

File #

4-F-20-VA



BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Benjamin C. Mullins o/b/o Clifford, LLC and Keenland Heights, LLC.	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 550 West Main Street, Suite 500	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37902	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-546-9321	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email bmullins@fmsllp.com		Other Lot Area for subdivision <input checked="" 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 7509 Kingston Pike
 City, State, Zip Knoxville, TN 37919
 Parcel # (see KGIS.org) 120FA009
 Zoning District (see KGIS.org) C-H-2 (formerly C-4)

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.

Owner intends to subdivide the lot to separate the cell tower site from the remainder so the remainder can be developed. Prior plat, virtually identical to current plans, was approved by the MPC on August 11, 2017, but never filed. Owner intends to resubmit plat for approval.

Three variances were unanimously approved and granted by the Knoxville BZA on June 15, 2017:

1. Reduce the minimum required north front yard setback from 50 ft. to 18 ft. per Article 4, Section 2.2.7.E.2.a.
2. Reduce the minimum required south front yard setback from 50 ft. to 5 ft. per Article 4, Section 2.2.7.E.2.a.; and
3. Reduce the minimum required west side yard setback from 12ft. to 5 ft. per Article 4, Section 2.2.7.E.3.

These reduced setbacks, previously approved, are still required even through the front setbacks are now 20 ft. and the side setback is 10 ft. per Article 5, Section 5.3, Table 5.1.

Applicant is seeking a new variance to reduce the minimum required lot area of 10,000 sq. ft. to 4,660 sq. ft. per Article 5, Section 5.3, Table 5.1.

Describe hardship conditions that apply to this variance.

Existing Maintenance Buildings, existing utility easements, the expansion of TDOT right-of-way, 2 front yards, and shape of the property. The cell tower was built in 1987, before placement and height regulations were imposed. Variances are required to maintain and serve existing cell tower and to subdivide so the remainder of the property can be reasonably developed.

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 March 16, 2020

File #4-F-20-VA



CITY OF KNOXVILLE

BOARD OF ZONING APPEALS APPLICATION

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

Is a plat required? Yes No

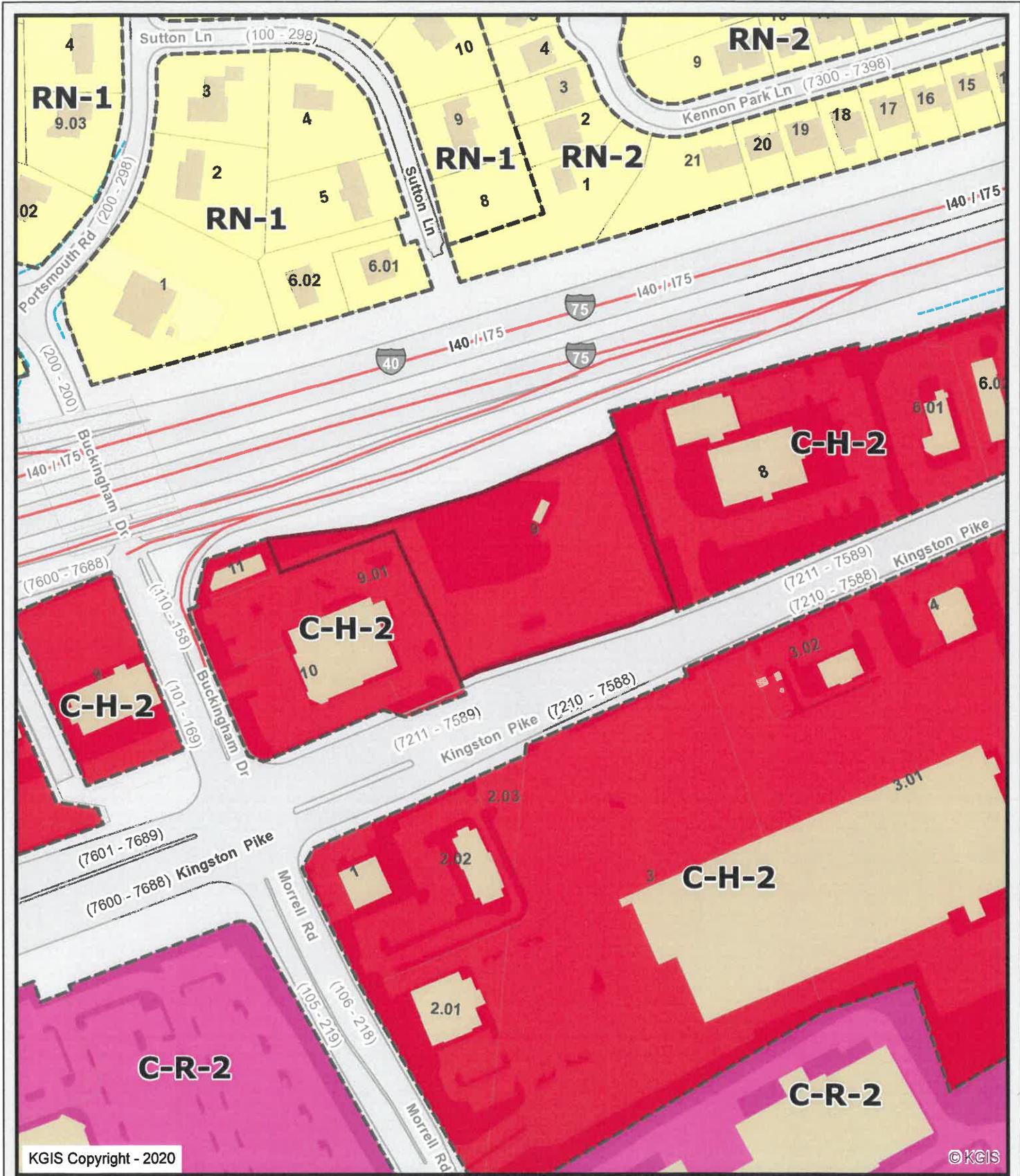
Small Lot of record?

