



# 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) <u>Clay Richters</u>	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address <u>902 N Central St</u>	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip <u>Knoxville, TN 37917</u>	Tenant <input type="checkbox"/>	Off Street Parking <input checked="" type="checkbox"/>
Phone Number <u>8656377009</u>	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email <u>richters@benefieldrichters.com</u>		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 215 BEARDEN PL City, State, Zip Knoxville, TN, 37917  
 See [KGIS.org](http://KGIS.org) for Parcel # 081MQ00401 City Council District # 4 and Zoning District C-G-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.

This project is converting an existing assisted living facility into an apartment building which requires variances for several existing conditions.

**Parking:** Reduce required parking from 48 to 26. Code requires 48 parking spaces with 30% reduction for proximity to bus stop. 26 parking spaces currently exist on site and there is not room on site to add additional parking.

**Driveway:** Increase allowable number of driveways to 2 on Irwin Street. Ordinance allows 1 for frontage less than 150'. If parking lot is modified to remove second driveway entrance it will further reduce the parking provided on site.

**Driveway:** Decrease distance to corner from 50' (local to local) to 30' (existing). If parking lot is modified to remove second driveway entrance it will further reduce the parking provided on site.

**Driveway and Drive Aisle Width:** Decrease width requirement from 26' to dimensions as shown on attached original site plan (varies 21.8'-25').

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

As a change of use, the owner is required to seek variances to accept the existing conditions. Any change to meet the ordinance requirements listed above would result in fewer parking spaces provided on site.

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 1/18/2023

File #



**BOARD OF ZONING APPEALS APPLICATION**

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

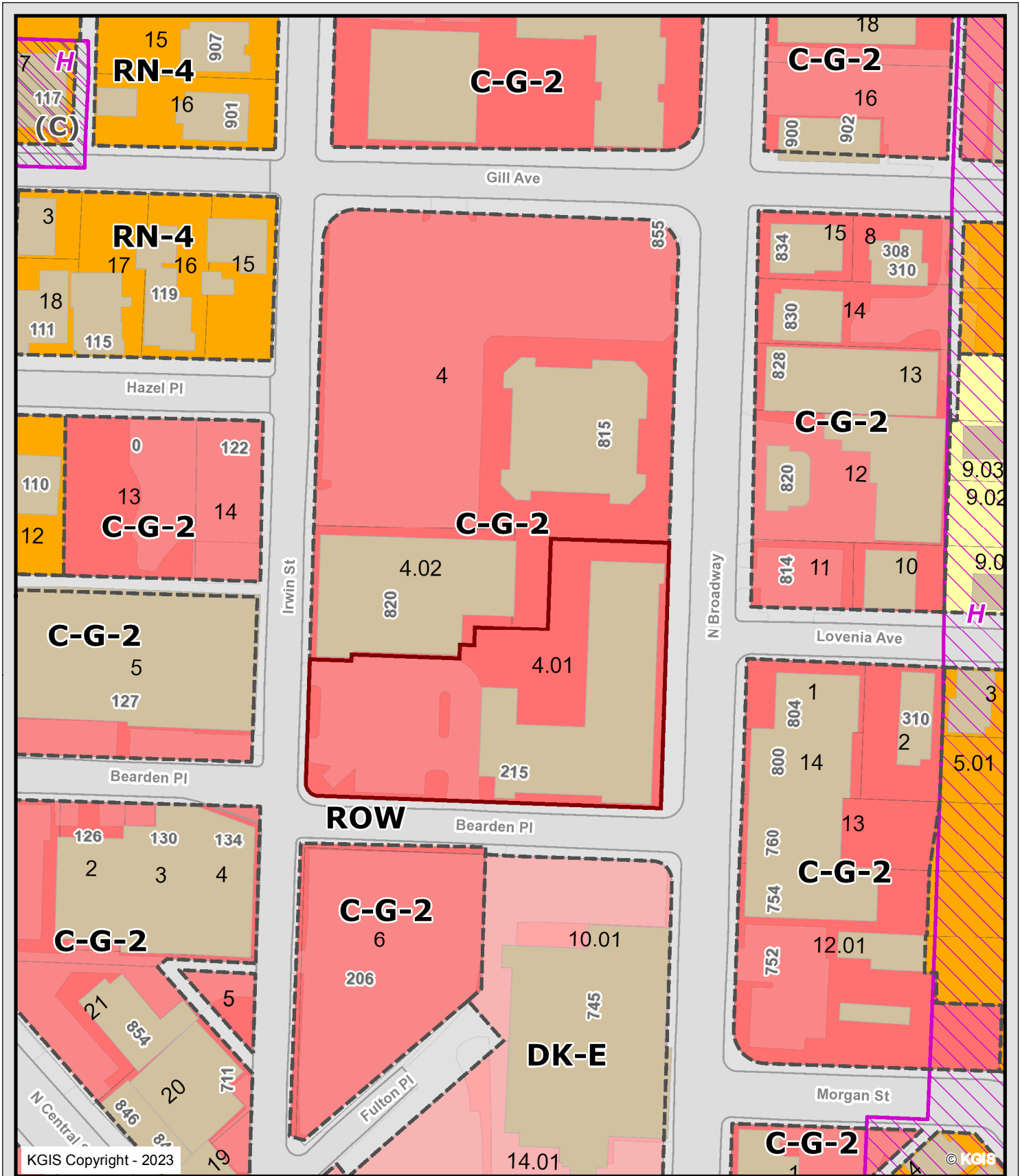
Is a plat required?    Yes      No  

Small Lot of record?  

