



CITY OF KNOXVILLE

# BOARD OF ZONING APPEALS APPLICATION

## APPLICANT INFORMATION

Name Urban Engineering (Agent)

Street Address 11852 Kingston Pike

City, State, Zip Knoxville, TN 37934

Phone Number 865-966-1924

Email chris@urban-eng.com

## APPLICANT IS:

Owner ☐Contractor ☐Tenant ☐Other ☒

## THIS PROPOSAL PERTAINS TO:

New Structure ☒Modification of Existing Structure ☐Off Street Parking ☐Signage ☐Other ☐

## THIS IS A REQUEST FOR:

☒ Zoning Variance (Building Permit Denied)☐ Appeal of Administrative Official's Decision☐ Extension of Non-Conforming Use/or Structure☐ Map Interpretation

## PROPERTY INFORMATION

Street Address 104 and 114 E. Fifth Avenue

City, State, Zip Knoxville, TN 37917

Parcel # (see KGIS.org) 094DH004, 094DH00402 and 094DH002

Zoning District (see KGIS.org) C-3

## VARIANCE REQUIREMENTS

City of Knoxville Zoning Ordinance Article 7, Section 2

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 project consists of a 7,187 s.f. building and parking.

Variance 1: Reduce the required front setback from 25 feet to 0 feet. There is an existing nonconformity. We are requesting the variance for the proposed structure to create a consistent setback along E. Fifth Avenue.

Variance 2: Given the spacial constraints of the lot, we are requesting a reduction in the required parking setback from 10 feet to 0 feet.

Variance 3: Given the spacial constraints of the lot, we are requesting a reduction in the required number of off street parking stalls from 63 to 24.

Describe hardship conditions that apply to this variance.

Existing conditions, topography and lot geometry.

REVISED

## 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

10/31/19

File # 11-G-19-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):

1. Reduce the required front yard setback in a C-3 zone from 25' to 0' per Article 4, Section 2.2.6.E.1.
2. At the eastern parking lot, reduce the minimum parking lot setback to right-of-way (Fifth Ave) from 6 feet to 0 feet per Article V, Section 7.C.3.
3. At the eastern parking lot, reduce the minimum parking lot setback to right-of-way (Interstate) from 6 feet to 2.0 feet per Article V, Section 7.C.3.
4. At the western parking lot, reduce the minimum parking lot setback to right-of-way (Interstate) from 6 feet to 4.0 feet per Article V, Section 7.C.3.
5. Reduce the required required number of parking stalls from 63 to 24 per Article V, Section 7.D.1.

