



# BOARD OF ZONING APPEALS APPLICATION

Please reach out to a City of Knoxville Zoning Examiner about your project before submitting a variance application.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name (Individual not company) John Huber - Huber Properties	Owner <input checked="" type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address P.O. Box 23038	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37933	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-966-1600	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email John@HuberProp.com		Other <input type="checkbox"/>

### THIS IS A REQUEST FOR:

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

### PROPERTY INFORMATION

Street Address 0 Helmbolt Road City, State, Zip Knoxville, TN 37909  
 See [KGIS.org](http://KGIS.org) for Parcel # 106 CA 00 City Council District # 3 and Zoning District RN-2

### VARIANCE REQUIREMENTS

#### City of Knoxville Zoning Ordinance Article 16, Section 16.3

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.

City Codes has interpreted that any lots accessed off of an SPAE must "face" the City street it originates from and not from the access easement. For proper access, design, and flow, we are requesting the the following variances:

- Lot 24 - Rear setback reduced to 5'
- Lot 25 - Front and rear setback reduced to 5'
- Lot 26 - Front and rear setback reduced to 5'
- Lot 30 - Rear setback reduced to 5'
- Lot 31 - Front and rear setback reduced to 5'
- Lot 32 - Front and rear setback reduced to 5'
- Lot 33 - Front and rear setback reduced to 5'

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

Topography and geometric design prohibit orientation of the lots towards the intersection of the SPAE and the originating subdivision street. In allowing these variances, it would enable us to turn the houses to face the SPAE.

Site plans and any other relevant information associated with the hardship must accompany this application.

### 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 10-12-23

File #



**BOARD OF ZONING APPEALS APPLICATION**

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

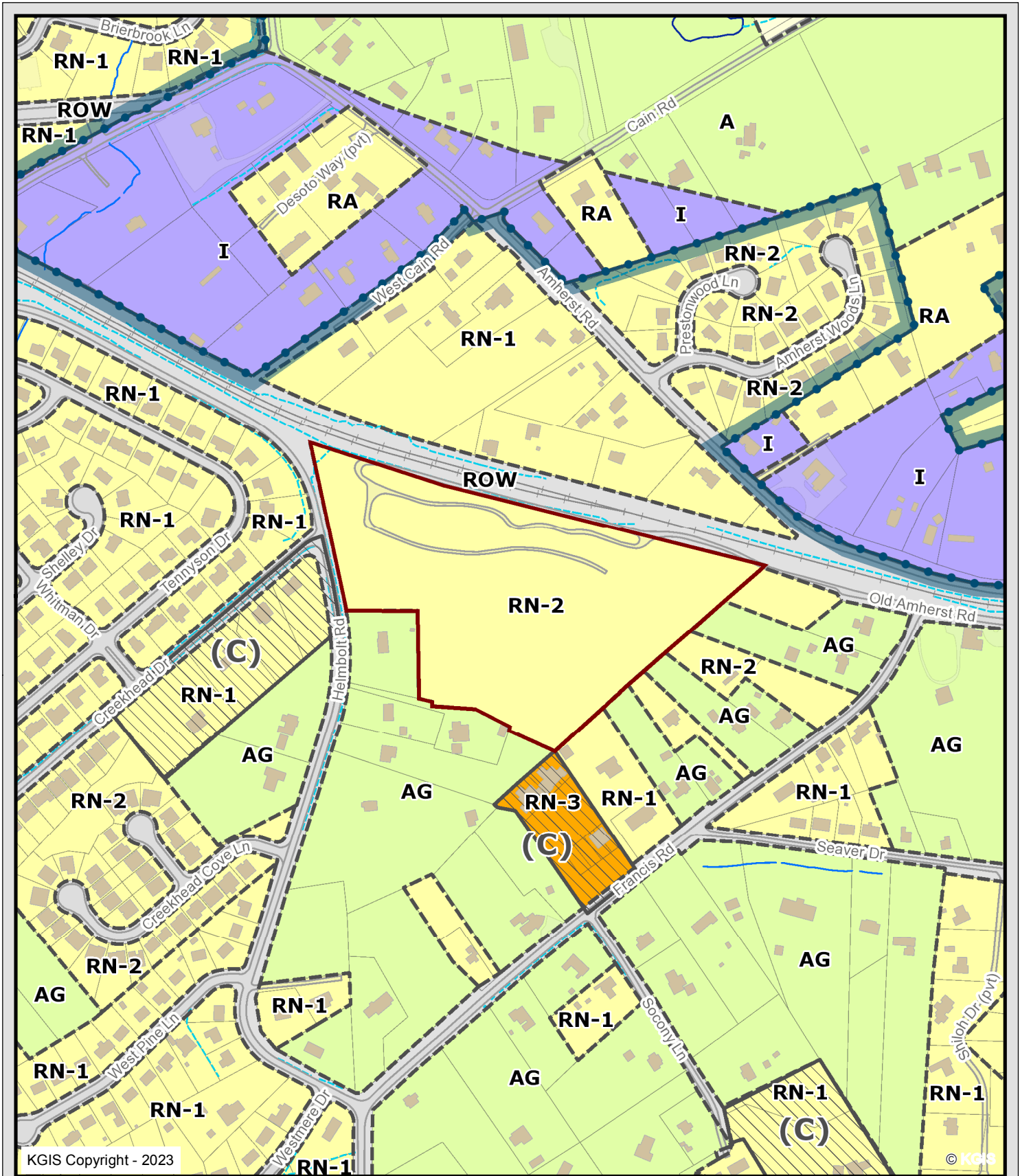
Is a plat required?    Yes      No  

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

*(This area is intentionally left blank for the applicant to provide variance request details and ordinance citations.)*

**PROJECT INFORMATION**

Date Filed	Fee Amount
Council District	BZA Meeting Date
<b>PLANS REVIEWER</b>	<b>DATE</b>



KGIS Copyright - 2023

© KGIS

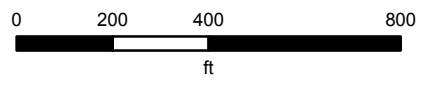
### 0 HELMBOLT RD

11-F-23-VA  
JOHN HUBER

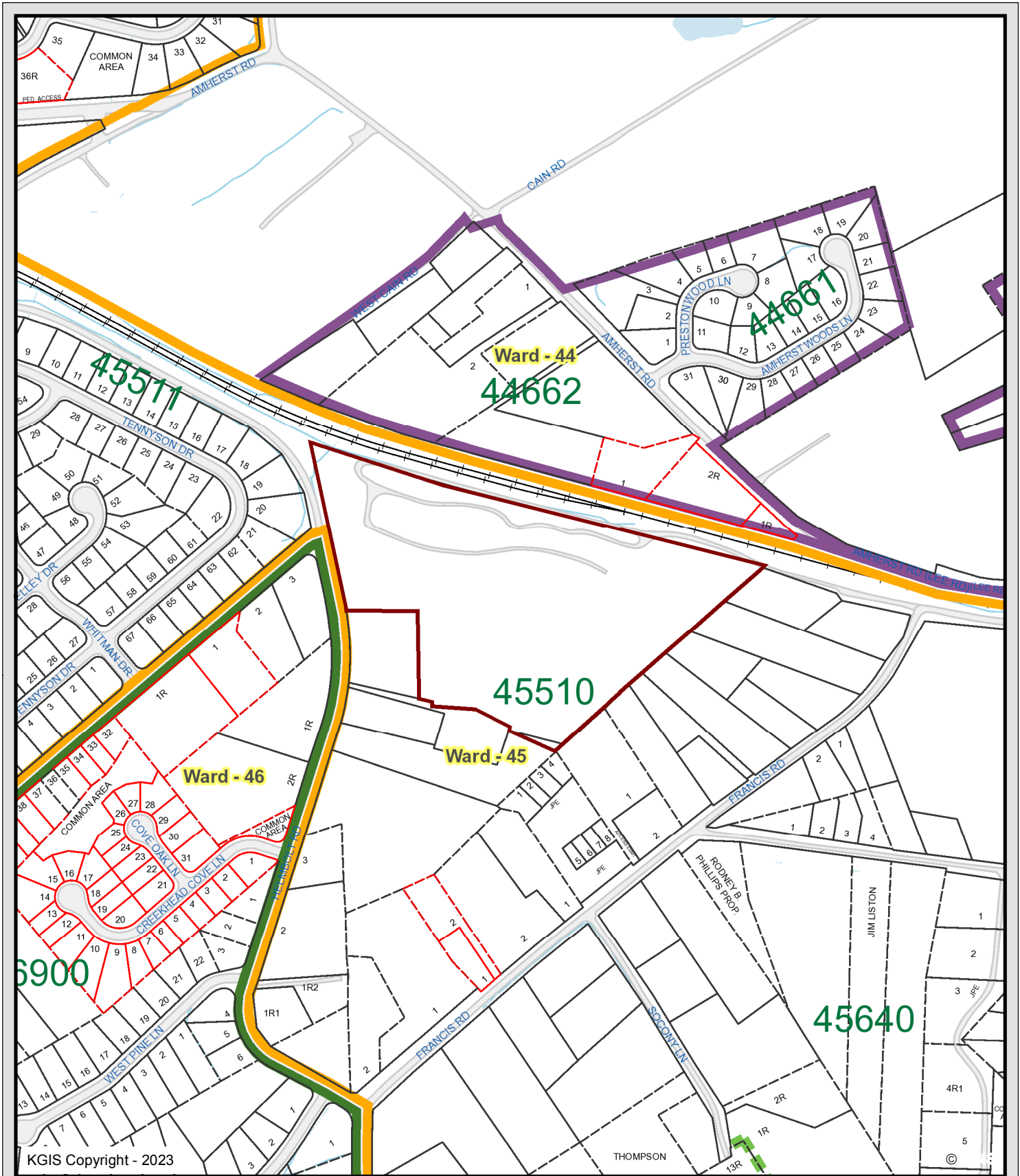
#### Knoxville - Knox County - KUB Geographic Information System



Printed: 10/13/2023 at 8:30:24 AM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



0 HELMBOLT RD

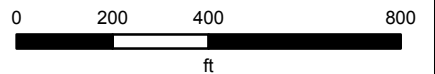
11-F-23-VA

JOHN HUBER

Knoxville - Knox County - KUB Geographic Information System



Printed: 10/13/2023 at 8:30:51 AM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.





