



## 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 Holmes	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address		Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip		Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number		Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email	jholmes6@gmail.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 type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation                           |

### PROPERTY INFORMATION

Street Address	City, State, Zip
See <a href="http://KGIS.org">KGIS.org</a> for Parcel #	City Council District # and Zoning District

### 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

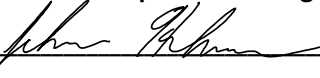
Describe your project and why you need variances.

Describe hardship conditions that apply to this variance.

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 \_\_\_\_\_

File # 7-E-23-VA



**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):**

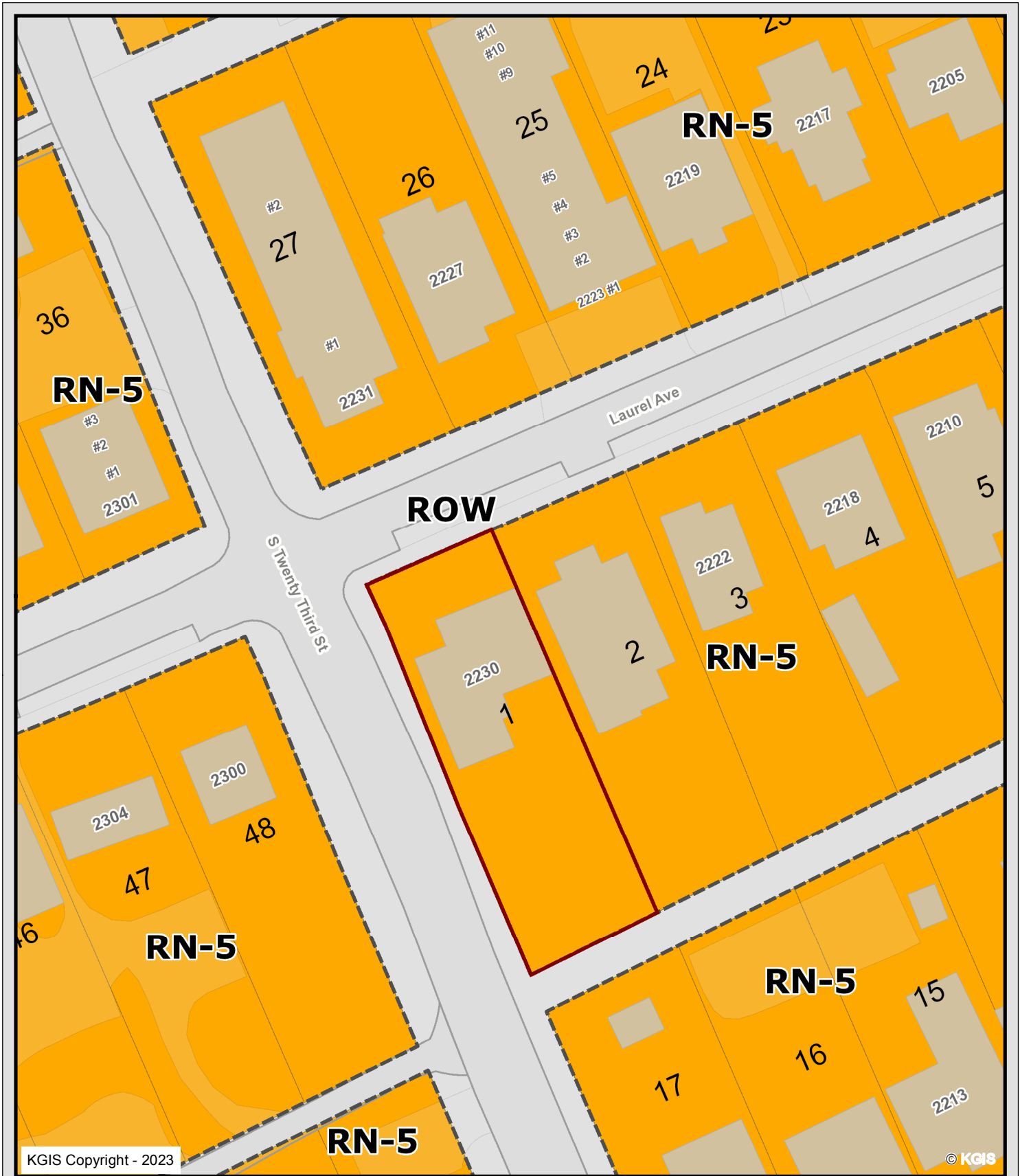
Large empty rectangular area for providing variance request details and ordinance citations.

