

CITY OF KNOXVILLE 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) Randall Jason Barnes	Owner <input checked="" type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address 802 Lovell Road	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37932	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-599-3515	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email barnes4315@yahoo.com		Other <input type="checkbox"/>

THIS IS A REQUEST FOR:

<input checked="" 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 4335 Apex Drive City, State, Zip Knoxville, TN 37919
 See KGIS.org for Parcel # 107FF02001 City Council District # 6 and Zoning District RN-1, HP

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.
 I would like to build a 2 bedroom/2 bathroom one level home with a crawlspace to match the existing homes in the neighborhood. I have recently changed the address from Hollywood Road to Apex Drive due to topography and traffic along Hollywood Road. The current setback on Hollywood is 25', but setback on Apex is 88'. I am requesting a variance of the setback for this home to be built at 38.3' instead of 88' setback. The lot is steeper as we move closer to Hollywood Road and drops over 30' from Apex Drive down to Hollywood Road. Allowing this variance to 38.3' setback would allow the best reasonable use of the land and provide the homeowner with somewhat of a backyard. The 38.3' setback would also be in-line with the existing neighboring 800 Hollywood home, while keeping with the continuity of the neighborhood in style and structure.

Describe hardship conditions that apply to this variance.
 - Eleviate traffic from Hollywood
 - Steep Topography
 - Keep home with Apex address closer to Apex than Hollywood