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

**PROJECT INFORMATION**

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



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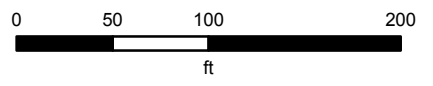
## 215 BEARDEN PL

2-B-23-VA  
GLENN RICHTERS

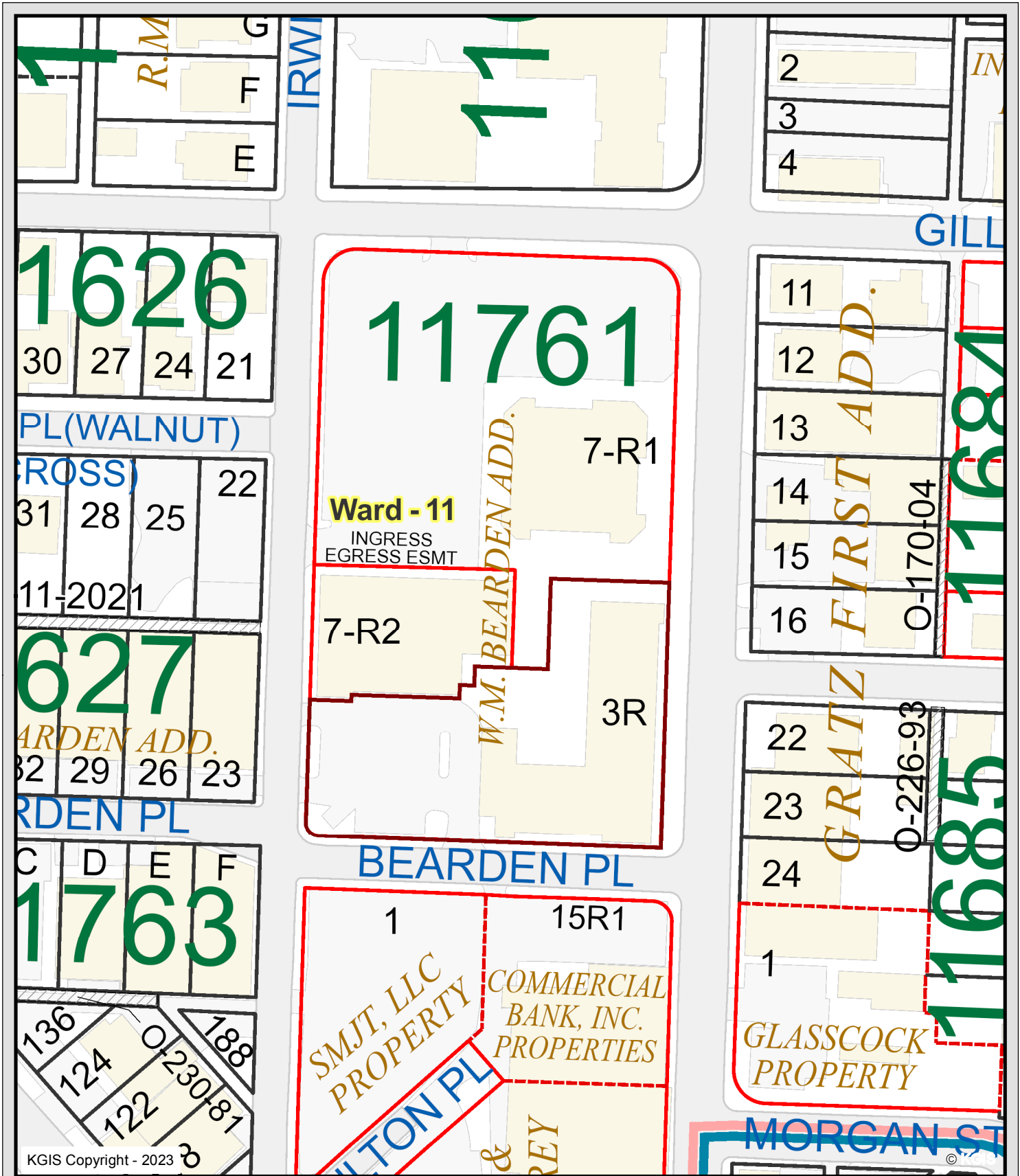
Knoxville - Knox County - KUB Geographic Information System