**PROJECT INFORMATION**

Date Filed | Fee Amount

Council District | BZA Meeting Date

PLANS REVIEWER | DATE



KGIS Copyright - 2023

© KGIS

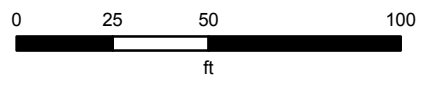
**2230 LAUREL AVE**

7-E-23-VA  
JOHN HOLMES

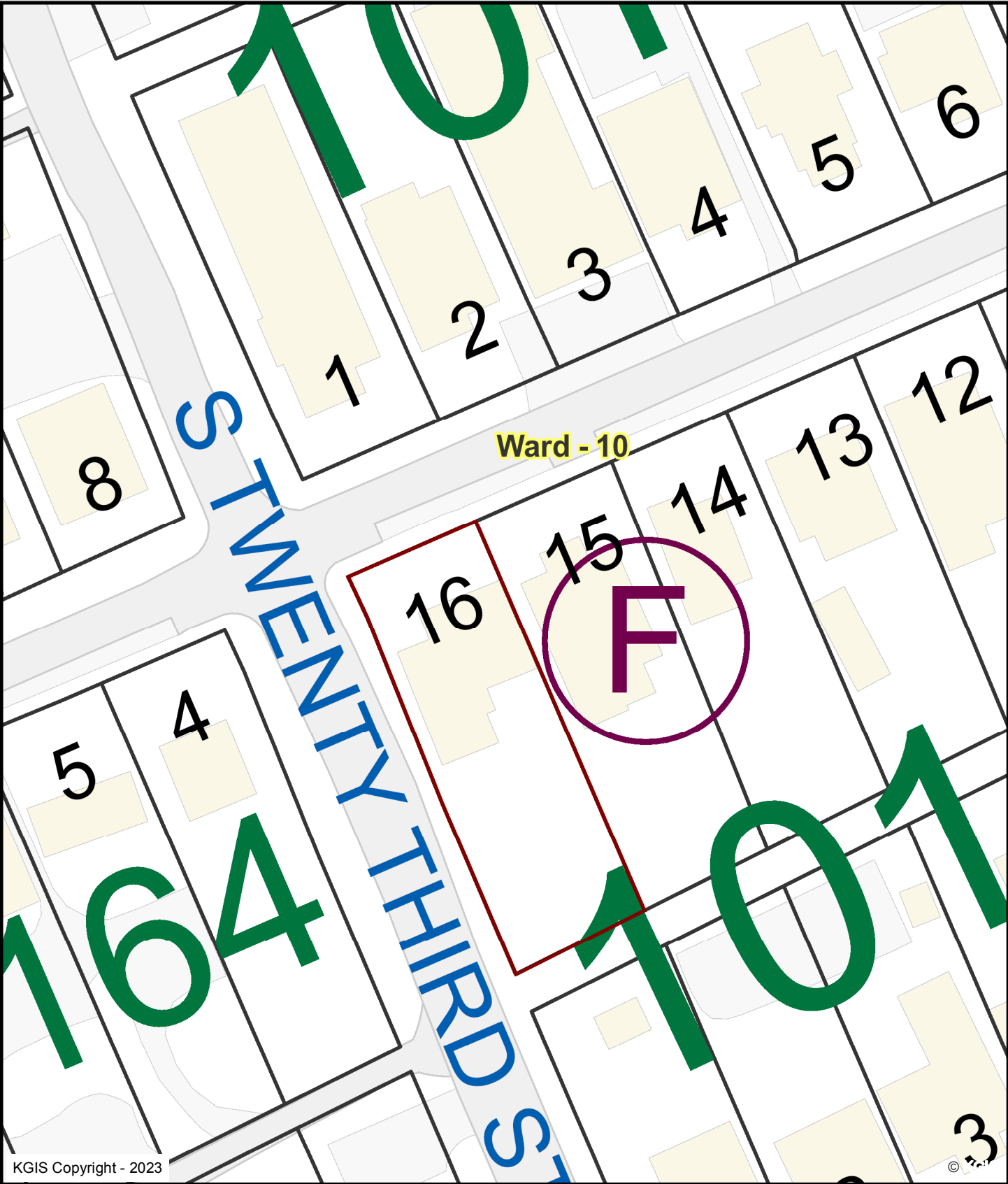
**Knoxville - Knox County - KUB Geographic Information System**



Printed: 5/31/2023 at 10:17:31 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.



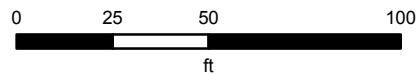
2230 LAUREL AVE

7-E-23-VA  
JOHN HOLMES

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



Printed: 5/31/2023 at 10:18:09 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.



