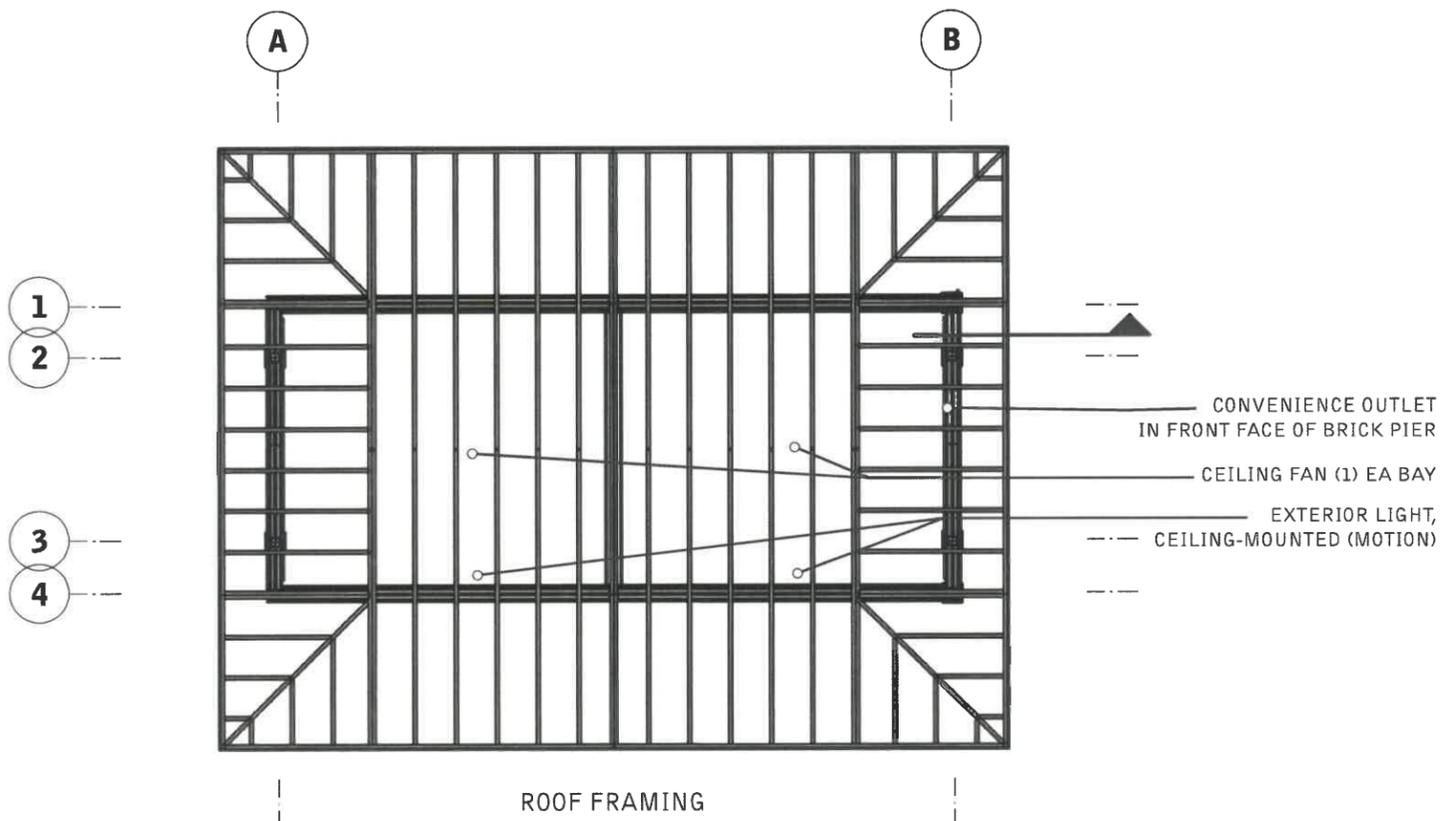
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