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

Reduce the minimum lot size in a C-H-2 zone from 10,000 sqft to 4,660 sqft. (Article 5.3.A Table 5-1)

PROJECT INFORMATION

Date Filed	Fee Amount
Council District 2	BZA Meeting Date
PLANS REVIEWER J Van Horn	DATE 3/16/2020



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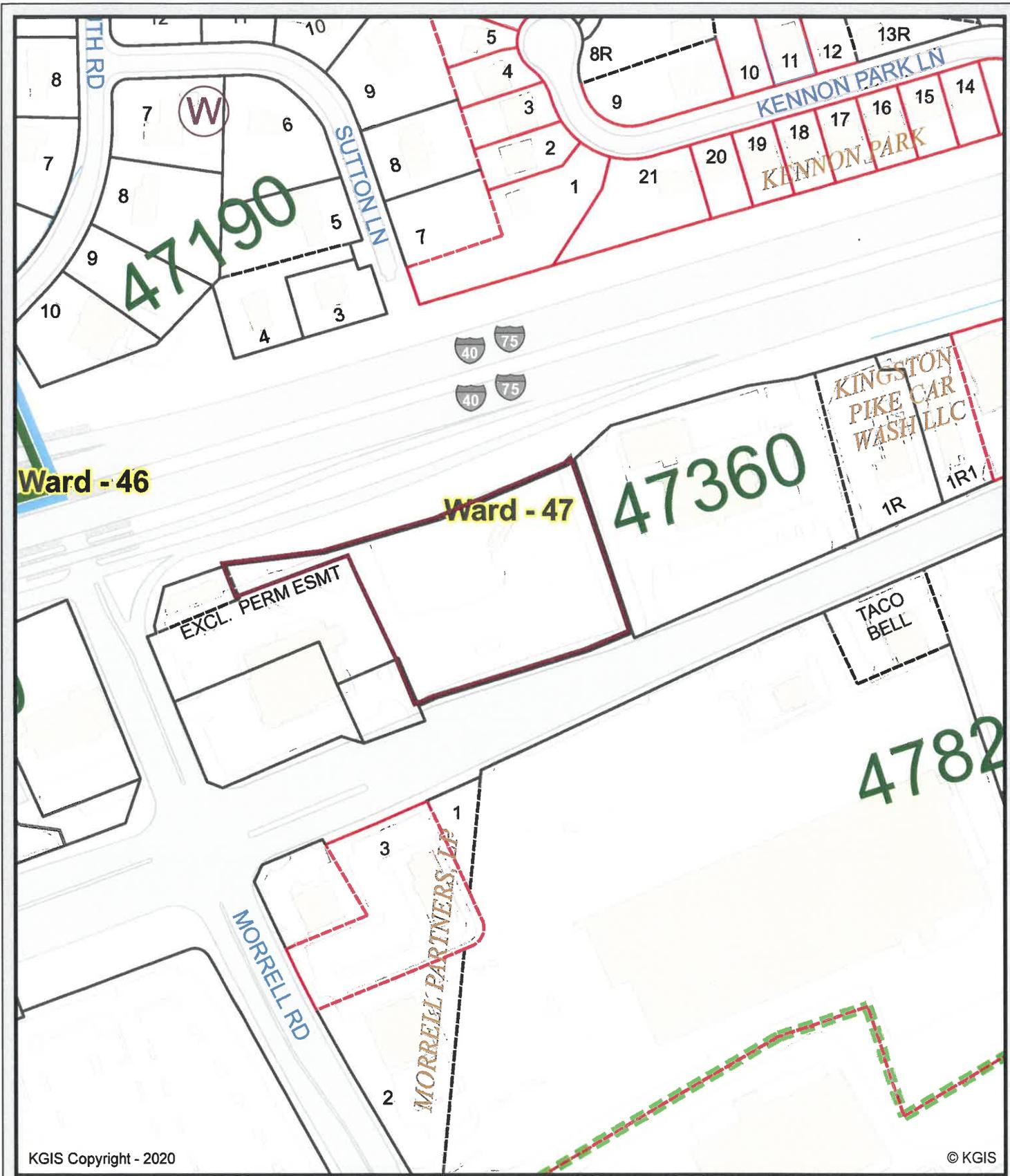
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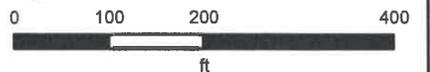