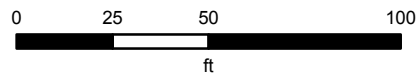
2230 LAUREL AVE

7-E-23-VA  
JOHN HOLMES

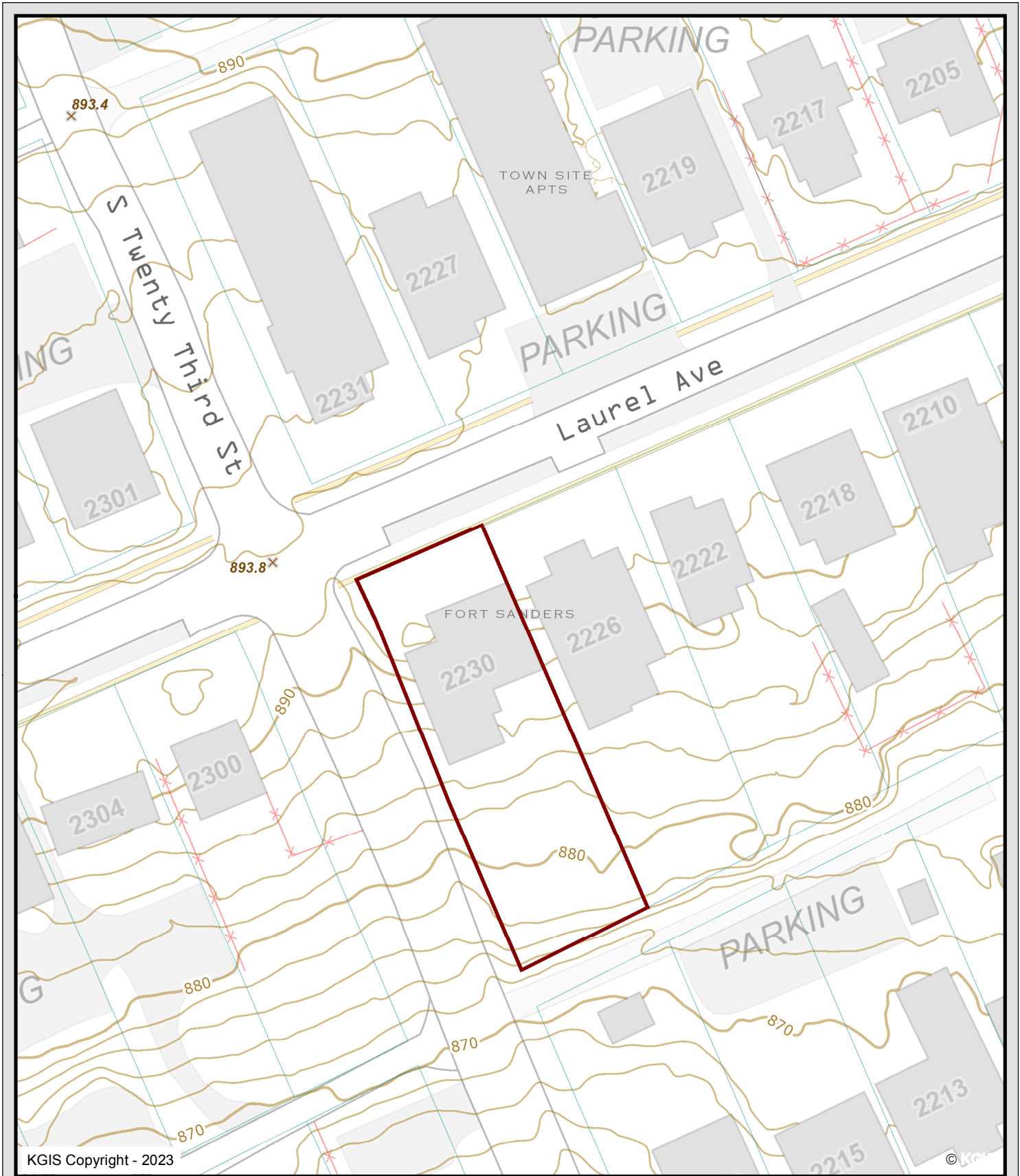
**Knoxville - Knox County - KUB Geographic Information System**



Printed: 5/31/2023 at 10:17:00 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.



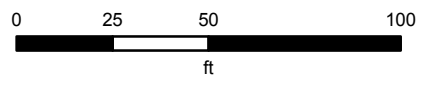
**2230 LAUREL AVE**

7-E-23-VA  
JOHN HOLMES

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



Printed: 5/31/2023 at 10:18:33 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.

THIS SURVEY WAS PREPARED USING A COMBINATION OF RTK GNSS AND CONVENTIONAL TOTAL STATION DATA COLLECTION.

- 1) GNSS RECEIVER: CARLSON BRx7 BASE/ROVER  
REFERENCED TO NAD83 STATE PLANE COORDINATES USING THE TDOT CORS NETWORK
- 2) TOTAL STATION: TOPCON GPT-8205A
- 3) VERTICAL DATUM: NAVD88 / GEOID2018