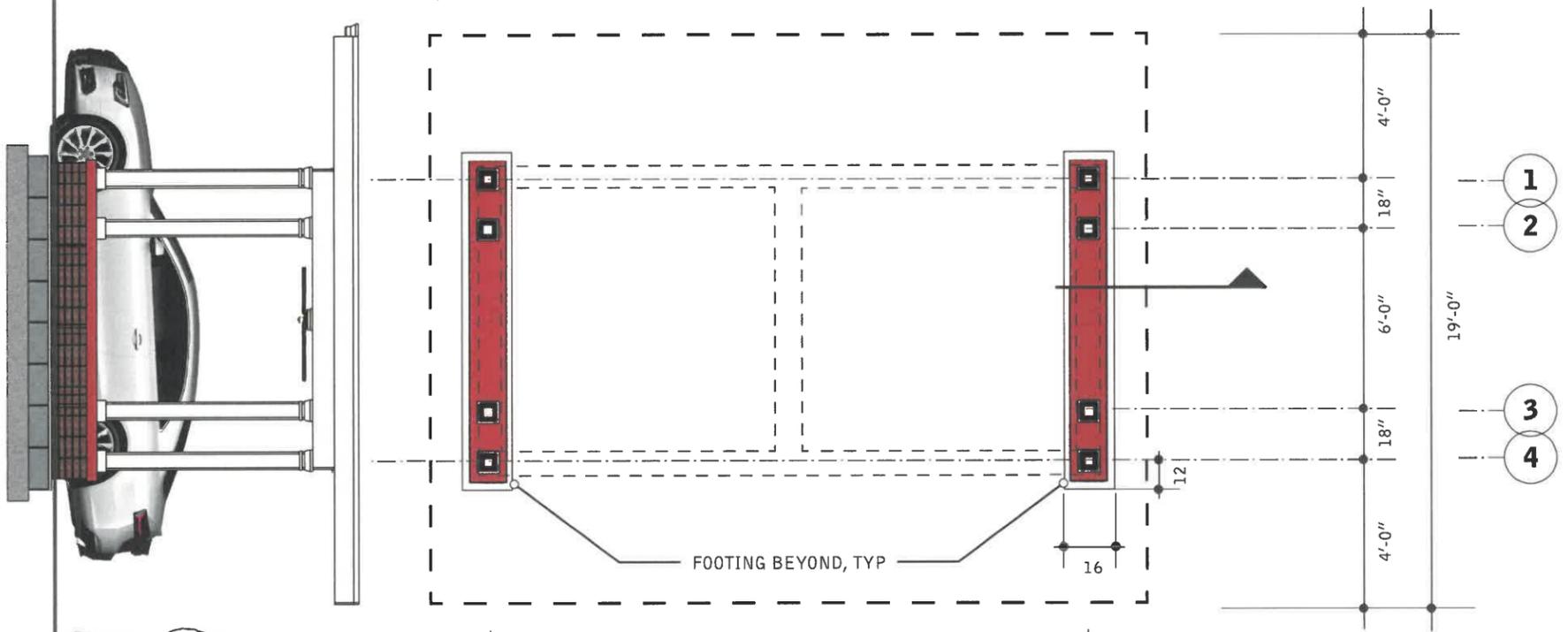
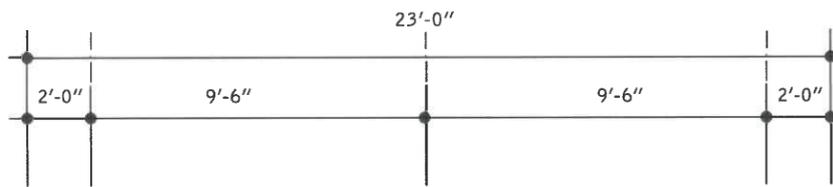


