

File #

12-D-22-VA



# BOARD OF ZONING APPEALS APPLICATION

## APPLICANT INFORMATION

Name Glenn Richters  
 Street Address 902 N. Central St  
 City, State, Zip Knoxville, TN 37917  
 Phone Number 865-637-7009  
 Email grichters@benefieldrichters.com

## APPLICANT IS:

Owner ☐  
 Contractor ☐  
 Tenant ☐  
 Other ☒

## THIS PROPOSAL PERTAINS TO:

New Structure ☐  
 Modification of Existing Structure ☒  
 Off Street Parking ☐  
 Signage ☐  
 Other ☐

## 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 701 N Cherry St  
 City, State, Zip Knoxville, TN 37914  
 Parcel # (see KGIS.org) 082JF019  
 Zoning District (see KGIS.org) C-N (Neighborhood Commercial)

## 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.

Request for a variance to increase the allowed side set-back encroachment for the patio area, at the east side of the building, from 5' to 15'.

Describe hardship conditions that apply to this variance.

Building the patio space within compliance does not provide a space large enough to be useful as a seating area.

## 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

11.16.22

File #



CITY OF KNOXVILLE

**BOARD OF ZONING APPEALS APPLICATION**

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

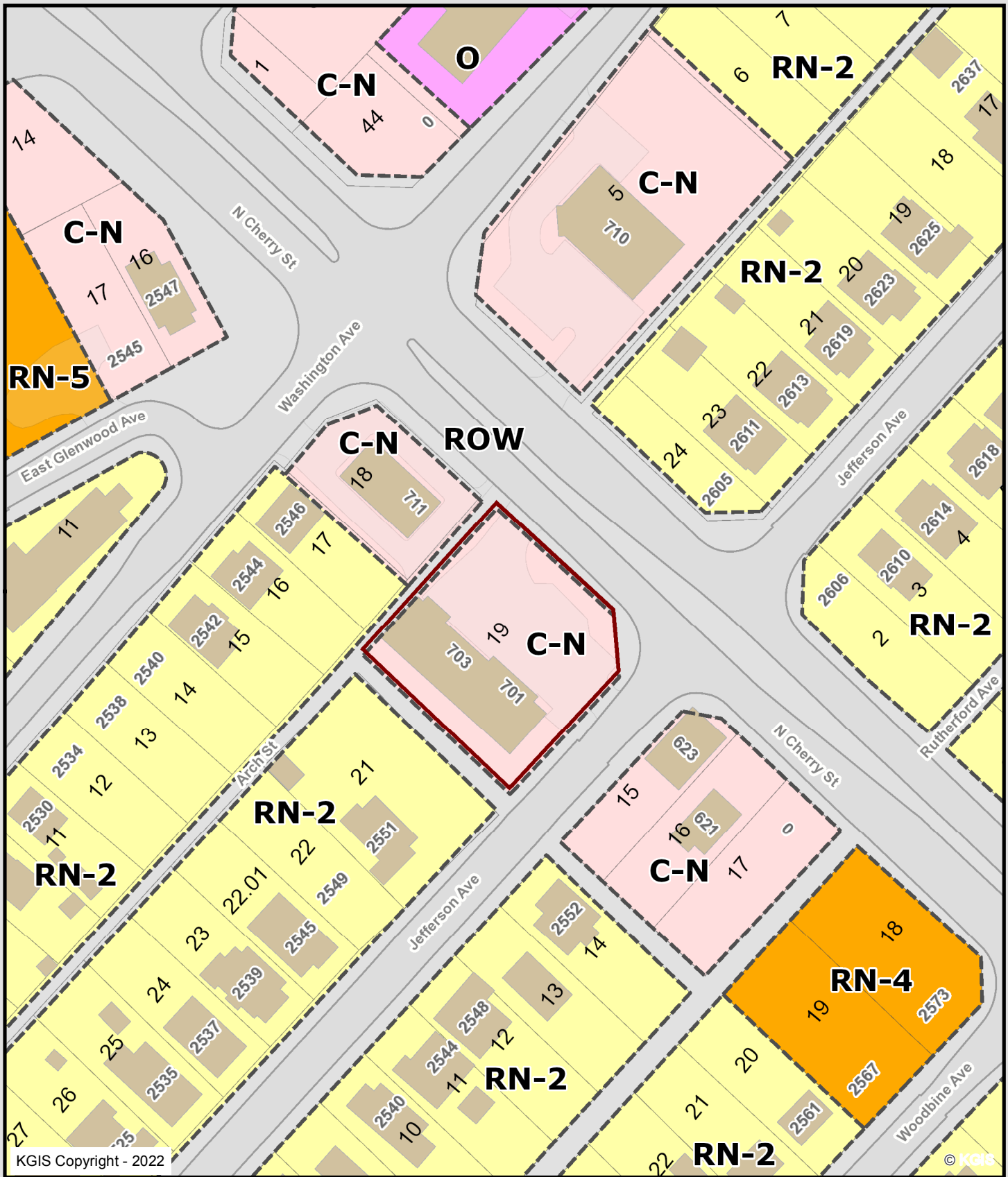
Is a plat required?    Yes   ☐   No   ☐

Small Lot of record?   ☐

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

**PROJECT INFORMATION**

Date Filed	Fee Amount
Council District	BZA Meeting Date
PLANS REVIEWER	DATE



701 N. CHERRY ST

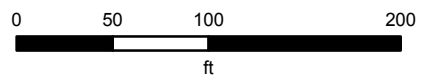
12-D-22-VA

GLENN RICHTERS

Knoxville - Knox County - KUB Geographic Information System

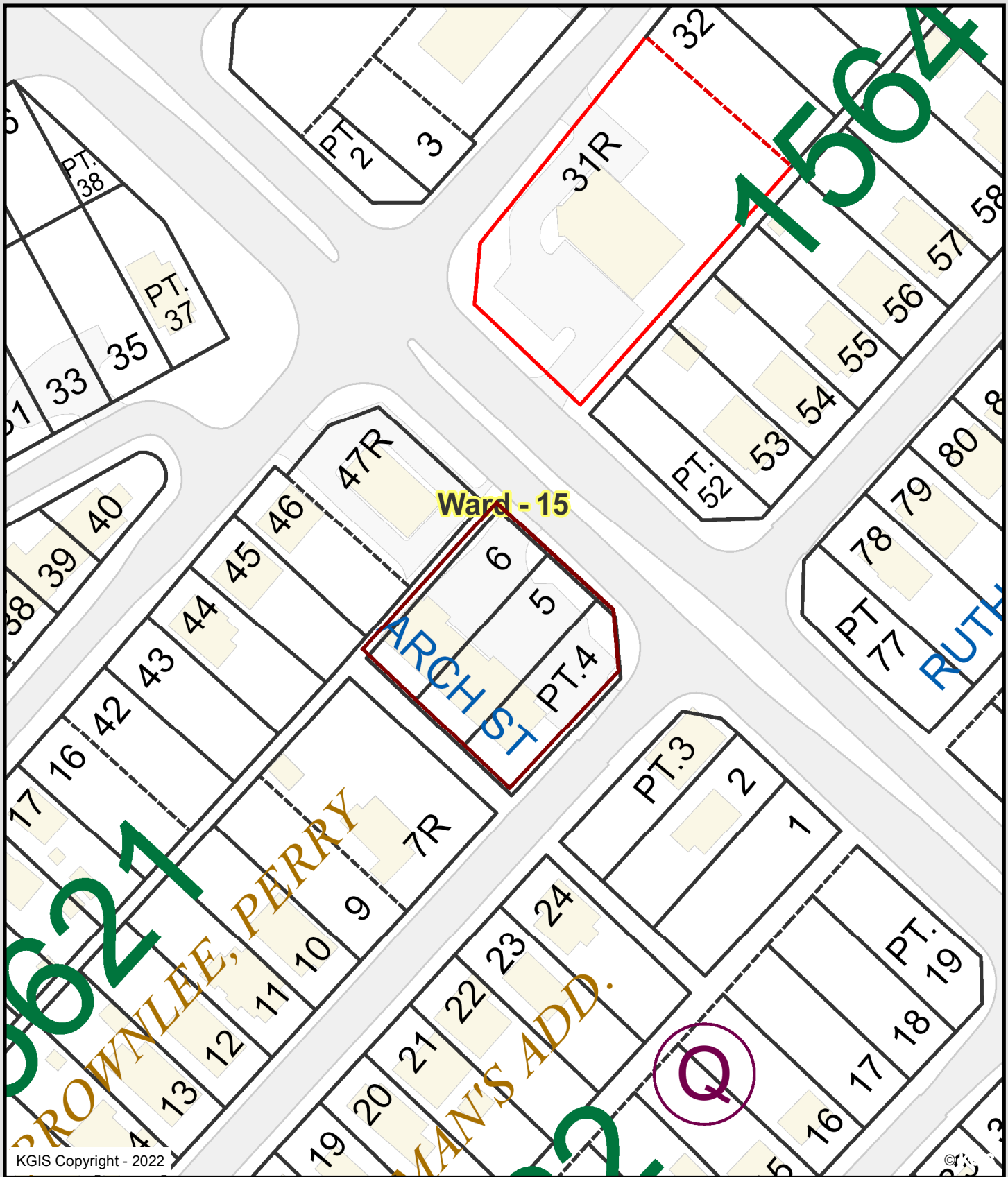


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701 N. CHERRY ST

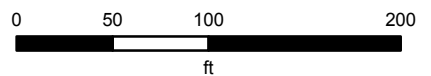
12-D-22-VA

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Knoxville - Knox County - KUB Geographic Information System

