

- i. A Resolution approving an appeal by Everett Hirche of the denial of the Board of Zoning Appeals to increase the front setback in an IM-U zoning district from a build-to zone of 0 to 25' to 79.8' per Article 6.3, Table 6-1 for property located at 137 W. Anderson Avenue. I-MU (Industrial Mixed-Use) Zoning District. 4th Council District. Parcel ID 081NH020. BZA File # BZA-25-0029.



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: June 10, 2025

DEPARTMENT: Plans Review and Building Inspections Department

DIRECTOR or DESIGNEE: Peter Ahrens

AGENDA SUMMARY A Resolution approving an appeal by Everett Hirche of the denial of the Board of Zoning Appeals to increase the front setback in an IM-U zoning district from a build-to zone of 0 to 25' to 79.8' per Article 6.3, Table 6-1 for property located at 137 W. Anderson Avenue. I-MU (Industrial Mixed-Use) Zoning District. 4th Council District. Parcel ID 081NH020. BZA File # BZA-25-0029.

COUNCIL DISTRICT(S) AFFECTED Properties located in Council District 4.

BACKGROUND The original applicant, Matthew Sterling, requested a variance for the increase the front setback in an IM-U zoning district from a build-to zone of 0-25' to 79.8' per Article 6.3, Table 6-1. The Board of Zoning Appeals voted to deny the request at its April 22, 2025 meeting.

ESTIMATED PROJECT SCHEDULE N/A

PRIOR ACTION/REVIEW

Ad published on April 11, 2025 for Board of Zoning Appeals meeting on April 22, 2025.

Ad published on May 23, 2025 for City Council Meeting on June 10, 2025.

FISCAL INFORMATION N/A

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE APPROVING AN APPEAL BY EVERETT HIRCHE OF THE BOARD OF ZONING APPEALS' DENIAL OF A VARIANCE TO INCREASE THE FRONT SETBACK IN AN IM-U ZONING DISTRICT FROM A BUILD-TO ZONE OF 0' TO 25' TO 79.8' PER ARTICLE 6.3, TABLE 6-1 FOR PROPERTY LOCATED AT 137 W. ANDERSON AVENUE, (FILE NO. BZA-25-0029).

RESOLUTION NO: _____
Dept. of Plans Review &
REQUESTED BY: Building Inspections
PREPARED BY: Law Department

APPROVED: _____

APPROVED AS AN EMERGENCY MEASURE: _____

MINUTE BOOK: _____ PAGE _____

WHEREAS, Matthew Sterling filed an application with the City of Knoxville Board of Zoning Appeals (“BZA”) for a variance to increase the front setback in an IM-U zoning district from a build-to zone of 0’ - 25’ to 79.8’ per Article 6.3, Table 6-1 for property located at 137 W. Anderson Avenue; and

WHEREAS, on April 22, 2025, the BZA denied said request by a vote of 3-1; and

WHEREAS, on April 30, 2025, Everett Hirche, the owner of the property, filed an appeal of the BZA’s action to City Council as provided in the Knoxville City Code, Appendix B, “Zoning Regulations,” Article 16.12; and

WHEREAS, public notice of the hearing of this petition by the Board of Zoning Appeals on April 22, 2025 was published in the *Knoxville News Sentinel* on April 11, 2025 and public notice for the City Council meeting on June 10, 2025 was published in the *Knoxville News Sentinel* on May 23, 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: The Appeal filed by Everett Hirche of a decision by the City of Knoxville Board of Zoning Appeals for variance to increase the front setback in an IM-U zoning district from a build-to zone of 0' - 25' to 79.8' per Article 6.3, Table 6-1 for property located at 137 W. Anderson Avenue, is hereby APPROVED, thereby overturning the denial of the Board of Zoning Appeals.

SECTION 2: The following documents are attached as Collective Exhibit 1 to this Ordinance and made a part hereof by reference: The City of Knoxville Board of Zoning Appeals Application No. BZA-25-0029, including all appendices; the City of Knoxville Application for Appeal of BZA Decision, including all appendices; a portion of the Zoning Map on which the above described property is shaded; an excerpt from the Minutes of the Board of Zoning Appeals meeting of April 22, 2025; a transcript of the April 22, 2025 meeting; and public notice.

SECTION 3: This Resolution shall take effect from and after its passage, the welfare of the City requiring it.

Presiding Officer of the Council

Recorder

APPEAL OF BZA DECISION

Appeal application deadline to City of Knoxville Zoning staff is 4:30 p.m. EST on the final day of the 15-day appeal period.

Note: supporting documentation must accompany this application.

Type: New Structure Modification of Existing Structure Off Street Parking Signage Other: _____

Decision by: BZA Other: _____ Date of BZA Decision: April 22 2025

Jurisdiction: City Councilman District # 4 Lauren Rider County Commission District # 2 Courtney Durrett

Original Applicant Name: Matthew Sterling Original File Number: BZA-25-0029

Name of Owner of Subject Property: Everett Hirche

Description of Subject Property (Include city block and parcel number or lot number): City Block -11361
Parcel ID 081NH020

Zoning map of all property within 300 feet of the subject property is attached.

DECISION BEING APPEALED

Zoning Variance (Building permit denied)

REASON FOR THE APPEAL

Attach additional pages, if necessary. _____

There is an existing Structure in the 0-25' Zone. The lot is too narrow to build in the 0-25 zone.

The new structure complies with all building codes, design standards, and zoning requirements .

Building in the 0-25 zone would mean demolishing the existing house in the 0-25' zone.

PETITIONER INFORMATION

Name of Petitioner: Everett Hirche

Petitioner's Interest in the Matter (Include a description of affected property owned by Petitioner): Owner/Resident
137 W Anderson Ave, 081NH020, the lot is 25x150 with an alley, zoning is I-MU.

Application Authorization: *I hereby certify that I am the applicant/authorized representative for the above named petitioner.*

Signature: *Everett Hirche*

All correspondence should be sent to: Name (Print): Everett Hirche

<u>137 west anderson ave</u>	<u>knoxville</u>	<u>TN</u>	<u>37917</u>
Street Address	City	State	Zip

Phone: 865 250 4862 Fax: N/A E-mail: emhirche@gmail.com

For Staff Use Only

Application Accepted by Staff Member: MARIL RIETH
Appeal Fee Amount: \$130 Date Appeal Received: 4/30/2025

BODY WHO WILL HEAR THE APPEAL & MEETING DATE OF THE APPEAL

City Council - 6 p.m.

Month • Date • Year



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)	Matthew Sterling	Owner <input type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address	509 E Columbia Ave	Contractor <input checked="" type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip	Knoxville, TN 37917	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number	865-368-8241	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email	Matt@SterlingCo.org		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 137 W. Anderson Ave City, State, Zip Knoxville, TN 37917

See KGIS.org for Parcel # 081NH020 City Council District # 4 and Zoning District I-MU

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.
 The owner & occupant of 137 W. Anderson Ave would like to build a new dwelling behind the existing dwelling to accomodate his growing family. The new structure is allowable in I-MU & complies with all building codes, design standards, and zoning requirements except for the Front Setback Build to Zone: 0-25'

The existing structure is within the 0'-25' zone, inhibiting the new structure to also meet that setback.

Describe hardship conditions that apply to this variance.
 The existing dwelling at 137 W. Anderson Ave impedes the new structure from meeting the Build to Zone of 0-25'

This variance request is to allow the new structure front setback to be at 79.83'

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.