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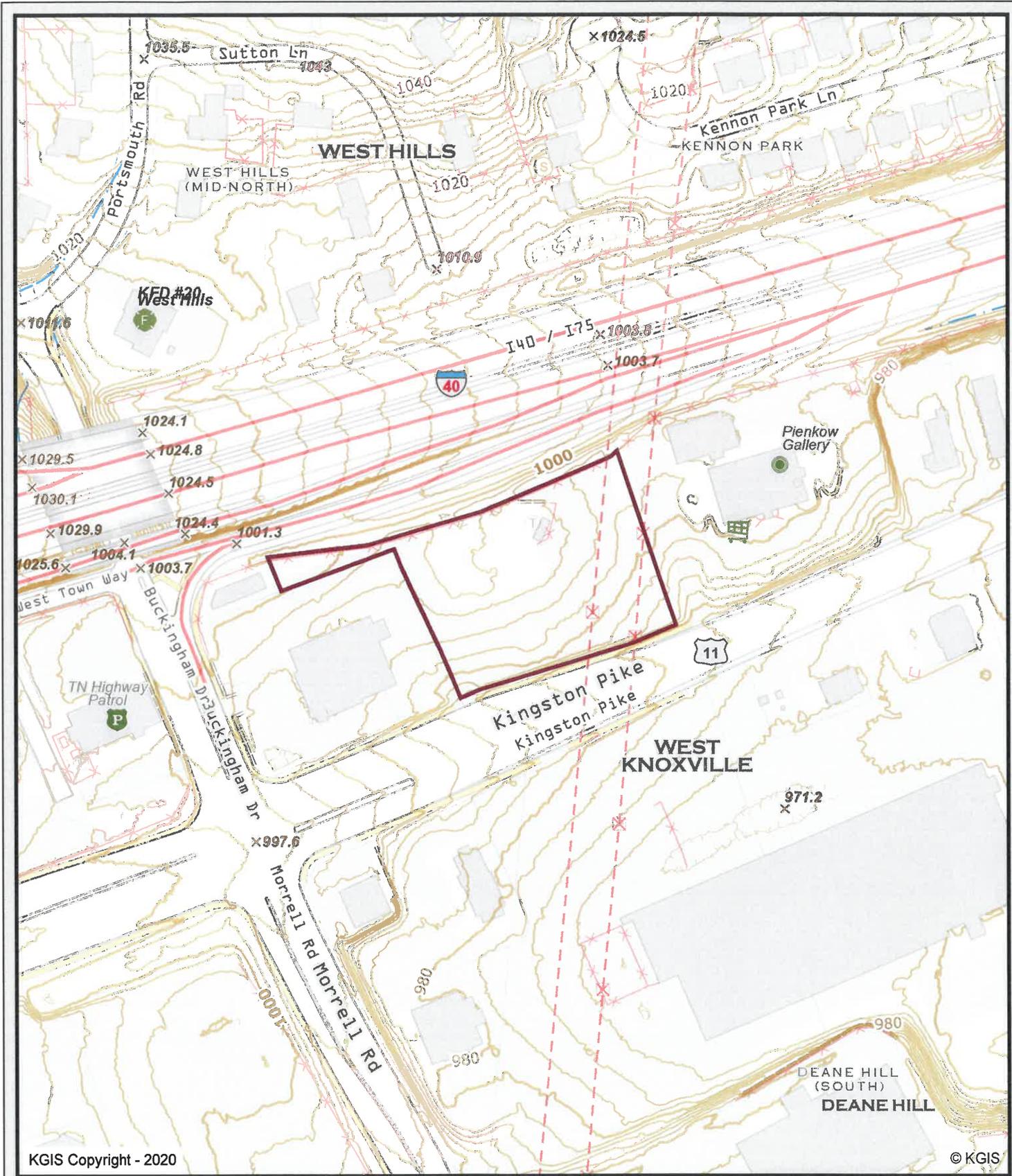
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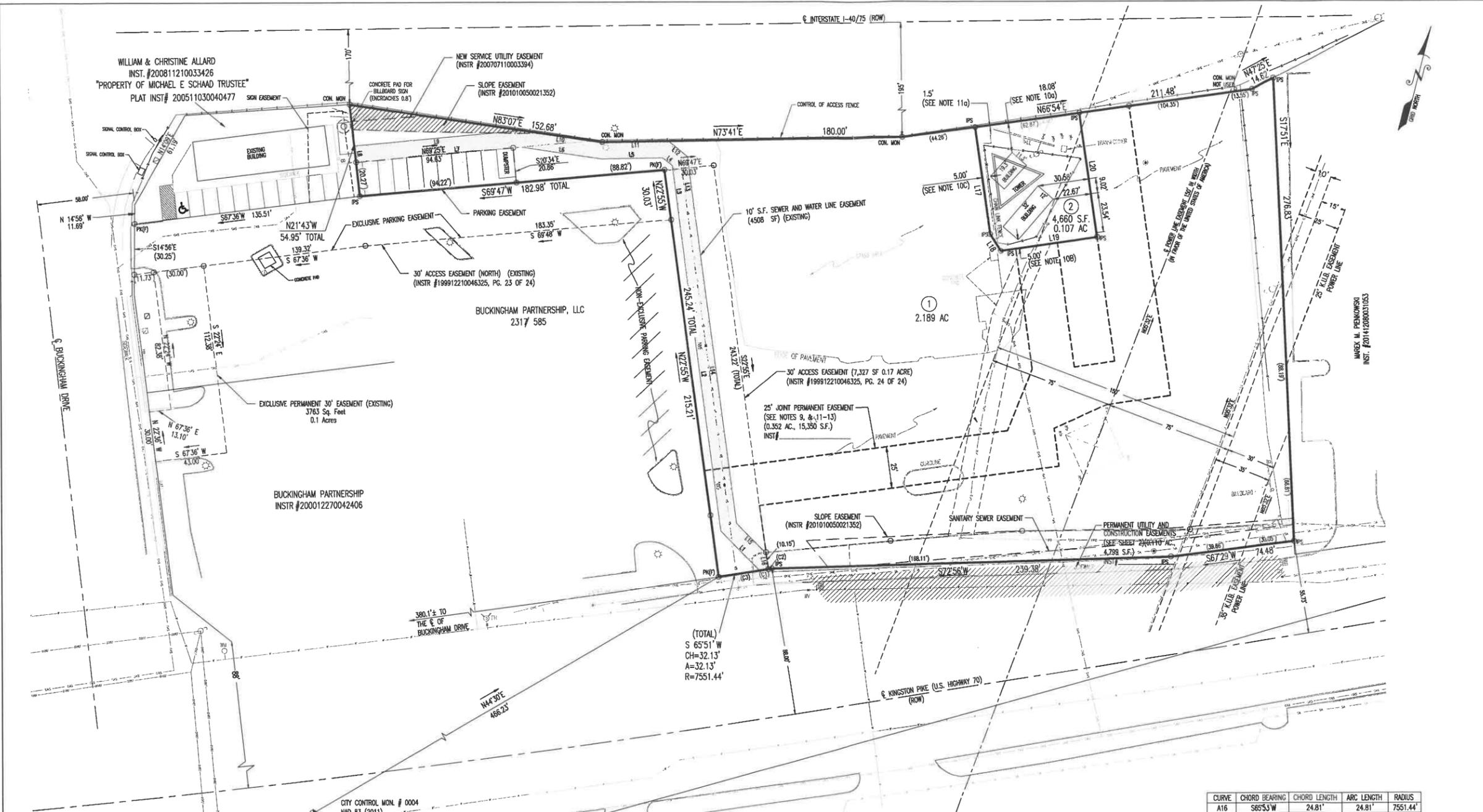
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LEGEND