REVISED

#### PROJECT INFORMATION

Date Filed 10-24-19

Fee Amount \$500 *pd \$500 10/24/19 jf ck*

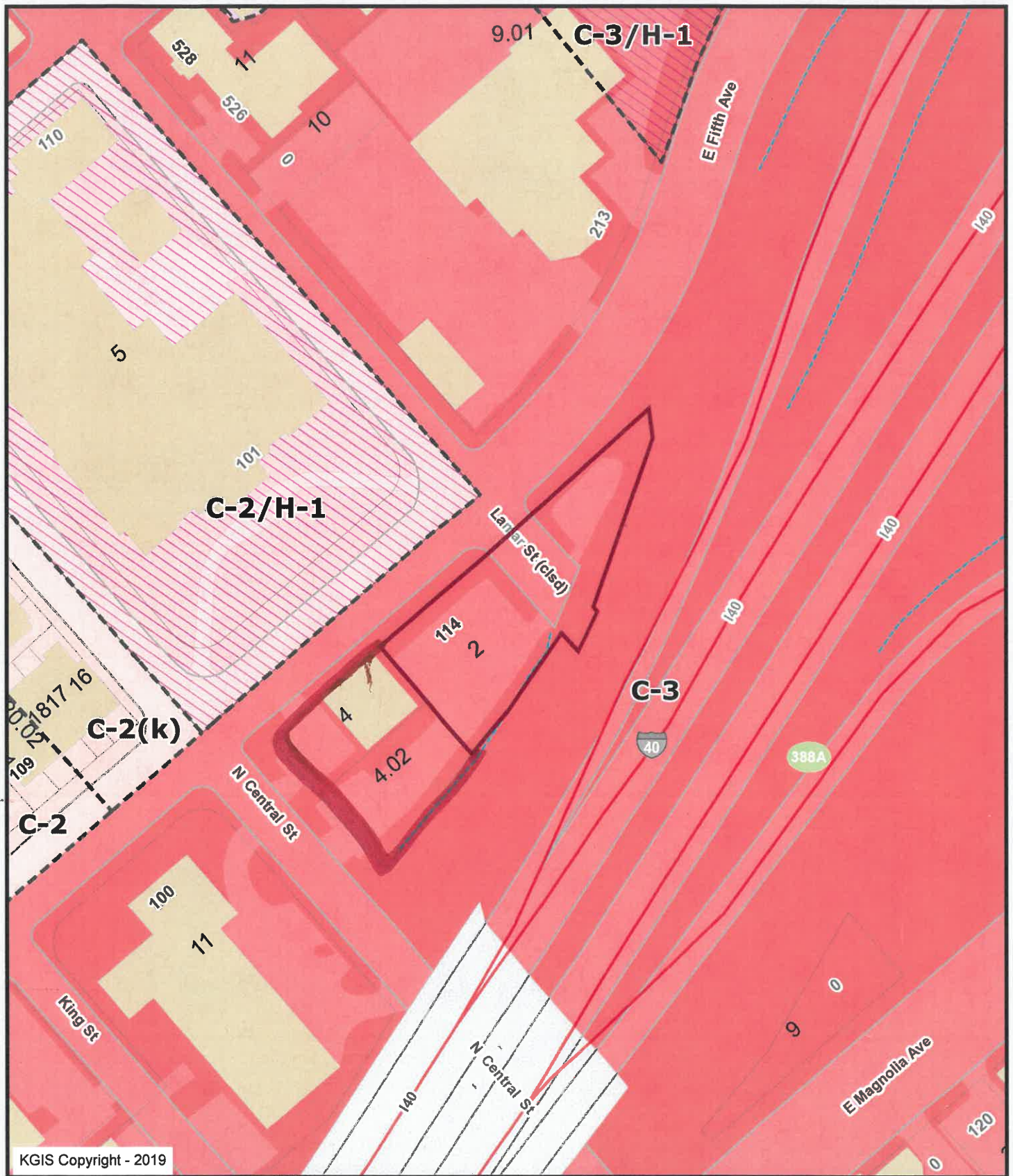
Council District 4

BZA Meeting Date 11-21-19

PLANS REVIEWER Rebecca Johnson

DATE 10-24-19





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104 & 114 E. Fifth Ave.

