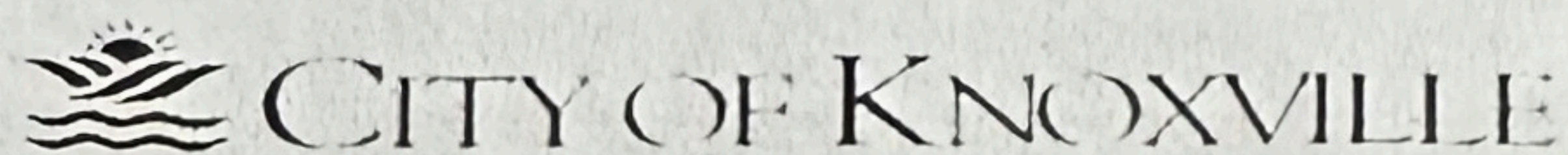


File #

4-C-23-VA



# BOARD OF ZONING APPEALS APPLICATION

## APPLICANT INFORMATION

Name (Individual not company) Erik Gawthorpe  
 Street Address 4101 Westgate Road  
 City, State, Zip Knoxville, TN 37921  
 Phone Number 6152930779  
 Applicant Email erik.gawthorpe@yahoo.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 4101 Westgate ~~Road~~ Drive City, State, Zip Knoxville, TN 37921  
 See [KGIS.org](http://KGIS.org) for Parcel # 080NB003 City Council District # ~~4B~~ 3 and Zoning District RN-1

## 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.

We are respectfully requesting a fence variance for the existing 5ft-5.5ft fence surrounding the back yard of our single-family home at 4101 Westgate Drive, as we have been made aware of the 4ft height limit. Since purchase of the residence in December, we have made many improvements to the property in order to enhance the aesthetics of our home and the neighborhood. These enhancements include installing a fence using appealing arched panels around the backyard. The purpose of the fence was not for aesthetics but for security as our daughter's bedroom has an external window and walk out door facing Sprucewood Drive that we wanted to screen from view. Additionally, she spends time outdoors with our labrador and needs a private space for exercise away from the view of the road. We discussed the fence with our bordering neighbors who have no issues, in fact, our neighbor at 4105 stated it is the "most beautiful fence" she has ever seen. The height of the fence was determined given the downward slope of the lot towards Sprucewood Drive

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

If our variance is not approved, we will incur additional expense to cut out every other board, resulting in a less appealing design. Additionally the changes will result in a view from the road into the side windows and doors of the home. We have included pictures of the slope of the yard as well as pictures of our surrounding neighbors for review.