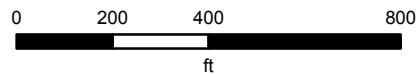
# 0 HELMBOLT RD

11-F-23-VA  
JOHN HUBER

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

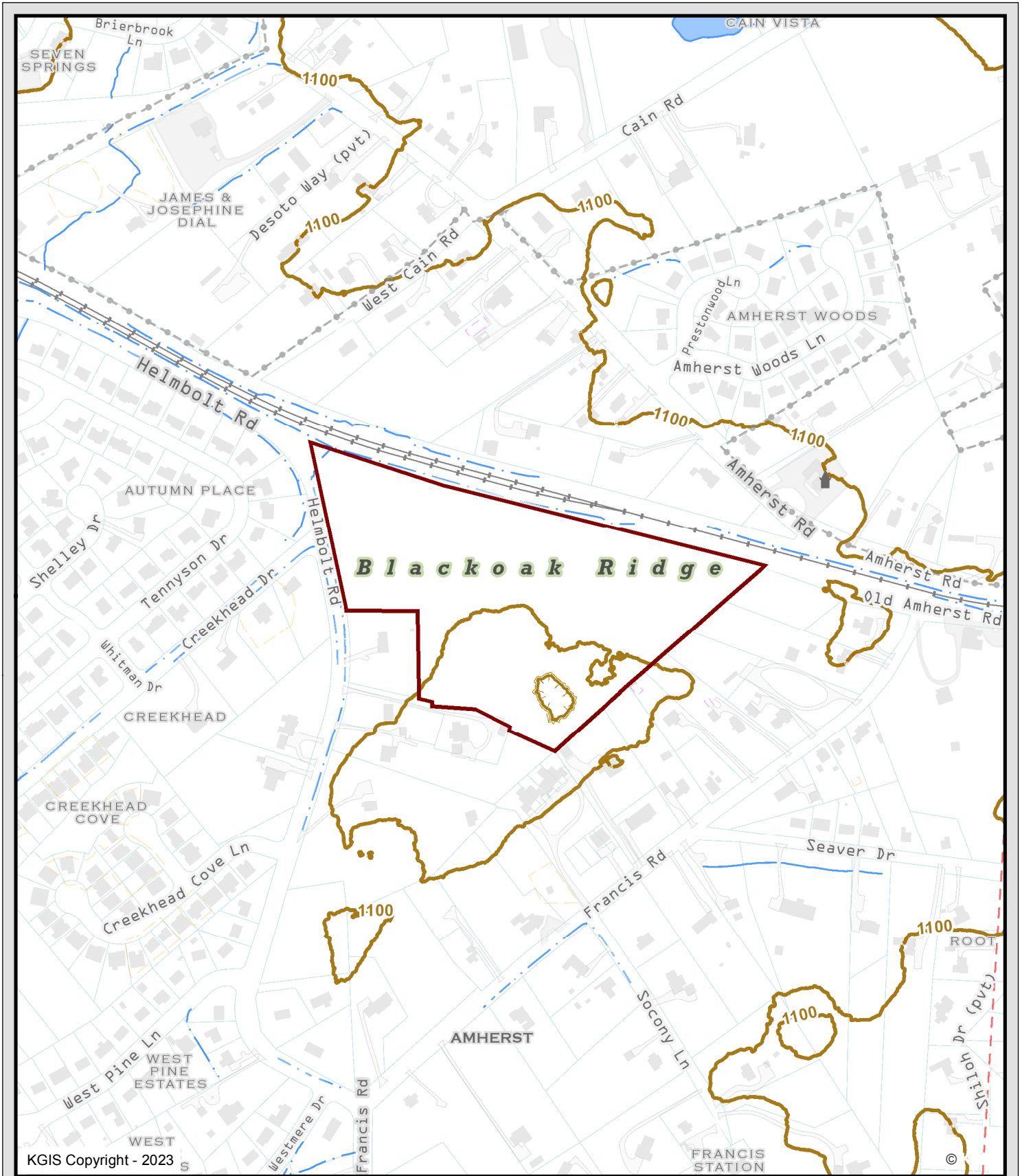


Printed: 10/13/2023 at 8:29:43 AM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.





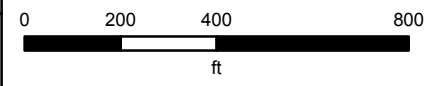
**0 HELMBOLT RD**

11-F-23-VA  
JOHN HUBER

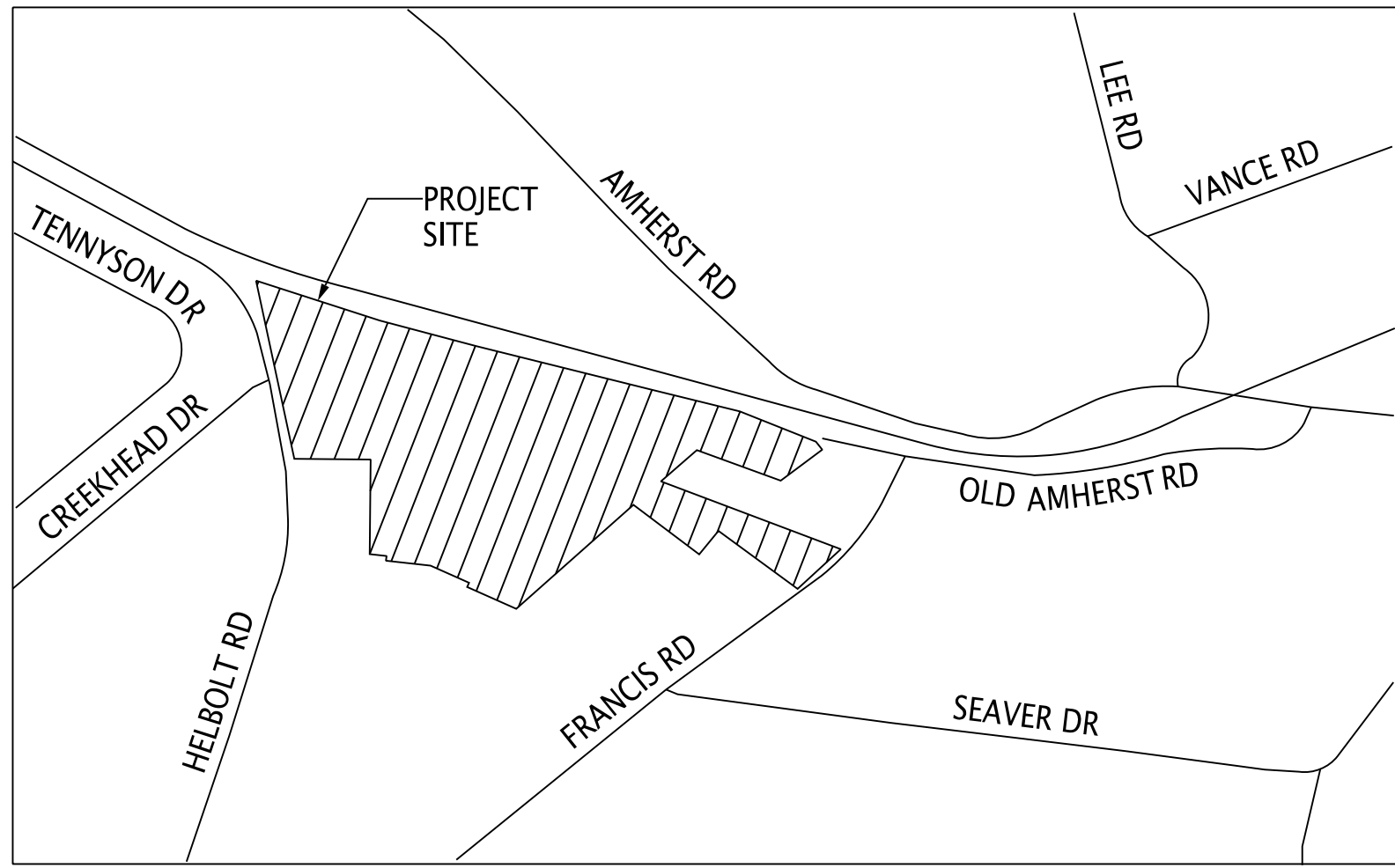
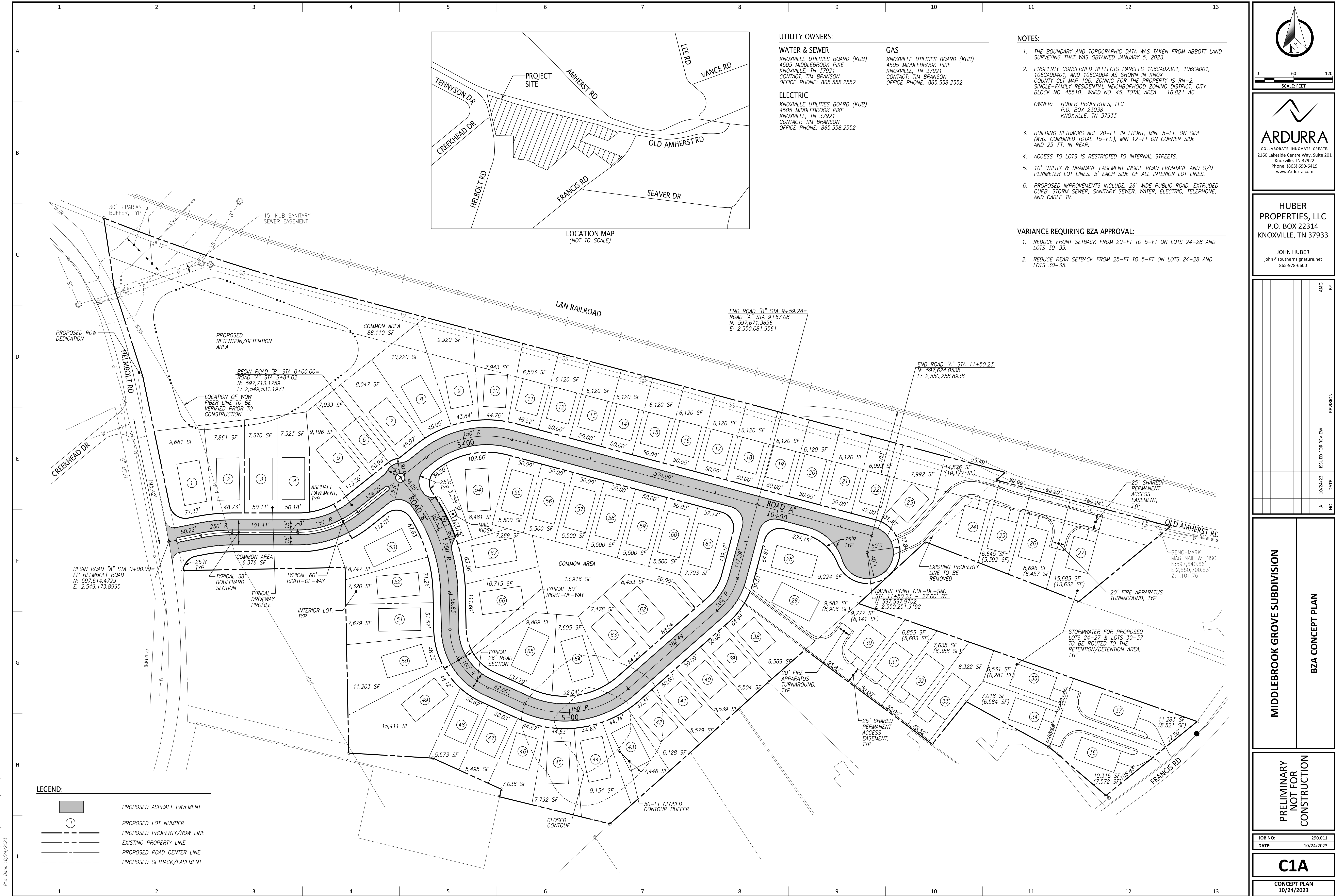
**Knoxville - Knox County - KUB Geographic Information System**