11-G-19-VA  
Urban Engineering

Knoxville - Knox County - KUB Geographic Information System

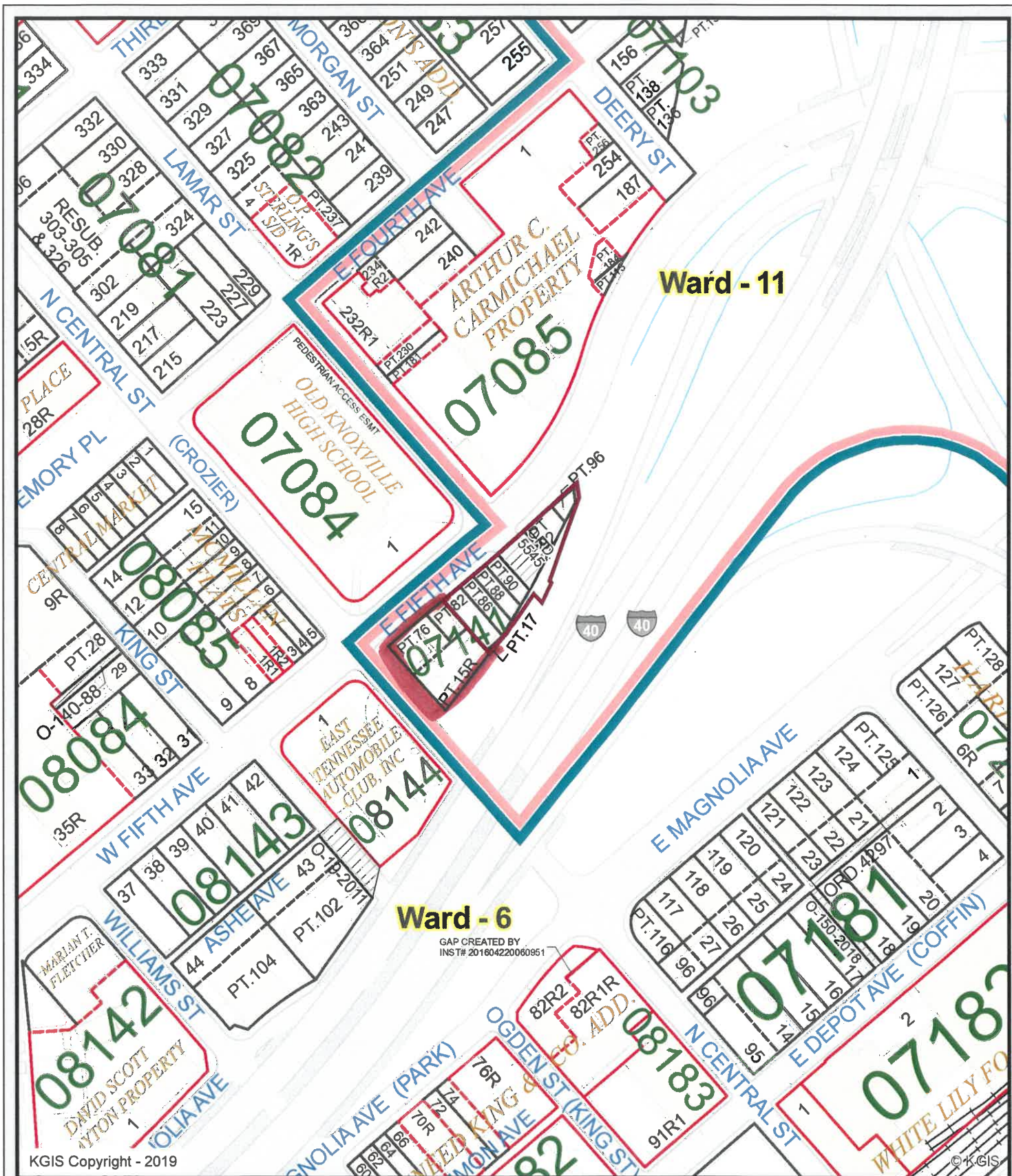


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104 & 114 E. Fifth Ave.