## 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 3/2/2023



File #



# BOARD OF ZONING APPEALS APPLICATION

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

Is a plat required? Yes  No

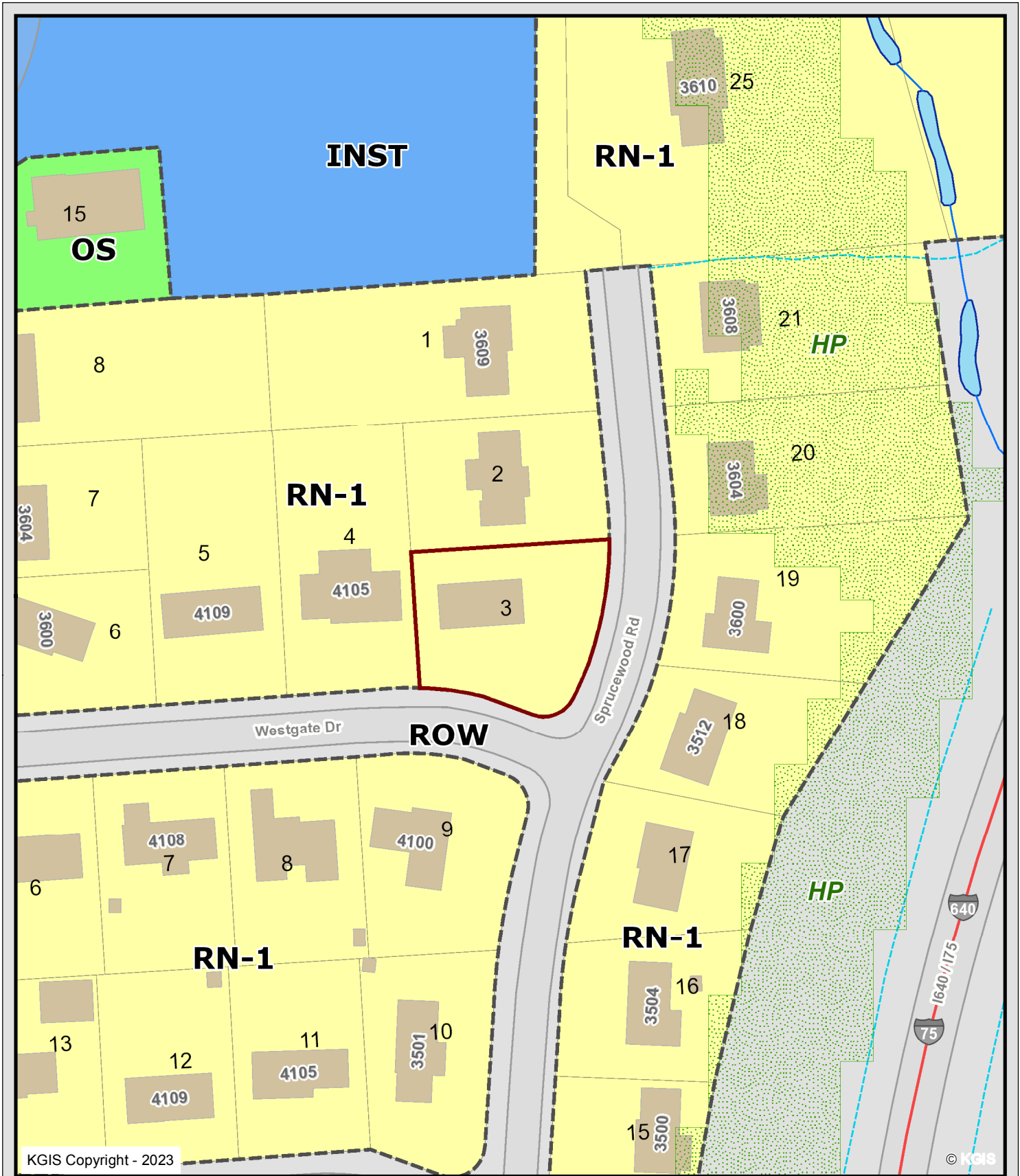
Small Lot of record?

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

Large empty rectangular area for providing variance request details and ordinance citations.