100.13
RTB

100.13
RTB

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 8/3/23

File #



BOARD OF ZONING APPEALS APPLICATION

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

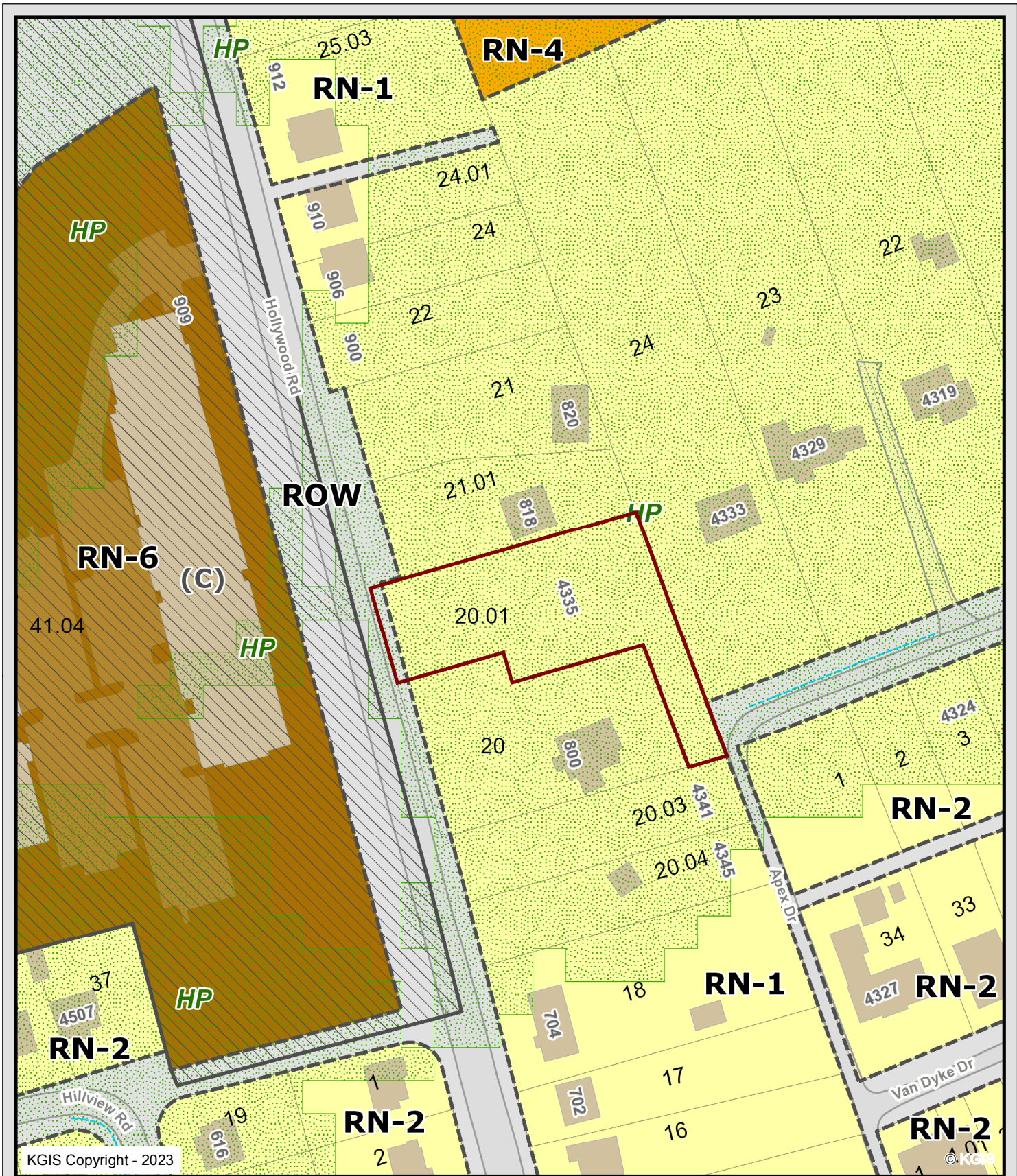
Is a plat required? Yes No

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
PLANS REVIEWER	DATE



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4335 APEX DR

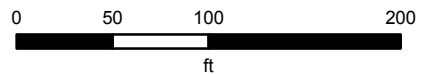
9-E-23-VA

RANDALL JASON BARNES

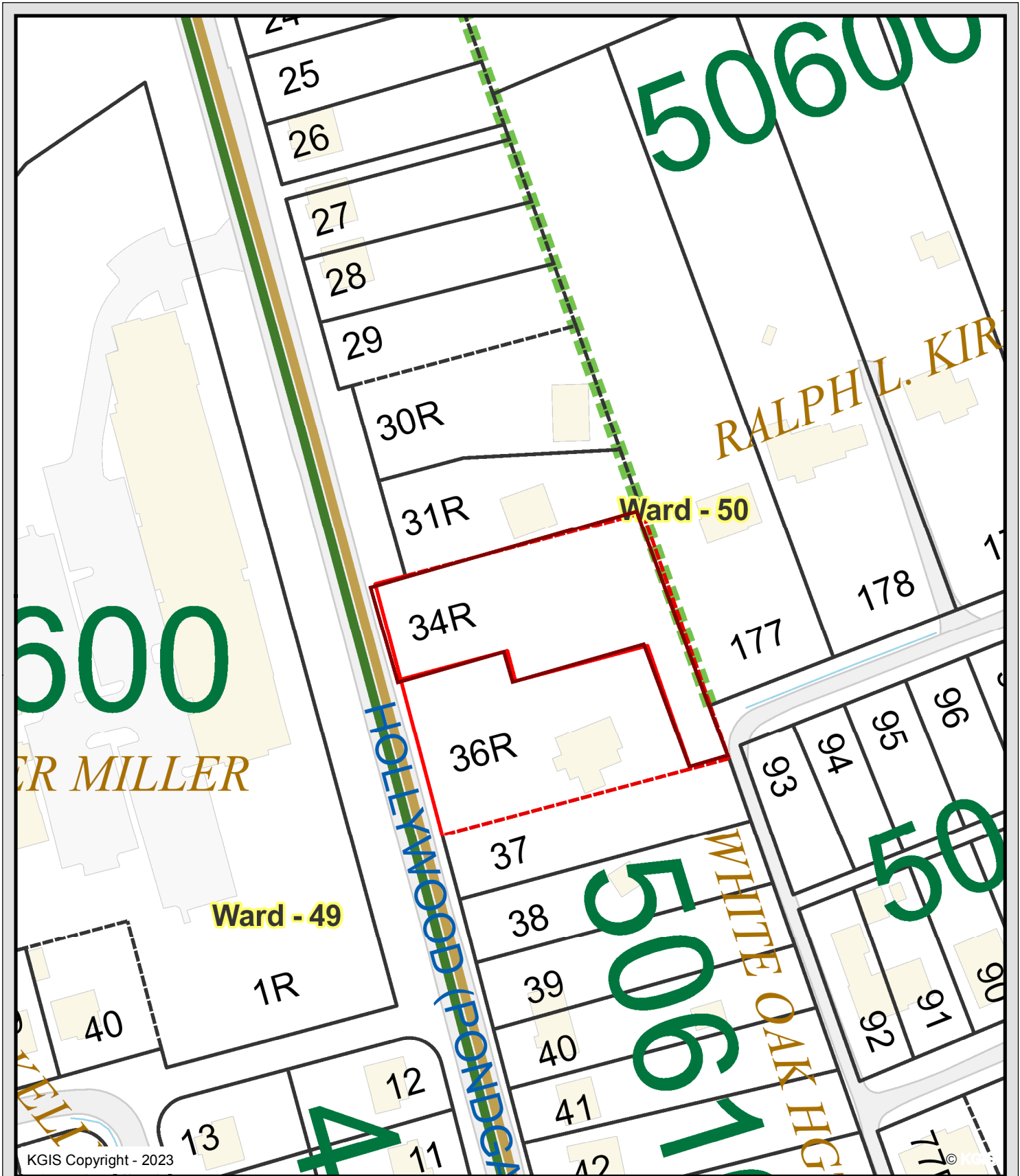
Knoxville - Knox County - KUB Geographic Information System



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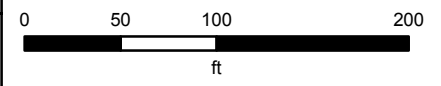
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4335 APEX DR
 9-E-23-VA
 RANDALL JASON BARNES