11-G-19-VA  
Urban Engineering

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

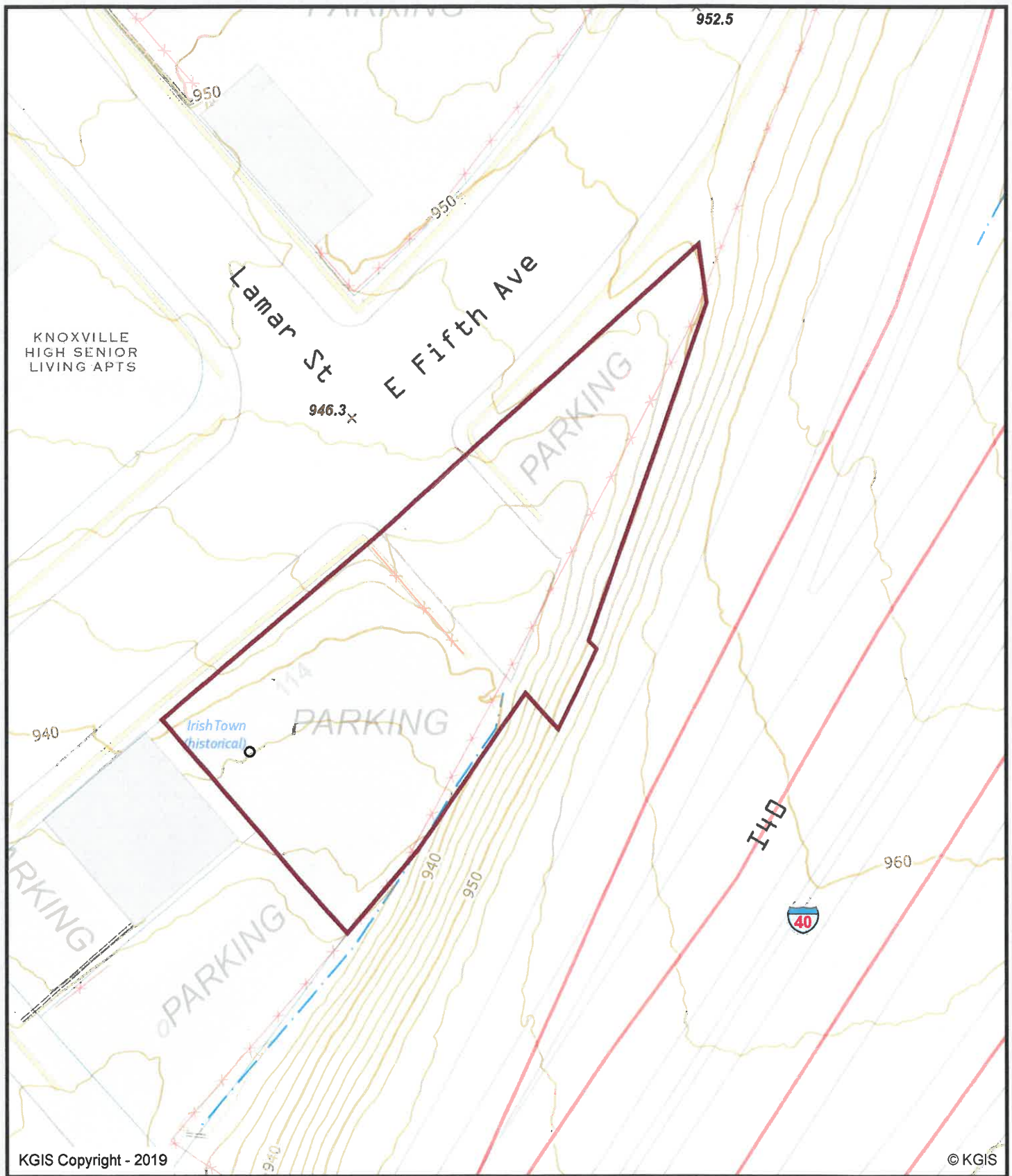


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0 50 100 200  
ft

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104 & 114 E. Fifth Ave.

11-G-19-VA

Urban Engineering

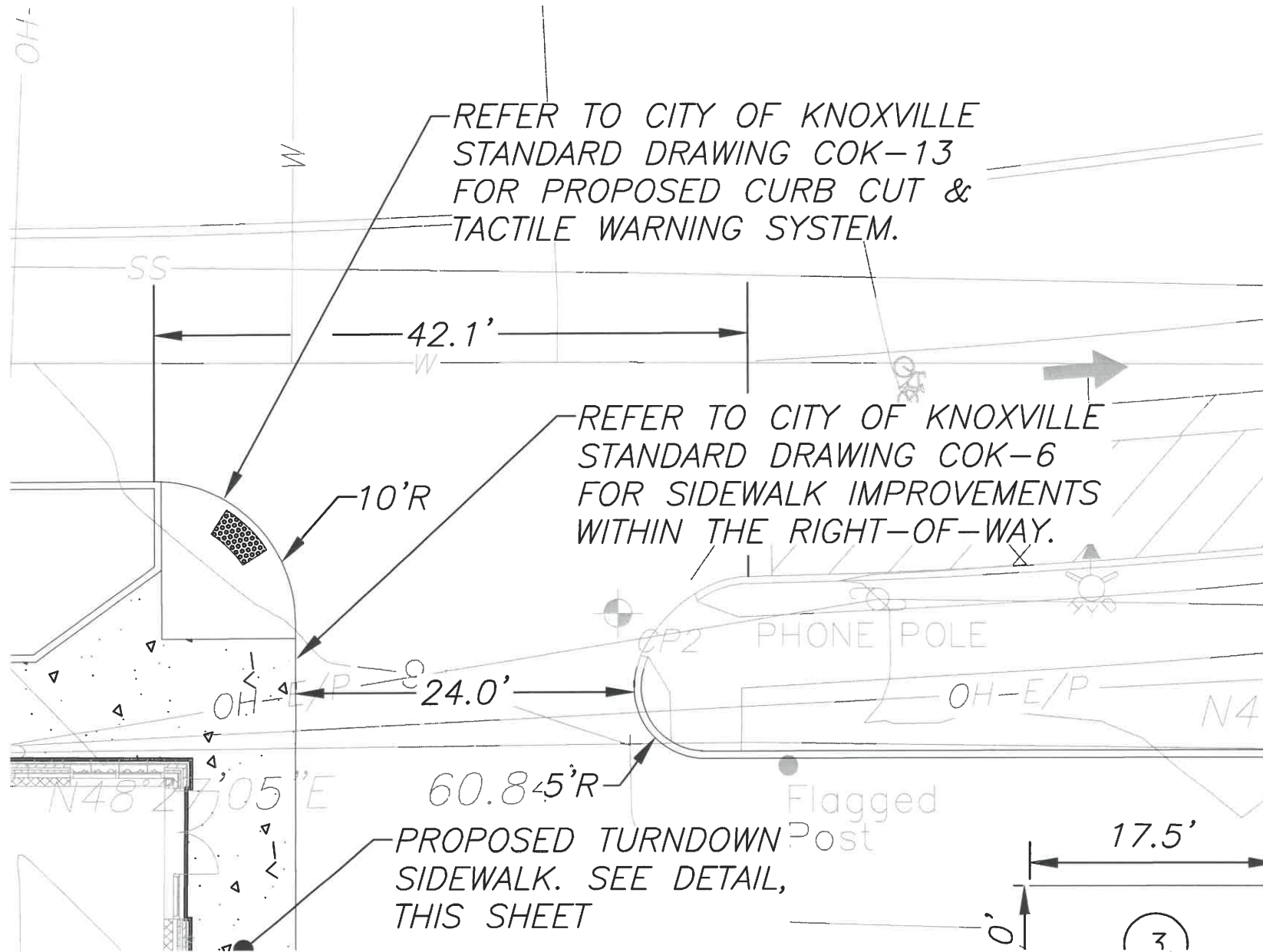
Knoxville - Knox County - KUB Geographic Information System