● = FOUND MONUMENT

◆ = 1/2" IRON PIN SET

○ = CALCULATED POINT

MBL = MINIMUM BUILDING LINE

U&D EASE. = UTILITY & DRAINAGE EASEMENT

WD = WOOD DECK

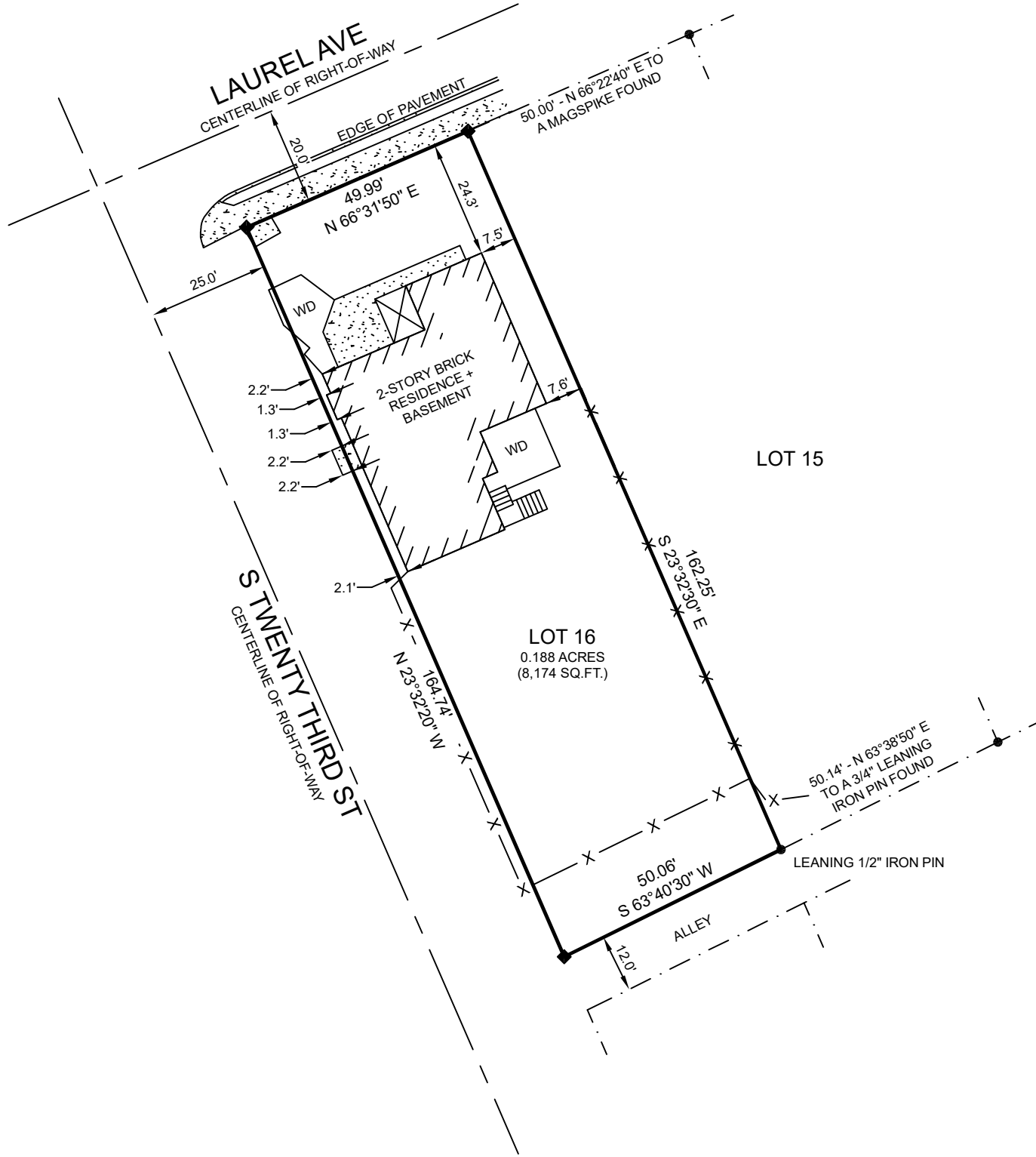
BOUNDARY LINE

NON-SURVEYED PROPERTY LINE

CENTERLINE OF ROAD

FENCING

— X — X — X —

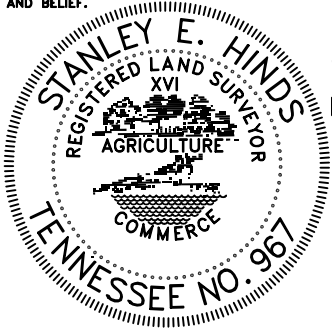


**CERTIFICATION OF CATEGORY AND ACCURACY OF SURVEY**

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON

SURVEYOR: STANLEY E. HINDS  
TN REG. NO. 967

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED AND OTHER DOCUMENTS FURNISHED BY THE ATTORNEY AND THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE SHOWN AND THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

