

File #

12-D-20-VA

**BOARD OF ZONING APPEALS APPLICATION**

Click on Meeting Schedule, Deadlines and Fees for information on submitting an application to be heard at a monthly Board meeting.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Joshua Schmitt	Owner <input checked="" type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 10118 Lonesome Pine Dr	Contractor <input type="checkbox"/>	Modification of Existing Structure <input checked="" type="checkbox"/>
City, State, Zip Knoxville, TN, 37932	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-441-2935	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email josh.c.schmitt@gmail.com		Other <input type="checkbox"/>

THIS IS A REQUEST FOR:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Zoning Variance (Building Permit Denied) | <input type="checkbox"/> Extension of Non-Conforming Use/or Structure |
| <input type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation |

PROPERTY INFORMATION

Street Address 1243 Iredell Ave

City, State, Zip Knoxville, TN, 37921

See KGIS.org for Parcel # 094CN018

and Zoning 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.

Conversion of a detached garage to ADU that meets the lot area / max GFA requirements but is roughly 50% of the size of the principle dwelling whereas the cap is 40%.

Describe hardship conditions that apply to this variance.

The structure was already in place when I bought it and I can't make it smaller to meet the 40% requirement.

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

11/13/2020



CITY OF KNOXVILLE

BOARD OF ZONING APPEALS APPLICATION*******OFFICE USE ONLY*******Is a plat required? Yes ☐ No ☒Small Lot of record? ☐**VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):**

Increase the maximum percentage a detached accessory dwelling unit can be of the primary dwelling floor area from 40% to 50% for conversion of an existing detached garage into an accessory dwelling unit (Article 10.3.B.9). Gross floor area of the proposed accessory dwelling is 474 square feet and gross floor area of the primary dwelling is 948 square feet.