08/11/2025



BOARD OF ZONING APPEALS APPLICATION

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

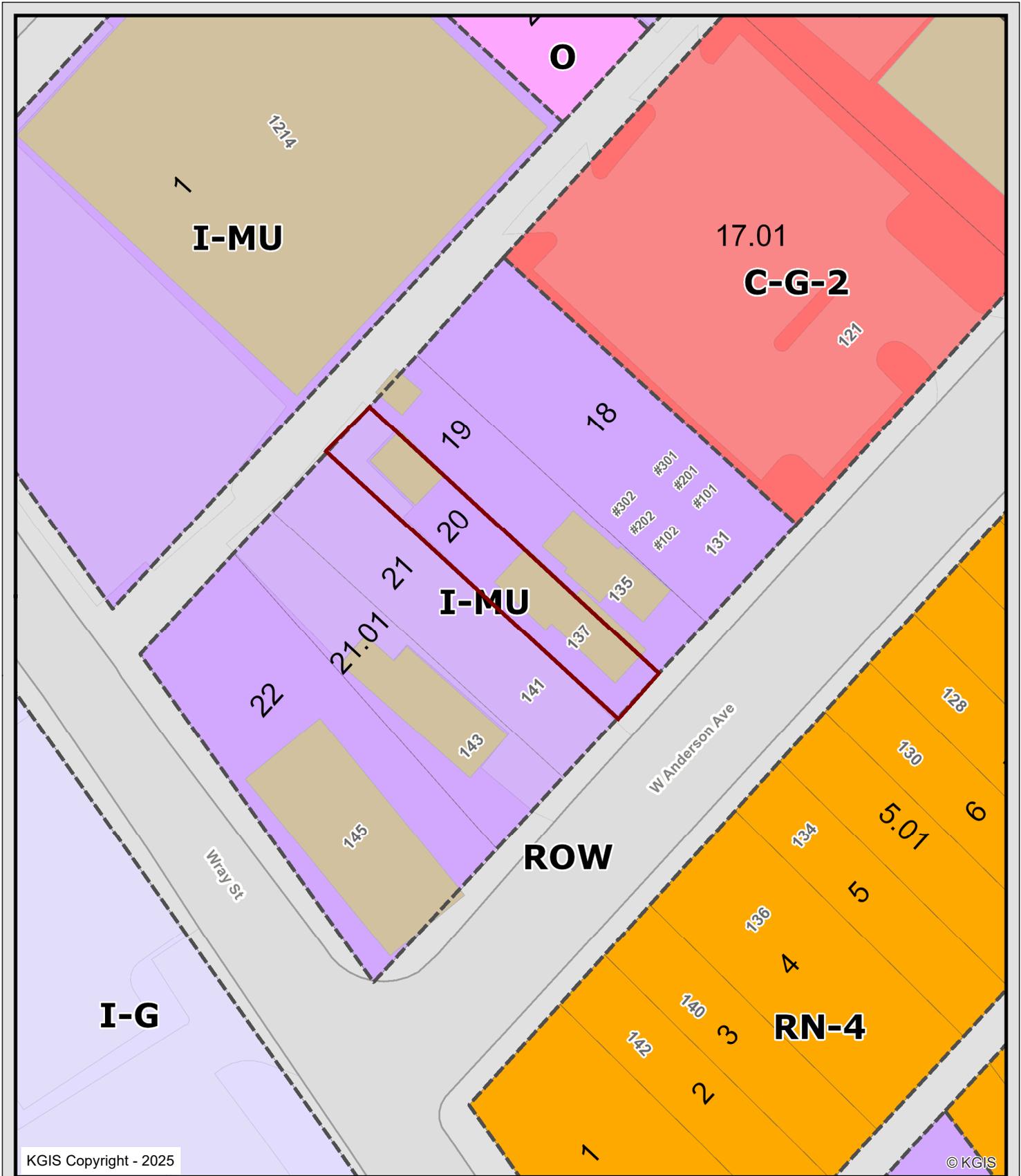
Is a plat required? Yes No

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

1. Increase the front setback in an IM-U zoning district from a build-to zone of 0-25' to 79.8' per Article 6.3, Table 6-1.

PROJECT INFORMATION

Date Filed 03/11/2025	Fee Amount \$250.00
Council District 4	BZA Meeting Date 04/22/2025
PLANS REVIEWER Mark Riehl	DATE 04/07/2025



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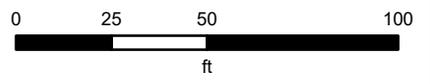
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137 W Anderson Ave

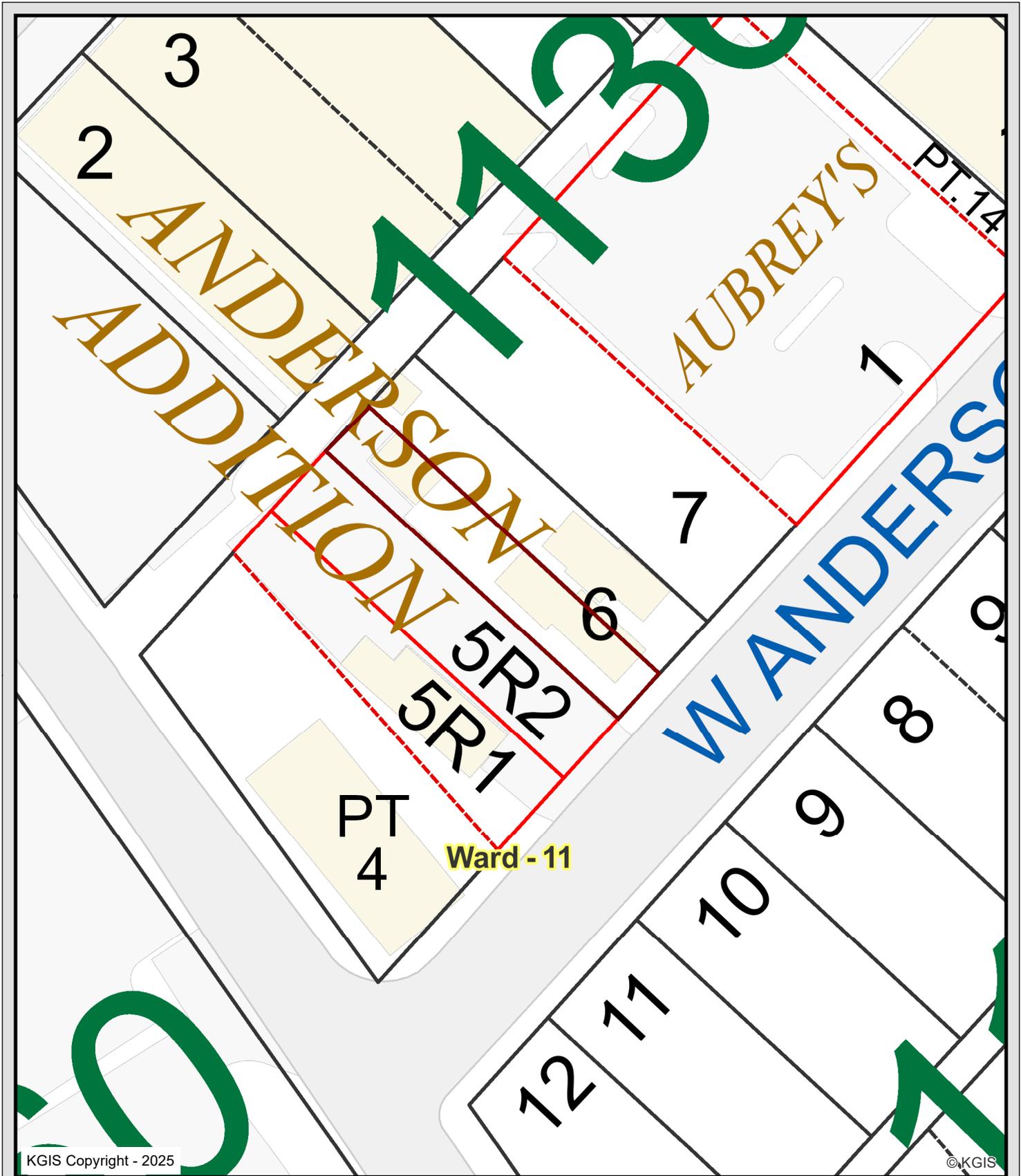
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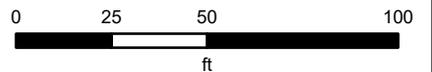