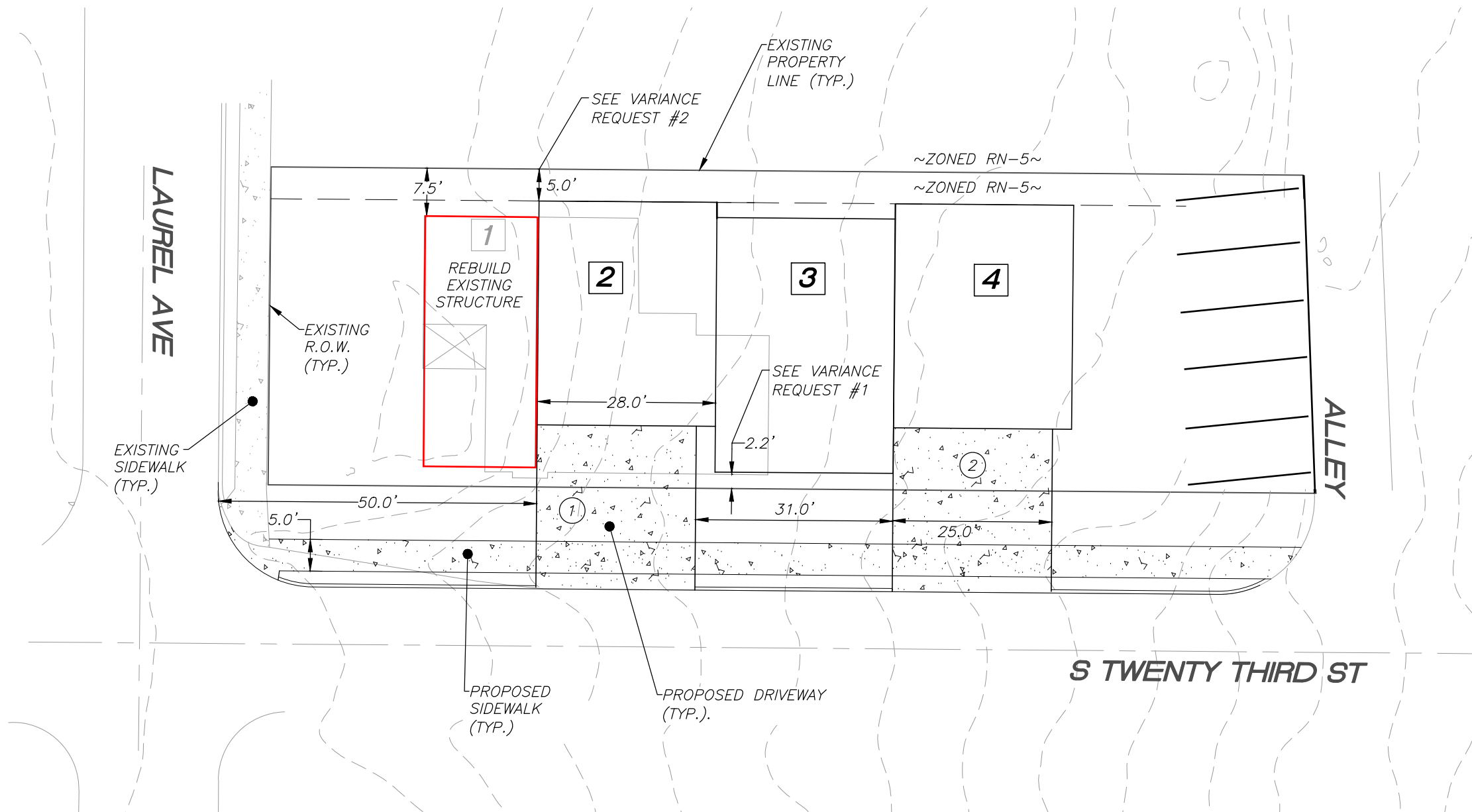


SURVEY FOR JOHN HOLMES  
 DIST. 4 WARD 10 CITY OF KNOXVILLE COUNTY KNOX  
 ADDRESS 2230 LAUREL AVE  
 LOT NO. 16 BLOCK F UNIT \_\_\_\_\_  
 S/D FORT SANDERS ADDITION  
 INSTR. WD 199512290043303 PLAT 192106290000000 SCALE 1" = 30' DATE 03/06 2023  
 JOB NO. 2302011 ORDERED BY: INDEP.

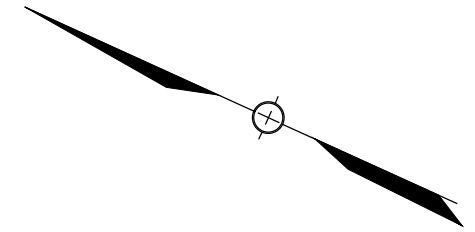
**HINDS SURVEYING CO.**

3555 WINDY J FARMS DR. LOUISVILLE, TN 37777  
 865-588-9799 TNSURVEY@GMAIL.COM  
 WWW.HINDSSURVEYING.COM

© COPYRIGHT 2022, HINDS SURVEYING CO. THIS DRAWING, STYLE, AND FORMAT IS PROTECTED BY COPYRIGHT AND ALL RIGHTS ARE RESERVED. THE USE OF THIS DRAWING STYLE AND FORMAT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT AND PERMISSION OF HINDS SURVEYING CO.