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215 BEARDEN PL

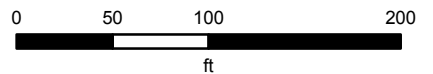
2-B-23-VA

GLENN RICHTERS

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**215 BEARDEN PL**

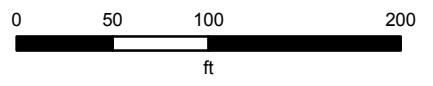
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GLENN RICHTERS

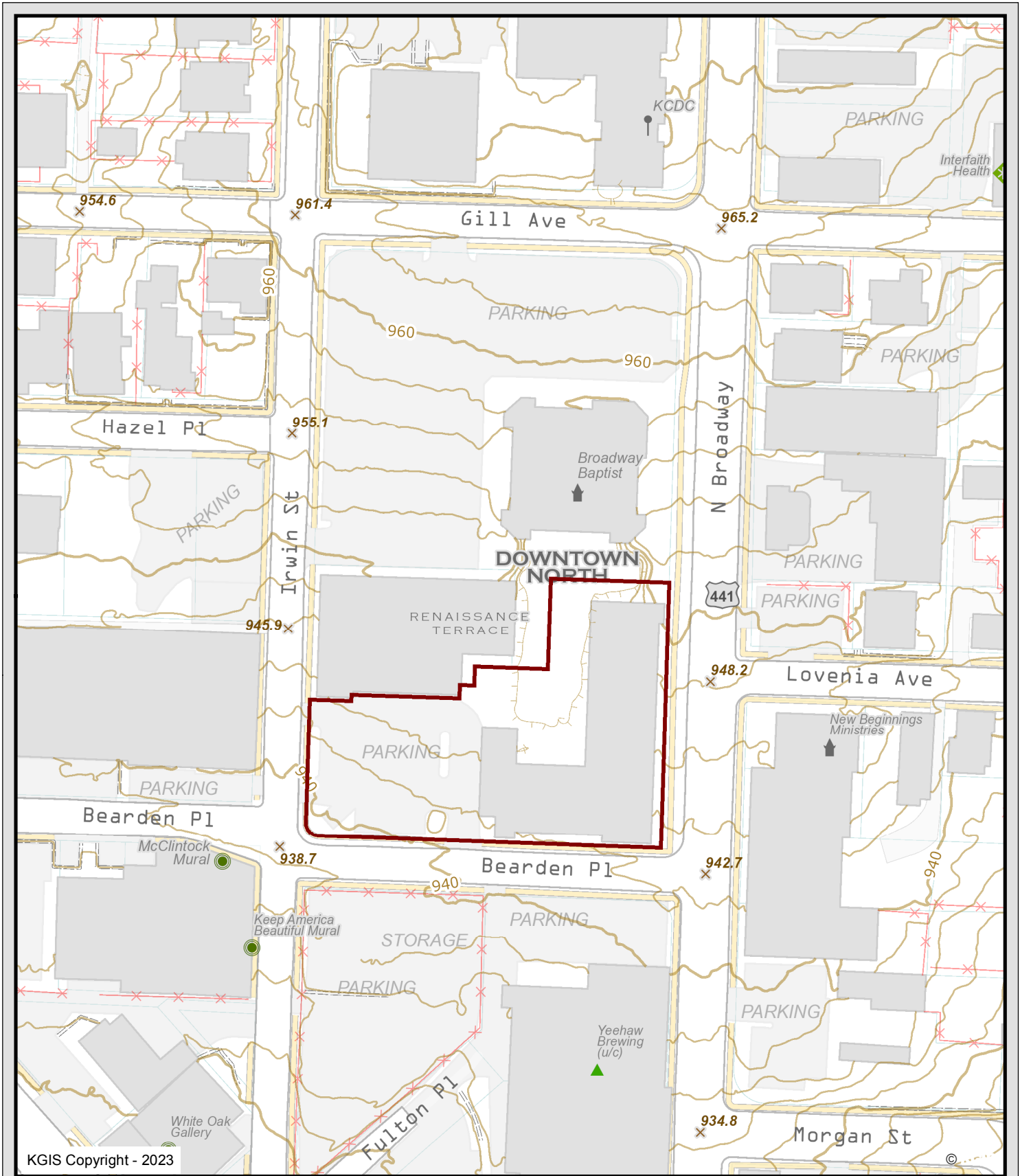
**Knoxville - Knox County - KUB Geographic Information System**