Printed: 10/13/2023 at 8:31:12 AM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



LOCATION MAP  
(NOT TO SCALE)

**UTILITY OWNERS:**

**WATER & SEWER**

KNOXVILLE UTILITIES BOARD (KUB)  
4505 MIDDLEBROOK PIKE  
KNOXVILLE, TN 37921  
CONTACT: TIM BRANSON  
OFFICE PHONE: 865.558.2552

**GAS**

KNOXVILLE UTILITIES BOARD (KUB)  
4505 MIDDLEBROOK PIKE  
KNOXVILLE, TN 37921  
CONTACT: TIM BRANSON  
OFFICE PHONE: 865.558.2552

**ELECTRIC**

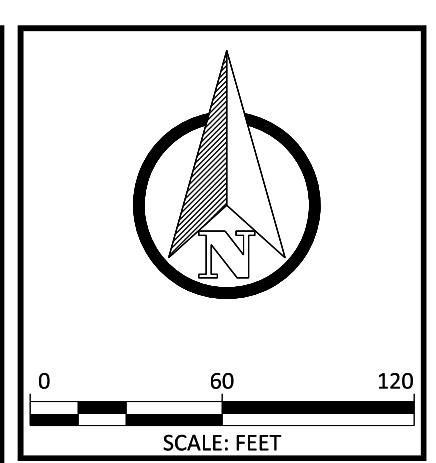
KNOXVILLE UTILITIES BOARD (KUB)  
4505 MIDDLEBROOK PIKE  
KNOXVILLE, TN 37921  
CONTACT: TIM BRANSON  
OFFICE PHONE: 865.558.2552

**NOTES:**

- THE BOUNDARY AND TOPOGRAPHIC DATA WAS TAKEN FROM ABBOTT LAND SURVEYING THAT WAS OBTAINED JANUARY 5, 2023.
- PROPERTY CONCERNED REFLECTS PARCELS 106CA02301, 106CA001, 106CA0401, AND 106CA004 AS SHOWN IN KNOX COUNTY CLT MAP 106. ZONING FOR THE PROPERTY IS RN-2, SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD ZONING DISTRICT, CITY BLOCK NO. 45510, WARD NO. 45. TOTAL AREA = 16.82± AC.  
  
OWNER: HUBER PROPERTIES, LLC  
P.O. BOX 23038  
KNOXVILLE, TN 37933
- BUILDING SETBACKS ARE 20-FT. IN FRONT, MIN. 5-FT. ON SIDE (AVG. COMBINED TOTAL 15-FT.), MIN 12-FT ON CORNER SIDE AND 25-FT. IN REAR.
- ACCESS TO LOTS IS RESTRICTED TO INTERNAL STREETS.
- 10' UTILITY & DRAINAGE EASEMENT INSIDE ROAD FRONTAGE AND S/D PERIMETER LOT LINES. 5' EACH SIDE OF ALL INTERIOR LOT LINES.
- PROPOSED IMPROVEMENTS INCLUDE: 26' WIDE PUBLIC ROAD, EXTRUDED CURB, STORM SEWER, SANITARY SEWER, WATER, ELECTRIC, TELEPHONE, AND CABLE TV.

**VARIANCE REQUIRING BZA APPROVAL:**

- REDUCE FRONT SETBACK FROM 20-FT TO 5-FT ON LOTS 24-28 AND LOTS 30-35.
- REDUCE REAR SETBACK FROM 25-FT TO 5-FT ON LOTS 24-28 AND LOTS 30-35.



2160 Lakeside Centre Way, Suite 201  
Knoxville, TN 37922  
Phone: (865) 690-6419  
www.Arduro.com

**HUBER PROPERTIES, LLC**  
P.O. BOX 22314  
KNOXVILLE, TN 37933

**JOHN HUBER**  
john@southesignature.net  
865-978-6600

NO.	DATE	ISSUED FOR REVIEW	BY

**MIDDLEBROOK GROVE SUBDIVISION**  
**BZA CONCEPT PLAN**

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

JOB NO: 290.011  
DATE: 10/24/2023

**C1A**

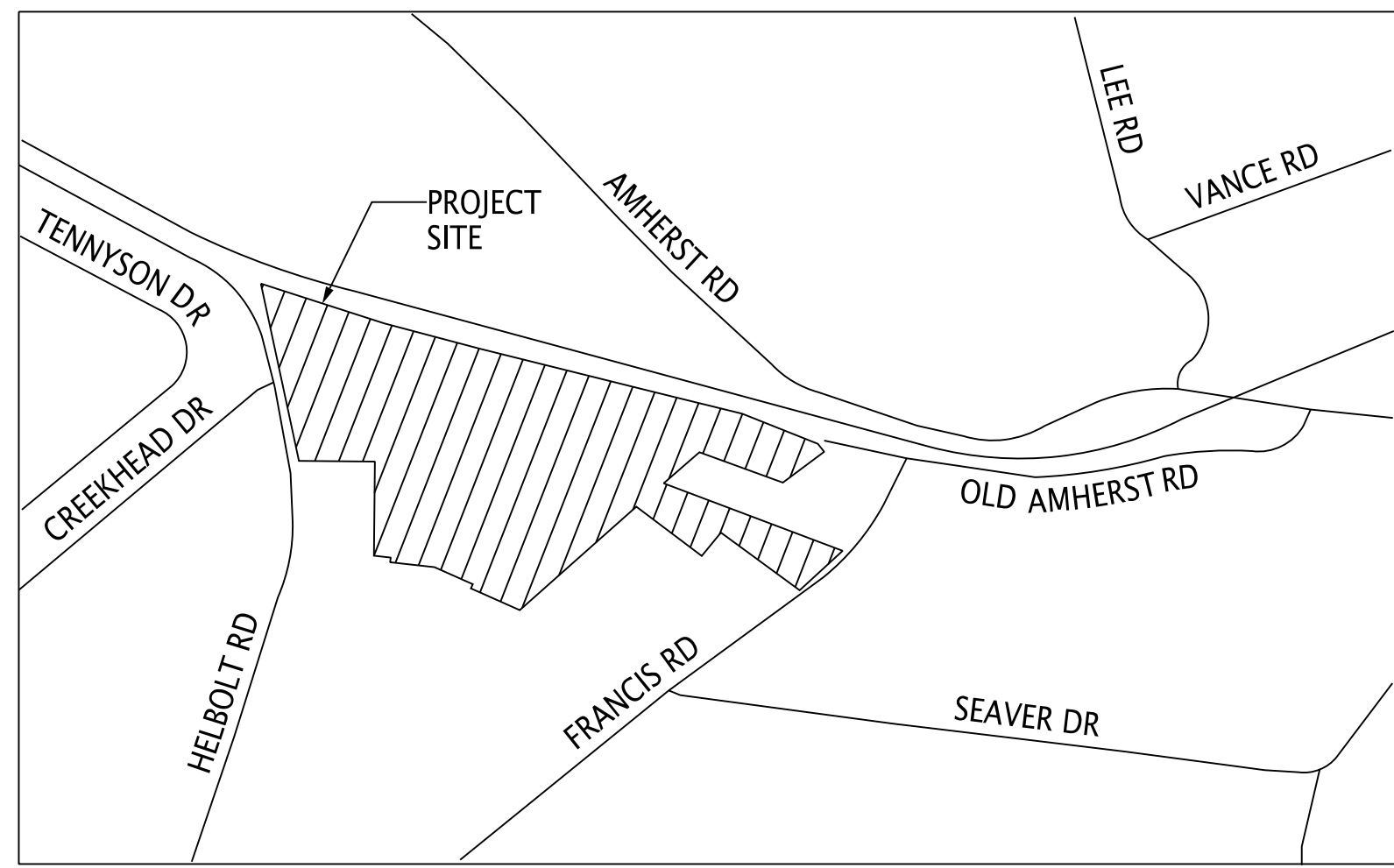
CONCEPT PLAN  
10/24/2023

**LEGEND:**

- PROPOSED ASPHALT PAVEMENT
- PROPOSED LOT NUMBER
- PROPOSED PROPERTY/ROW LINE
- EXISTING PROPERTY LINE
- PROPOSED ROAD CENTER LINE
- PROPOSED SETBACK/EASEMENT

File Name: \1280\_280.C11\DWG\290011.dwg  
Plot Date: 10/24/2023





LOCATION MAP  
(NOT TO SCALE)

UTILITY OWNERS:

WATER & SEWER

KNOXVILLE UTILITIES BOARD (KUB)  
4505 MIDDLEBROOK PIKE  
KNOXVILLE, TN 37921  
CONTACT: TIM BRANSON  
OFFICE PHONE: 865.558.2552

GAS

KNOXVILLE UTILITIES BOARD (KUB)  
4505 MIDDLEBROOK PIKE  
KNOXVILLE, TN 37921  
CONTACT: TIM BRANSON  
OFFICE PHONE: 865.558.2552

ELECTRIC

KNOXVILLE UTILITIES BOARD (KUB)  
4505 MIDDLEBROOK PIKE  
KNOXVILLE, TN 37921  
CONTACT: TIM BRANSON  
OFFICE PHONE: 865.558.2552

ENGINEERING CERTIFICATION:

I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE-KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN ITEMIZED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.