137 W Anderson Ave

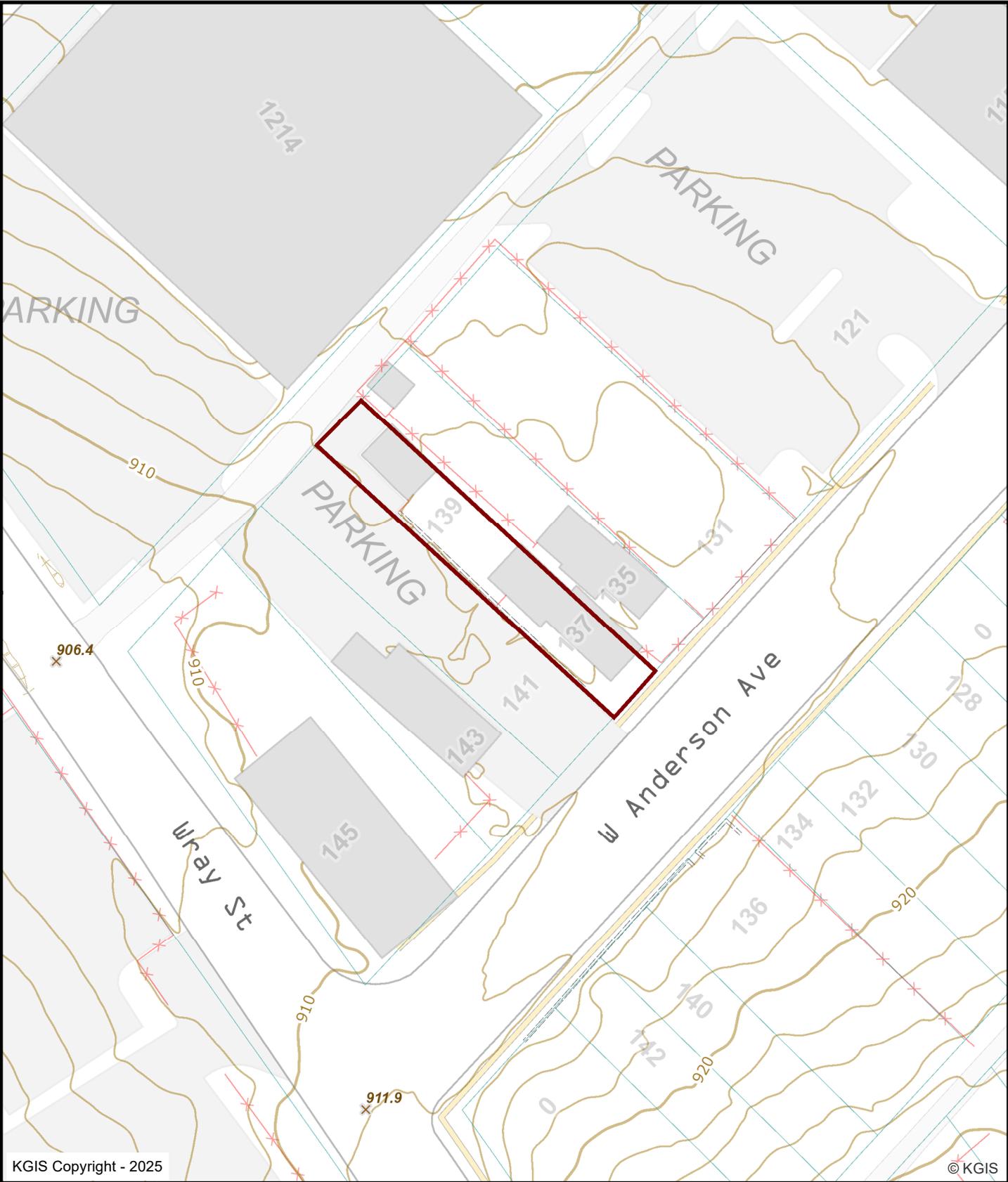
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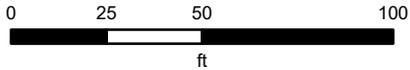
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137 W Anderson Ave

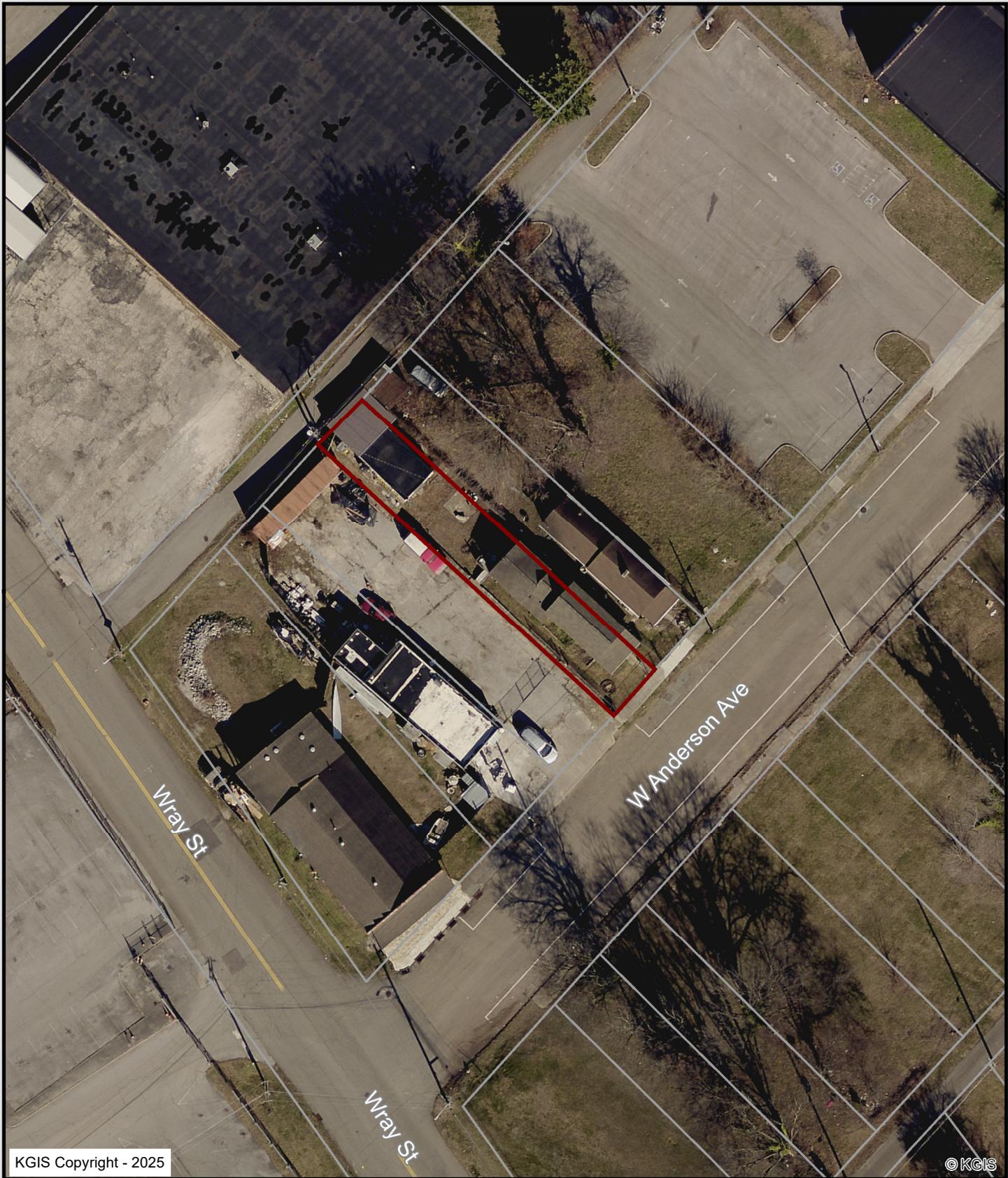


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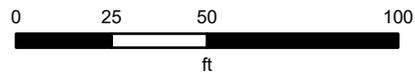


137 W Anderson Ave

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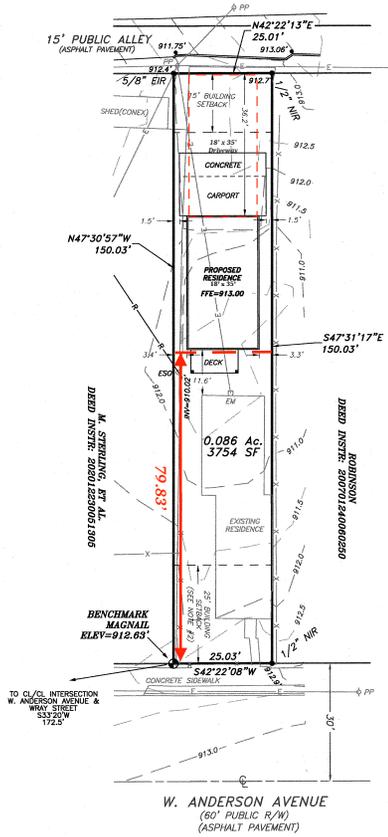
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LEGEND:

- EIR EXISTING IRON ROD
- EIP EXISTING IRON PIPE
- NIR NEW IRON ROD
- N&D NAIL & DISK
- Ac. ACRES
- SF SQUARE FEET
- W&B WARRANTY DEED BOOK
- INSTR INSTRUMENT
- PG PAGE
- TYP TYPICAL
- R/W RIGHT-OF-WAY
- CLC A/C UNIT
- C CENTERLINE
- CSO SEWER CLEANOUT
- EM ELECTRIC METER
- ESO ELECTRIC STUB-OUT PIPE
- MB MAIL BOX
- PP POWER POLE (PP)
- 999.99' SPOT HEIGHT
- TEMPORARY BENCHMARK
- WM WATER METER
- BOUNDARY LINE
- ROAD RIGHT-OF-WAY LINE
- BUILDING SETBACK LINE
- ROAD CENTERLINE
- EDGE OF ROAD
- CONCRETE CURB
- R REINFORCED CONCRETE PIPE (RCP)
- X FENCE LINE
- E ELECTRIC LINE (OVERHEAD)
- EXISTING INTERMEDIATE CONTOUR
- 900 EXISTING INDEX CONTOUR

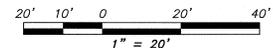
SURVEYOR'S NOTES:

1. This property is zoned City of Knoxville I-MU (Industrial Mixed-Use Zoning District).
2. Building setbacks shown hereon are according to City of Knoxville zoning regulations and are as follows:
 - a. Front - 0 feet to 25 feet
 - b. Side - 0 feet
 - c. Rear - 15 feet
3. Topographic Survey taken on a random basis using an electronic total station, 0.5 foot Contour Interval shown. Elevations shown hereon are based on the North American Vertical Datum of 1988.
4. No Instruments of Record reflecting easements, rights of way, and/or ownership were furnished to the Surveyor, except as shown hereon. The Surveyor has made no attempt to access the public records for any easements. Subject to any easements, regulations or restrictions in effect at the time of this survey. No title opinion is expressed or implied.
5. The Surveyor has made no attempt to locate underground utilities, underground foundations, underground encroachments or underground improvements, except as shown hereon. Actual location of all underground utilities should be verified through Tennessee 1 Call (1-800-351-1111) or the utility provider prior to any excavation or construction.
6. This property is not located in a flood hazard area according to FEMA Flood Insurance Rate Map 47093C0281G, dated August 5, 2013.
7. Existing buildings located within the footprint of the proposed residence are to be demolished.