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## 215 BEARDEN PL

2-B-23-VA

GLENN RICHTERS

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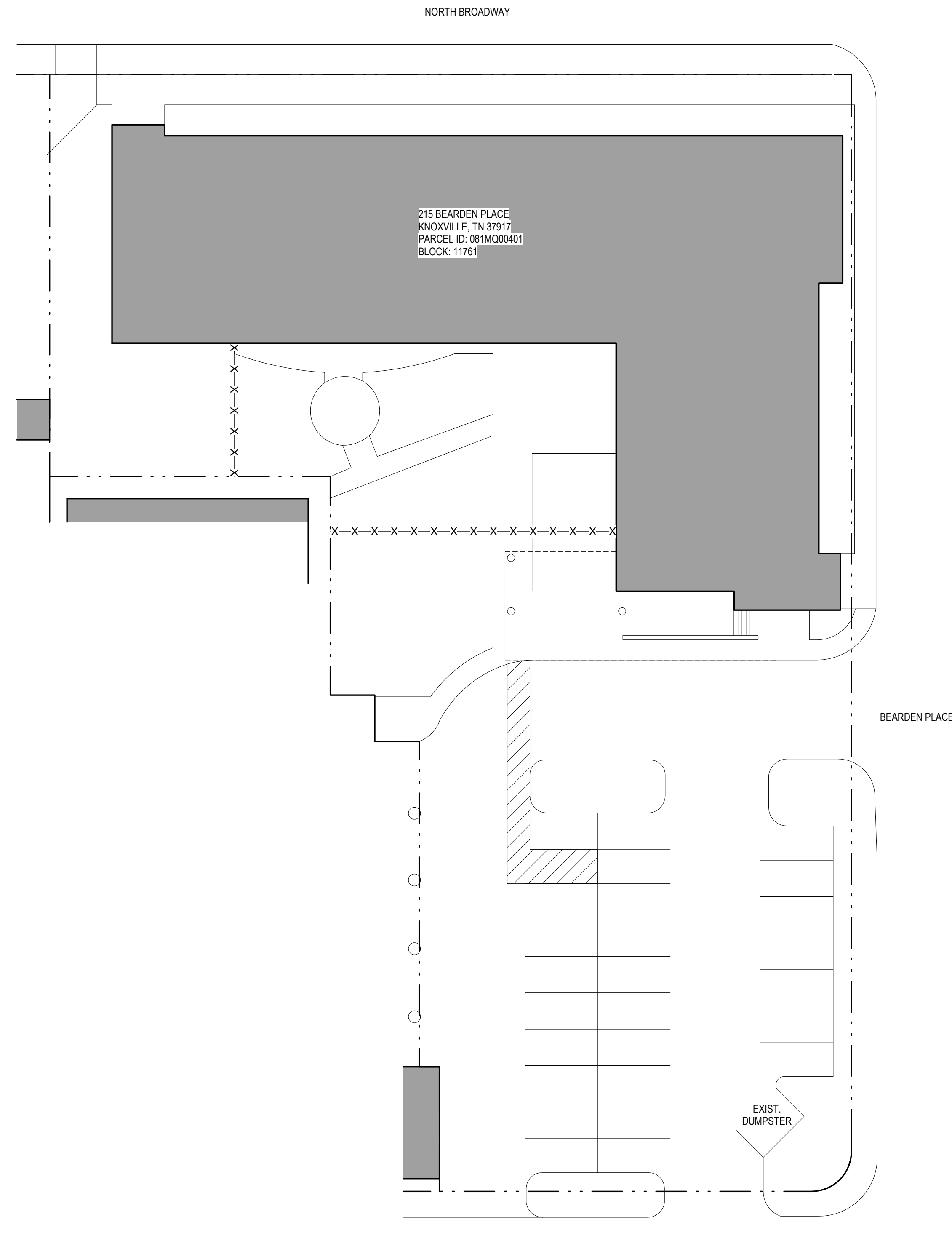
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