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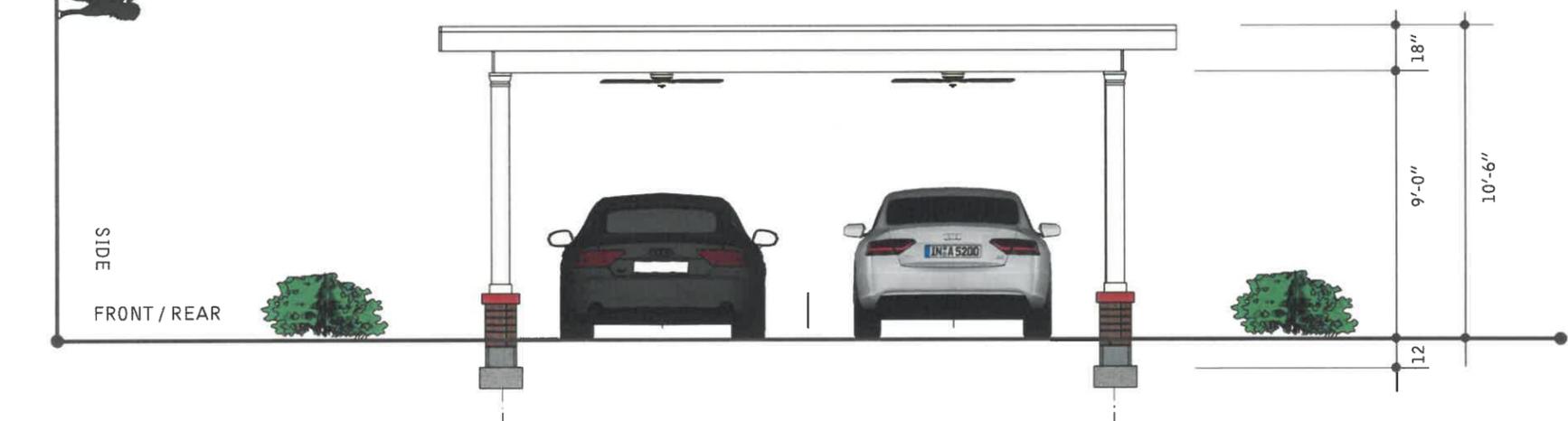
# CONSTRUCTION DETAILS