REVISED**PROJECT INFORMATION**

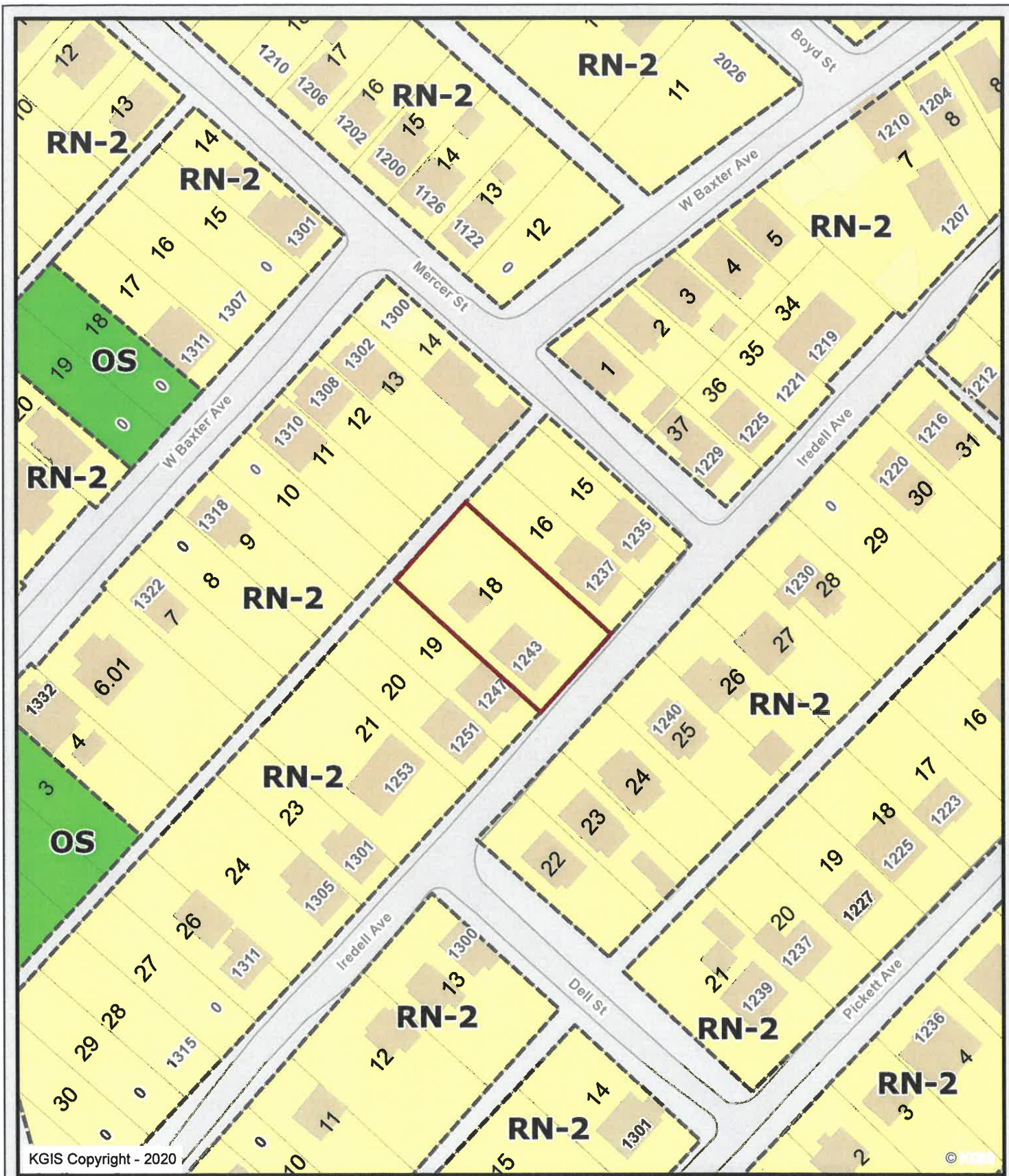
Date Filed 11-16-2020

Fee Amount \$250

Council District 6

BZA Meeting Date 12-17-2020

PLANS REVIEWER Bryan Berry**DATE** 11-19-2020



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1243 Iredell Ave.

12-D-20-VA
Joshua Schmitt

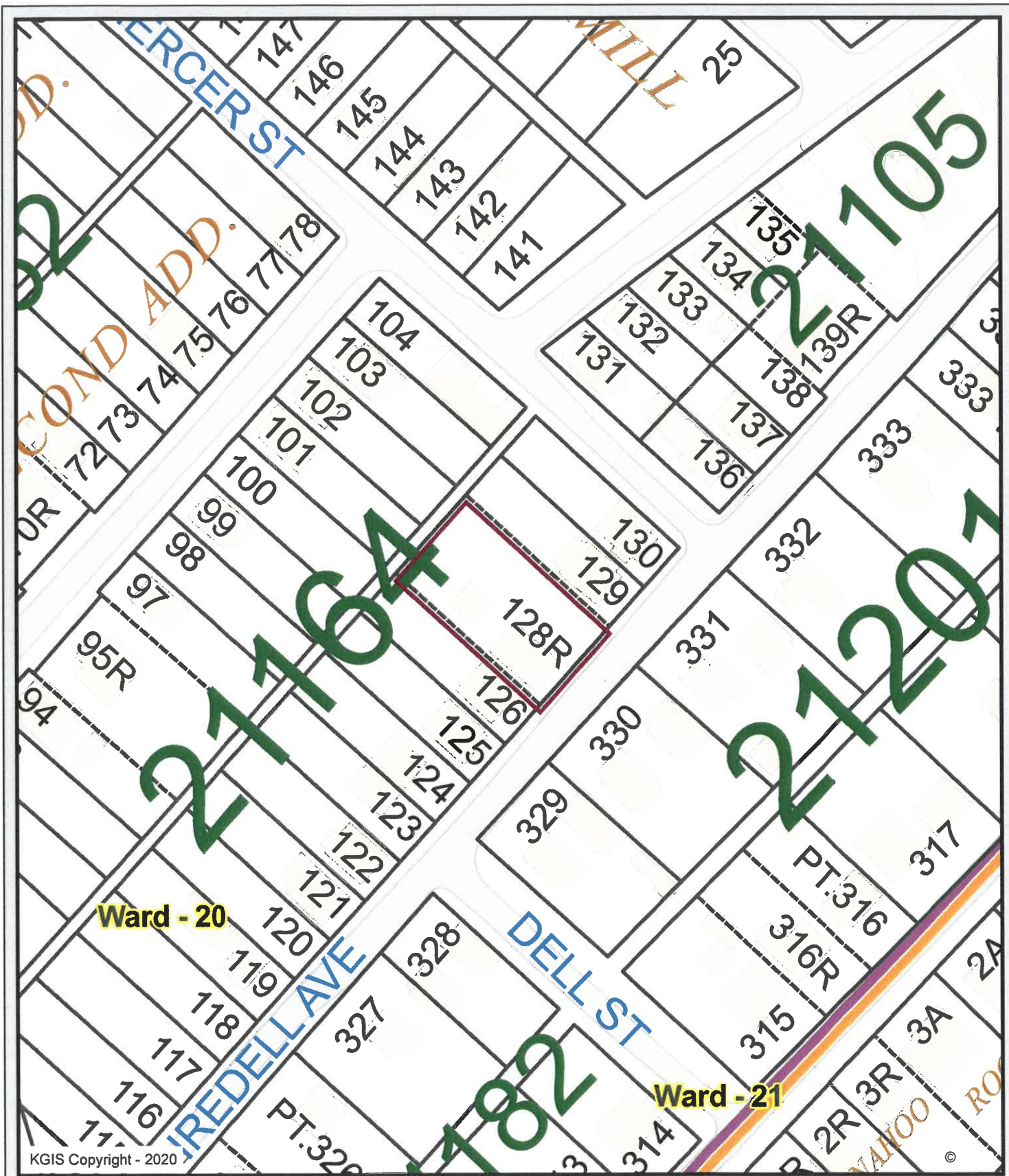
Knoxville - Knox County - KUB Geographic Information System