a  
b  
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**SITE PLAN NOTES**

- CONTRACTOR SHALL NOTIFY ARCHITECT IMMEDIATELY IF EXISTING CONDITIONS VARY FROM THAT SHOWN ON DRAWINGS.
- VERIFY EXACT LOCATIONS AND DEPTHS OF EXISTING UTILITIES PRIOR TO COMMENCING WORK. DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL AND STATE REQUIREMENTS.
- PRIOR TO STARTING CONSTRUCTION, OBTAIN REQUIRED PERMITS & APPROVALS FROM LOCAL AND STATE AUTHORITIES. FAILURE TO DO SO WILL CAUSE THE CONTRACTOR TO ASSUME FULL RESPONSIBILITY OF SUBSEQUENT MODIFICATION OF THE WORK MANDATED BY REGULATORY AUTHORITIES.
- COORDINATE LOCATION, TOP ELEV., AND INVERT ELEV. OF CURB CUTS, INLETS, PAVEMENT TIE-INS WITH LOCAL CITY AND/OR STATE AUTHORITIES.
- ENSURE THAT SEDIMENT & EROSION CONTROL MEASURES ARE IN PLACE PRIOR TO COMMENCING CONSTRUCTION.
- MAINTAIN EROSION CONTROL DEVICES DURING ALL PHASES OF CONSTRUCTION. CLEAN UP SOIL & DEBRIS WHICH FLOWS OFF SITE AT END OF EACH DAY. REMOVE EROSION CONTROL DEVICES UPON STABILIZATION OF THE SITE.
- KEEP SITE CLEAN AT ALL TIMES. DEMOLISHED MATERIALS, EXCESS EXCAVATION MATERIALS, AND EXCAVATED MATERIALS DEEMED UNSUITABLE FOR FILL ARE TO BECOME PROPERTY OF CONTRACTOR. SUCH MATERIAL SHALL BE REMOVED AND LEGALLY DISPOSED OF OFF-SITE AT THE CONTRACTOR'S EXPENSE.
- PROTECT IRON PINS DURING CONSTRUCTION. ANY PIN REMOVED OR DISTURBED BY CONSTRUCTION SHALL BE RESET BY A LICENSED SURVEYOR.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE DIMENSIONAL LAYOUT.
- DIMENSIONS ARE FROM FACE OF CURB, FACE OF BUILDING UNLESS NOTED OTHERWISE.
- ANGLES ARE 90 DEGREES UNLESS NOTED OTHERWISE. RADI ARE 5' UNLESS NOTED OTHERWISE.
- THE PROPOSED CONTOURS, ELEVATIONS, & SPOT ELEVATIONS SHOWN ARE FINISH GRADE. SPOT ELEVATIONS NOT DESIGNATED AS 'BC' OR 'TC' ARE FINISH GRADE OF ASPHALT OR CONC. PAVING.
- ALTHOUGH SPOT ELEVATIONS AND DIMENSIONS ARE GIVEN ON THE PLAN, THE ARCHITECT RESERVES THE RIGHT TO MAKE ADJUSTMENTS DURING CONSTRUCTION TO SIDEWALKS, PARKING AREAS, AND PAVED AREAS. THESE ADJUSTMENTS IF MADE, WILL BE DEEMED CLARIFICATIONS AND NOT CHANGE ORDERS.
- PROOF ROLL AREAS TO RECEIVE STRUCTURAL FILL. PERFORM PROOF ROLLING WITH A FULLY LOADED 8 TO 10 TON TANDEM DUMP TRUCK WITH FOUR PASSES. STABILIZE AREAS THAT DEFLECT MORE THAN ONE INCH, OR EXCAVATE TO STIFF SOIL. THE OWNERS REPRESENTATIVE SHALL APPROVE PROOF ROLLING.
- COMPACTION - COMPACT SOIL TO NOT LESS THAN THE MAXIMUM DENSITY IN ACCORDANCE WITH ASTM D698, STANDARD PROCTOR, MAXIMUM DRY DENSITY.
  - A. UNDER BUILDING, POOL, & ADJACENT TO POOL: 100% COMPACTION.
  - B. UNDER WALKWAYS: 92%
  - C. UNDER LAWN OR UNPAVED AREAS: 85%
- CUT AND/OR FILL SLOPES SHALL NOT EXCEED 2H:1V SLOPE.
- PAINT PARKING STRIPES, 3" X 16" (TYP.) AND CROSS HATCH ACCESS AISLE. APPLY PAVEMENT MARKINGS AS SHOWN IN ACCORDANCE WITH ADA AND CITY OF KNOXVILLE STANDARDS. PROVIDE PAINT WITHOUT BEADS. PAINT SHALL BE WHITE.
- PROVIDE CONCRETE WHEEL BLOCKS AT EACH PARKING SPACE.
- DRAIN PAVED AREAS AT A MIN. OF 1% SLOPE. DRAIN ALL UNPAVED AREAS AT A MIN. OF 2% SLOPE.



**OWNER INFORMATION:**

NAME: SUMMIT CAPITAL VENTURES LLC  
 ADDRESS: 721 ANDOVER BLVD KNOXVILLE, TN 37934  
 PHONE: 423-946-4730

**ZONING INFORMATION**

**PROJECT:** RENAISSANCE TERRACE APARTMENTS  
 215 BEARDEN PL  
 KNOXVILLE, TENNESSEE

**JURISDICTION:** KNOXVILLE, TENNESSEE

**PARCEL NUMBER:** 081M000401

**BLOCK / LOT:** 11761 / 3R

**ZONING:** C-G-2 (GENERAL COMMERCIAL)

**SPECIAL DISTRICTS:** N/A

**FLOOD PLAIN:** 'X'

**LOCAL HISTORIC DISTRICT:** N/A

**NATIONAL HISTORIC DISTRICT:** N/A

**DIMENSIONAL STANDARDS:** N/A; EXISTING BUILDING

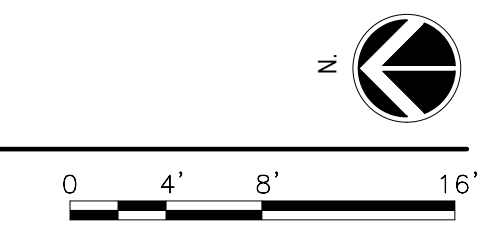
PARKING:	REQ'D	PROVIDED
0-1 BEDROOM UNITS	1/UNIT	52 SPACES
2 BEDROOM UNITS	1.25/UNIT	5 SPACES
GUEST PARKING	0.2/UNIT	11 SPACES
TOTAL	68	26 (EXISTING)

**TOTAL PARKING SPACES REQUIRED:** 48 (INC. 1 VAN & 1 CAR ACCESSIBLE)  
 PER KNOXVILLE ZONING CODE 11.4.B, 30% REDUCTION IS ALLOWED IF PROJECT IS LOCATED WITHIN 1/4 MILE OF TRANSIT ROUTE.