LOCATION MAP
NOT TO SCALE

OWNER:
 EVERETT HIRCHE
 302 E OLDHAM AVE
 KNOXVILLE, TN 37917
 DISTRICT 2, KNOX COUNTY
 CITY OF KNOXVILLE
 CITY BLOCK 11361
 WARD 11
 DEED INSTR. 201601250044041
 TAX MAP 081N4020 PARCEL
 PLAT REF. 192410240000000
 A PORTION OF LOT 6
 ANDERSON HEIRS S/D



SURVEYOR'S CERTIFICATION:

I hereby certify that this is a Category I survey, the ratio of precision of the unadjusted survey is 1: 10,000, or greater as shown hereon, and this survey was done in compliance with current Tennessee Minimum Standards of Practice.

[Signature] 2.6.25
 Tennessee R.L.S. # 1929 Date



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 37802-4878
 PHONE: 865-984-3905
 FAX: 865-981-2815
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PLOT PLAN & BOUNDARY SURVEY
HIRCHE PROPERTY
137 W. ANDERSON AVE, KNOXVILLE, TN 37917



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SHEET
PP

DESIGNED:	
DRAWN:	CEG
CHECKED:	CMR
DATE:	2/6/25
SCALE:	1" = 20'
DRAWING:	8170-PP
PROJECT NO:	SEI#8170



Board of Zoning Appeals – City Staff Comments

Tuesday, April 22, 2025

Variance Standards (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:

Old Business

BZA-25-0015 – 216 Cansler Avenue

Staff Comments: The applicant is requesting two variances related to a proposed duplex under the Middle Housing standards in a RN-2 zoning district. The first request is to increase the maximum allowed building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6, Table 4-4 and the provided site plan. The second request is to decrease the required minimum interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C.7, Table 4-4 and the provided site plan. The applicant has applied for a Middle Housing Staff Review with Knoxville-Knox County Planning. The property is a nonconforming lot of record that measures 25ft wide by 140ft deep without alley access. The applicant should address why a second story was not proposed to add the additional square footage the applicant is seeking, instead of pursuing a variance to increase the

building depth and building width. **The applicant states their hardship as the lot width of a nonconforming lot of record.**

The variance requests are:

1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4.
2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4.

BZA-25-0016 – 210 Cansler Avenue

Staff Comments: The applicant is requesting two variances related to a proposed duplex under the Middle Housing standards in a RN-2 zoning district. The first request is to increase the maximum allowed building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6, Table 4-4 and the provided site plan. The second request is to decrease the required minimum interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C.7, Table 4-4 and the provided site plan. The applicant has applied for a Middle Housing Staff Review with Knoxville-Knox County Planning. The property is a nonconforming lot of record that measures approximately 30ft wide by 142ft deep without alley access. The applicant should address why a second story was not proposed to add the additional square footage the applicant is seeking, instead of pursuing a variance to increase the building depth and building width. **The applicant states their hardship as the lot width of a nonconforming lot of record.**

The variance requests are:

1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4.
2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4.

BZA-25-0019 – 1317 Beaumont Avenue

Staff comments: The applicant is requesting two variances related to a proposed addition to a single-family dwelling in a RN-2 zoning district. The first request is to increase the maximum allowed building coverage calculations in a RN-2 zoning district from 30% to 43.4% per Article 4.3, Table 4-2. The second request is to increase the maximum allowed impervious coverage calculations in a RN-2 zoning district from 40% to 46.2% per Article 4.3, Table 4-2. The proposed addition will double the living area of the existing dwelling. The applicant should address why the addition cannot be added as a second story, which would not increase the building or impervious coverages. **The applicant states their hardship as wanting to stay in the area for family, but need additional living space.**

The variance requests are:

1. Increase the maximum allowed building coverage calculations in a RN-2 zoning district from 30% to 43.4% per Article 4.3, Table 4-2.

2. Increase the maximum allowed impervious coverage calculations in a RN-2 zoning district from 40% to 46.2% per Article 4.3, Table 4-2.

BZA-25-0021 – 105 Brandau Road

Staff comments: The applicant is requesting one variance related to a proposed single-family dwelling in a RN-1 zoning district. The request is to decrease the minimum front setback in a RN-1 zoning district from +/- 10ft of the average of blockface, calculated as 51.7ft, with a minimum setback of 41.7ft to 28.6ft per Article 4.3, Table 4-2. The applicant is proposing a screened in porch on the ground level of the dwelling, which is interpreted as an enclosed porch. Per Article 10.4, Table 10-1 enclosed porches are considered part of the principal structure. The subject property is the result of a subdivision of the abutting property to the rear, addressed as 212 W Red Bud Road, in 2024. **The applicant states their hardship as the shallow and irregular size of their lot.**

The variance request is:

1. Decrease the minimum front setback in a RN-1 zoning district from +/- 10ft of the average of blockface, calculated as 51.7ft, with a minimum setback of 41.7ft to 28.6ft per Article 4.3, Table 4-2.

New Business

BZA-25-0011 – 4470 Henson Road

Staff comments: The applicant is requesting one variance related to a proposed single family dwelling in a RN-2 zoning district. Their request is decrease the minimum front setback in a RN-2 zoning district from 20ft to 16ft per Article 4.3, Table 4-2. The applicant has provided a sight distance analysis at Engineering's request, for the driveway location, which has been reviewed and approved. **The applicant states their hardship as the City of Knoxville's purchase of ROW space along the front of the lot, decreasing the usable front yard space and steep topography.**

The variance request is:

1. Decrease the minimum front setback in a RN-2 zoning district from 20ft to 16ft per Article 4.3, Table 4-2.

BZA-25-0028 – 2904 Chapman Highway

Staff comments: The applicant is requesting one variance related to a proposed eating and drinking establishment in a C-G-2 zoning district. Their request is to decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-2 zoning district from 30% to 23% per Article 5.4., Table 5-2. The proposed restaurant will not have a dedicated indoor dining room and will instead provide outdoor seating. Because of this, the building is configured to accommodate only a commercial

kitchen. It is the applicant's desire to not provide windows that look into the kitchen area. The development received four variances in January of 2025 to reduce the front and corner side build to zone setbacks, as well as, the minimum build to zone percentages, all of which are outlined below:

1. Decrease the required minimum front setback in a C-G-2 zoning district from a build-to zone of 0-20ft to 75.5ft per Article 5.3, Table 5-1.
2. Decrease the minimum required front build-to percentage in a C-G-2 zoning district from 50% to 0% per Article 5.3, Table 5-1.
3. Decrease the required minimum corner side setback in a C-G-2 zoning district from a build-to zone of 0-10ft to 39.5ft per Article 5.3, Table 5-1.
4. Decrease the minimum required corner side build-to percentage in a C-G-2 zoning district from 30% to 0% per Article 5.3, Table 5-1.

The applicant states their hardship as the walls lined with kitchen equipment which would not allow for the required transparency to be met.

The variance request is:

1. Decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-2 zoning district from 30% to 23% per Article 5.4., Table 5-2

BZA-25-0029 – 137 W. Anderson Avenue

Staff comments: The applicant is requesting one variance related to a proposed dwelling in an I-MU zoning district. Their request is to increase the front setback in an IM-U zoning district from a build-to zone of 0-25' to 79.8' per Article 6.3, Table 6-1. Currently the property is developed with a single-family home that is setback approximately 10ft from the front lot line. The I-MU district allows for multiple principal uses, to which the applicant would like to construct a second single-family dwelling behind the existing single-family dwelling. The second structure cannot meet the required front build-to zone setback without removing the existing dwelling. **The applicant states their hardship as the existing structure which impedes the new structure from meeting the build-to-zone requirement.**

The variance request is:

1. Increase the front setback in an IM-U zoning district from a build-to zone of 0-25' to 79.8' per Article 6.3, Table 6-1.

BZA-25-0030 – 1107 North Northshore Drive

Staff comments: The applicant is requesting one variance related to a proposed gas station in a C-G-3 zoning district. Their request is to decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-3 zoning district from 30% to 0% per Article 5.4., Table 5-2. The applicant suggests that the transparency cannot be met due to restrooms being proposed along this street facing façade and therefore has not provided any windows. If the floor plan is reversed, the applicant states that the windows would be located behind proposed beverage coolers. The applicant should state why no

windows are being proposed and that a 0% adjustment is necessary. **The applicant states their hardship as the building layout which would make the windows face into the restrooms.**

The variance request is:

1. Decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-3 zoning district from 30% to 0% per Article 5.4., Table 5-2.