4 Units  
 Parking required  $.65 \times 24 + .2 \times 4$   
 guest  $\times .7 = 11$   
 Parking Required = 11  
 Parking Provided - 11



**VARIANCE REQUEST:**

1) DECREASE FRONT SETBACK ALONG 23RD STREET FROM 25' TO 2.2' FOR CONSTRUCTION OF AN INDEPENDENT LIVING FACILITY IN THE RN-5 DISTRICT, PER ARTICLE 4.3, TABLE 4.1. THIS MATCHES THE EXISTING STRUCTURE.

2) DECREASE REAR SETBACK ALONG 23RD STREET FROM 25' TO 5' FOR CONSTRUCTION OF AN INDEPENDENT LIVING FACILITY IN THE RN-5 DISTRICT, PER ARTICLE 4.3, TABLE 4-1. 50% OF THE BUILDING WILL REMAIN AT THE EXISTING 7.5' SETBACK.

**S TWENTY THIRD ST**



**2230 LAUREL AVENUE**



**From:** [Alice Basler](#)  
**To:** [Jennifer Scobee](#)  
**Cc:** [Alice](#)  
**Subject:** Re: Board of Zoning Appeals Meeting – July 18, 2023  
**Date:** Monday, July 17, 2023 11:50:19 AM

---

Hi!

Here are my comments:

“Development must comply with the regulations set forth in the zoning code. The neighborhood recognizes that this zoning district allows for greater density than the traditional single family development that already exists on Laurel Avenue, but greater density does not mean throwing away all regulations. Set backs are necessary to ensure the neighborhood maintains order, especially as we see Fort Sanders redeveloping.

The steepness of the lot does not force the applicant to build a larger structure, there is no hardship, and the neighborhood requests denial.”

Thank you!

Alice

--

Sent from my iPhone

---

**From:** Alice Basler <alice.basler@yahoo.com>  
**Sent:** Monday, July 17, 2023 11:08 AM  
**To:** Jennifer Scobee <jscobee@knoxvilletn.gov>  
**Subject:** Re: Board of Zoning Appeals Meeting – July 18, 2023

Hi Jen!

I am out of town this week so I will not be able to attend the meeting. I would like to submit comments regarding John Holmes's application. Can I submit them to you?

Hope you're doing well!

Thank you!

Alice

Sent from my iPhone

On Jul 5, 2023, at 1:09 PM, Jennifer Scobee <[jscobee@knoxvilletn.gov](mailto:jscobee@knoxvilletn.gov)> wrote:

The next Board of Zoning Appeals meeting is scheduled for July 18, 2023. You may view the agenda and application packets [here](#).

The meeting will be held in person in the Small Assembly Room, City/County Building, 400 Main Street, at 4:00 pm. There is a Zoom attendance option available upon request. If you need to request a Zoom link, please let me know before **Noon** on the day of the meeting.

If you wish to speak on a property, please be sure to sign in on the speaker sign in sheet that will be on the table as you enter the room.

If you would like to be advised of appeals on an item, please be sure to fill out the Appeals sign up sheet that is also on that table.

Thank you,  
**Jen Scobee**  
Administrative Specialist  
[Plans Review and Inspections](#)

## Board of Zoning Appeals – City Staff Comments

Tuesday, July 18<sup>th</sup>, 2023

### Variance Findings (Article 16.3.E):

*The Board of Zoning Appeals may authorize a variance from the strict application of this Code so as to relieve such difficulties or hardship only in accordance with all of the following criteria:*

- 1. Variances will be granted only where special circumstances or conditions (such as exceptional narrowness, topography or siting) fully described in the findings of the Board, do not apply generally in the district.*
- 2. Variances will not be granted to allow a use otherwise excluded from the particular district in which requested.*
- 3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this Code would deprive the applicant of any reasonable use of his/her land. Mere loss in value does not justify a variance; there must be a deprivation of beneficial use of land.*
- 4. Any variance granted under the provisions of this section must be the minimum adjustment necessary for the reasonable use of the land.*
- 5. The granting of any variance is in harmony with the general purposes and intent of this Code and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the General Plan for development*

### Meeting Agenda

#### **7-B-23-VA - 1415 Third Creek Rd**

**Staff Comments:** Applicant is building a new Casey's gas station. The property has three street frontages along North Middlebrook Pike, South Middlebrook Pike and Third Creek Road. The applicant is proposing three driveways with the development. One is along South Middlebrook Pike and the remaining two are on Third Creek Road. The two driveways along Third Creek Road do not meet the requirement of having a minimum separation between them that is equal to the width of the wider driveway. The applicant is requesting a variance to reduce this requirement.

Engineering does not oppose the number of driveways on Third Creek and determined there is sufficient corner clearance for safety.