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4335 APEX DR

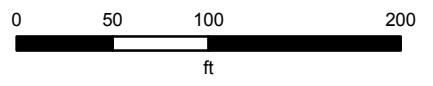
9-E-23-VA

RANDALL JASON BARNES

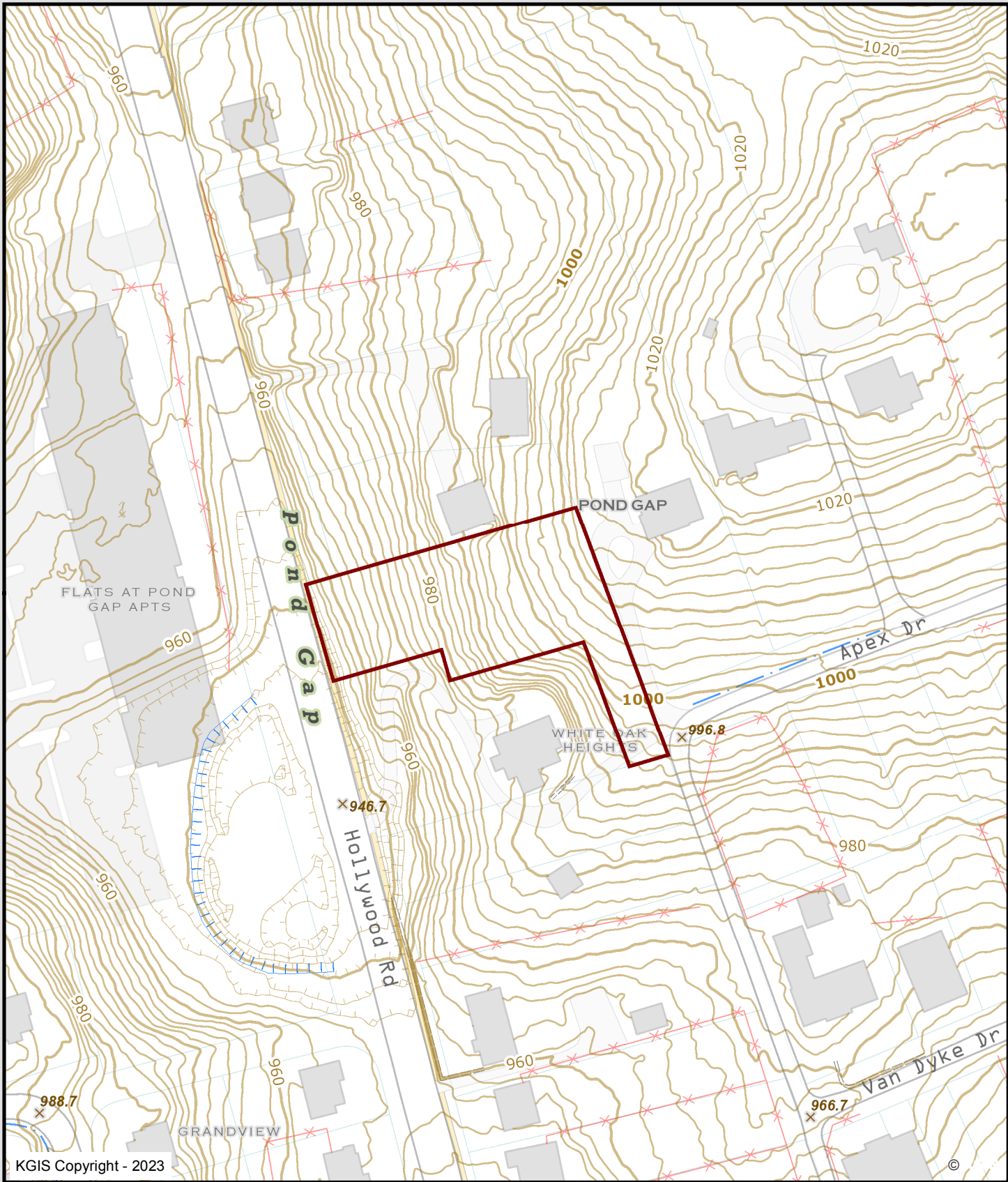
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4335 APEX DR