BZA-25-0031 – 1415 Third Creek Road

Staff comments: The applicant is requesting three variances related to a proposed gas station in an I-G zoning district. Their first request is to decrease the minimum required frontage on the street where the property is addressed for a changeable price sign from 250ft to 192.5ft per Article 13.6.G.1. Their second request is to increase the maximum height for a detached sign in an I-G zoning district from 10ft to 20ft per Article 13.9.F.3. Table 13-2. Their third request is to increase the maximum sign area for a detached sign in an I-G zoning district from 100 sq. ft. to 165 sq. ft. per Article 13.9.F.3., Table 13-3. Planning has addressed this proposed development based on the primary elevation facing Third Creek Road. Per Article 13.6.G.1, the street frontage measurement is based on how the property is addressed. If the development was addressed on either South or North Middlebrook Pike, it would meet the minimum measurement needed for an electronic price changer. The property qualifies for a second detached sign limited to 8ft in height and 32square feet in area, as the property has multiple street frontages. **The applicant states their hardship as the property effectively being a median of middle brook pike after it was expanded to four lanes.**

Their variance requests are:

1. Decrease the minimum required frontage on the street where the property is addressed for a changeable price sign from 250ft to 192.5ft per Article 13.6.G.1.
2. Increase the maximum height for a detached sign in an I-G zoning district from 10ft to 20ft per Article 13.9.F.3. Table 13-2.
3. Increase the maximum sign area for a detached sign in an I-G zoning district from 100 sq. ft. to 165 sq. ft. per Article 13.9.F.3., Table 13-3.

Mark Riehl

From: Steve Borden <Steve.Borden@tn.gov>
Sent: Friday, April 11, 2025 12:08 PM
To: Mark Riehl; Christian Wiberley
Subject: RE: April Board of Zoning Appeals Applications

Thank you for the opportunity to review the zoning applications to be presented before the Board of Appeals. TDOT takes no exception for the zoning variations but will provide comments regarding the following submissions:

- BZA-25-0028 John Sexton: 2904 Chapman Highway
Please submit plans to the TDOT Traffic Office for a Commercial Entrance permit. Any work performed on State ROW and changes to the proposed site will be reviewed through this process.
- BZA-25-0030 Michael Scott: 1107 N Northshore
Please submit plans to the TDOT Traffic Office for a Commercial Entrance permit. Any work performed on State ROW and changes to the proposed site will be reviewed through this process.
- BZA-25-0031 Taylor Forrester: 1415 Third Creek
Please submit plans to the TDOT Traffic Office for a Commercial Entrance permit. Any work performed on State ROW, drainage, and entrances to the proposed site will be reviewed through this process.

Sincerely,

Steven M. Borden, P.E.
Director/Assistant Chief Engineer
TDOT – Region 1

as

From: Mark Riehl <MRiehl@knoxvilletn.gov>
Sent: Thursday, April 10, 2025 10:06 AM
To: Steve Borden <Steve.Borden@tn.gov>; Christian Wiberley <christian.wiberley@kub.org>
Subject: [EXTERNAL] Re: April Board of Zoning Appeals Applications

This Message Is From an External Sender

This message came from outside your organization.

Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security

Good morning,

I realized there were some issues with the first link of applications, so I have provided a corrected link to view the applications. I have also attached the agenda if that is easier to read what the requests are.

Link to applications >>

<https://drive.google.com/drive/folders/11Rmi3XOdWRXlqIzTcQ0dRAR29RFCotR1?usp=sharing>

Mark Riehl

From: Christian Wiberley <Christian.Wiberley@kub.org>
Sent: Thursday, April 17, 2025 10:01 AM
To: Mark Riehl
Subject: Re: April Board of Zoning Appeals Applications

Mark,

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.

Thank you,

Christian Wiberley, PE
KUB Engineering

From: Mark Riehl
Sent: Thursday, April 17, 2025 8:06 AM
To: Christian Wiberley
Subject: Re: April Board of Zoning Appeals Applications

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

Good morning,

I have not received any comments from KUB regarding the April 22, 2025 Board of Zoning Appeals applications. If KUB has any comments to provide, please let me know so that I may add them to the applications and notify the applicants.

Link to applications >>

<https://drive.google.com/drive/folders/11Rmi3XOdWRXlqIzTcQ0dRAR29RFCotR1?usp=sharing>

Thank you

Mark Riehl
Zoning Chief
Plans Review & Building Inspections
Office: 865-215-3110
mriehl@knoxvilletn.gov
Website: <https://permits.knoxvilletn.gov/Home>

VARIANCE

BZA- 25 - 0029

Knoxville BZA
PUBLIC HEARING
(865) 215-4244

be filed with Plans Review and Building Inspections Department, not more than fifteen days from the date of the BZA's decision. And now we will ask staff to call roll.

Daniel Odle – here

Amy Sherrill – here

Luis Urrea – here

Kimberly Black and Brad Salisbury are excused absences.

Amy Sherrill: Next on the agenda is BZA-25-0029. Is someone here to speak on behalf of this? Very good. As they make their way up can we hear staff comments, please?

Mark Riehl: The applicant is requesting one variance related to a proposed dwelling in an I-MU zoning district. The request is to increase the front setback from a build-to zone of 0-25 feet to 79.8 feet. Currently the property is developed as a single-family home and is setback approximately 10 feet from the lot line, from the front lot line. The I-MU zoning district allows for multiple principal uses, to which the applicant would like to construct a second single-family dwelling behind the existing single-family dwelling. The second structure cannot meet the required front build-to zone setback, without removing the existing dwelling.

Amy Sherrill: Please state your name and address for the record.

Matt Sterling: My name is Matt Sterling, 509 East Columbia Avenue, 37917.

Amy Sherrill: Thank you. Can you please state your request and hardship please?

Matt Sterling: Yeah, we are requesting a variance of the build-to zone to 79.8ft due to the existing residence currently in the 0-25ft setback.

Amy Sherrill: Thank you. So, the hardship here is the existing building?

Matt Sterling: Um hum.

Amy Sherrill: So, lots of questions about, we had one similar to this that was multiple buildings on a much bigger lot in a previous meeting. So residential is allowed in I-MU, and the additional primary structures are allowed, but there's this build-to zone and that, there are no instructions about how that applies to buildings that are somewhere other than immediately adjacent to the street. I'm just trying to understand this request.

Mark Riehl: Yeah, I think what you're getting at is that is a secondary principal structure. So, anything that is a principal structure and not an accessory structure has to meet the principal structure setbacks.

Amy Sherrill: So something like this idea of more than one is really meant for a lot that would be wider or you could maybe set them side by side, potentially, right, is the 0 to 25 for this lot?

Mark Riehl: Correct.

Amy Sherrill: Ok

Daniel Odle: What is that front structure?

Matt Sterling: It is a shotgun house.

Daniel Odle: A house that is residential?

Matt Sterling: Correct.

Daniel Odle: And this unit behind is also going to be residential?

Matt Sterling: Correct. Yeah.

Amy Sherrill: And if they were attached this wouldn't be a discussion.

Daniel Odle: Define "attached".

Amy Sherrill: Well that's my second question.

Mark Riehl: Yeah, at that point you're talking about a duplex, which if it was attached, I would have to review it as a duplex and not as two principal structures with their own use.

Daniel Odle: I'm hearing from my perspective in my own mind is that I actually I don't think there is a hardship for this because they are not attached this particular. I interpret this as potentially being, you know, talking about the width of the lot and the existing width of the lot, which is legal, doesn't allow for a structure to be built next to it physically.

Amy Sherrill: Not as a primary structure.

Daniel Odle: Correct, not as a primary structure. The result of which is that I don't think there is a hardship for this, what's more complicated in my mind is, if you expand the existing residence, connect them. I'm not sure what I think about that yet.

Matt Sterling: You're not sure what, I'm sorry?

Daniel Odle: Well, I kind of do know what I think. I think that as long as there was no, there would be no variance needed, I think, is that right? If he just did an addition to the existing residence this variance isn't needed. Would there be another variance that would be needed?

Mark Riehl: It's hard to say without seeing plans. I will tell you that a two-family dwelling would be a permitted use in an I-MU; however, it would be a change of use from a single-family to a two-family. So, there may be some other requirements that come into play.

Matt Sterling: I'm not sure how to handle like the fire rating and all, if you were to do an attached structure to a currently existing old structure.