#### **The variance request is:**

1. Reduce the driveway separation by a minimum distance equal to the width of the wider driveway from 35 feet to 13 feet. Per Article 11.7.B.2

### **7-C-23-VA - 1415 Third Creek Rd**

**Staff Comments:** Applicant is building a new Casey's gas station and requesting variances to the sign ordinance. The existing site is clear of vegetation and has good visibility along three street frontages (North and South Middlebrook Pike and Third Creek Road). The property is zoned General Industrial (I-G). The signage allowed in the I-G district is the same signage permitted in all commercial districts across the city. Due to having multiple street frontages, the property is also permitted to have two detached signs, as well as attached wall signage.

According to Article 16.3.E.1: *Variances will be granted only where special circumstances or conditions (such as exceptional narrowness, topography or siting) fully described in the findings of the Board.* It is unclear what the existing difficulties or hardships are associated with the property that require variances to the sign ordinance.

#### **The variance requests are:**

1. Increase the height of the primary detached sign from 10 feet to 25 feet. Per Article 13.9.F.3; Table 13-2.
2. Increase the height of the secondary detached sign from 8 feet to 25 feet. Per Article 13.9.F.2.c
3. Reduce the minimum width requirement of a parcel to allow Changeable Price Signs from 250 feet to 217 feet. Per Article 13.6.G.1
4. Increase the size of the primary detached sign from 100 square feet to 113.43 Square feet. Per Article 13.9.F.3; Table 13-3.
5. Increase the size of the secondary detached sign from 32 square feet to 113.43 Square feet. Per Article 13.9.F.2.c

### **7-D-23-VA - 1415 Third Creek Rd**

**Staff Comments:** Applicant is building a new Casey's gas station and requesting a variance to reduce the minimum required parking. The minimum parking for a gas station is four per 1,000 square feet of GFA. The proposed building is 4,748 square feet, which requires a minimum of 19 parking spaces. Staff pointed out to the applicant there is room to supply the minimum parking requirements for a new build on this parcel. An alternative option would be to reduce the size of the proposed gas station to approximately 4,100 square feet and not need a variance for the proposed 16 parking spaces.

According to Article 16.3.E.1, *"Variances will be granted only where special circumstances or conditions (such as exceptional narrowness, topography or siting) fully described in the findings of the Board."* It is unclear how the existing property creates circumstances or conditions that cause design of a new development to be unable to accommodate the minimum parking requirements.

#### **The variance request is:**

1. Reduce minimum parking requirement from 19 to 16. Per Article 11.4; table 11-2.

### **7-E-23-VA - 2230 Laurel Ave**

**Staff Comments:** Applicant is looking to demolish an existing single-family residence and build four dwelling units. The existing structure to be demolished is addressed and fronts along Laurel Avenue. This is largely characteristic to the established development pattern along the southern block of Laurel Avenue. The applicant is seeking to change the established development pattern by constructing a building that will front and be addressed along 23<sup>rd</sup> Street. The chosen orientation of the proposed building on the lot towards 23<sup>rd</sup> Street by the applicant creates the need for two variances to the front and rear setback. The building orientation creates front and rear property lines on a property that was originally platted with the intent for these to be side property lines.

The lot slopes from Laurel Avenue down 23<sup>rd</sup> Street to the alley at the rear of the property. The topography is similar to existing adjacent properties along the south side of Laurel Avenue that have been developed and front on Laurel Avenue. According to Article 16.3.E.3, it is unclear how topography *would deprive the applicant of any reasonable use of the land.*

**The variance requests are:**

1. Reduce required front setback in RN-5 zone from 25 feet to 2.2 feet. Per Article 4.3; Table 4-1.
2. Reduce required rear setback in RN-5 zone from 25 feet to 5 feet. Per Article 4.3; Table 4-1.

### **7-G-23-VA - 816 Heins Ct**

**Staff Comments:** Applicant is building a new single-family dwelling on this lot and requesting a reduction to the front and rear setbacks in a RN-1 zoning district. The average of blockface for this property is 115 feet setback so their minimum front setback is 105 feet based on +/- 10 feet.

The applicant platted this property in 2022. Although the property met the minimum design standards of lot size and frontage, the design and size of the house was not thoroughly considered during the plat process. Applicant has created their own variance requirements based on the size and design of the house and property.

**The variance requests are:**

1. Decrease the front setback from 105 feet to 75 feet in a RN-1 zone. Per Article 4.3. Table 4-1.
2. Decrease the rear setback from 25 feet to 9 feet in a RN-1 zone. Per Article 4.3. Table 4-1.

### **7-H-23-VA - 200 W Fifth Ave**

**Staff Comments:** Applicant is developing a new mixed use facility. There is an existing pylon sign on the site from the former Mac Auto Loans business. The applicant plans to reuse the sign head for a wall projecting sign. Because of the width of the existing sign head, it would project 17' from the side of the building.