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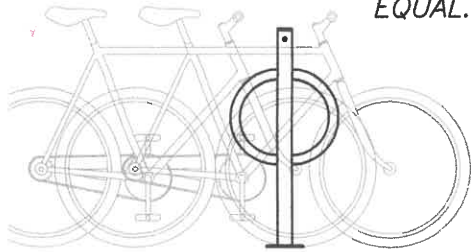


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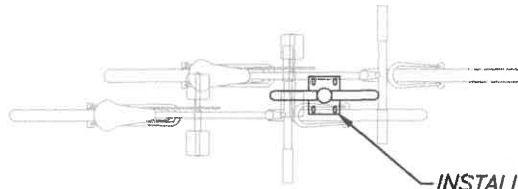


11-G-19-VA

AS ILLUSTRATED BY THE PARK AND FACILITIES CATALOG, OR APPROVED EQUAL.



SIDE VIEW



PLAN VIEW

INSTALL ANCHOR BOLTS, PER MANUFACTURER'S RECOMMENDATION.

BOLLARD BIKE RACK DETAIL  
N.T.S.

*HARDSHIPS - ① EXISTING CONDITIONS  
② LOT GEOMETRY*



**SHEET C-2**

**SITE PLAN**

**5th AVENUE PLAZA**

SITE ADDRESSES: 104 EAST 5TH AVENUE, KNOXVILLE (37917)  
114 EAST 5TH AVENUE, KNOXVILLE (37917)  
0 N CENTRAL STREET, KNOXVILLE (37917)

CITY OF KNOXVILLE

KNOX CO., TN.

WARD NO. 11

CITY BLOCK NO. 07141

CLT MAP 94

PARCELS 2, 4, 4.02

SCALE: 1"=20'

OCTOBER 4, 2019

OWNER/DEVELOPER:

**COURTLAND GROUP, LLC**  
109 SOUTH GAY STREET, SUITE 301  
KNOXVILLE, TN 37902  
(865) 524-2525



**URBAN ENGINEERING, INC.**  
11852 KINGSTON PIKE  
FARRAGUT, TENNESSEE 37934  
(865) 966-1924

*11-G-19-VA*

VARIANCE REQUEST NOTES:

1) THE VARIANCE REQUEST IS TO REDUCE THE MINIMUM REQUIRED FRONT SETBACK FROM 5' TO 0'.

2) REQUEST TO REZONE FROM C-3 (GENERAL COMMERCIAL) TO C-2 (CENTRAL BUSINESS DISTRICT) WAS APPROVED AT THE OCTOBER 10, 2019 KNOXVILLE/KNOX COUNTY PLANNING COMMISSION MEETING.