REGISTERED ENGINEER: AARON M. GRAY, P.E.  
TENNESSEE CERTIFICATE NO. 0108410

NOTES:

- THE BOUNDARY AND TOPOGRAPHIC DATA WAS TAKEN FROM ABBOTT LAND SURVEYING THAT WAS OBTAINED JANUARY 5, 2023.
- PROPERTY CONCERNED REFLECTS PARCELS 106CA02301, 106CA001, 106CA00401, AND 106CA004 AS SHOWN IN KNOX COUNTY CLT MAP 106. ZONING FOR THE PROPERTY IS RN-2, SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD ZONING DISTRICT, CITY BLOCK NO. 45510, WARD NO. 45. TOTAL AREA = 16.82± AC.
- BUILDING SETBACKS ARE 20-FT. IN FRONT, MIN. 5-FT. ON SIDE (AVG. COMBINED TOTAL 15-FT.), MIN 12-FT ON CORNER SIDE AND 25-FT. IN REAR.
- ACCESS TO LOTS IS RESTRICTED TO INTERNAL STREETS.
- 10' UTILITY & DRAINAGE EASEMENT INSIDE ROAD FRONTAGE AND S/D PERIMETER LOT LINES. 5' EACH SIDE OF ALL INTERIOR LOT LINES.
- PROPOSED IMPROVEMENTS INCLUDE: 26' WIDE PUBLIC ROAD, EXTRUDED CURB, STORM SEWER, SANITARY SEWER, WATER, ELECTRIC, TELEPHONE, AND CABLE TV.
- PROPOSED ROAD DESIGN SPEED IS 15 MPH.
- PLANNING COMMISSION CASE NUMBER: 10-SA-3C.
- TWO (2) ADDITIONAL LOTS MY BE AVAILABLE PENDING BZA REVIEW.

PROPOSED DENSITY

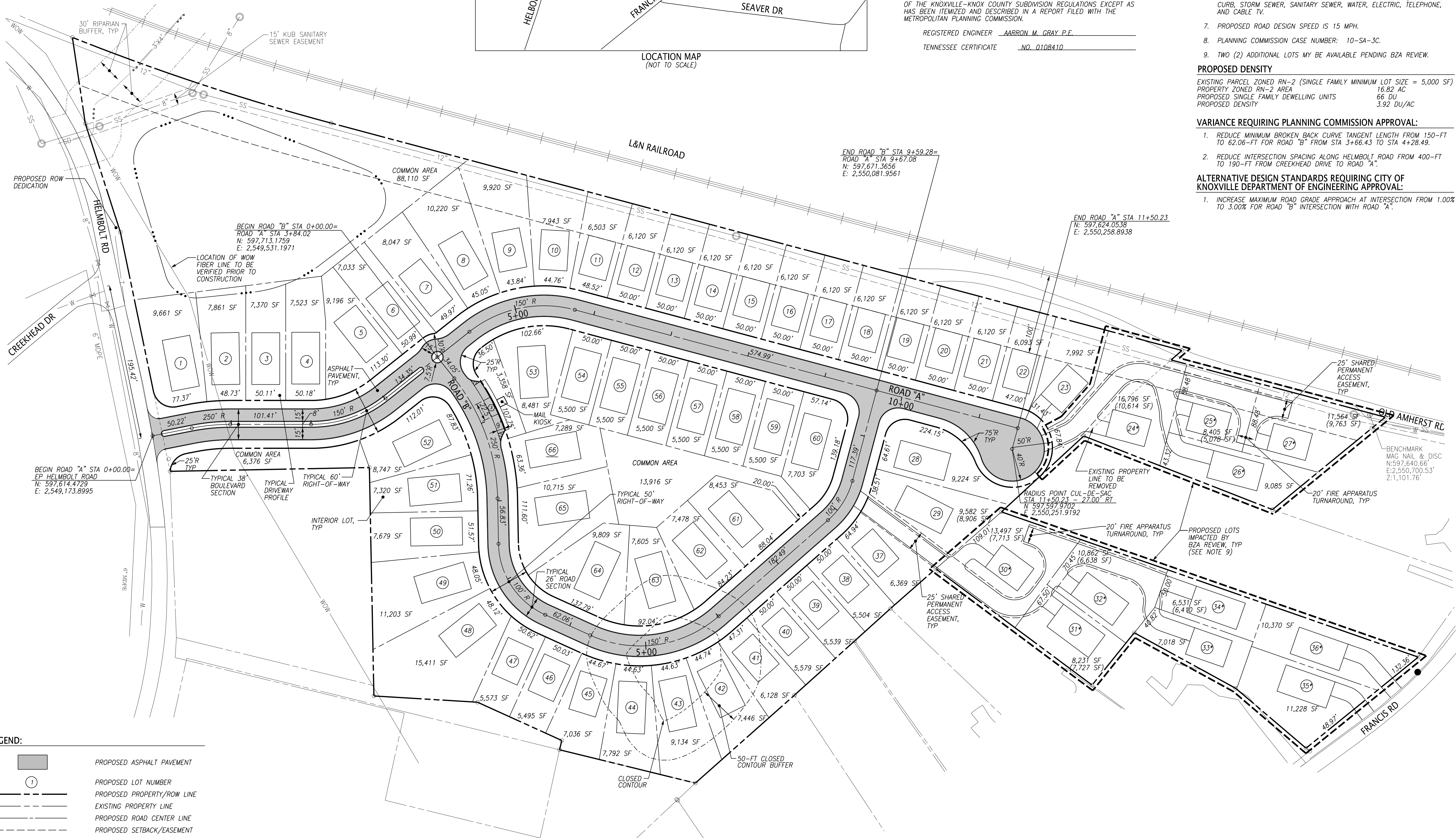
EXISTING PARCEL ZONED RN-2 (SINGLE FAMILY MINIMUM LOT SIZE = 5,000 SF)  
PROPERTY ZONED RN-2 AREA 16.82 AC  
PROPOSED SINGLE FAMILY DWELLING UNITS 66 DU  
PROPOSED DENSITY 3.92 DU/AC

VARIANCE REQUIRING PLANNING COMMISSION APPROVAL:

- REDUCE MINIMUM BROKEN BACK CURVE TANGENT LENGTH FROM 150-FT TO 62.06-FT FOR ROAD "B" FROM STA 3+66.43 TO STA 4+28.49.
- REDUCE INTERSECTION SPACING ALONG HELMBOLT ROAD FROM 400-FT TO 190-FT FROM CREEKHEAD DRIVE TO ROAD "A".

ALTERNATIVE DESIGN STANDARDS REQUIRING CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING APPROVAL:

- INCREASE MAXIMUM ROAD GRADE APPROACH AT INTERSECTION FROM 1.00% TO 3.00% FOR ROAD "B" INTERSECTION WITH ROAD "A".



**LEGEND:**

- PROPOSED ASPHALT PAVEMENT
- PROPOSED LOT NUMBER
- PROPOSED PROPERTY/ROW LINE
- EXISTING PROPERTY LINE
- PROPOSED ROAD CENTER LINE
- PROPOSED SETBACK/EASEMENT

SCALE: FEET

**ARDURRA**  
COLLABORATE. INNOVATE. CREATE.  
2160 Lakeside Centre Way, Suite 201  
Knoxville, TN 37922  
Phone: (865) 690-6419  
www.Ardurra.com

**HUBER PROPERTIES, LLC**  
P.O. BOX 22314  
KNOXVILLE, TN 37933

JOHN HUBER  
john@southernsignature.net  
865-978-6600

NO.	DATE	REVISION	BY
C	10/24/23	REVISED PER MPC COMMENTS	
B	09/19/23	REVISED PER MPC COMMENTS	
A	08/21/23	ISSUED FOR REVIEW	

**MIDDLEBROOK GROVE SUBDIVISION**

**CONCEPT PLAN**

**PRELIMINARY NOT FOR CONSTRUCTION**

JOB NO: 290.011  
DATE: 08/21/2023

C1

CONCEPT PLAN  
08/21/2023



1 2 3 4 5 6 7 8 9 10 11 12 13

A  
B  
C  
D  
E  
F  
G  
H  
I

**LEGEND:**

- 1020 — PROPOSED CONTOUR
- - - 1022 - - - EXISTING CONTOUR
- - - - - EXISTING PROPERTY LINE
- - - - - PROPOSED PROPERTY LINE

SCALE: FEET

**ARDURRA**  
COLLABORATE. INNOVATE. CREATE.  
2160 Lakeside Centre Way, Suite 201  
Knoxville, TN 37922  
Phone: (865) 690-6419  
www.Ardurra.com