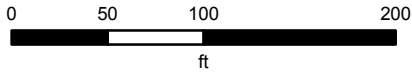
9-E-23-VA

RANDALL JASON BARNES

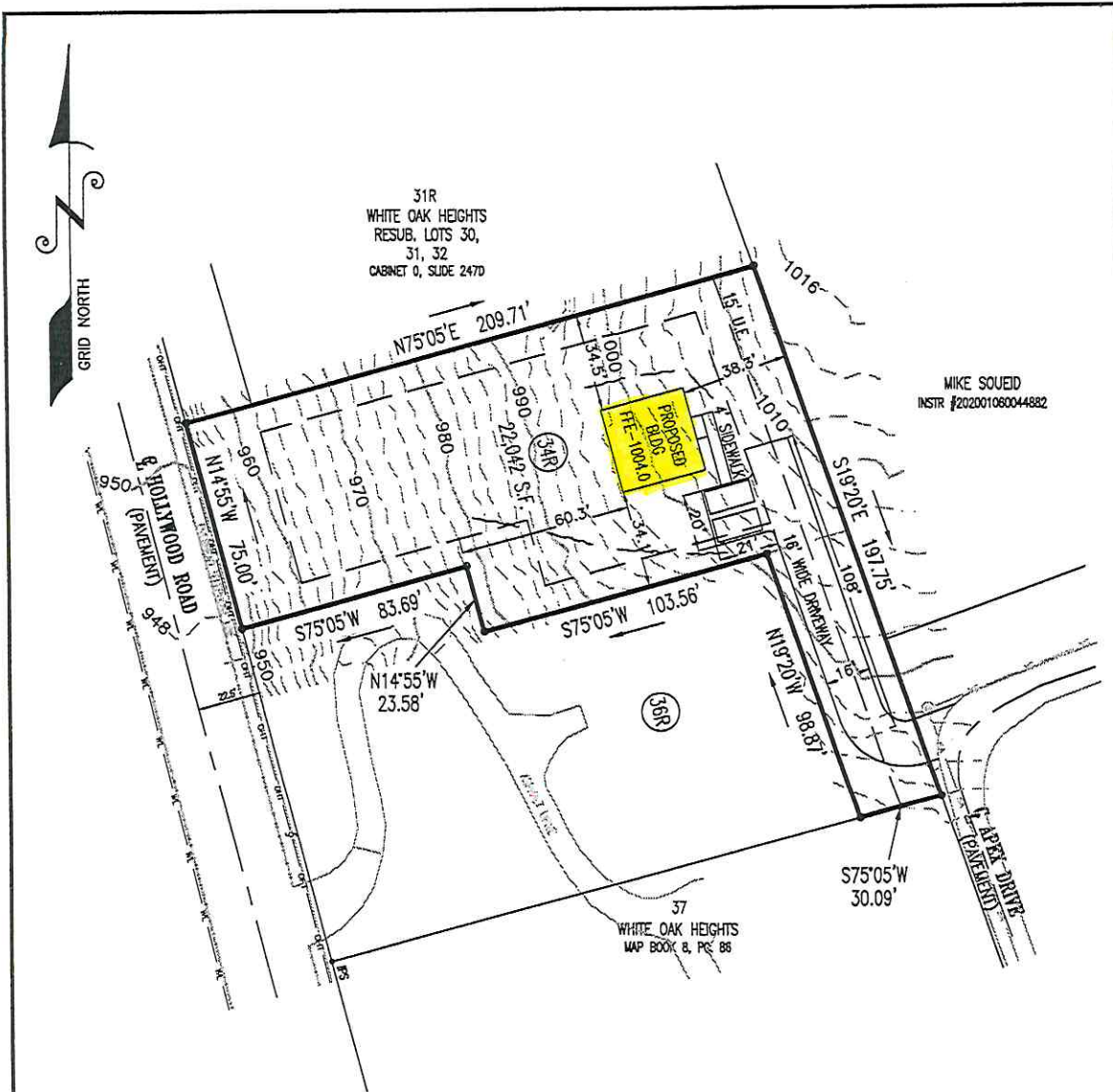
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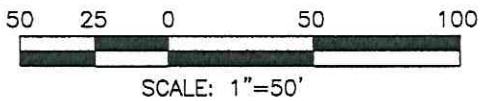
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OWNER/DEVELOPER
JASON BARNES
 802 LOVELL ROAD
 KNOXVILLE, TN 37902



- NOTES:
 1. IRON PINS FOUND (IFP) SHOWN ON MAP. ALL OTHER CORNERS SET BY BHN&P, BY THIS SURVEY, UNLESS OTHERWISE NOTED.
 2. THIS PROPERTY IS ZONED RN-1.



BATSON, HIMES, NORVELL & POE
 REGISTERED ENGINEERS & LAND SURVEYORS
 4334 PAPERMILL DRIVE
 KNOXVILLE, TENNESSEE 37909
 PHONE (865) 588-6472
 FAX (865) 588-6473
 email@bhn-p.com



CERTIFICATE OF THE ACCURACY OF SURVEY

SURVEY ACCURACY SHALL MEET THE REQUIREMENTS OF THE CURRENT EDITION OF THE RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS - STANDARDS OF PRACTICE. I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN COMPLIANCE WITH THE CURRENT EDITION OF THE RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS - STANDARDS OF PRACTICE.