ROOF FRAMING



PLAN



ELEVATIONS

3/16" scale

REV 2: 5/24/19

Reduced size of carport as part of site plan changes

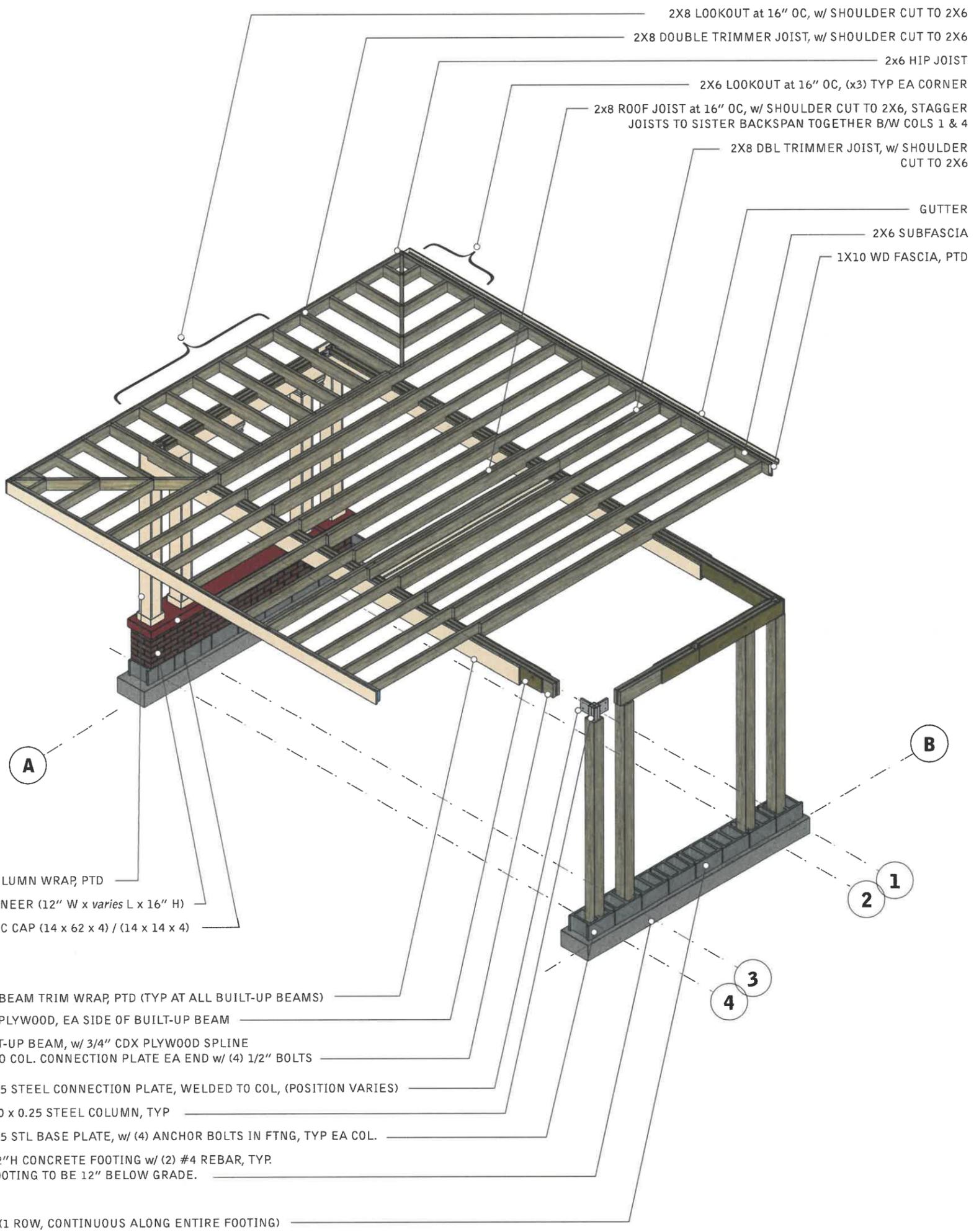
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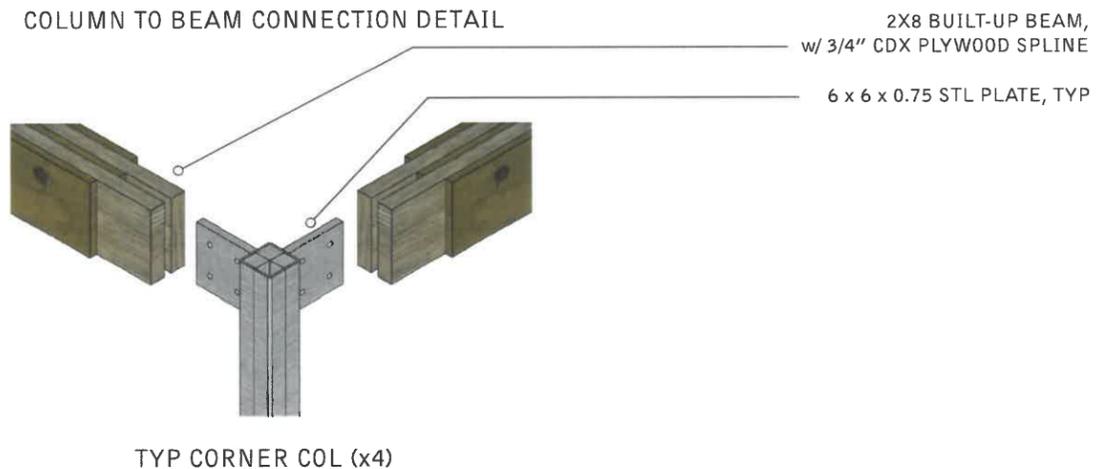
# CONSTRUCTION DETAILS

## STRUCTURAL ISOMETRIC

*select finishes / framing removed or cut away for clarity*



## COLUMN TO BEAM CONNECTION DETAIL



REV 2: 5/24/19 Reduced size of carport as part of site plan changes. General framing updated to reflect smaller size.

6-19-VA