**HUBER PROPERTIES, LLC**  
P.O. BOX 22314  
KNOXVILLE, TN 37933

JOHN HUBER  
john@southernsignature.net  
865-978-6600

NO.	DATE	REVISION	BY
B	10/24/23	REVISED PER MPC COMMENTS	ANG
A	09/19/23	ISSUED FOR REVIEW	ANG

**MIDDLEBROOK GROVE SUBDIVISION**

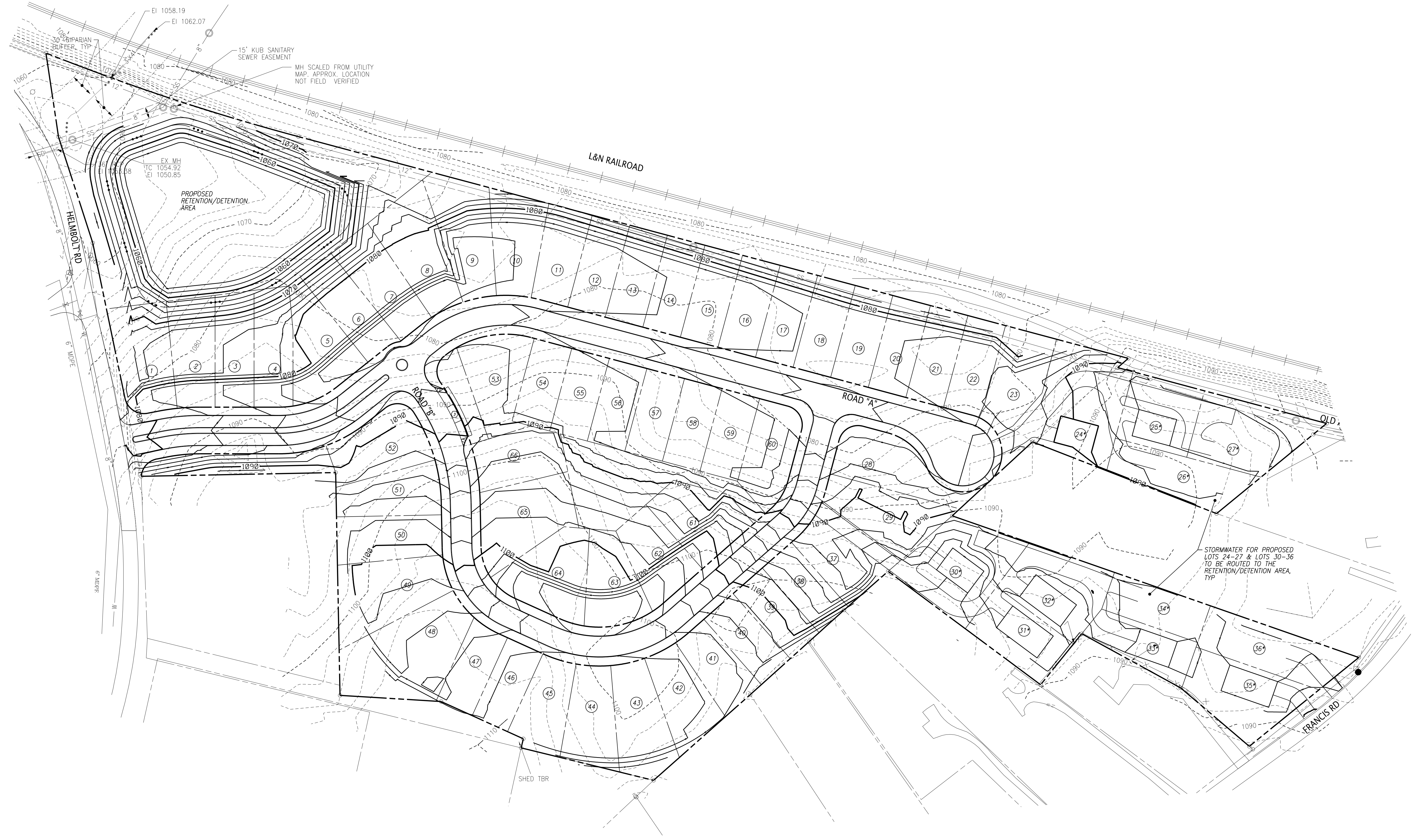
**PRELIMINARY GRADING PLAN**

**PRELIMINARY NOT FOR CONSTRUCTION**

JOB NO: 290.011  
DATE: 08/21/2023

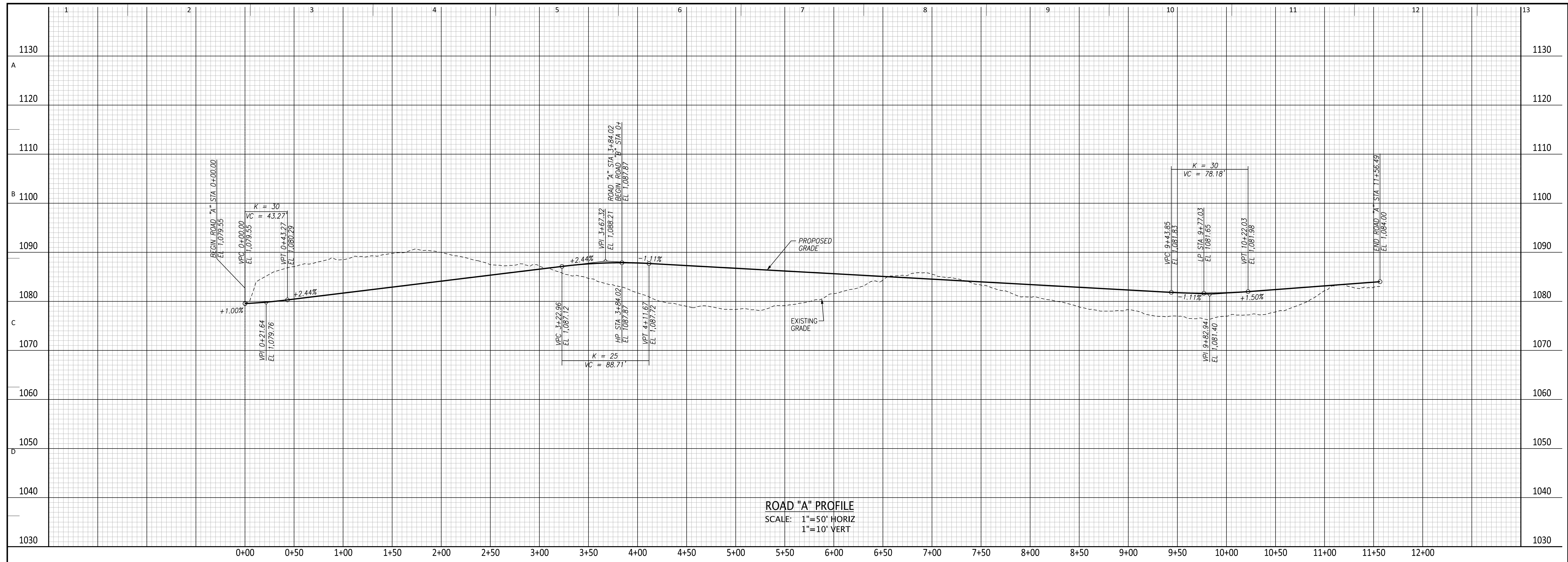
**C2**

CONCEPT PLAN  
08/21/2023

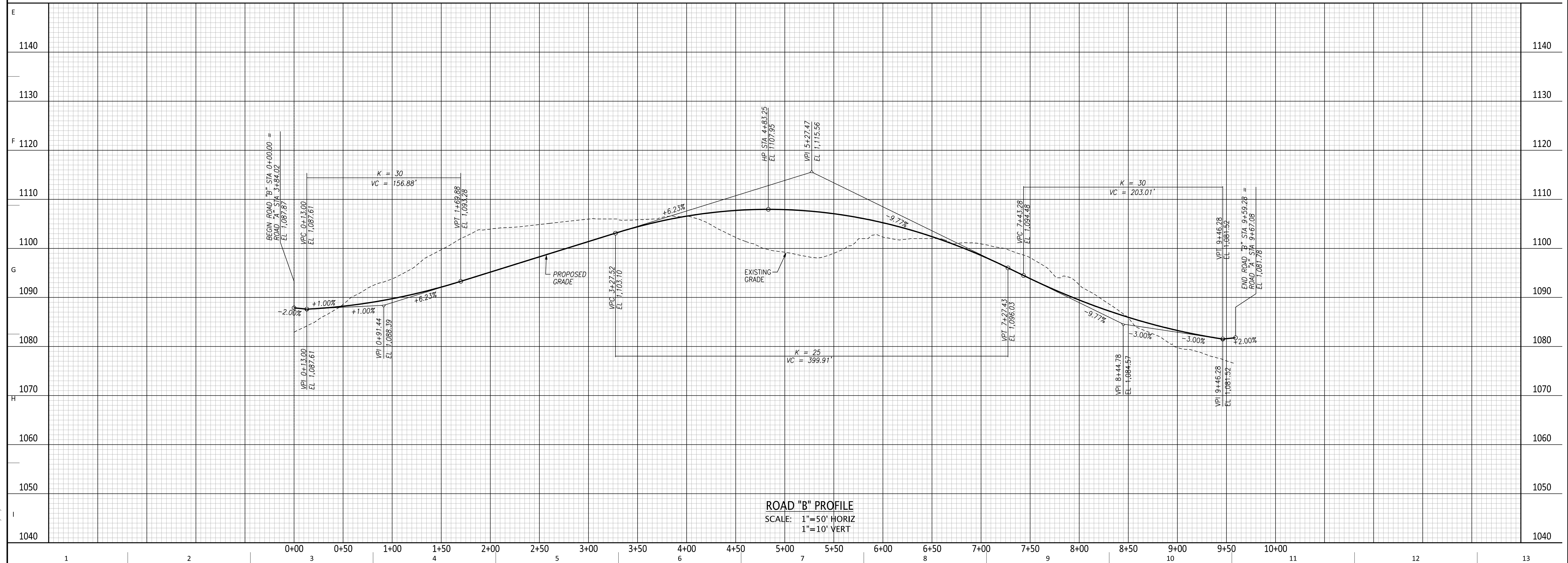


File Name: \\1290.290.011\WORKS\290.011\p02.dgn  
Plot Date: 10/24/2023

1 2 3 4 5 6 7 8 9 10 11 12 13