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1243 Iredell Ave.

12-D-20-VA
Joshua Schmitt

Knoxville - Knox County - KUB Geographic Information System



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1243 Iredell Ave.

12-D-20-VA
Joshua Schmitt

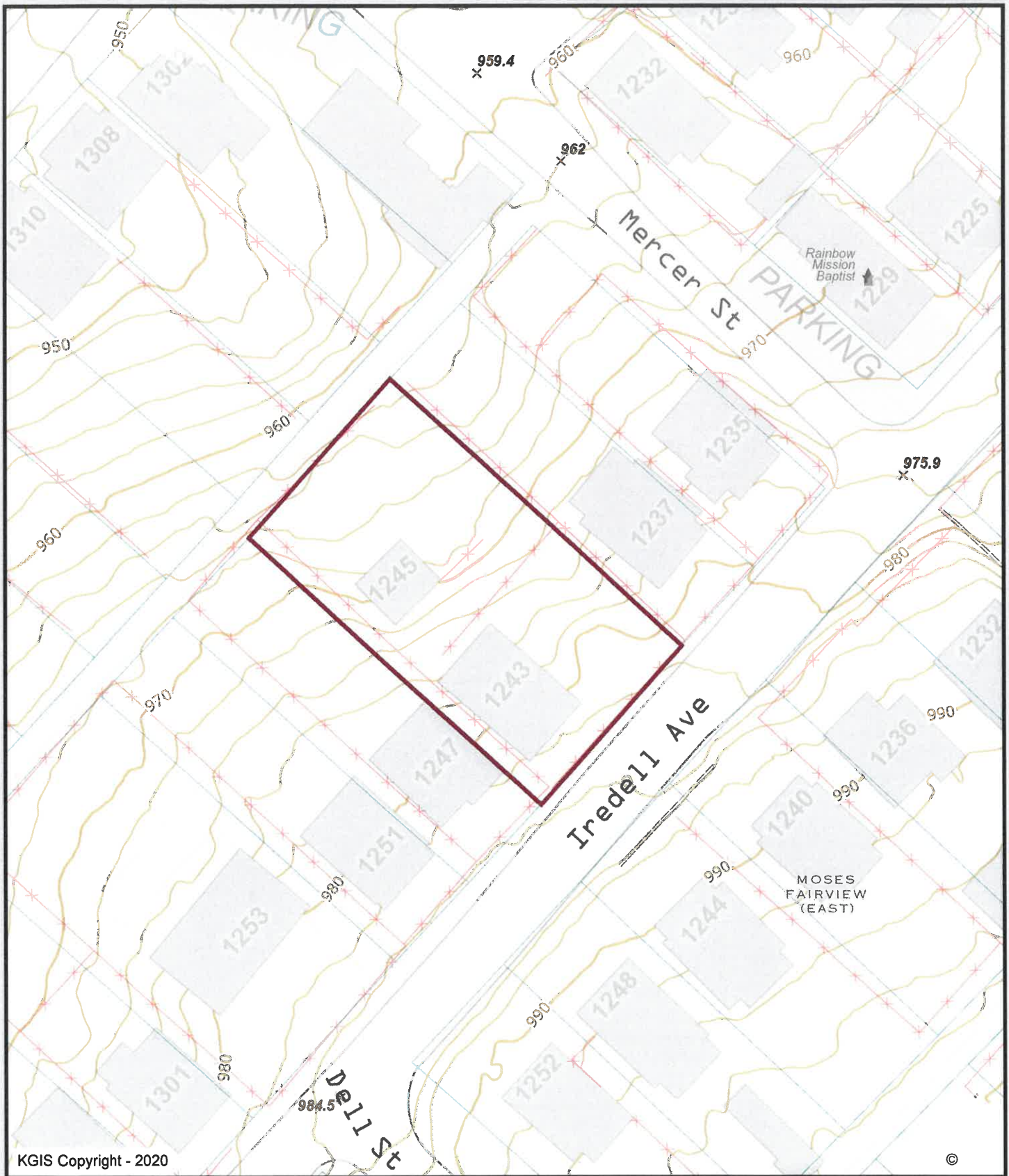
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1243 Iredell Ave.