- PK(F) PK NAIL FOUND
- IPS IRON PIN SET
- IPF IRON PIN FOUND (1/2" REBAR)
- DISK METAL DISK FOUND
- ☆ LIGHT POLE
- ⊕ GAS VALVE
- ⊙ SEWER MANHOLE
- ⊖ POWER POLE
- PIPE BOLLARD
- BOUNDARY LINE
- - - FENCE LINE
- SA - SA SANITARY SEWER LINE
- W - W WATERLINE
- OE - OE OVERHEAD UTILITY LINE
- OE - OE OVERHEAD ELECTRIC LINE
- TVA - TVA POWERLINE EASEMENT
- KUB - KUB POWERLINE EASEMENT
- GS - GS GASLINE
- UFO - UFO UNDERGROUND FIBER OPTIC CENTERLINE

VARIANCE REQUEST
 REDUCE LOT SIZE FROM 10,000 SF
 TO 4,660 SF FOR LOT 2

U-F-20-VA

CURVE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	RADIUS
A16	S65°53'W	24.81'	24.81'	7551.44'

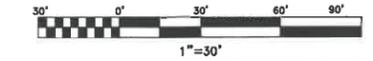
CURVE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	RADIUS
(C1)	S85°46'W	5.19'	5.19'	7551.44'
(C2)	S65°44'W	2.12'	2.12'	7551.44'
(C3)	S65°53'W	24.81'	24.81'	7551.44'

LINE	BEARING	DISTANCE
L1	N58°41'W	33.09'
L2	N22°55'W	188.17'
L3	N22°52'W	32.04'
L4	N65°32'W	7.33'
L5	S73°41'W	37.94'
L6	S83°09'W	47.94'
L7	S69°25'W	99.51'
L8	N21°43'W	10.00'
L9	N69°25'E	100.91'
L10	N83°09'E	48.32'
L11	N73°41'E	39.83'
L12	S69°32'E	14.96'
L13	S22°32'E	36.04'
L14	S22°55'E	184.85'
L15	S59°41'E	25.06'
L16	S22°55'E	9.84'
L17	S23°28'E	64.57'
L18	S48°08'E	11.82'
L19	N66°32'E	57.92'
L20	N23°27'W	74.93'

LINE	BEARING	DISTANCE
E1	S23°27'E	255.49'
E2	S74°07'W	99.96'
E3	S70°20'W	79.36'
E4	N22°55'W	37.06'
E5	N69°28'E	106.34'
E6	N70°20'E	80.37'
E7	N74°07'E	72.24'
E8	N23°27'W	124.75'
E9	S66°32'W	64.99'
E10	N23°28'W	30.00'
E11	S69°28'W	75.08'

OWNER:
 KEENLAND HEIGHTS, L.L.C.
 318 ERIN DRIVE, SUITE 11
 KNOXVILLE, TN 37919
 (865)200-4770

CLIFFORD, LLC
 150 MAJOR REYNOLDS PLACE
 KNOXVILLE, TN 37919
 (865)637-2674



BATSON, HIMES, NORVELL & POE
 REGISTERED ENGINEERS & LAND SURVEYORS
 4334 PAPERMILL DRIVE
 KNOXVILLE, TENNESSEE 37909
 PHONE: (865) 588-6472
 FAX: (865) 588-6473
 email@bhn-p.com

DEED REFERENCE: INSTR. # 200812290040071
 DEED REFERENCE: INSTR. # 201712290039670

20500-FP