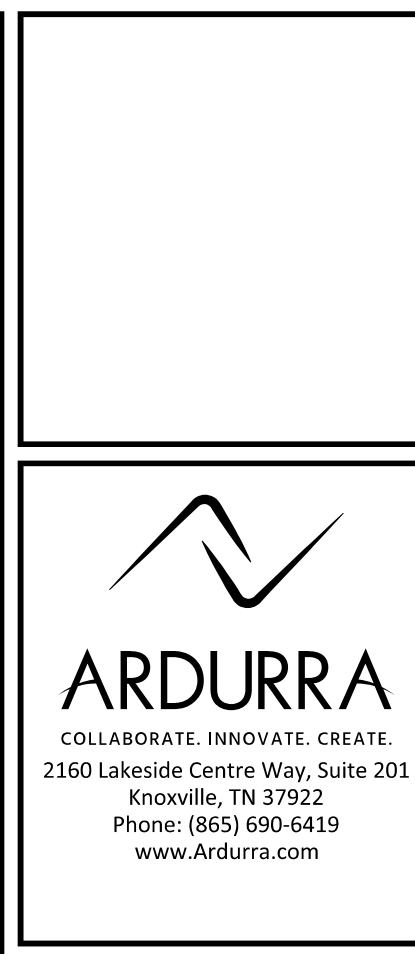


ROAD "A" PROFILE  
SCALE: 1"=50' HORIZ  
1"=10' VERT



ROAD "B" PROFILE  
SCALE: 1"=50' HORIZ  
1"=10' VERT

File Name: A:\200\200\011\DWG\200011\p000.dgn  
Plot Date: 9/19/2023



**HUBER PROPERTIES, LLC**  
P.O. BOX 22314  
KNOXVILLE, TN 37933

JOHN HUBER  
john@southernsignature.net  
865-978-6600

NO.	DATE	ISSUED FOR REVIEW	ANG	BY
A	09/19/23			

MIDDLEBROOK GROVE SUBDIVISION

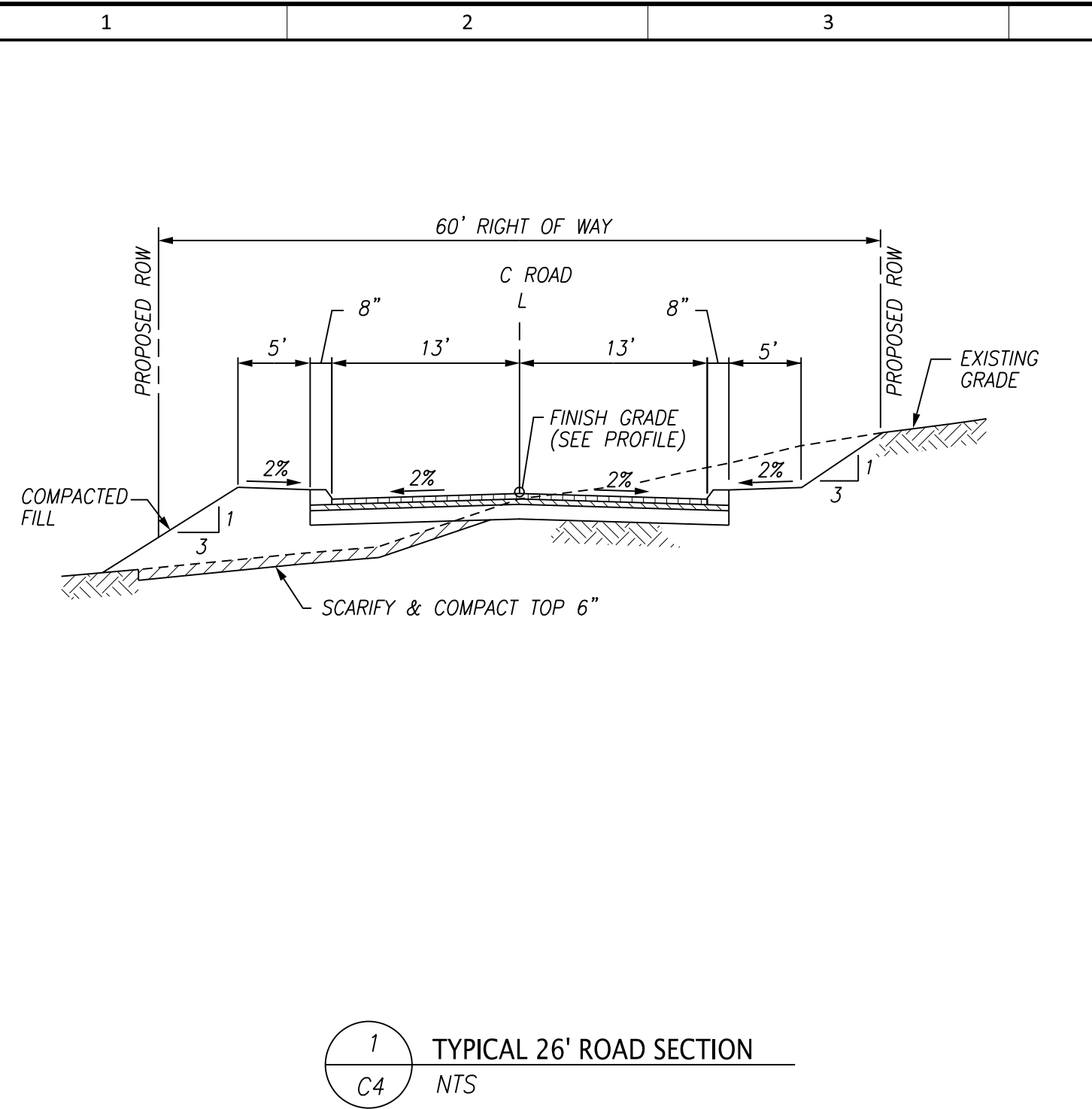
ROAD PROFILES

PRELIMINARY  
NOT FOR  
CONSTRUCTION

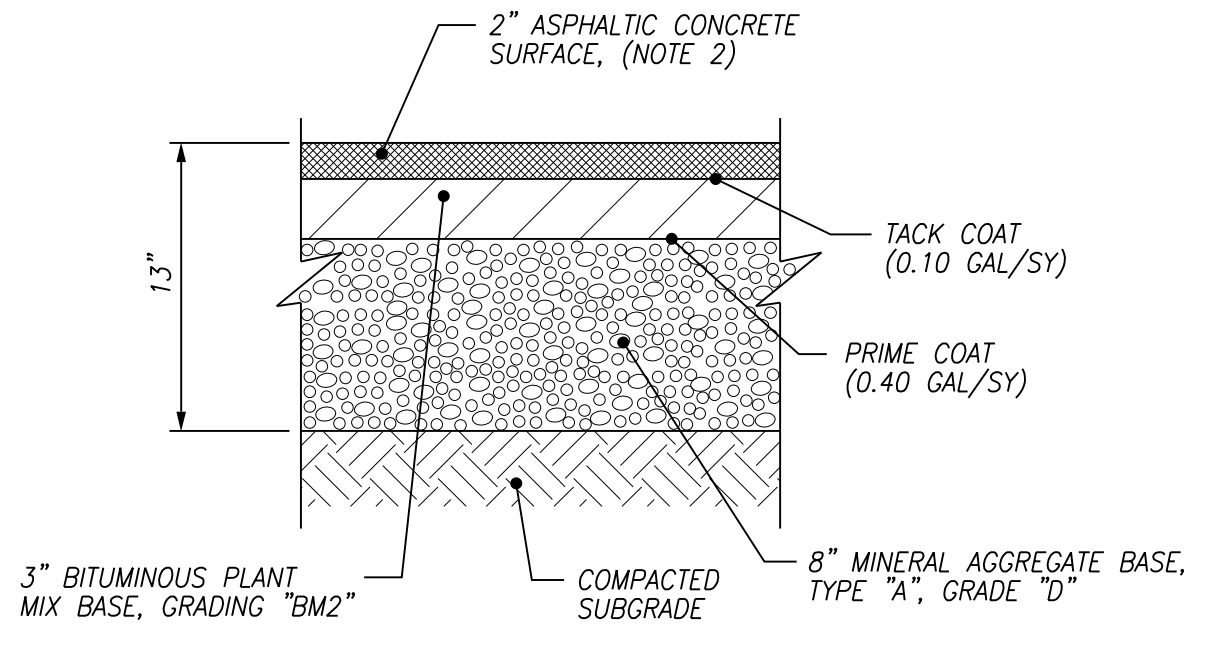
JOB NO: 290.011  
DATE: 08/21/2023

**C3**

CONCEPT PLAN  
08/21/2023

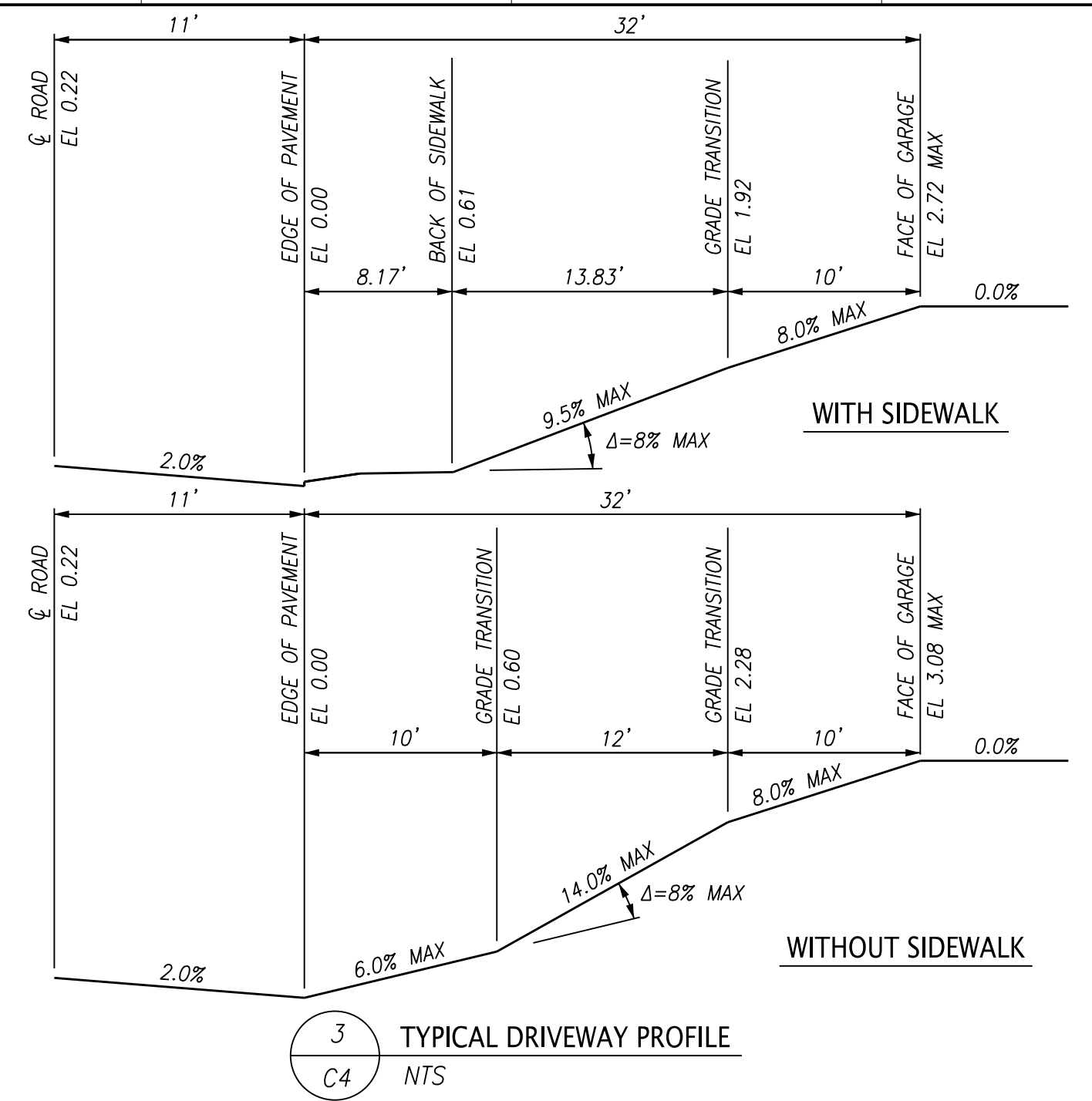