GRAPHIC SCALE



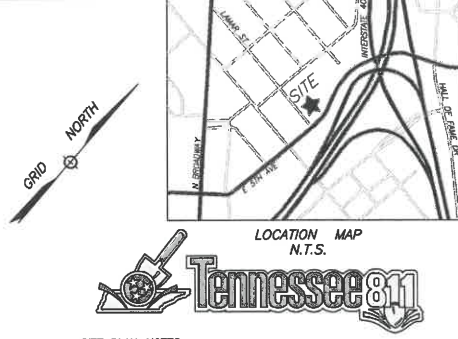
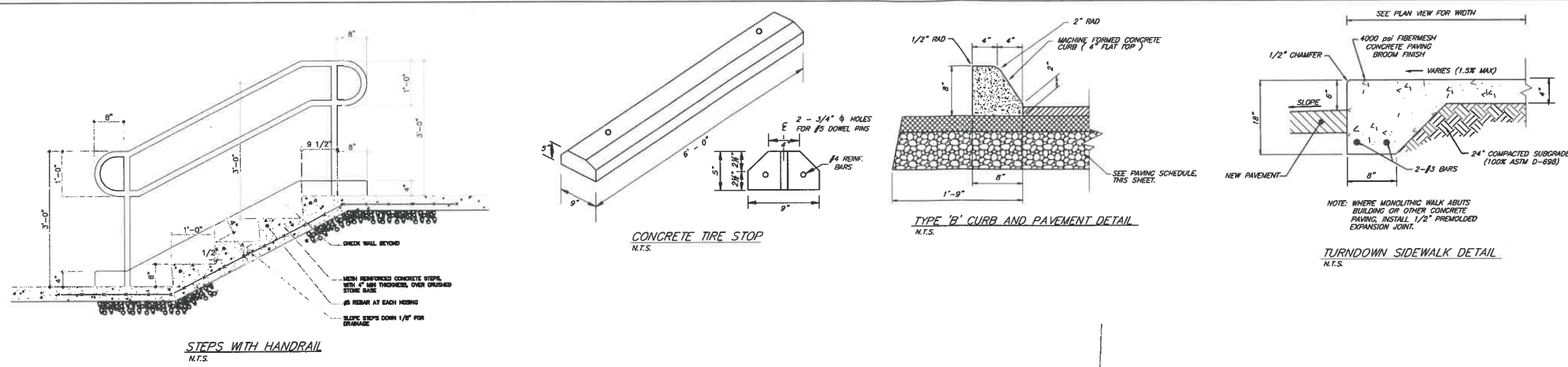
REVISION	DATE	DESCRIPTION	BY