REGISTERED LAND SURVEYOR

TENNESSEE LICENSE NO. _____ DATE: _____

PLOT PLAN FOR LOT 34R, MAP OF WHITE OAK HEIGHTS

TAX MAP NO. 107-FF, PARCEL 020.01, WARD No. 50,
 CITY OF KNOXVILLE, DISTRICT NO. 5, KNOX COUNTY, CITY BLOCK 50610
 ADDRESS 810 HOLLYWOOD RD., KNOXVILLE, TN 37919
 REFERENCE DEED: INSTR. #201609060015401
 REFERENCE PLAT: INSTR. #202212280037218
 SCALE 1"=50' DATE 05/17/2023
 ORDERED BY _____ DWG NO. 25326-LOT34R

50610-C

CERTIFICATE OF OWNERSHIP AND GENERAL DESIGNATION

I, ME, THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREIN, HEREBY ACCEPT THIS AS (AN, OUR) PLAN OF SUBDIVISION AND DESIGNATE THE STREETS AS SHOWN TO THE PUBLIC USE FOREVER AND HEREBY CERTIFY THAT I (AM, WE) AND THE OWNER(S) IN THE SAMPLE OF THE PROPERTY, AND AS PROJECT OWNERS HAVE AN UNRESTRICTED RIGHT TO DEDICATE RIGHT-OF-WAY AND/OR GRANT EASEMENTS AS SHOWN ON THIS PLAN.

OWNER(S)
PRINTED NAME: JASON BARNES
SIGNATURE: [Signature]
DATE: 12-22-22



STATE OF TENNESSEE, COUNTY OF KNOX
ON THIS 22 DAY OF DEC 2022
BEFORE ME PERSONALLY APPEARED JASON BARNES TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL, THIS DAY AND YEAR ABOVE WRITTEN.
Rebecca Ruggiano, Notary
MY COMMISSION EXPIRES 4-10-24

TAXES AND ASSESSMENTS
THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.

SIGNED: Donna Dyer, 11/04/2022
CITY TAX CLERK
SIGNED: Jason Barnes, 11/03/2022
KNOX COUNTY TRUSTEE

ADDRESSING DEPARTMENT CERTIFICATION
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE SUBDIVISION NAME AND ALL STREET NAMES CONFORM TO THE KNOXVILLE/KNOX COUNTY STREET NAMING AND ADDRESSING ORDINANCE, THE ADMINISTRATIVE RULES OF THE PLANNING COMMISSION, AND THESE REGULATIONS.

SIGNED: Dawn Hill, 12/28/2022
DATE

CERTIFICATION OF APPROVAL OF PUBLIC WATER SYSTEM - MINOR SUBDIVISION
THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO THE INSTALLATION OF A PUBLIC WATER SYSTEM AND THAT SUCH INSTALLATION SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO VERIFY WITH THE UTILITY PROVIDER THE AVAILABILITY OF WATER SYSTEM IN THE VICINITY OF THE LOT(S) AND TO PAY FOR THE INSTALLATION OF THE REQUIRED CONNECTIONS.

KUB
UTILITY PROVIDER: [Signature], 11/04/2022
AUTHORIZED SIGNATURE FOR UTILITY

OWNER CERTIFICATION FOR PUBLIC SEWER AND WATER SERVICE - MINOR SUBDIVISION
I, ME, THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREIN, UNDERSTAND IT IS OUR RESPONSIBILITY TO VERIFY WITH THE UTILITY PROVIDER THE AVAILABILITY OF PUBLIC SEWER AND WATER SERVICE IN THE VICINITY OF THE LOT(S) AND TO PAY FOR THE INSTALLATION OF THE REQUIRED CONNECTIONS.

OWNER(S) PRINTED NAME: Jason Barnes
SIGNATURE: [Signature]
DATE: 12-22-22

ZONING
ZONING SHOWN ON OFFICIAL MAP: RN-1
BY: [Signature], DATE: 12/28/22

CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING
THE KNOXVILLE DEPARTMENT OF ENGINEERING HEREBY APPROVES THIS PLAN ON THIS 28th day of December, 2022.
Thomas V. Clabo, P.E. (CPG), ENGINEERING DIRECTOR

CERTIFICATION OF APPROVAL OF PUBLIC SANITARY SEWER SYSTEM - MINOR SUBDIVISION
THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO THE INSTALLATION OF PUBLIC SANITARY SEWERS AND TREATMENT FACILITIES, AND THAT SUCH INSTALLATION SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO VERIFY WITH THE UTILITY PROVIDER THE AVAILABILITY OF SANITARY SEWERS IN THE VICINITY OF THE LOT(S) AND TO PAY FOR THE INSTALLATION OF THE REQUIRED CONNECTIONS.