1 TYPICAL 26' ROAD SECTION  
C4 NTS

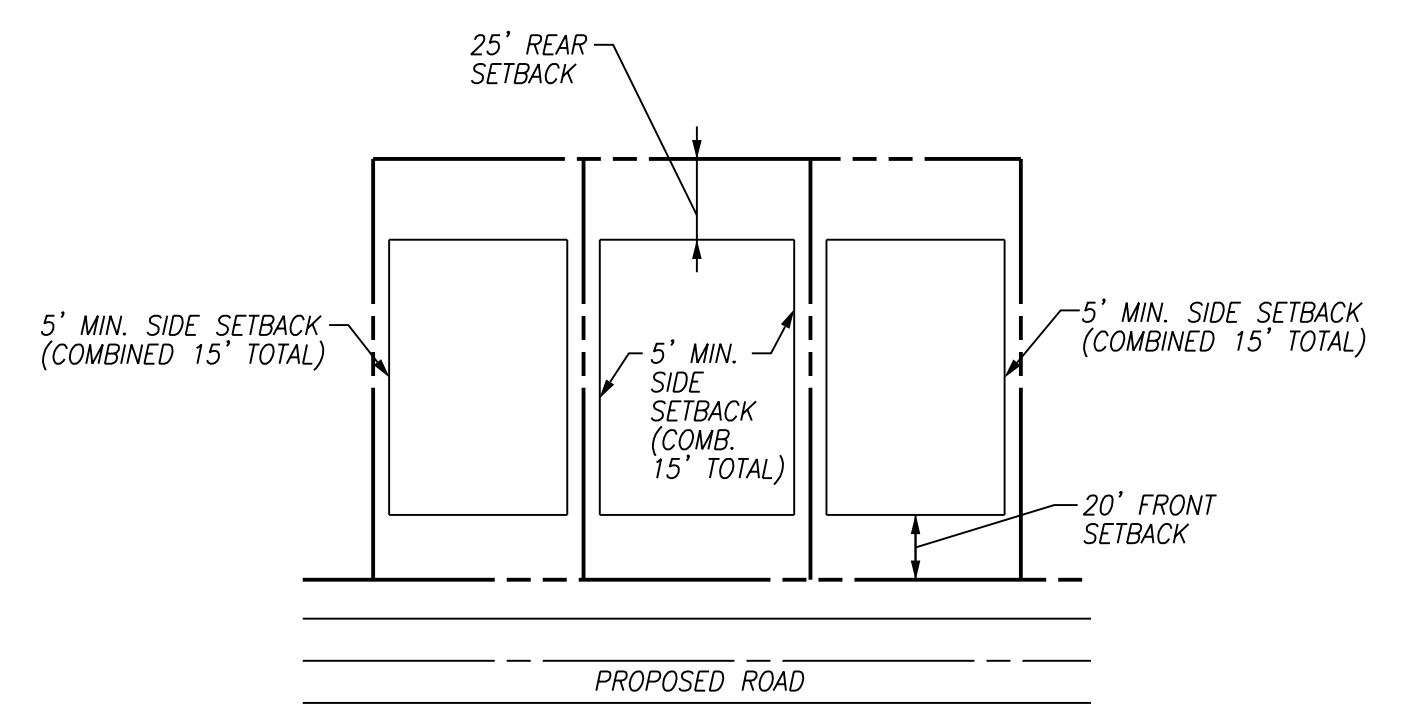


2 ASPHALT PAVEMENT SECTION  
C4 NTS

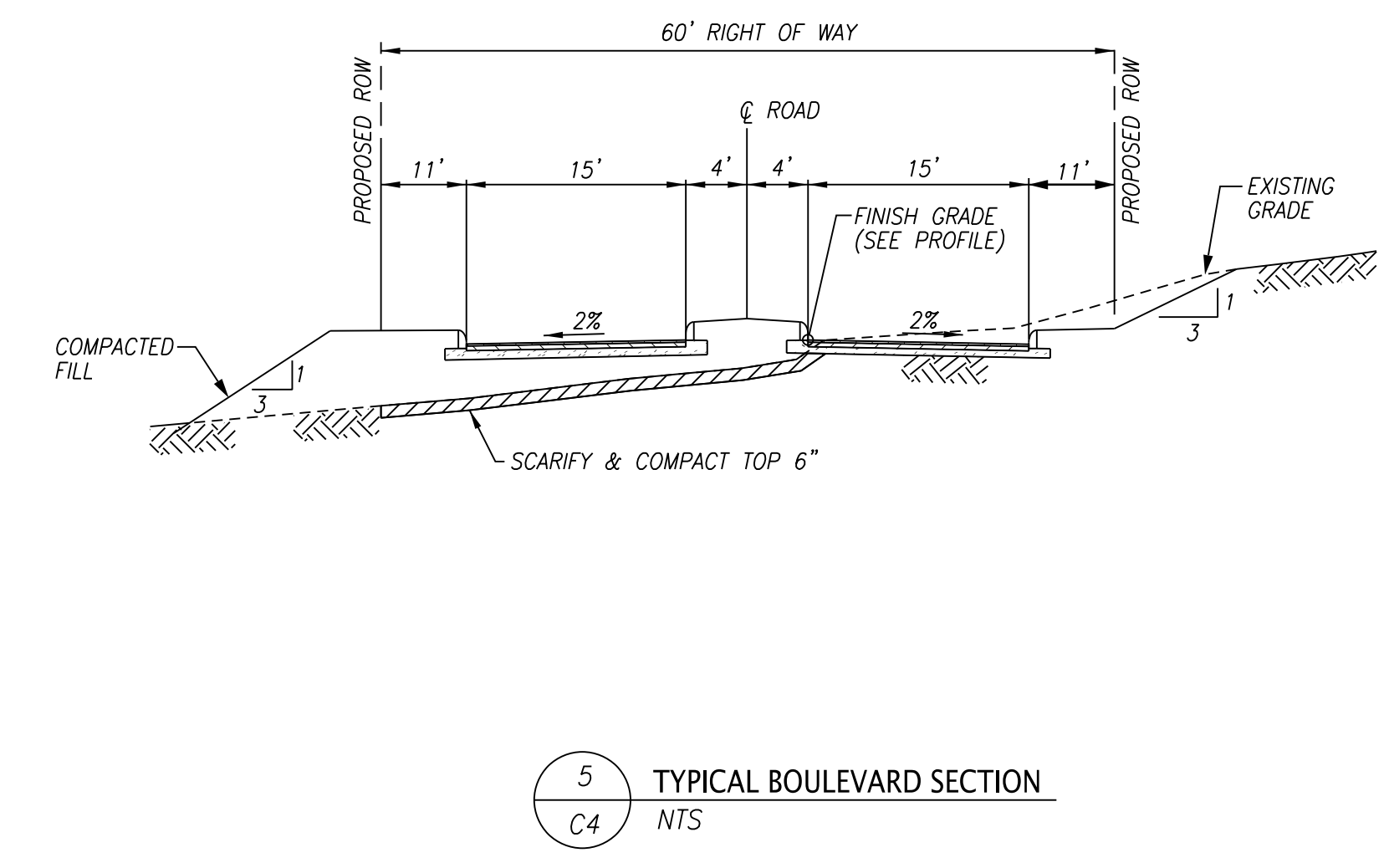
- NOTES:
- PAVEMENT HAS NOT BEEN DESIGNED FOR CONSTRUCTION TRAFFIC/ACTIVITIES. USE OF THESE SURFACES FOR CONSTRUCTION ACTIVITIES SHALL BE DONE AT THE CONTRACTOR'S CONVENIENCE AND RISK. DAMAGE TO PAVEMENT RESULTING FROM THESE ACTIVITIES SHALL BE REPAIRED IN CONFORMANCE WITH THE INITIAL PAVEMENT SPECIFICATIONS.
  - ASPHALTIC CONCRETE SURFACE COURSE SHALL BE GRADE "E" MIX FOR ROADS WITH A SLOPE LESS THAN OR EQUAL TO 10%; FOR SLOPES GREATER, USE GRADE "D" MIX.