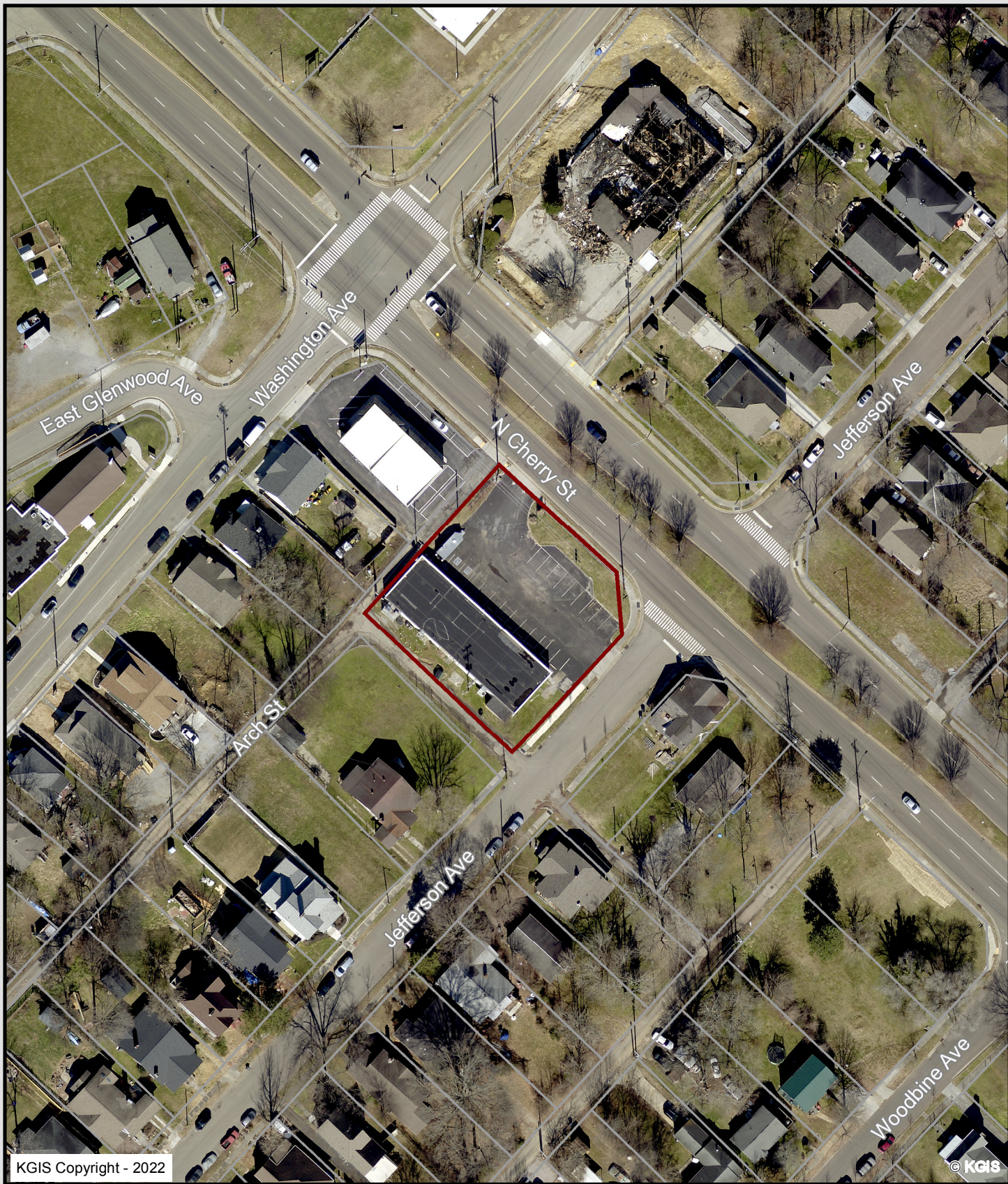


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701 N. CHERRY ST