Daniel Odle: That's an architectural building question for sure, but I think that the bigger thing is going to be a change in use and you have to address that before, before anything in terms of that design. But specifically, this request to increase a setback, I think is really argued against by the existing width of your lot. So, I have a hard time giving a variance to put another structure behind the existing primary structure. It just doesn't work that way, with how this is physically in place. There is not a hardship for it, is my point. Hardships are mostly geographic in relationship to what we say yes to. There can be legal circumstances that justify hardship. But you have got beneficial use of the property with the existing structure as it is and there is nothing that is going to be a hardship that we can justify our decision on, for another primary structure on this lot. Unless you were able to put them side by side, is what I'm saying. Yeah, the lot is physically restricting that.

Matt Sterling: Okay. Everything is in compliance, except for the 0 to 25 foot, so that's just kinda why we're here trying to figure out how we can move forward with expanding, you know the living situation for this parcel.

Daniel Odle: True, but that's what we're saying, you can expand it by expanding the house, but then you are going from a single unit to a two unit and that's going to change.

Amy Sherrill: Or a bigger single.

Daniel Odle: What's that?

Amy Sherrill: Or a bigger single.

Daniel Odle: Or a bigger single sure. I guess if it's a bigger single then the change of use doesn't apply it would stay the same but, if you went to a separate unit, which is what I'm interpreting your intent to be, you're going to a change of occupancy, change of use.

Amy Sherrill: I make a motion to deny BZA-25-0029 for a lack of hardship in this specific request.

Luis Urrea: I'm going to second that motion.

Amy Sherrill: We have a motion and a second. Any further discussion? All those in favor?

Daniel Odle: Aye.

Amy Sherrill: Aye.

Luis Urrea: Aye.

Amy Sherrill: This this has been denied. Thank you.



BOARD OF ZONING APPEALS

MINUTES

April 22, 2025

The City of Knoxville Board of Zoning Appeals considered the following petitions for variance of requirements of the Knoxville City Code, Appendix B, Zoning Regulations at their April 22, 2025 meeting at 4:00 pm in the Small Assembly Room, City County Building, 400 Main Street, Knoxville, Tennessee.

This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 9-44-101, et seq.

An audio recording of the full BZA meeting can be accessed by clicking [here](#) or by visiting www.knoxvilletn.gov

CALL TO ORDER

Chairman Amy Sherrill called the meeting to order at 4:00 p.m

ROLL CALL

Board members present were Chairman Amy Sherrill, Daniel Odle and Luis Urrea.

Others in attendance were Peter Ahrens, Building Official; Mark Riehl, City Zoning Chief; Samiul Haque, Knoxville-Knox County Planning; Christina Magrans-Tillery, City Attorney and Joshua Frerichs, City of Knoxville Engineering.

MINUTES

Chairman Amy Sherrill made a motion to postpone approving the minutes from the March 18, 2025 meeting to the May 20, 2025 meeting. It was seconded by Luis Urrea. The Board voted 3-0 to **POSTPONE**.

OLD BUSINESS

FILE:	BZA-25-0015	PARCEL ID:	094KD004
APPLICANT:	R. Bentley Marlow	COUNCIL DISTRICT:	6
ADDRESS:	216 Cansler Ave		
ZONING:	RN-2 (Residential Neighborhood) Zoning District		

VARIANCE REQUEST:

1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4.
2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4.

Per plan submitted to increase the maximum building depth of a side-by-side duplex and to decrease the interior side setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094KD004).

Bentley Marlow was present and spoke in favor of the application. There was no opposition present.

Daniel Odle made a motion to approve to approve. It was seconded by Luis Urrea. The Board voted 3-0 to **APPROVE**.

FILE:	BZA-25-0016	PARCEL ID:	094KD002
APPLICANT:	R. Bentley Marlow	COUNCIL DISTRICT:	6
ADDRESS:	210 Cansler Ave		
ZONING:	RN-2 (Residential Neighborhood) Zoning District		

VARIANCE REQUEST:

1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4.
2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4.

Per plan submitted to increase the maximum building depth of a side-by-side duplex and to decrease the interior side setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094KD002).

Bentley Marlow was present and spoke in favor of the application. There was no opposition present.

Chairman Amy Sherrill made a motion to deny item #2. The applicant requested to postpone item #2 to the May 20, 2025 meeting. Chairman Amy Sherrill made a motion to postpone item #2. It was seconded by Luis Urrea. The Board voted 3-0 to **POSTPONE** item #2 to the May 20, 2025 meeting. Daniel Odle made a motion to approve item #1. It was seconded by Luis Urrea. The Board voted 3-0 to **APPROVE** item #1.

FILE:	BZA-25-0019	PARCEL ID:	094BF024
APPLICANT:	Tammy Lyons	COUNCIL DISTRICT:	6
ADDRESS:	1317 Beaumont Avenue		
ZONING:	RN-1 (Residential Neighborhood) Zoning District		

VARIANCE REQUEST:

1. Increase the maximum allowed building coverage calculations in a RN-2 zoning district from 30% to 43.4% per Article 4.3, Table 4-2.
2. Increase the maximum allowed impervious coverage calculations in a RN-2 zoning district from 40% to 46.2% per Article 4.3, Table 4-2.

Per plan submitted to increase the maximum building coverage and maximum impervious surface coverage in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094BF024).

No one was present to speak on behalf of the application. There was no opposition present.

Chairman Amy Sherrill made a motion to postpone this application to the end of the agenda. It was seconded by Luis Urrea. The Board voted 3-0 to **POSTPONE**.

FILE: BZA-25-0021 **PARCEL ID:** 123FD01001
APPLICANT: Tyler Stinnett **COUNCIL DISTRICT:** 1
ADDRESS: 105 Brandau Drive
ZONING: RN-1 (Residential Neighborhood) Zoning District

VARIANCE REQUEST:

1. Decrease the minimum front setback in a RN-1 zoning district from +/- 10ft of the average of blockface, calculated as 51.7ft, with a minimum setback of 41.7ft to 28.6ft per Article 4.3, Table 4-2.

Per plan submitted to decrease the minimum front setback in the RN-1 (Single-Family Residential Neighborhood) Zoning District, 1st Council District (123FD01001).

Tyler Stinnett was present on Zoom and spoke in favor of the application. There was no opposition present.

Luis Urrea made a motion to deny this application. It was seconded by Chairman Amy Sherrill. The applicant requested to postpone the application to the May 20, 2025 meeting. The Board voted 3-0 to oppose the denial and the **MOTION FAILED**. Daniel Odle made a motion to postpone this application to the May 20, 2025 meeting. It was seconded by Chairman Amy Sherrill. The Board voted 3-0 to **POSTPONE**.

NEW BUSINESS

FILE: BZA-25-0011 **PARCEL ID:** 093HB005
APPLICANT: Adam Schmeing **COUNCIL DISTRICT:** 3
ADDRESS: 4470 Henson Rd
ZONING: RN-2 (Residential Neighborhood) Zoning District

VARIANCE REQUEST:

1. Decrease the minimum front setback in a RN-2 zoning district from 20ft to 16ft per Article 4.3, Table 4-2.

Per plan submitted to decrease the minimum front setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 3rd Council District (093HB005).

No one was present to speak on behalf of the application. There was no opposition present.

Luis Urrea made a motion to postpone this application to the end of the agenda. It was seconded by Chairman Amy Sherrill. The Board voted 3-0 to **POSTPONE**.

FILE: BZA-25-0028 **PARCEL ID:** 109HB00701
APPLICANT: John Sexton **COUNCIL DISTRICT:** 1
ADDRESS: 2904 Chapman Highway
ZONING: C-G-2 (General Commercial) Zoning District

VARIANCE REQUEST:

1. Decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-2 zoning district from 30% to 23% per Article 5.4., Table 5-2.

Per plan submitted to decrease the ground floor facade minimum transparency requirement in the C-G-2 (Commercial General) Zoning District, 1st Council District (109HB00701).

John Sexton was present and spoke in favor of the application. There was no opposition present.

Daniel Odle made a motion to deny. It was seconded by Luis Urrea. The Board voted 3-0 to **DENY**.

FILE: BZA-25-0029 **PARCEL ID:** 081NH020
APPLICANT: Matthew Sterling **COUNCIL DISTRICT:** 4
ADDRESS: 137 W. Anderson Ave
ZONING: I-MU (Industrial Mixed-Use) Zoning District

VARIANCE REQUEST:

1. Increase the front setback in an IM-U zoning district from a build-to zone of 0'-25' to 79.8' per Article 6.3, Table 6-1.

Per plan submitted to increase the front setback in the I-MU (Industrial Mixed-Use) Zoning District, 4th Council District (081NH020).

Matthew Sterling was present and spoke in favor of the application. There was no opposition present.

Chairman Amy Sherrill made a motion to deny. It was seconded by Luis Urrea. The Board voted 3-0 to **DENY**.

FILE: BZA-25-0030 **PARCEL ID:** 107PC011
APPLICANT: Michael Scott **COUNCIL DISTRICT:** 2
ADDRESS: 1107 N. Northshore Dr
ZONING: C-G-3 (General Commercial) Zoning District

VARIANCE REQUEST:

1. Decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-3 zoning district from 30% to 0% per Article 5.4., Table 5-2.