DWN: CLM

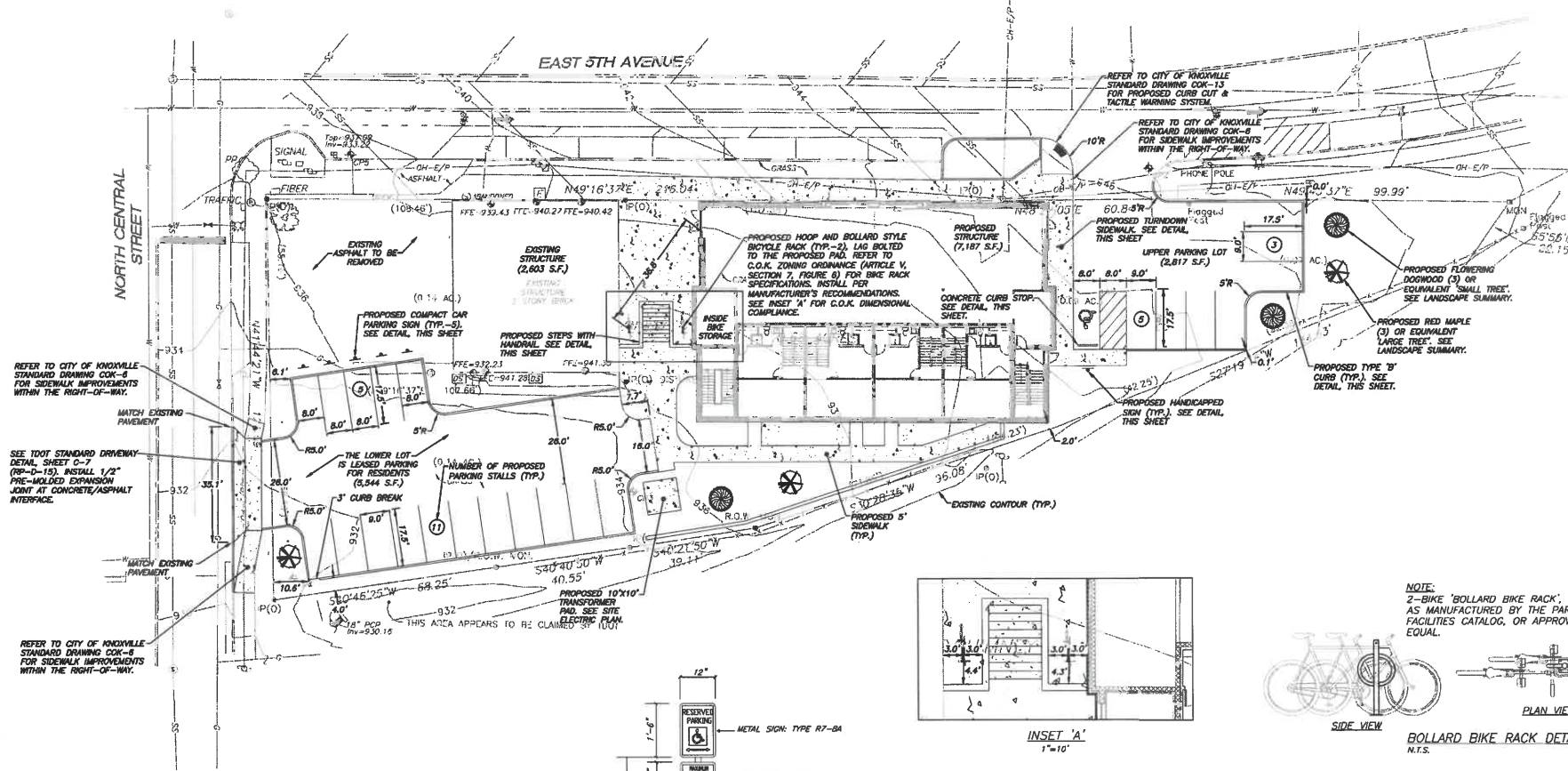
CHK: CAS

DWG. NO. 1811034





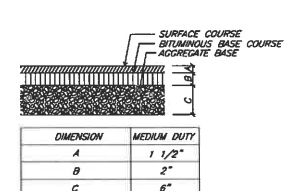
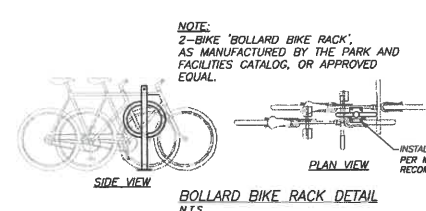
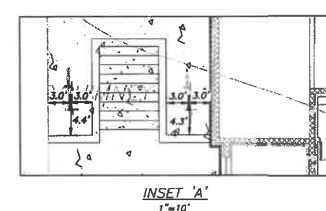
COMPACT CAR PARKING SIGN  
N.T.S.



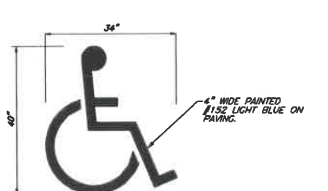
- SITE PLAN NOTES:**
1. THE LOCATIONS OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON FIELD LOCATION OF VISIBLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATER VALVES, ETC., AND COMPILED INFORMATION FROM PLANS SUPPLIED BY VARIOUS UTILITY COMPANIES AND GOVERNMENT AGENCIES. THE CONTRACTORS SHALL NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES AND ALSO CALL TENN ONE-CALL PRIOR TO ANY EXCAVATION WORK, TO VERIFY INFORMATION SHOWN AND DETERMINE THE LAYOUT OF THE UTILITY SYSTEM AND IF ADDITIONAL IMPROVEMENTS MAY EXIST.
  2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF KNOXVILLE'S SPECIFICATIONS FOR SITE DEVELOPMENT.
  3. SETBACKS ARE PER CITY OF KNOXVILLE C-3 ZONING AND ARE AS FOLLOWS:  
FRONT - TWENTY FIVE (25) FEET  
SIDE - ZERO (0) FEET  
REAR - ZERO (0) FEET
  4. REQUIRED PARKING: 8-1 BEDROOM APARTMENTS @ 1 = 8 SPACES  
18-3 BEDROOM APARTMENTS @ 1.25 = 20 SPACES  
GUEST PARKING = 4 SPACES  
RETAIL USE (3,731 S.F.) = 11 SPACES  
RESTAURANT USE (2,400 S.F.) = 20 SPACES  
TOTAL: 63 SPACES (INCLUDING 3 HANDICAPPED)
  5. ALL LANDSCAPING SHALL CONFORM TO THE CITY OF KNOXVILLE'S TREE PROTECTION ORDINANCE.
  6. THIRD PARTY INSPECTION WILL BE REQUIRED FOR ROADWAY CONSTRUCTION WITHIN RIGHT OF WAY.
  7. A VARIANCE IS BEING REQUESTED TO REDUCE THE REQUIRED FRONT SETBACK FROM TWENTY FIVE (25) FEET TO ZERO (0) FEET.
  8. A VARIANCE IS BEING REQUESTED TO REDUCE THE REQUIRED PARKING LOT SETBACK FROM TEN (10) FEET TO ZERO (0) FEET.
  9. A VARIANCE IS BEING REQUESTED TO REDUCE THE REQUIRED NUMBER OF OFF STREET PARKING SPACES FROM 63 TO 24.
  10. TOTAL VEHICULAR USE AREA = 8,361 S.F.
  11. REQUEST TO REZONE FROM C-3 (GENERAL COMMERCIAL) TO C-2 (CENTRAL BUSINESS DISTRICT) WAS APPROVED AT THE OCTOBER 10, 2019 KNOXVILLE/KNOX COUNTY PLANNING COMMISSION MEETING.