KUB
UTILITY PROVIDER: [Signature], 11/04/2022
AUTHORIZED SIGNATURE FOR UTILITY

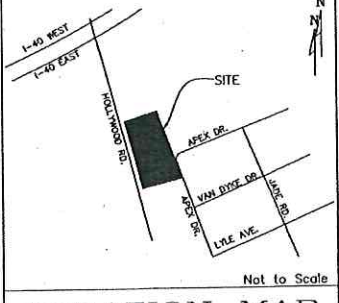
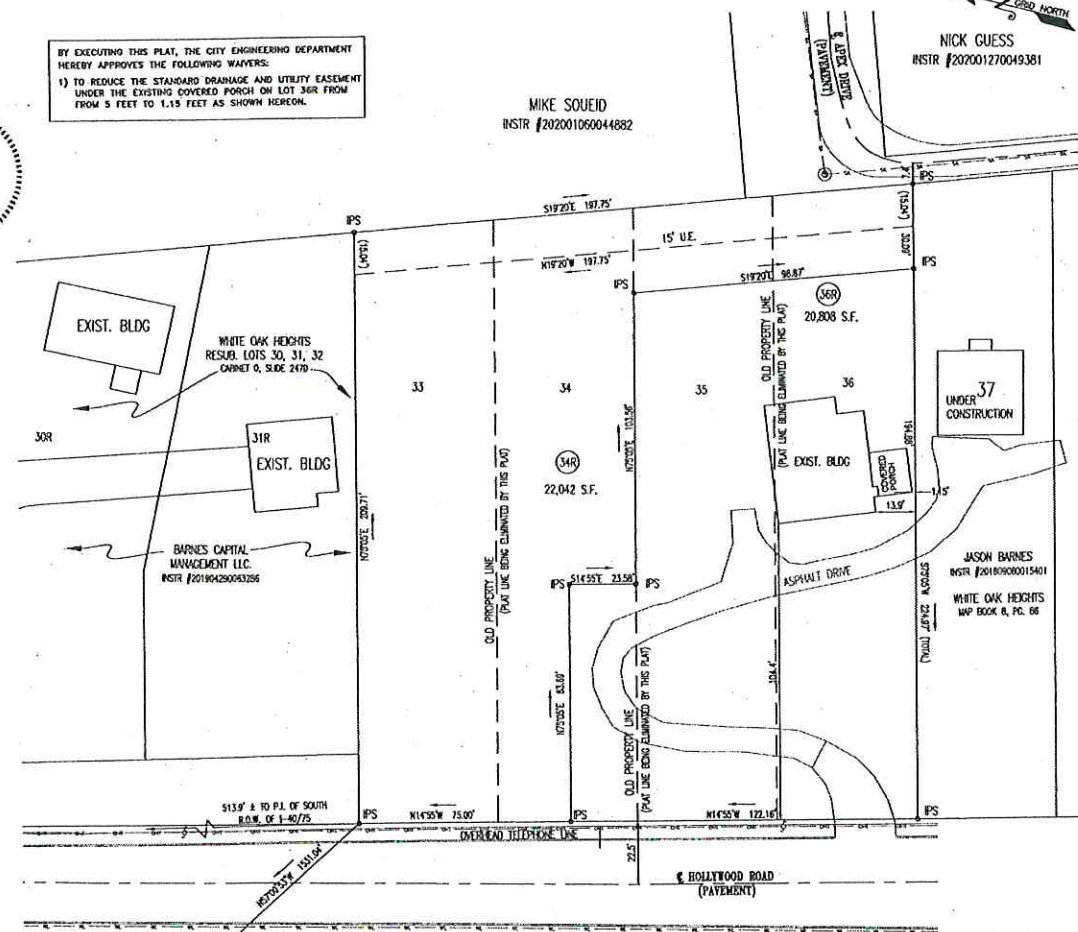
PLANNING STAFF CERTIFICATION OF APPROVAL FOR RECORDS - FINAL PLAT
THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO CONFORM WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH EXISTING OFFICIAL PLANS, WITH THE EXCEPTION OF ANY VARIANCES AND VARIANCES NOTED ON THIS PLAT, AND THAT THE RECORDING PLAT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS.

PLANNING STAFF CERTIFICATION OF APPROVAL FOR RECORDS - FINAL PLAT
THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO CONFORM WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH EXISTING OFFICIAL PLANS, WITH THE EXCEPTION OF ANY VARIANCES AND VARIANCES NOTED ON THIS PLAT, AND THAT THE RECORDING PLAT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS.

SIGNED: [Signature], 12/28/2022, EK

BY EXECUTING THIS PLAT, THE CITY ENGINEERING DEPARTMENT HEREBY APPROVES THE FOLLOWING WAIVERS:
1) TO REDUCE THE STANDARD DRAINAGE AND UTILITY EASEMENT UNDER THE EXISTING COVERED PORCH ON LOT 36R FROM FROM 5 FEET TO 1.15 FEET AS SHOWN HEREON.

MIKE SOUEID
INSTR #202001060044882



LOCATION MAP

- NOTES:
1. IRON PINS FOUND (IPF) SHOWN ON PLAT, ALL OTHERS SET BY BIRMAP, UNLESS NOTED OTHERWISE ON PLAT.
2. REQUIRED UTILITY AND DRAINAGE EASEMENTS SHALL BE TEN (10) FEET IN WIDTH INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY (INCLUDING ADJUT PERMANENT EASEMENTS), EASEMENTS OF FIVE (5) FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND TEN (10) FEET IN WIDTH ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES.
3. SANITARY SEWER EASEMENT OF 15', 7.5' EACH SIDE OF SEWER AS INSTALLED (WHERE APPLICABLE).
4. GRID NORTH IS BASED ON A BEARING OF S52°22'07"W FROM COK MONUMENT 723 TO 722. DISTANCES HAVE NOT BEEN REDUCED TO GRID.
5. THIS PROPERTY IS ZONED RN-1.
6. THIS SUBDIVISION CONTAINS 2 LOTS OF 42,650 S.F.
7. BUILDING SETBACK PER ZONING ORDINANCE.
8. THE APPROVAL OF THIS PLAT DOES NOT INCREASE ANY ZONING NON-COMPLIANCE FOR THE EXISTING STRUCTURES ON THE PROPERTY NOR DOES IT CHANGE THE NON-COMPLIANCE STATUS OF THE EXISTING STRUCTURES. DOCUMENTATION AS TO THE LEGAL STATUS OF THE STRUCTURES OR VARIANCES FROM THE BOARD OF ZONING APPEALS MAY BE REQUIRED AT SOME TIME LATER FOR PERMIT APPLICATIONS OR OTHER DEVELOPMENT APPROVALS.