Per plan submitted to decrease the ground floor façade minimum transparency requirement in the C-G-3 (Commercial General) Zoning District, 2nd Council District (107PC011).

Michael Scott and Wes Carruthers were present and spoke in favor of the application. There was no opposition present.

Luis Urrea made a motion to deny. It was seconded by Chairman Amy Sherrill. The applicant requested to postpone the application to the May 20, 2025 meeting. The Board voted 2-1 and the **MOTION FAILED**. Chairman Amy Sherrill made a motion to postpone. It was seconded by Luis Urrea. The Board voted 3-0 to **POSTPONE**.

FILE: BZA-25-0031 **PARCEL ID:** 093OA021
APPLICANT: Taylor Forrester **COUNCIL DISTRICT:** 2
ADDRESS: 1415 Third Creek Rd
ZONING: I-G (Industrial General) Zoning District

VARIANCE REQUEST:

1. Decrease the minimum required frontage on the street where the property is addressed for a changeable price sign from 250ft to 192.5ft per Article 13.6.G.1.
2. Increase the maximum height for a detached sign in an I-G zoning district from 10ft to 20ft per Article 13.9.F.3. Table 13-2.
3. Increase the maximum sign area for a detached sign in an I-G zoning district from 100 sq. ft. to 165 sq. ft. per Article 13.9.F.3., Table 13-3.

Per plan submitted to decrease the minimum required frontage for changeable price signs, to increase the maximum height for a detached sign, and to increase the maximum square footage for a detached sign in the I-G (Industrial General) Zoning District, 2nd Council District (093OA021).

Taylor Forrester and Dan Brown were present and spoke in favor of the application. Joyce Feld was present and spoke in opposition of the application.

Chairman Amy Sherrill made a motion to deny. It was seconded by Luis Urrea. The applicant requested to postpone the application to the May 20, 2025 meeting. The Board voted 2-1 and the **MOTION FAILED**. Chairman Amy Sherrill made a motion to postpone. It was seconded by Daniel Odle. The Board voted 3-0 to **POSTPONE**.

FILE: BZA-25-0019 **PARCEL ID:** 094BF024
APPLICANT: Tammy Lyons **COUNCIL DISTRICT:** 6
ADDRESS: 1317 Beaumont Avenue
ZONING: RN-1 (Residential Neighborhood) Zoning District

VARIANCE REQUEST:

1. Increase the maximum allowed building coverage calculations in a RN-2 zoning district from 30% to 43.4% per Article 4.3, Table 4-2.
2. Increase the maximum allowed impervious coverage calculations in a RN-2 zoning district from 40% to 46.2% per Article 4.3, Table 4-2.

Per plan submitted to increase the maximum building coverage and maximum impervious surface coverage in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094BF024).

No one was present to speak on behalf of the application. There was no opposition present.

Chairman Amy Sherrill made a motion to postpone. It was seconded by Luis Urrea. The Board voted 3-0 to **POSTPONE**.

FILE: BZA-25-0011 **PARCEL ID:** 093HB005
APPLICANT: Adam Schmeing **COUNCIL DISTRICT:** 3
ADDRESS: 4470 Henson Rd
ZONING: RN-2 (Residential Neighborhood) Zoning District

VARIANCE REQUEST:

1. Decrease the minimum front setback in a RN-2 zoning district from 20ft to 16ft per Article 4.3, Table 4-2.

Per plan submitted to decrease the minimum front setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 3rd Council District (093HB005).

No one was present to speak on behalf of the application. There was no opposition present.

Chairman Amy Sherrill made a motion to postpone. It was seconded by Luis Urrea. The Board voted 3-0 to **POSTPONE**.

OTHER BUSINESS

The next BZA meeting will be held on May 20, 2025 in the Main Assembly Room.

ADJOURNMENT

5:55 p.m.

City of Knoxville, Tennessee

Board of Zoning Appeals

Decision

Application filed for variance of requirements of the City of Knoxville Zoning Ordinance was considered by the Board of Zoning Appeals at the public hearing on:

Public Hearing Date 04/22/2025

Held in Small Assembly Room of the City/County Building, 400 Main St, Knoxville

BZA-25-0029 Matthew Sterling 137 W ANDERSON AVE, KNOXVILLE, TN 37917

1 -----

Variance 1. Increase the required front setback in an I-MU zoning district from a build-to zone of 0'-25' to 79.8' per Article 6.3, Table 6-1.

Approved or Denied Denied

Vote 3-0

Motion Made By A. Sherrill

Seconded Motion L. Urrea

Yes Voters Odle, Urrea, Sherrill

Appeal to City Council:

Council Appeal Date 04/30/2025

Council Hearing Date 06/10/2025

Appeal to Chancery Court:

***Conditions of Approval**

1. Approved variances are limited to the variance request(s) as shown on the site plan submitted to the Board of Zoning Appeals

2. A building permit may be issued on

if no appeal is filed with MPC within fifteen (15) days after the BZA meeting.

To Knoxville News Sentinel via knoxlegals@gannett.com

From Mark Riehl

Date: 04/07/2025

To run in the legal notice section on: 04/11/2025

Charge to Account number 1330103

PUBLIC NOTICE

The City Board of Zoning Appeals will consider the following petitions for variances of requirements of the City of Knoxville Zoning Ordinance at their April 22, 2025 meeting at 4:00 p.m. in Small Assembly Room, City County Bldg., 400 Main St, Knoxville, TN. Data pertinent to this amendment may be seen in the office of City of Knoxville Department of Plans Review and Building Inspections, 4th Floor of the City County Bldg. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at 865-215-2034. Please contact Mark Riehl at 865-215-4311 or mriehl@knoxvilletn.gov with questions about attending or for alternate attendance options. Application packets may be found online www.knoxvilletn.gov/bza

ADAM SCHMEING (4470 Henson Rd) BZA-25-0011 Decrease the minimum front setback in a RN-2 zoning district from 20ft to 16ft per Article 4.3, Table 4-2. Per plan submitted to decrease the minimum front setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 3rd Council District (093HB005). **BENTLEY MARLOW (216 Cansler Ave) BZA-25-0015** 1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4. 2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4. Per plan submitted to increase the maximum building depth of a side-by-side duplex and to decrease the interior side setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094KD004). **BENTLEY MARLOW (210 Cansler Ave) BZA-25-0016** 1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4. 2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4. Per plan submitted to increase the maximum building depth of a side-by-side duplex and to decrease the interior side setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094KD002). **TAMMY LYONS (1317 Beaumont Ave) BZA-25-0019** 1. Increase the maximum allowed building coverage calculation in a RN-2 zoning district from 30% to 43.4% per Article 4.3, Table 4-2. 2. Increase the maximum allowed impervious coverage calculations in a RN-2 zoning district from 40% to 46.2% per Article 4.3, Table 4-2. Per plan submitted to increase the maximum building coverage and maximum impervious surface coverage in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094BF024). **TYLER STINNETT (105 Brandau Dr) BZA-25-0021** Decrease the minimum front setback in a RN-1 zoning district from +/- 10ft of the average of blockface, calculated as 51.7ft, with a minimum setback of 41.7ft to 28.6ft per Article 4.3, Table 4-2. Per plan submitted to decrease the minimum front setback in the RN-1 (Single-Family Residential Neighborhood) Zoning District, 1st Council District (123FD01001). **TIM LAUMAKIS (962 Mabry Hood Rd) BZA-25-0022** Increase the maximum allowed height of a refuse dumpster enclosure from 8' to 10'-8" per Article 10.3.W.1.C. Per plan submitted to increase the maximum height of a refuse dumpster enclosure in the RN-6 (Multi-Family Residential Neighborhood) Zoning District, 2nd Council

District (118 177). **JOHN SEXTON (2904 Chapman Highway) BZA-25-0028** Decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-2 zoning district from 30% to 23% per Article 5.4., Table 5-2. Per plan submitted to decrease the ground floor facade minimum transparency requirement in the C-G-2 (Commercial General) Zoning District, 1st Council District (109HB00701). **MATTHEW STERLING (137 W. Anderson Ave) BZA-25-0029** Increase the front setback in an IM-U zoning district from a build-to zone of 0'-25' to 79.8' per Article 6.3, Table 6-1. Per plan submitted to increase the front setback in the I-MU (Industrial Mixed-Use) Zoning District, 4th Council District (081NH020). **MICHAEL SCOTT (1107 N. Northshore Dr) BZA-25-0030** Decrease the minimum transparency requirement along the ground floor of the front façade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-3 zoning district from 30% to 0% per Article 5.4., Table 5-2. Per plan submitted to decrease the ground floor facade minimum transparency requirement in the C-G-3 (Commercial General) Zoning District, 2nd Council District (107PC011). **TAYLOR FORRESTER (1415 Third Creek Rd) BZA-25-0031** 1. Decrease the minimum required frontage on the street where the property is addressed for a changeable price sign from 250ft to 192.5ft per Article 13.6.G.1. 2. Increase the maximum height for a detached sign an I-G zoning district from 10ft to 20ft per Article 13.9.F.3. Table 13-2. 3. Increase the maximum sign area for a detached sign in an I-G zoning district from 100 sq. ft. to 165 sq. ft. per Article 13.9.F.3., Table 13-3. Per plan submitted to decrease the minimum required frontage for changeable price signs, to increase the maximum height for a detached sign, and to increase the maximum square footage for a detached sign in the I-G (Industrial General) Zoning District, 2nd Council District (093OA021).