**LOT COVERAGE SUMMARY**

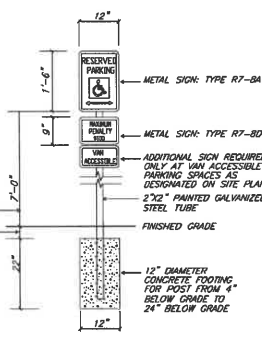
CURRENT USE	VACANT BUILDING
PROPOSED USE	RETAIL AND RESIDENTIAL
ZONING	C-2
TOTAL AREA	28,549 S.F. (0.68-AC)
EXISTING IMPERVIOUS AREA	7,002 S.F.
IMPERVIOUS TO BE REMOVED	7,002 S.F.
EXISTING BUILDING AREA	2,803 S.F.
PROPOSED BUILDING AREA	7,187 S.F.
PROPOSED WALKS & ASPHALT	11,041 S.F.
TOTAL IMPERVIOUS AREA (POST-DEVELOPED)	18,228 S.F.
PERCENT IMPERVIOUS	61.7%
VEHICULAR USE AREA	8,361 S.F.



PAVING SCHEDULE (PRIVATE PROPERTY)  
N.T.S.



PAINTED HANDICAPPED SYMBOL  
N.T.S.



HANDICAPPED SIGN DETAIL  
N.T.S.

**LANDSCAPE SUMMARY:**

1) WHERE NO TREES EXIST ON SITE, PROVIDE 8 TREES PER ACRE WITH AT LEAST ONE HALF OF THE REQUIRED TREES BEING SPECIES CAPABLE OF ATTAINING A HEIGHT GREATER THAN 80 FEET AT MATURITY. SUCH TREES SHALL HAVE A MINIMUM TRUNK DIAMETER OF (2) INCHES ABOVE GROUND AT PLANTING, UNLESS OF AN ORNAMENTAL VARIETY, WHICH SHALL HAVE A MINIMUM TRUNK DIAMETER OF 1.25 INCHES AT 4 INCHES ABOVE GROUND AT PLANTING.

PROJECT AREA = 0.68-AC  
REQUIRED TREES = 8 (INCLUDING 3 LARGE TREES)  
PROPOSED TREES = 8 (INCLUDING 3 LARGE TREES)

2. PER THE CITY OF KNOXVILLE ZONING ORDINANCE:

THE PARKING LOT LANDSCAPING STANDARDS IN ARTICLE 5, SECTION 7, SUBSECTION J APPLY TO NEWLY CONSTRUCTED PARKING LOTS, INCLUDING VEHICULAR USE AREAS, OF TEN THOUSAND (10,000) SQUARE FEET OR LARGER.

PROPOSED PARKING AREA = 8,361 S.F.



GRAPHIC SCALE  
20 0 20 40

REVISION	DATE	DESCRIPTION	BY
1	10/31/19	REVISED PER C.O.K. COMMENTS	BS

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REVISED 11-G-19-VA