12-D-20-VA
Joshua Schmitt

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Certificate of Ownership and General Dedication.

(I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.

Owner(s) Printed Name: _____

Signature(s): _____

Date: _____

Owner Certification for Public Sewer and Water Service - Minor Subdivisions

(I, We) the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

Owner(s) Printed Name: _____

Signature(s): _____

Date: _____

Certification of Final Plat — All Indicated Markers, Monuments and Benchmarks Set. I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and statements conform, to the best of my knowledge, to all applicable provisions of the Knoxville/Knox County Subdivision Regulations except as has been itemized, described and justified in a report filed with the Planning Commission, or for variances and waivers which have been approved as identified on the final plat. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the day of 2020.

Registered Land Surveyor: _____

Tennessee License No. _____

Date: _____

Certification of Category and Accuracy of Survey. Survey accuracy shall meet the requirements of the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.

I hereby certify that this is a Category 1 survey and the ratio of precision of the unadjusted survey is not less than 1:10000 as shown hereon and that said survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.

Registered Land Surveyor: _____

Tennessee License No. _____

Date: _____

Addressing Department Certification

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

Signed: _____

Date: _____

This is to certify that all property taxes and assessments due on this property have been paid.

City of Knoxville Tax Clerk: Signed: Diana J. Lynn

Date: 07/30/2020

Knox County Trustee: Signed: _____

Date: 7/28/2020

Certification of Approval of Public Water System - Minor Subdivisions

This is to certify that the subdivision shown hereon is approved subject to the installation of a public water system, and that such installation shall be in accordance with State and local regulations.

It is the responsibility of the property owner to verify with the Utility Provider the availability of water system in the vicinity of the lot(s) and to pay for the installation of the required connections.

KUB

Utility Provider

Authorized Signature for Utility: Mark A. Runkhoff

Date: 08/11/2020

City of Knoxville Department of Engineering
The Knoxville Department of Engineering hereby approves this plat on this the _____ day of _____ 2020

Engineering Director: _____

Planning Staff Certification of Approval for Recording — Final Plat

This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and waivers noted on this plat, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 13-3-405 of Tennessee Code, Annotated, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the City of Knoxville or Knox County of the dedication of any street or other ground upon the plat.