**BICYCLE SPACES** 4 SPACES REQUIRED

	UNIT TYPES								
	STUDIO			1 BR.			2 BR.		
	A	B	OPT. A	A	B	OPT. A	A	B	OPT.
1ST FLOOR		13	A	1				2	A
2ND FLOOR	1	10	A	7				1	A
3RD FLOOR	1	11	A	7				1	A
TOTAL (56 UNITS)	3	34		15				4	

L8 SITE PLAN  
 C-101 1" = 20'-0"



benefield · richters

planning  
 architecture  
 902 North Central Street  
 Knoxville, TN 37917  
 (855) 637-7009

**RENAISSANCE TERRACE**

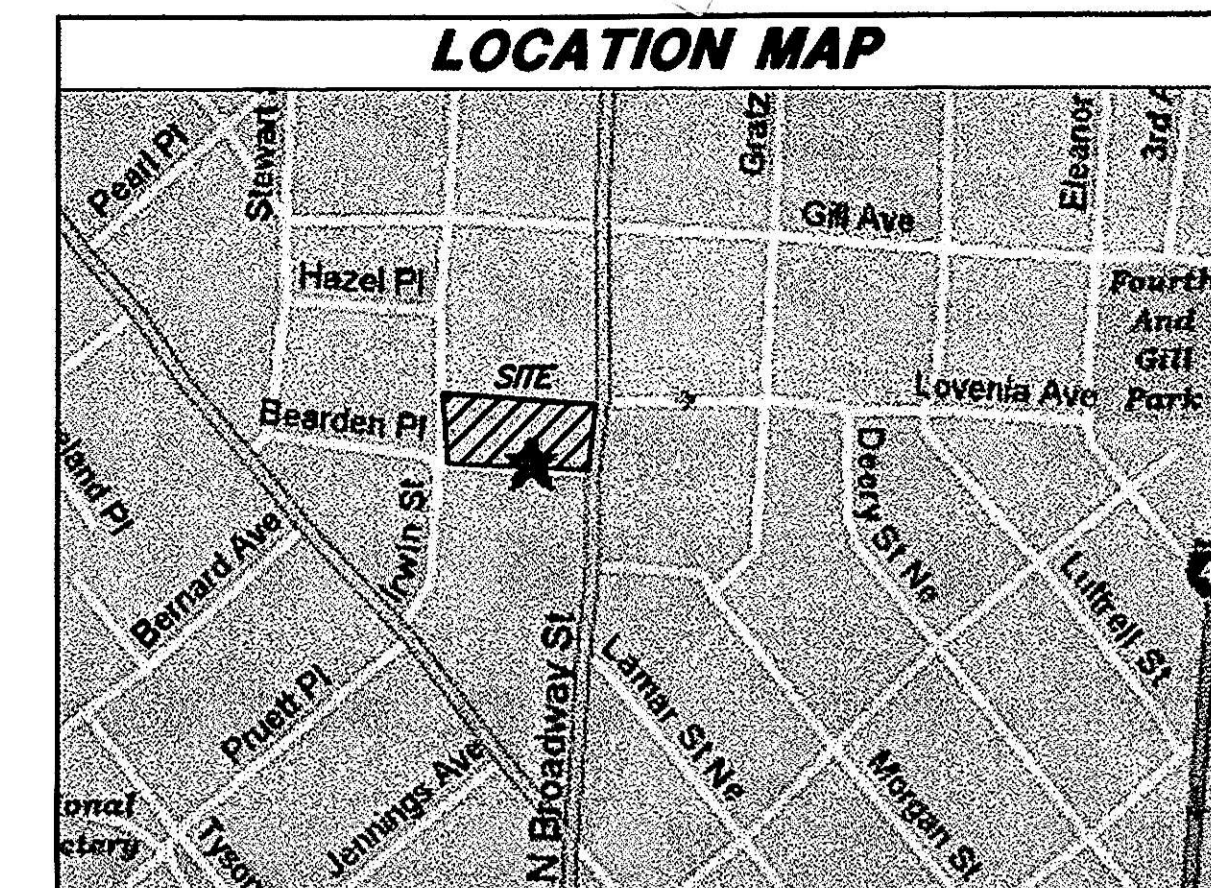
**215 BEARDEN PLACE  
 KNOXVILLE, TN, 37917**