COUNTERSIGNED
KNOX COUNTY PROPERTY ASSESSOR
DEC 28 2022
BY: JOHN R. WHITEHEAD

OWNER:
JASON BARNES
802 LOVELL RD.
KNOXVILLE, TENNESSEE 37932
PHONE: (865) 599-3515

Nick McBride
Register of Deeds
Knox County

FINAL PLAT OF
WHITE OAK HEIGHTS ADDITION
RESUBDIVISION OF LOTS 33-36
TAX MAP 107FF, PARCEL 20, 20.01 & 20.02
50TH WARD, CITY OF KNOXVILLE, CITY BLOCK # 50610
DISTRICT #5, KNOX COUNTY TENNESSEE

SCALE: 1" = 30'
DATE: 8-24-22
30 15 0 30 60

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PAPERHILL DRIVE
KNOXVILLE, TENNESSEE 37909
PHONE (865) 588-6472
FAX (865) 588-6473
email@bhn-p.com

LEGEND

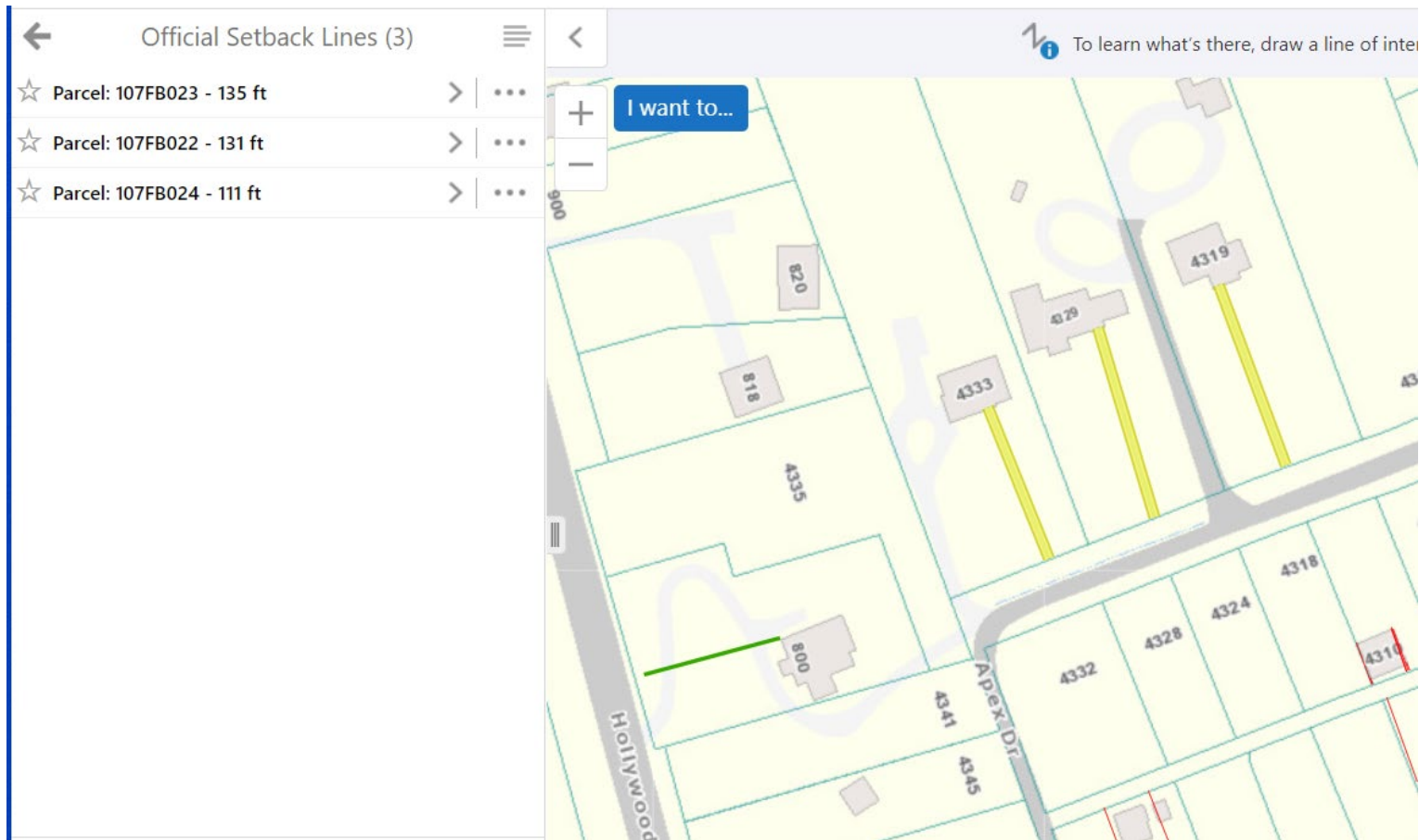
● PF	IRON PIN FOUND 1/2" DIA. BLK/CR
○ C/S	CONCRETE SET 1/2" DIA. BEING BY PLASTIC CAP
— CPWM	PERMANENT REFERENCE MONUMENT
— PC	POINT OF CURVE
— PT	POINT OF TANGENT
— PI	POINT OF INTERSECT
— PC	POINT OF COMPOUND CURVE
— POC	POINT OF REVERSE CURVE
— D.E.	DRAINAGE EASEMENT
— U.E.	UTILITY EASEMENT
— CA	CATCH BASIN
— J.B.	JUNCTION BOX
— E.A.	EASEMENT
— D.P.P.	DRAINAGE PIPE (PROPOSED)
— S.P.	SEWER PIPE
— F.S.	FOOTING SETBACK
— F.S.C.	FOOTING SETBACK CENTERLINE
— Z.	ZONING
— F.	FENCE
— P.P.	POWER POLE
— W.A.	WATER AREA
— W.M.	WATER METER
— P.	PORCHLINE
— E.B.C.	ELECTRICAL BOX
— G.S.L.	GAS LINE
— W.L.	WATER LINE