Signed: _____

Date: _____

State of _____ County of _____

On this _____ day of _____ 20____

Before me personally appeared _____

to me known to be the person

described in, and who executed the foregoing instrument, and

acknowledged that he executed the same as his free act and deed.

Witness my hand and notarial seal, this the day and year above.

Notary's Signature & Seal

My commission expires _____

Certification of No Recorded Easements.

This is to certify that there are no known recorded drainage or utility easements on lot line(s) being eliminated on this subdivision plat.

Registered Land Surveyor: _____

Tennessee License No. _____

Date: _____

Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission as follows:
Zoning Shown on Official Map: _____

By: _____

Date: _____

THE APPROVAL OF THIS PLAT DOES NOT INCREASE ANY NON-CONFORMITIES FOR EXISTING STRUCTURES ON THE PROPERTY NOR DOES IT CHANGE THE NONCONFORMING STATUS OF THE EXISTING STRUCTURES. DOCUMENTATION AS TO THE LEGAL STATUS OF THE STRUCTURES OR VARIANCES FROM THE BOARD OF ZONING APPEALS MAY BE REQUIRED AT SOME LATER DATE FOR PERMIT APPLICATIONS OR OTHER DEVELOPMENT APPROVALS.

Right-of-Way Encroachment Certification

(I, We), the undersigned owner(s) of the property shown herein, understand that the City of Knoxville is not approving the projection of any encroachment(s) into any right-of-way(s) as shown hereon, and that (I, We) accept full responsibility for any resulting consequences thereof.

Owner(s): _____

Date: _____

Certification of Approval of Public Sanitary Sewer System - Minor Subdivisions

This is to certify that the subdivision shown hereon is approved subject to the installation of public sanitary sewer and treatment facilities, and that such installation shall be in accordance with State and local regulations.

It is the responsibility of the property owner to verify with the Utility Provider the availability of sanitary sewers in the vicinity of the lot(s) and to pay for the installation of the required connections.

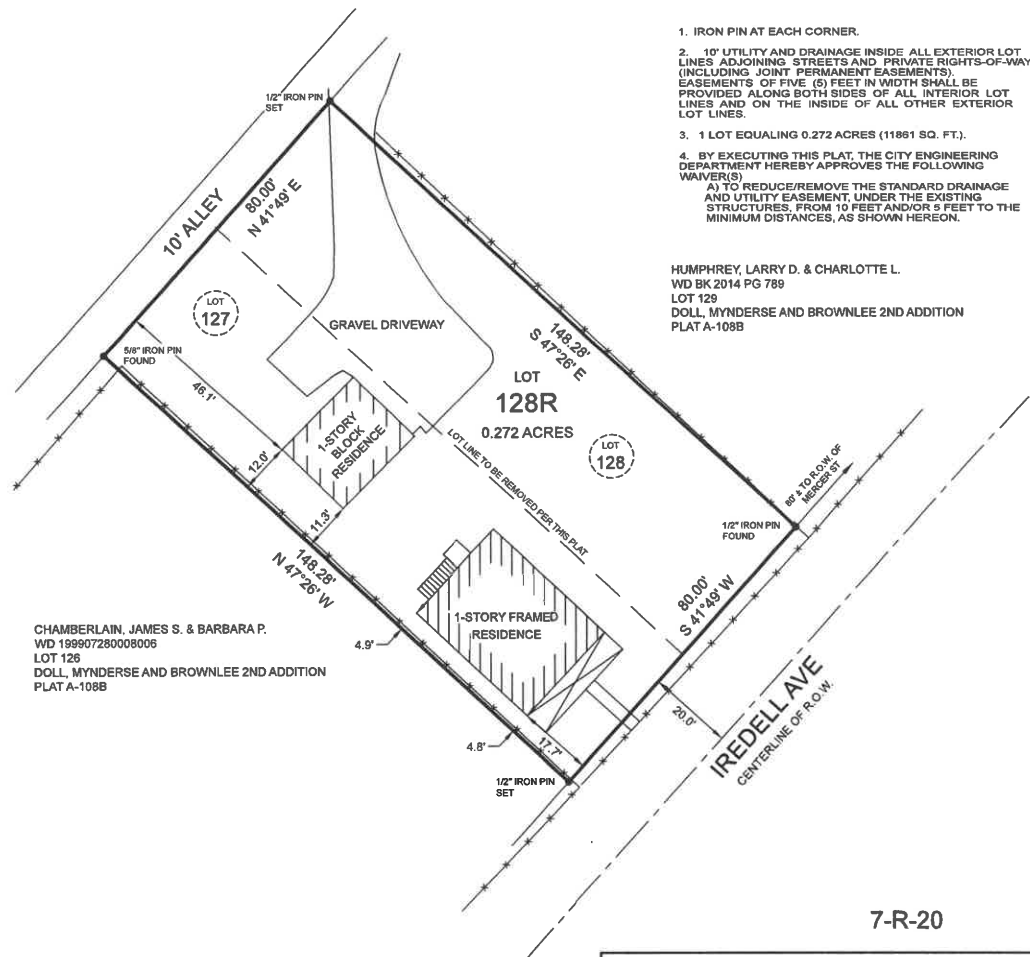
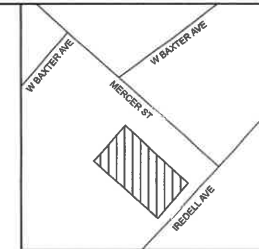
KUB