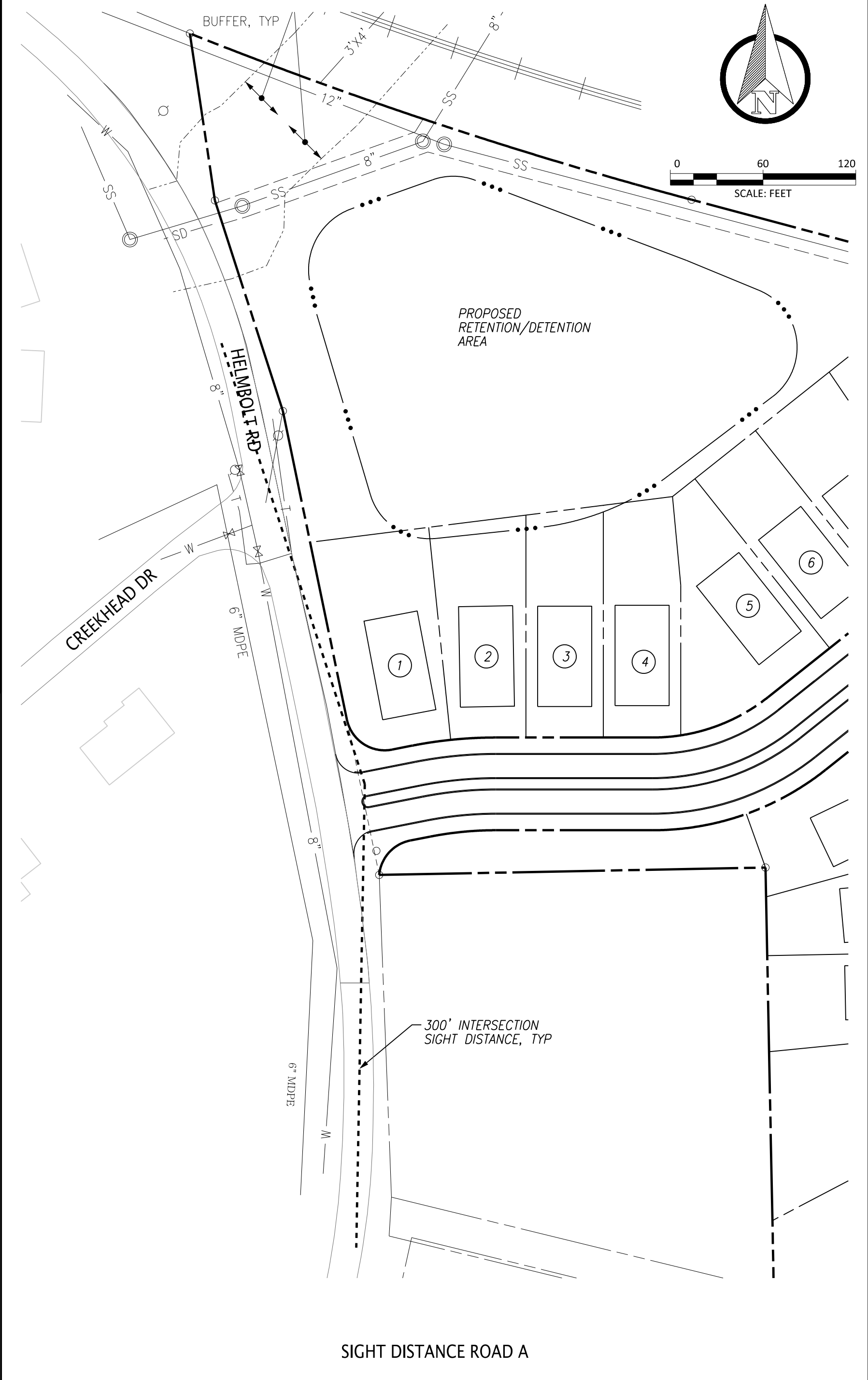
3 TYPICAL DRIVEWAY PROFILE  
C4 NTS



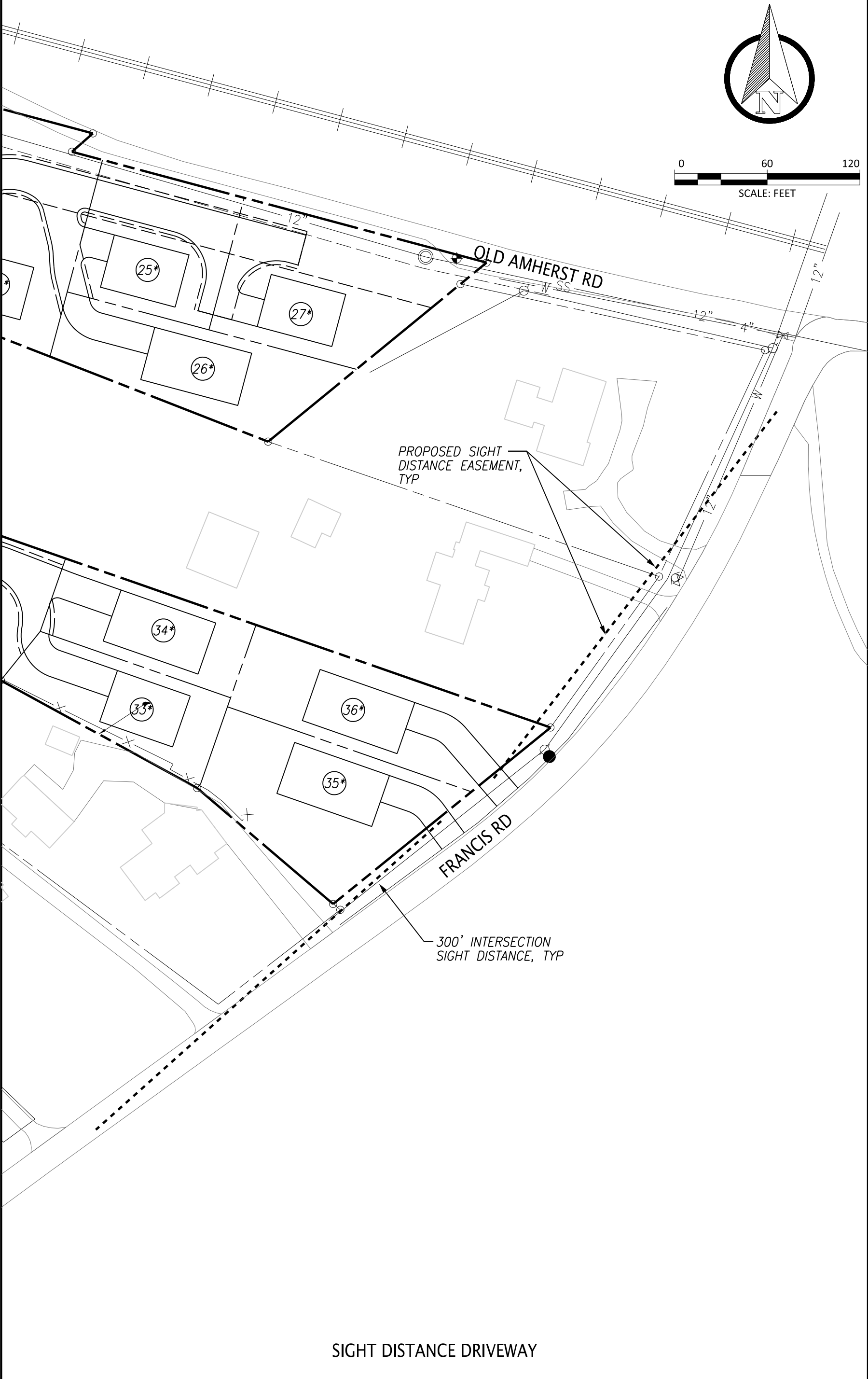
4 TYPICAL INTERIOR LOT  
C4 NTS



5 TYPICAL BOULEVARD SECTION  
C4 NTS



SIGHT DISTANCE ROAD A



SIGHT DISTANCE DRIVEWAY



HUBER PROPERTIES, LLC  
P.O. BOX 22314  
KNOXVILLE, TN 37933

JOHN HUBER  
john@southernsignature.net  
865-978-6600

NO.	DATE	REVISION	BY
B	10/24/23	REVISED PER MPC COMMENTS	ANG
A	09/19/23	ISSUED FOR REVIEW	ANG

MIDDLEBROOK GROVE SUBDIVISION  
**DETAILS**

PRELIMINARY  
NOT FOR  
CONSTRUCTION

JOB NO: 290.011  
DATE: 08/21/2023

**C4**

CONCEPT PLAN  
08/21/2023



---

November 6, 2023

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 11-A-23-VA, 11-B-23-VA, 11-C-23-VA, 11-D-23-VA, 11-F-23-VA,  
and 11-G-23-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.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Wiberley".

Christian Wiberley, P.E.  
Engineering

CGW



**From:** [Steve Borden](#)  
**To:** [Jennifer Scobee](#)  
**Subject:** RE: December Board of Zoning Appeals Applications  
**Date:** Wednesday, November 29, 2023 3:49:51 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

Jennifer,

Please see the comments below regarding the December BZA's.

11F23VA – 0 Helmbolt Rd- Operations has no comment

12A23VA – 742 Hall of Fame- Operations has no objection to the reduction of parking, however would note at no time should state ROW be utilized for additional parking.

Vehicles may be towed at owner's expense.

12B23VA – 677 E. Hill Ave.- Operations has no comment regarding the reduction in transparency at the ground floor.

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)

---



---

December 8, 2023

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 11-F-23-VA, 12-A-23-VA, and 12-B-23-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.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Wiberley". The signature is written in a cursive style.

Christian Wiberley, P.E.  
Engineering





S  
10-5A-23

**VARIANCE**  
Knoxville BZA  
PUBLIC HEARING  
(865) 215-4244





**S**  
SUBDIVISION  
865.215.2500  
KnoxPlanning.org / cases /  
**USA-23-C**



**VARIANCE**  
*11-F-23-VA*  
Knoxville BZA  
**PUBLIC HEARING**  
**(865) 215-4244**