CERTIFICATION OF FINAL PLAT - ALL INDICATED MONUMENTS AND BENCHMARKS SET.
I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THIS PLAT AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND EVIDENCE CONFORM TO THE BEST OF MY KNOWLEDGE, TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE/KNOX COUNTY SUBDIVISION REGULATIONS AS HAS BEEN REVISIONED, REDIGED AND ADJUSTED IN A REPORT FILED WITH THE PLANNING COMMISSION OR FOR VARIANCES AND VARIANCES WHICH HAVE BEEN APPROVED AS IDENTIFIED ON THE FINAL PLAT. THE INDICATED PERMANENT REFERENCE MONUMENTS AND BENCHMARKS, BENCHMARKS AND PROPERTY MONUMENTS WERE IN PLACE ON THE 24th day of July, 2022.
David M. Poe, Registered Land Surveyor
TENNESSEE LICENSE NO. 1147, DATE: 8/24/22

CERTIFICATION OF NO RECORDING EASEMENTS.
THIS IS TO CERTIFY THAT THERE ARE NO KNOWN RECORDING DRAINAGE OR UTILITY EASEMENTS ON LOTS 33-36 BEING DEDICATED ON THIS SUBDIVISION PLAT.
David M. Poe, Registered Land Surveyor
TENNESSEE LICENSE NO. 1147, DATE: 8/24/22



CERTIFICATE OF CATEGORY AND ACCURACY OF SURVEY
I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE QUANTIFIED SURVEY IS NOT LESS THAN 0.10000 AS SHOWN HEREON AND THAT SAID SURVEY WAS PREPARED IN COMPLIANCE WITH THE CURRENT EDITION OF THE RULES OF TENNESSEE STATE BOARD OF ENGINEERING AND SURVEYING PRACTICE.
David M. Poe, Registered Land Surveyor
TENNESSEE LICENSE NO. 1147, DATE: 8/24/22



4341 Apex Dr (new construction in 2022). Setback is 60 feet

4345 Apex Dr (new construction in 2022). Setback is 63.9 feet

Average setback is 100.18 feet.

From: [Steve Borden](#)
To: [Jennifer Scobee](#)
Subject: RE: September COK Board of Zoning Appeals applications
Date: Wednesday, September 6, 2023 8:20:03 AM
Attachments: [image002.png](#)

Jennifer,

Please see the following responses to the September BZA's.

[9-A-23-VA](#)- Operations has no comment regarding setbacks on city streets.

[9-B-23-VA](#)- Operations has no comment regarding driveway setbacks at intersections of city streets.

[9-C-23-VA](#)- Operations has no comment regarding lot widths for circular driveways.

[9-D-23-VA](#)-Operations has no comment regarding allowable building dimensions.

[9-E-23-VA](#)- Operations has no comment regarding property setbacks.

[9-F-23-VA](#)- Operations has no comment regarding property setbacks.

[9-H-23-VA](#)- Operations has no comment regarding property setbacks.

If you have any questions or need any additional information 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

tn.gov/tdot



September 12, 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 9-A-23-VA, 9-B-23-VA, 9-C-23-VA, 9-D-23-VA, 9-E-23-VA, 9-F-23-VA, and 9-H-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

VARIANCE
4-E-23-V
Knoxville BZA
PUBLIC HEARING
215-4244

