

BOARD OF ZONING APPEALS
SPECIAL CALLED MEETING MINUTES
October 29, 2018

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 Special Called October 29, 2018, meeting at 4:00 pm in the Main Assembly Room, City County Building, 400 Main St, Knoxville, TN.

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.

CALL TO ORDER

Board Chairman Kristin Grove called the meeting to order at 3:59p.m.

ROLL CALL

Board members present were Kristin Grove, Don Horton and Daniel Odle.

Others in attendance were Peter Ahrens, Building Official; Scott Elder, Zoning Chief; Christina Magrans, Staff Attorney; Joshua Frerichs, Stormwater Engineering and Juliana LeClair, Board Secretary.

NEW BUSINESS

File: 10-G-18-VA
Applicant: Harkleroad & Associates
Address: 400 Merchant Dr.
Zoning: C-3 (General Commercial) District

Parcel ID: 068LA004
5th Council District

Variance Request:

1) Reduce the minimum required setback for parking lots with common frontage in the same block with residentially zoned property from 25ft. to 6ft. (Article 5, Section 7.C.2)

As per plan submitted proposing redevelopment of property to be utilized as Wendy's OSR with drive thru in the C-3 (General Commercial) District.

Applicant Don Harkleroad was present on behalf of Wendy's restaurant and advised that the setback affected the property in question and other properties as well. The existing building was

4,000 sq. ft, the new Wendy's would be 2,000 sq. ft. and plans were to increase to 6% more landscaping.

Applicant representative Juan Carcache was present and advised none of the surrounding properties complied, the nearby McDonalds didn't have a setback and there were two strips behind the building that created a wedge between the residential area and McDonalds and Wendy's.

Member Kristin Grove stated that because of lot size and surrounding existing conditions, if this were to be imposed the lot would become difficult to redevelop and landscaping was a good effort. Member Kristin Grove made a motion to approve. It was seconded by Member Don Horton. The Board voted 3-0 to **APPROVE**.

ADJOURNMENT

The meeting adjourned at 4:08p.m.

OTHER BUSINESS

The next BZA meeting is on November 15, 2018.