**SITE PLAN**

Issue	Issued by	Drawn by	Date
DD	AS	SH	2/7/23

C-101

# ORIGINAL SITE PLAN



## GENERAL NOTES

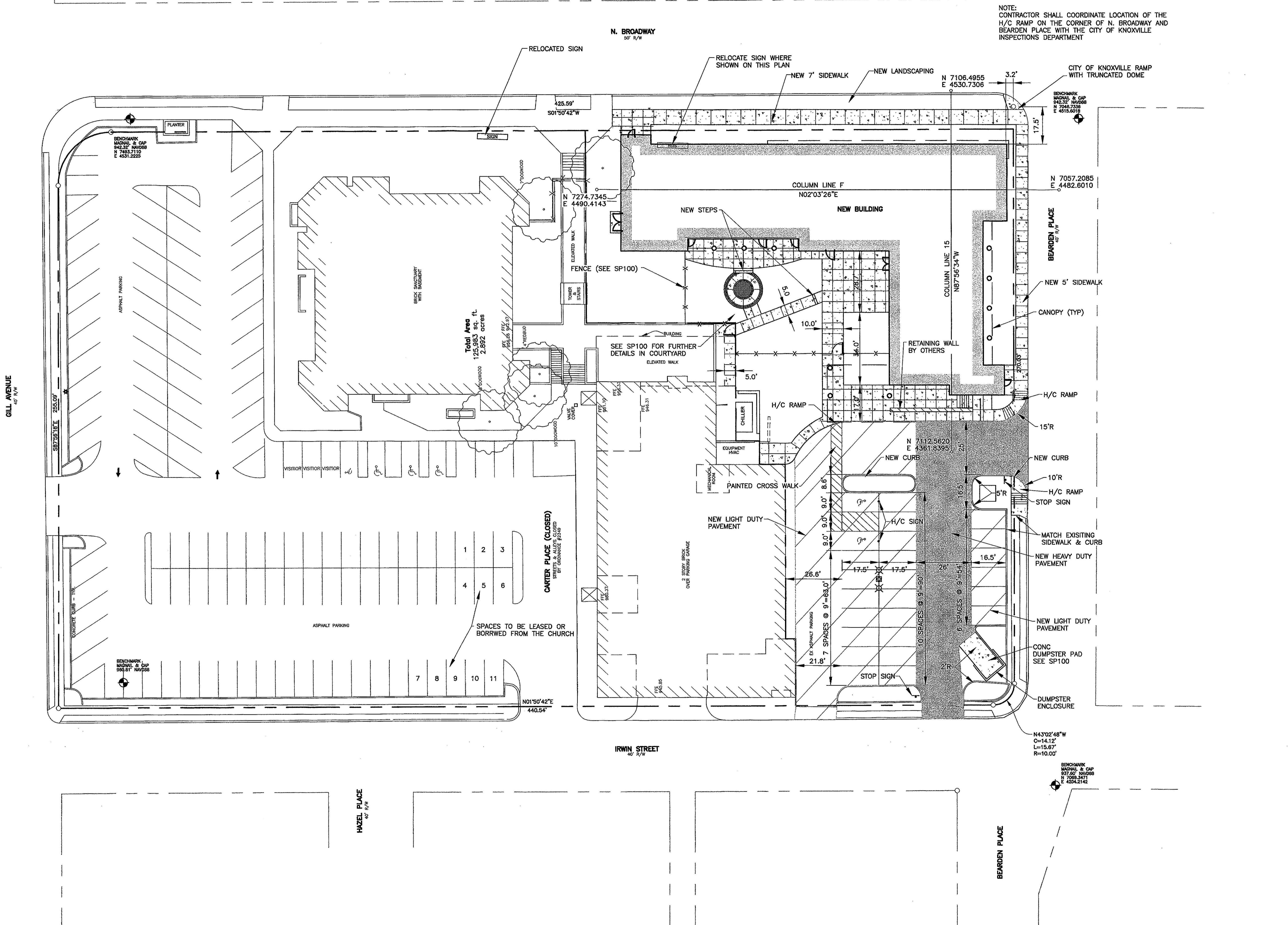
1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL TENNESSEE ONE CALL AND ANY UTILITY THAT DOES NOT SUBSCRIBE TO ONE CALL AT LEAST 72 HOURS BEFORE ANY EXCAVATION, TO REQUEST EXACT FIELD LOCATION OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
2. OWNER: SENIOR CITIZENS HOME ASSISTANCE SERVICE  
P.O. BOX 3025  
KNOXVILLE, TENNESSEE 37927  
PH. 865-523-2920
3. SURVEY BY: PROFESSIONAL LAND SYSTEMS  
P.O. BOX 12651  
KNOXVILLE, STATE 37912  
PH. 865-689-8169
4. PROPERTY IS LOCATED IN KNOXVILLE AND IS ZONED O-1.
5. CL# 081, CITY BLOCK 11761
6. LOT ACREAGE = 2.9 ACRES.
7. TOTAL DISTURBED AREA = 0.90 ACRES