Engineering cannot support the variance in its proposed configuration. An increase in height or reduction in projection may change our position. A projection beyond what is allowed in the zoning ordinance will also have to seek an encroachment agreement from City Council.

**The variance requests are:**

1. Increase the maximum projection of a sign from 10 feet to 17 feet. Per Article 13.5.B.1.

**7-I-23-VA - 1600 Island Home Ave**

**Staff Comments:** Applicant is proposing 10 new townhouses along the south side of Island Home Avenue and requesting to increase the maximum front setback in a SW-2 from 10 feet to 12 feet, 6 inches. The applicant stated the hardship is the grade change from sidewalk to the finished first floor elevation. The increased front setback helps achieve proper drainage and transitioning from the sidewalk to the first floor. This additional setback depth allows for a switch back of stairs from the sidewalk to the front door stoop of each unit. According to Article 16.3.E.4: *“Any variance granted under the provision of this section must be the minimum adjustment necessary for the reasonable use of the land.”*

**The variance requests are:**

1. Increase the maximum front setback from 10 feet to 12 feet, 6 inches in a SW-2 zone. Per Article 7.1.3.C.4.

**From:** [Steve Borden](#)  
**To:** [Jennifer Scobee](#)  
**Subject:** RE: July 2023 BZA Applications  
**Date:** Tuesday, July 11, 2023 8:24:06 AM  
**Attachments:** [image002.png](#)

---

Jennifer,

Please see the comments below regarding this month's BZA's

7-B-23-VA 1415 Third Creek Rd- No objection to driveway variance on side street, please be sure to contact R1 Traffic Office regarding a business entrance connection to SR-169 Middlebrook Pk.

7-C-23-VA 1415 Third Creek Rd-No Comment

7-D-23-VA 1415 Third Creek Rd – No Comment

7-E-23-VA 2230 Laurel Ave – No Comment

7-G-23-VA 816 Heins Ct - No Comment

7-H-23-VA 200 W. Fifth Ave – No Comment

7-I-23-VA 1600 Island Home Ave - 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)

---

**From:** [Christian Wiberley](#)  
**To:** [Jennifer Scobee](#)  
**Subject:** Re: July 2023 BZA Applications  
**Date:** Monday, July 17, 2023 10:12:56 AM  
**Attachments:** [Outlook- .png](#)

---

Jen,

We do not have any objections to the variance applications.

Thanks,

Christian

---

**From:** Jennifer Scobee <[jscobee@knoxvilletn.gov](mailto:jscobee@knoxvilletn.gov)>  
**Sent:** Wednesday, July 12, 2023 8:27:25 AM  
**To:** Christian Wiberley <[Christian.Wiberley@kub.org](mailto:Christian.Wiberley@kub.org)>  
**Subject:** FW: July 2023 BZA Applications

- Warning: External Sender -Please use caution when opening files, clicking links, or providing data.

Hi Christian! I just wanted to check in and see if you had your responses for these applications for next Tuesday.

Thanks!

*Jen Scobee*

Administrative Specialist  
[Plans Review and Inspections](#)  
400 Main Street, Room 475  
Knoxville, TN 37902  
Phone: 865-215-2988  
[jscobee@knoxvilletn.gov](mailto:jscobee@knoxvilletn.gov)  
[www.knoxvilletn.gov](http://www.knoxvilletn.gov)

[Visit our NEW online licensing and permitting webpage!](#)



---

**From:** Jennifer Scobee <[jscobee@knoxvilletn.gov](mailto:jscobee@knoxvilletn.gov)>  
**Sent:** Wednesday, July 5, 2023 1:02 PM  
**To:** 'steve.borden@tn.gov' <[steve.borden@tn.gov](mailto:steve.borden@tn.gov)>; 'Christian.Wiberley@kub.org' <[Christian.Wiberley@kub.org](mailto:Christian.Wiberley@kub.org)>  
**Subject:** July 2023 BZA Applications  
**Importance:** High



Please have your staff review the following applications and provide your responses by Wednesday, July 12, 2023. You may access the applications [here](#)

[7-B-23-VA](#)      [1415 Third Creek Rd](#)  
[7-C-23-VA](#)      [1415 Third Creek Rd](#)  
[7-D-23-VA](#)      [1415 Third Creek Rd](#)  
[7-E-23-VA](#)      [2230 Laurel Ave](#)  
[7-G-23-VA](#)      [816 Heins Ct](#)  
[7-H-23-VA](#)      [200 W. Fifth Ave](#)  
[7-I-23-VA](#)      [1600 Island Home Ave](#)

Thanks,

**Jen Scobee**

Administrative Specialist

[Plans Review and Inspections](#)

Phone: 865-215-2988

[jscobee@knoxvilletn.gov](mailto:jscobee@knoxvilletn.gov)

[www.knoxvilletn.gov](http://www.knoxvilletn.gov)





VARIANCE  
7-E-23-1A  
Knoxville BZA  
PUBLIC HEARING  
215-4244