Utility Provider

Authorized Signature for Utility: Mark A. Runkhoff

Date: 08/11/2020

THIS SURVEY WAS PREPARED USING A COMBINATION OF TOTAL STATION AND R.T.K. G.P.S. DATA COLLECTION.
G.P.S. RECEIVER INFO: SOCKX MESA S/N 144367, TOPCON ANTENNA: PG-S1. TOTAL STATION: TOPCON GPT-8205A
VERTICAL DATUM IS NAVD83, GEOID12



CHAMBERLAIN, JAMES S. & BARBARA P.
WD 199907280008006
LOT 126
DOLL, MYNDERSE AND BROWNLEE 2ND ADDITION
PLAT A-108B

OWNER:

SCHMITT, JOSH & DANIELLE M.
10118 LONESOME PINE DR
KNOXVILLE, TN 37932
865-441-2935

GRAPHIC SCALE



1. IRON PIN AT EACH CORNER.
2. 10' UTILITY AND DRAINAGE INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY (INCLUDING JOINT PERMANENT EASEMENTS). EASEMENTS OF FIVE (5) FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES.
3. 1 LOT EQUALING 0.272 ACRES (11861 SQ. FT.).
4. BY EXECUTING THIS PLAT, THE CITY ENGINEERING DEPARTMENT HEREBY APPROVES THE FOLLOWING WAIVER(S)
A) TO REDUCE/REMOVE THE STANDARD DRAINAGE AND UTILITY EASEMENT, UNDER THE EXISTING STRUCTURES, FROM 10 FEET AND/OR 5 FEET TO THE MINIMUM DISTANCES, AS SHOWN HEREON.

HUMPHREY, LARRY D. & CHARLOTTE L.
WD BK 2014 PG 789
LOT 129
DOLL, MYNDERSE AND BROWNLEE 2ND ADDITION
PLAT A-108B

7-R-20

FINAL PLAT OF THE RESUBDIVISION OF LOT 127 AND 128, DOLL, MYNDERSE AND BROWNLEE 2ND ADDITION

DISTRICT: 3 WARD: 20 CITY BLOCK: 21164 CITY OF KNOXVILLE
INSTR.: PLAT A-108B, DEED 201906270077169 KNOX COUNTY
C.L.T. MAP: 094C N 017.00 & 018.00

SCALE: 1"=20'

DATE: 06/28/2020

HINDS SURVEYING CO.

3555 WINDY J FARMS DR, LOUISVILLE, TN 37777
PH. 588-9799 FAX. 233-3393
WWW.HINDSSURVEYING.COM

JOB NO. 2006012



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This document, when signed by the owner, and filed in the office of the county clerk and recorder of the county in which the land is located, shall be deemed to constitute a public record of the land and shall be subject to the provisions of the Tennessee Code, Annotated, Chapter 13-3-405.

12-D-20-VA