## LAYOUT NOTES

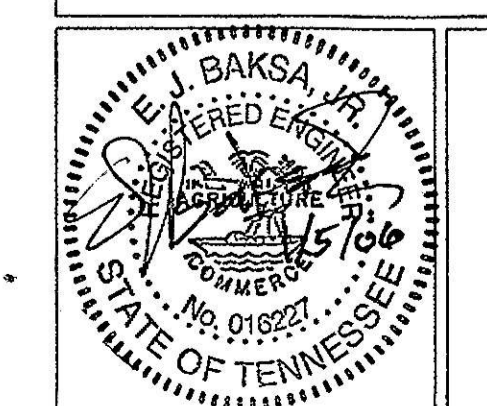
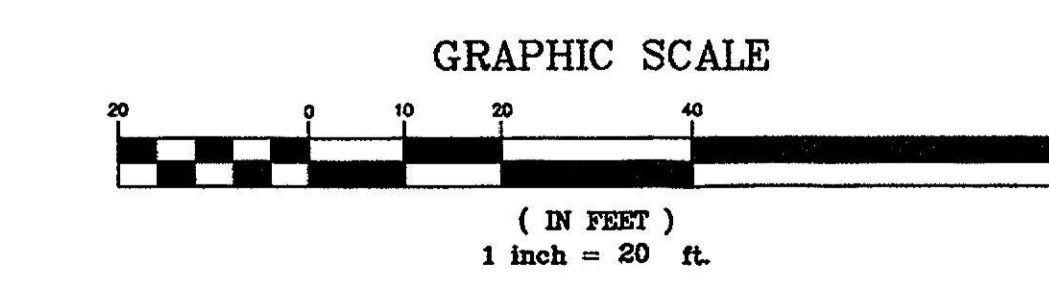
1. ALL DIMENSIONS TO CURB LINE REFERENCE FACE OF CURB - SEE DETAIL.
2. SEE ARCHITECTURAL DRAWINGS FOR BUILDING DIMENSIONS.
3. SEE UTILITY PLAN FOR NEW AND EXISTING UTILITY LINE LOCATIONS. SEE GRADING AND DRAINAGE PLAN FOR NEW AND EXISTING STORM DRAIN LOCATIONS.
4. 26 PARKING SPACES (INCLUDING 2 H/C SPACES). AN ADDITIONAL 11 SPACES WILL BE LEASED OR BORROWED FROM THE CHURCH.

## LEGEND

	BENCHMARK
	PROPERTY LINE
	EXISTING FENCE
	EXISTING BUILDING EDGE
	NEW BUILDING EDGE
	EXISTING TREE LINE
	EXISTING TREE
	NEW RETAINING WALL-DESIGN BY OTHERS
	EXISTING CURB LINE
	NEW CURB LINE
	NEW DISABLED SPACE
	NEW SIDEWALK
	NEW CONCRETE



NOTE:  
CONTRACTOR SHALL COORDINATE LOCATION OF THE H/C RAMP ON THE CORNER OF N. BROADWAY AND BEARDEN PLACE WITH THE CITY OF KNOXVILLE INSPECTIONS DEPARTMENT



**LAND DEVELOPMENT SOLUTIONS**  
310 SIMMONS RD., SUITE K - KNOXVILLE, TENNESSEE 37922  
PHONE: 865-671-2281 FAX: 865-671-2283

Rev. per Dept. of Health/City of Knox	5 Jan 08	Partner-in-Charge	KLH
		Project Manager	AMB
		Drawn by	CDB
		Reviewed by	EJB
		Issue Date	5 JANUARY 2008
Number	Revisions	Date	Project Number
			087400

**BarberMcMurry architects**  
623 Lindsay Place | Knoxville Tennessee 37919 | 865.934.1915 | f: 865.546.0242

**SCHAS (Senior Citizens Home Assistance Service)**  
Construction Documents  
215 Bearden Place  
KNOXVILLE, TN 37917

**C101**  
SITE LAYOUT PLAN  
© 2008 BarberMcMurry






**VARIANCE**  
215-424-4444  
Knoxville BZA  
PUBLIC HEARING  
215-4244

Thu 2/16/2023 7:51 AM

Steve Borden <Steve.Borden@tn.gov>

RE: February 2023 BZA Meeting Applications

To Jennifer Scobee

 Follow up. Start by Thursday, February 16, 2023. Due by Thursday, February 16, 2023.  
You replied to this message on 2/16/2023 9:41 AM.

[Phish Alert](#) [Bing Maps](#)

+ Get more apps

Jennifer,

Please find the following comments from Operations for the referenced BZA February Applications:

- 1-E-23-VA 1315 Forest Ave: Operations has no comment
- 2-A-23-VA 0 Holston Hills Rd: Operations has no comment
- 2-B-23-VA 215 Bearden Pl: Proposed changes appear to be on Irwin St and should not impact N. Broadway (SR 33, SR 71, US 441). If construction activities related to this application should require work along N. Broadway within State owned ROW, a work specific permit would be required.
- 2-C-23-VA 314 Lovell Rd: It appears that this sign and the proposed modifications to it fall outside of Lovell Rd (SR 131) ROW and should not impact the operation of SR 131. If the execution of sign replacement requires work on State owned ROW or lane closures on SR 131, work specific permits will be required.
- 2-D-23-VA 2518 N. Broadway: Operations has no comment regarding the setbacks at the location of the proposed building.

If you have further questions regarding any of these applications, please let me know.

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)



February 21, 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 2-A-23-VA, 2-B-23-VA, 2-C-23-VA, 2-D-23-VA, and 1-E-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.

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". The signature is fluid and cursive.

Christian Wiberley, P.E.  
Engineering

CGW