12-D-22-VA

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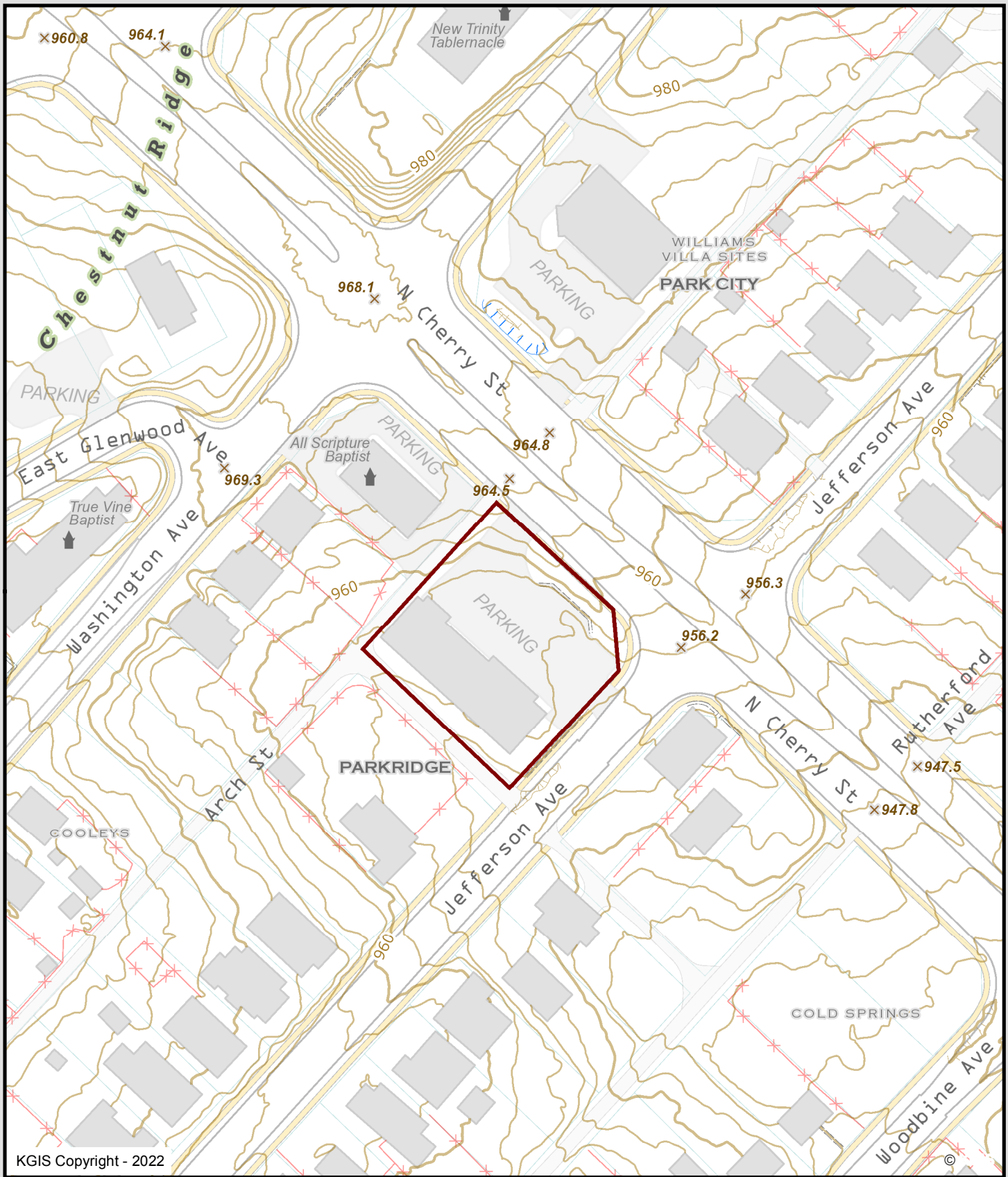