Ad Preview

PUBLIC NOTICE

The City Board of Zoning Appeals will consider the following petitions for variances of requirements of the City of Knoxville Zoning Ordinance of their April 22, 2025 meeting at 4:00 p.m. in Small Assembly Room, City County Bldg., 400 Main St, Knoxville, TN. Data pertinent to this amendment may be seen in the office of City of Knoxville Department of Plans Review and Building Inspections, 4th Floor of the City County Bldg. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at 865-215-2034. Please contact Mark Riehl at 865-215-4311 or mriehl@knoxvilletn.gov with questions about attending or for alternate attendance options. Application packets may be found online www.knoxvilletn.gov/bza

ADAM SCHMEING (4470 Henson Rd) BZA-25-0011 Decrease the minimum front setback in a RN-2 zoning district from 20ft to 16ft per Article 4.3, Table 4-2. Per plan submitted to decrease the minimum front setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 3rd Council District (093HB005). **BENTLEY MARLOW (216 Cansler Ave) BZA-25-0015** 1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4. 2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4. Per plan submitted to increase the maximum building depth of a side-by-side duplex and to decrease the interior side setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094KD004). **BENTLEY MARLOW (210 Cansler Ave) BZA-25-0016** 1. Increase the maximum building depth for a side-by-side duplex in a RN-2 zoning district from 55ft to 65ft per Article 4.6.C, Table 4-4. 2. Decrease the minimum required interior side setback in a RN-2 zoning district from 5ft to 3ft per Article 4.6.C, Table 4-4. Per plan submitted to increase the maximum building depth of a side-by-side duplex and to decrease the interior side setback in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094KD002). **TAMMY LYONS (1317 Beaumont Ave) BZA-25-0019** 1. Increase the maximum allowed building coverage calculation in a RN-2 zoning district from 30% to 43.4% per Article 4.3, Table 4-2. 2. Increase the maximum allowed impervious coverage calculations in a RN-2 zoning district from 40% to 46.2% per Article 4.3, Table 4-2. Per plan submitted to increase the maximum building coverage and maximum impervious surface coverage in the RN-2 (Single-Family Residential Neighborhood) Zoning District, 6th Council District (094BF024). **TYLER STINNETT (105 Brandau Dr) BZA-25-0021** Decrease the minimum front setback in a RN-1 zoning district from +/- 10ft of the average of blockface, calculated as 51.7ft, with a minimum setback of 41.7ft to 28.6ft per Article 4.3, Table 4-2. Per plan submitted to decrease the minimum front setback in the RN-1 (Single-Family Residential Neighborhood) Zoning District, 1st Council District (123FD01001). **TIM LAUMAKIS (962 Mabry Hood Rd) BZA-25-0022** Increase the maximum allowed height of a refuse dumpster enclosure from 8' to 10'8" per Article 10.3.W.1.C. Per plan submitted to increase the maximum height of a refuse dumpster enclosure in the RN-6 (Multi-Family Residential Neighborhood) Zoning District, 2nd Council District (118 177). **JOHN SEXTON (2904 Chapman Highway) BZA-25-0028** Decrease the minimum transparency requirement along the ground floor of the front facade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-2 zoning district from 30% to 23% per Article 5.4., Table 5-2. Per plan submitted to decrease the ground floor facade minimum transparency requirement in the C-G-2 (Commercial General) Zoning District, 1st Council District (109HB00701). **MATTHEW STERLING (137 W. Anderson Ave) BZA-25-0029** Increase the front setback in an IM-U zoning district from a build-to zone of 0'-25' to 79.8' per Article 6.3, Table 6-1. Per plan submitted to increase the front setback in the I-MU (Industrial Mixed-Use) Zoning District, 4th Council District (081NH020). **MICHAEL SCOTT (1107 N. Northshore Dr) BZA-25-0030** Decrease the minimum transparency requirement along the ground floor of the front facade that abuts a public right-of-way, measured between two and ten feet in height from grade, in a C-G-3 zoning district from 30% to 0% per Article 5.4., Table 5-2. Per plan submitted to decrease the ground floor facade minimum transparency requirement in the C-G-3 (Commercial General) Zoning District, 2nd Council District (107PC011). **TAYLOR FORRESTER (1415 Third Creek Rd) BZA-25-0031** 1. Decrease the minimum required frontage on the street where the property is addressed for a changeable price sign from 250ft to 192.5ft per Article 13.6.G.1. 2. Increase the maximum height for a detached sign in a I-G zoning district from 10ft to 20ft per Article 13.9.F.3, Table 13-2. 3. Increase the maximum sign area for a detached sign in an I-G zoning district from 100 sq. ft. to 165 sq. ft. per Article 13.9.F.3., Table 13-3. Per plan submitted to decrease the minimum required frontage for changeable price signs, to increase the maximum height for a detached sign, and to increase the maximum square footage for a detached sign in the I-G (Industrial General) Zoning District, 2nd Council District (093OA021).

May 8, 2025

Everett Hirche
137 W Anderson Ave
Knoxville, TN 37917
Via Certified Mail

RE: 137 W Anderson Ave - Appeal

A resolution approving an appeal by Everett Hirche of the denial of the Board of Zoning Appeals to increase the front setback in an IM-U zoning district from a build-to zone of 0 to 25' to 79.8' per Article 6.3, Table 6-1 for property located at 137 W Anderson Avenue. I-MU (Industrial Mixed-Use) Zoning District. 4th Council District. Parcel ID 081NH020. BZA File # BZA-25-0029.

Dear Everette Hirche:

This is to advise you that the attached appeal is tentatively scheduled to be heard by City Council on 6/10/2025 at 6:00 p.m. in the Main Assembly Room, City County Building. You or your representative should be present.

If you or your representative desires to speak in support of or opposition to this appeal, you should contact the City Recorder's Office to sign up to speak at the meeting. You may do so beginning on the Thursday immediately prior to the date City Council will hear this appeal. The City Recorder's Office can explain to you the rules and format for the hearing of the appeal.

You may contact the City Recorder's Office at the phone number and/or email below:

Phone: 865-215-2075
Email: wjohnson@knoxvilletn.gov

Sincerely,



Peter Ahrens, Director
Plans Review and Building Inspections

Enclosure

May 8, 2025

Matthew Sterling
137 W Anderson Ave
Knoxville, TN 37917
Via Certified Mail

RE: 137 W Anderson Ave - Appeal

A resolution approving an appeal by Everett Hirche of the denial of the Board of Zoning Appeals to increase the front setback in an IM-U zoning district from a build-to zone of 0 to 25' to 79.8' per Article 6.3, Table 6-1 for property located at 137 W Anderson Avenue. I-MU (Industrial Mixed-Use) Zoning District. 4th Council District. Parcel ID 081NH020. BZA File # BZA-25-0029.

Dear Matthew Sterling:

This is to advise you that the attached appeal is tentatively scheduled to be heard by City Council on 6/10/2025 at 6:00 p.m. in the Main Assembly Room, City County Building. You or your representative should be present.

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Phone: 865-215-2075
Email: wjohnson@knoxvilletn.gov

Sincerely,



Peter Ahrens, Director
Plans Review and Building Inspections

Enclosure

PUBLIC NOTICE

The following item will be considered by the Knoxville City Council on June 10, 2025 at 6:00p.m. The location of the City Council meeting is Main Assembly Room, City County Building, 400 Main St, Knoxville, TN. Meeting details can be obtained by contacting the City Recorder's Office T: 865-215-2075 E: wjohnson@knoxvilletn.gov. This item may be seen in the Plans Review and Building Inspections Office, Fourth Fl. of the City County Bldg., 400 Main St., Knoxville, TN. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at 865-215-2034.

APPEAL OF DECISION

BZA File No. BZA-25-0029: Appeal by Everett Hirche of the denial of the Board of Zoning Appeals to increase the front setback in an IM-U zoning district from a build-to zone of 0 to 25' to 79.8' per Article 6.3, Table 6-1 for property located at 137 W Anderson Avenue. I-MU (Industrial Mixed-Use) Zoning District. 4th Council District. Parcel ID 081NH020. BZA File # BZA-25-0029.

Public Notices

Originally published at knoxnews.com on 05/23/2025

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