**PROJECT INFORMATION**

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



**4101 WESTGATE RD**

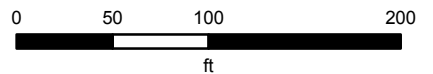
4-C-23-VA

ERIK GAWTHORPE

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



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ST HAVEN  
FAMILY  
CENTER

E

WEST GATE S/D

43712

Ward - 43

43720

WESTGATE DR

00

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4101 WESTGATE RD

4-C-23-VA

ERIK GAWTHORPE

Knoxville - Knox County - KUB Geographic Information System



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# 4101 WESTGATE RD

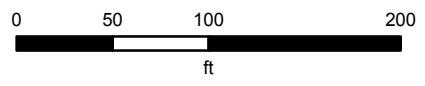
4-C-23-VA

ERIK GAWTHORPE

## Knoxville - Knox County - KUB Geographic Information System

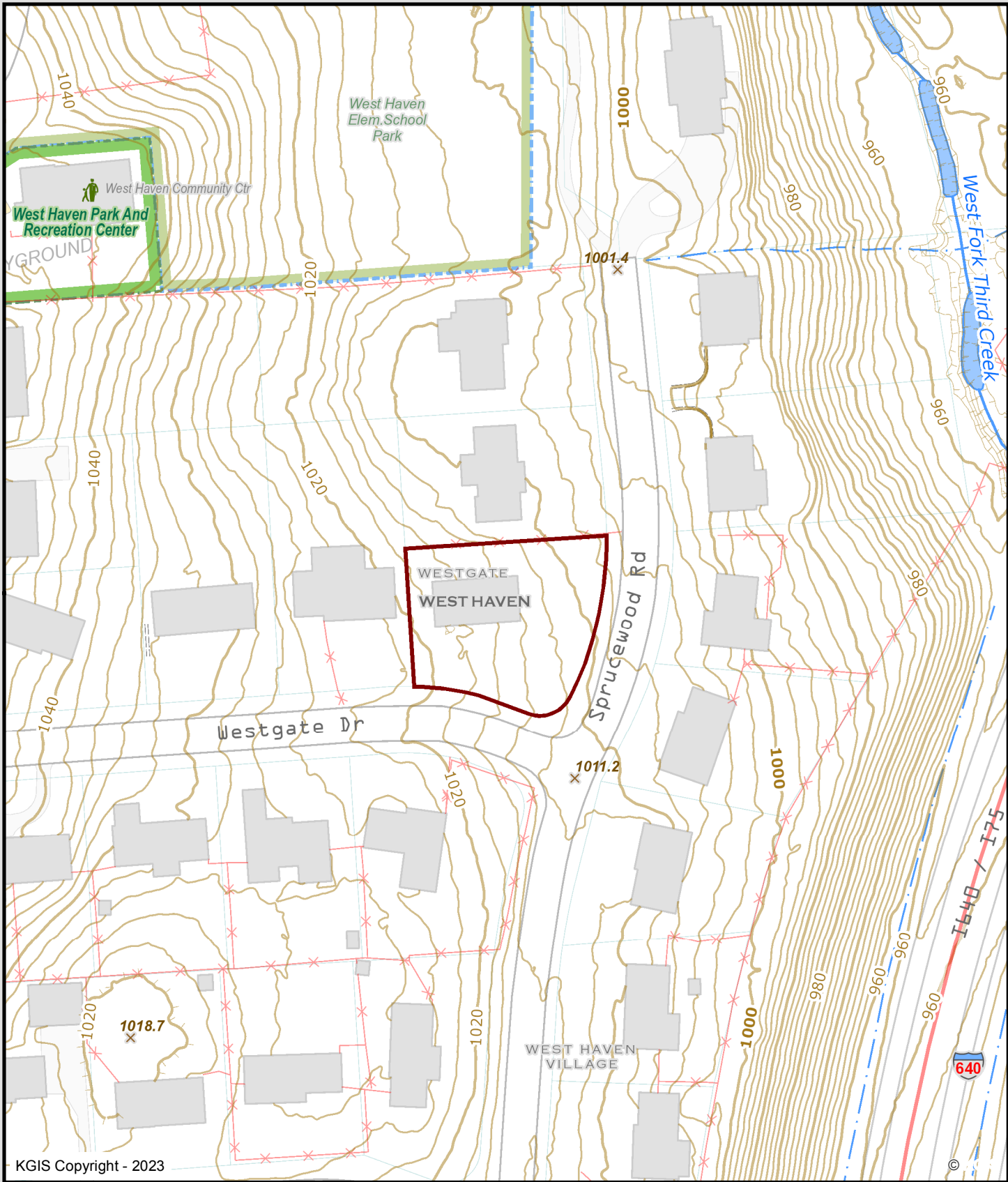


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# 4101 WESTGATE RD

4-C-23-VA

ERIK GAWTHORPE

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4101 Westgate Drive

Plat View:



4101 Westgate Drive

Slope View:

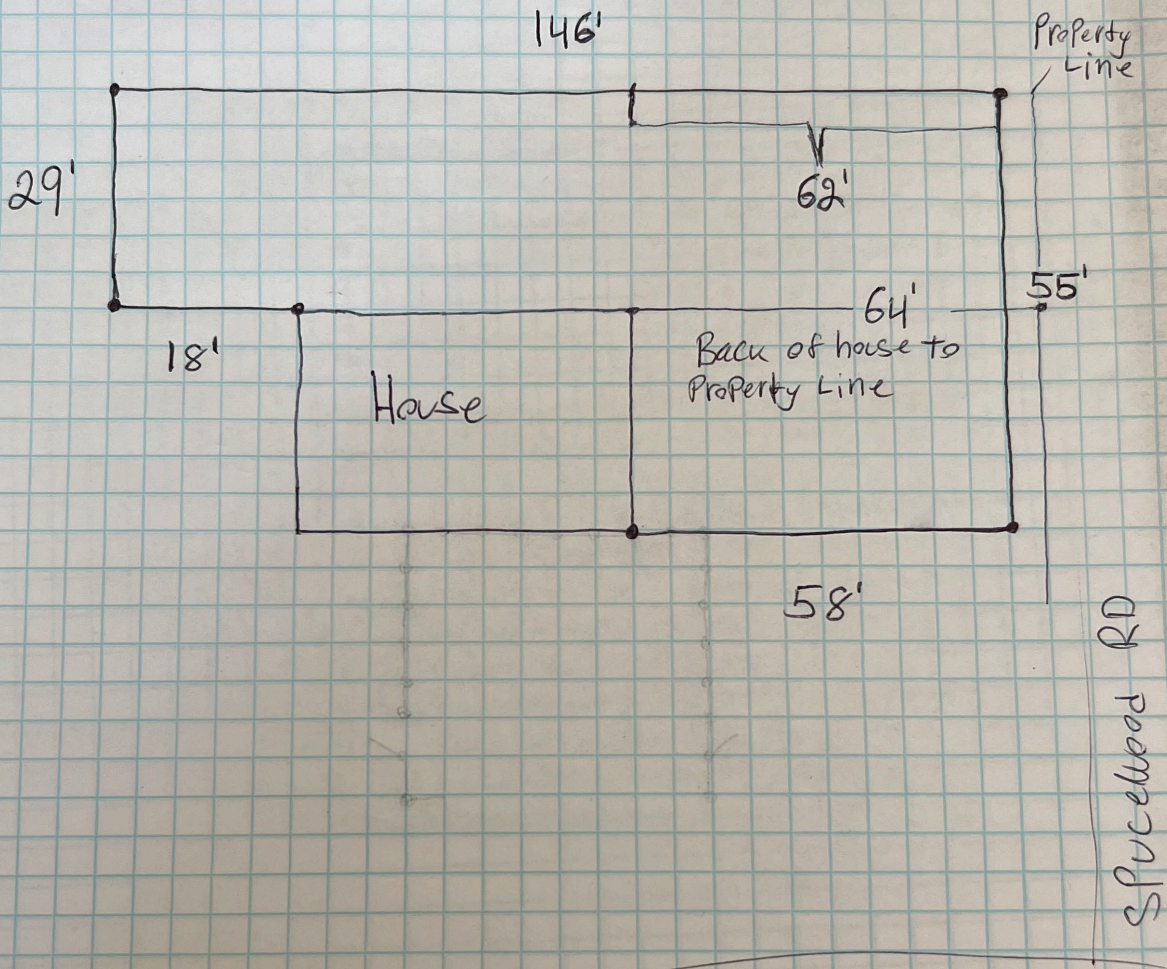








# Fence Measurements





Neighbors directly across Westgate and down Sprucewood:

















**VARIANCE**

4-C-23-VA

Knoxville BZA  
PUBLIC HEARING  
215-4244





**From:** [BaR Lodge](#)  
**To:** [Jennifer Scobee](#)  
**Cc:** [erik.gawthorpe@yahoo.com](mailto:erik.gawthorpe@yahoo.com); [Building Inspections](#)  
**Subject:** BZA File # 4-C-23-VA (4101 Westgate Dr)  
**Date:** Thursday, April 6, 2023 5:35:33 AM

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Ms. Scobee,

Please pass on my comments to the Board of Zoning Appeals. Thank you.

I live in the neighborhood near 4101 Westgate Drive and walk by this house almost every day. The BZA request for the size/height of the fence at this house should be approved.

The fence is of a tasteful and modest design which not only improves security for the home, but greatly increases the aesthetic appeal of the neighborhood. I respectfully ask that you concur/approve this BZA request.

Please let me know if you have any questions.

Thank you.

Ron Rutledge  
4723 Pecanwood Way  
Cell: (865) 242-8464





April 10, 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 4-A-23-VA, 4-C-23-VA, 4-D-23-VA, 4-E-23-VA, and 4-F-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 written in a cursive style.

Christian Wiberley, P.E.  
Engineering

CGW