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**701 N. CHERRY ST**

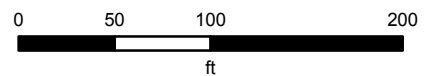
12-D-22-VA

GLENN RICHTERS

**Knoxville - Knox County - KUB Geographic Information System**



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December 2, 2022

Mr. Bryan Berry, Deputy Director  
Board of Zoning Appeals  
Room 475, City-County Building  
P. O. Box 1631  
Knoxville, Tennessee 37901

Dear Mr. Berry:

**Re: Variance Requests 9-C-22-VA, 11-E-22-VA, 12-A-22-VA, 12-B-22-VA, 12-C-22-VA,  
12-D-22-VA, 12-E-22-VA, and 12-F-22-VA**

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the variance areas and we have no objection to the requested variances. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Wiberley", is written over a light blue horizontal line.

Christian Wiberley, P.E.  
Engineering

CGW



**From:** [Steve Borden](#)  
**To:** [Jennifer Scobee](#)  
**Subject:** RE: Board of Zoning Appeals - December applications  
**Date:** Thursday, December 8, 2022 3:27:10 PM  
**Attachments:** [image002.png](#)

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Jennifer,

Please see the responses below.

[9-C-22-VA](#) [7727 Kingston Pk \(PDF\)](#)- Operations has No Comment  
[11-E-22-VA](#) [1700 Merchant Dr \(PDF\)](#)- Operations has No Comment  
[12-A-22-VA](#) [3940 Seahorn Ave \(PDF\)](#)- Operations has No Comment  
[12-B-22-VA](#) [1915 Forest Ave \(PDF\)](#)- Operations has No Comment  
[12-C-22-VA](#) [4103 Chapman Hwy \(PDF\)](#)- Operations has No Comment  
[12-D-22-VA](#) [701 N. Cherry St \(PDF\)](#)- Operations has No Comment  
[12-E-22-VA](#) [1100 University Ave \(PDF\)](#)- Operations has No Comment  
[12-F-22-VA](#) [400 Neyland DR \(PDF\)](#)- Operations has No Comment

Thank you,



**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)

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**From:** Jennifer Scobee <[jscobee@knoxvilletn.gov](mailto:jscobee@knoxvilletn.gov)>  
**Sent:** Wednesday, November 30, 2022 9:24 AM  
**To:** Steve Borden <[Steve.Borden@tn.gov](mailto:Steve.Borden@tn.gov)>; [Christian.Wiberley@kub.org](mailto:Christian.Wiberley@kub.org)  
**Subject:** [EXTERNAL] Board of Zoning Appeals - December applications

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

Good morning!

Please have your staff review the following applications and provide your responses by Monday, December 12, 2022. You may access the applications [here](#)

LIST APPLICATIONS BY FILE # AND ADDRESS