

File #

11-H-19-VA



# BOARD OF ZONING APPEALS APPLICATION

## APPLICANT INFORMATION

Name Gregor Smee, Smee + Busby Architects  
 Street Address 2554 Sutherland Ave.  
 City, State, Zip Knoxville, TN 37919  
 Phone Number (865) 414-1326  
 Email gsmee@smeebusby.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) ☒ Extension of Non-Conforming Use/or Structure  
☐ Appeal of Administrative Official's Decision ☐ Map Interpretation

## PROPERTY INFORMATION

Street Address 531 Vanosdale Rd.  
 City, State, Zip Knoxville, TN 37909  
 Parcel # (see KGIS.org) 120BD007  
 Zoning District (see KGIS.org) R-1E

## 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 BZA Variance Request made on Sept. 19, 2019 included a new After School Facility (ASF) with 1760 sf, sized for 40 students. The new property owner mistakenly thought that he was limited by the Existing Building Code and was trying not to exceed the 50% square footage rule (which doesn't apply to new buildings). Realizing after the variance was granted that we should have asked for a larger building based on the community need and a better business model, our appeal request is for the size of the After School Facility to be approved for 2750 sf which will allow 70 students. The original After School Facility that was approved on Sept. 19, 2019, was 40x40 with a small storage room at the rear. The new After School Facility is 50x50 with a small storage room at the rear and a security vestibule at the entry. The additional student and teacher occupant load require an increase in parking of 5 additional spaces. Representatives from West Hills Elementary School, DHS, and the CCR&R support the need for the larger After School Facility.

**REVISED**

### Describe hardship conditions that apply to this variance.

Hardship: without BZA approval, the Owner cannot improve the property, including: 1.) parking and circulation, to meet the current zoning ordinance, 2.) renovation/addition to the facade/entry facing Vanosdale Rd. and, 3.) a new small (2500 sf) after school facility to the rear of the property.

## 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

10/31/2019



CITY OF KNOXVILLE

**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. Permit the extension and erection of an additional building for a pre-existing non-conforming use. per Article 6.A.
2. Reduce the minimum parking lot setback from the street line (property line) from 25 feet to 10 feet per Article V Section 7.C.2.

**PROJECT INFORMATION**

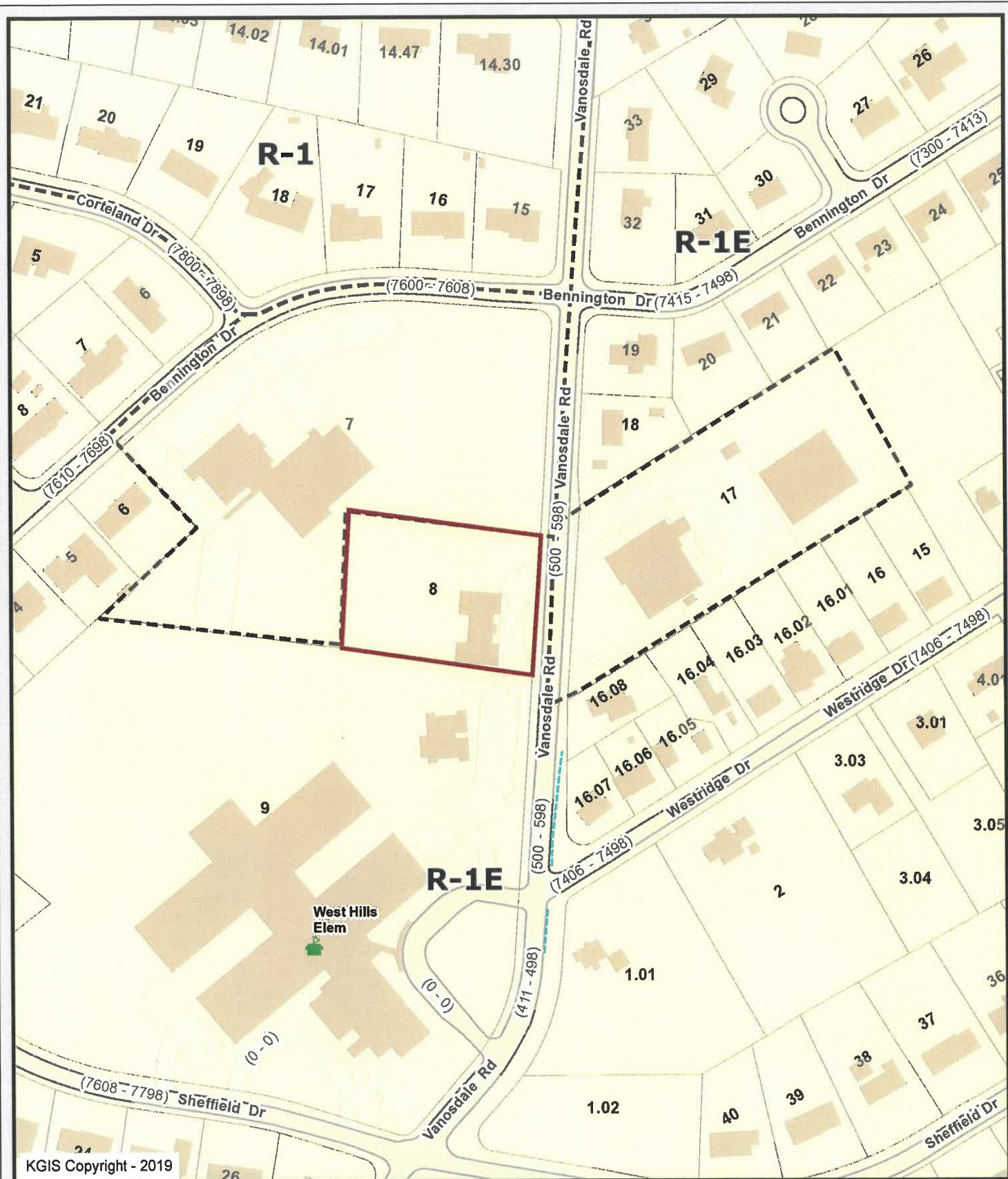
Date Filed 10-28-19

Fee Amount \$500.00

Council District 2

BZA Meeting Date 11-21-19

**PLANS REVIEWER** DeAnn Bogus**DATE** 11-1-19



531 Vanosdale Rd.

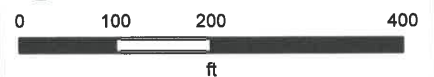
11-H-19-VA

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Knoxville - Knox County - KUB Geographic Information System

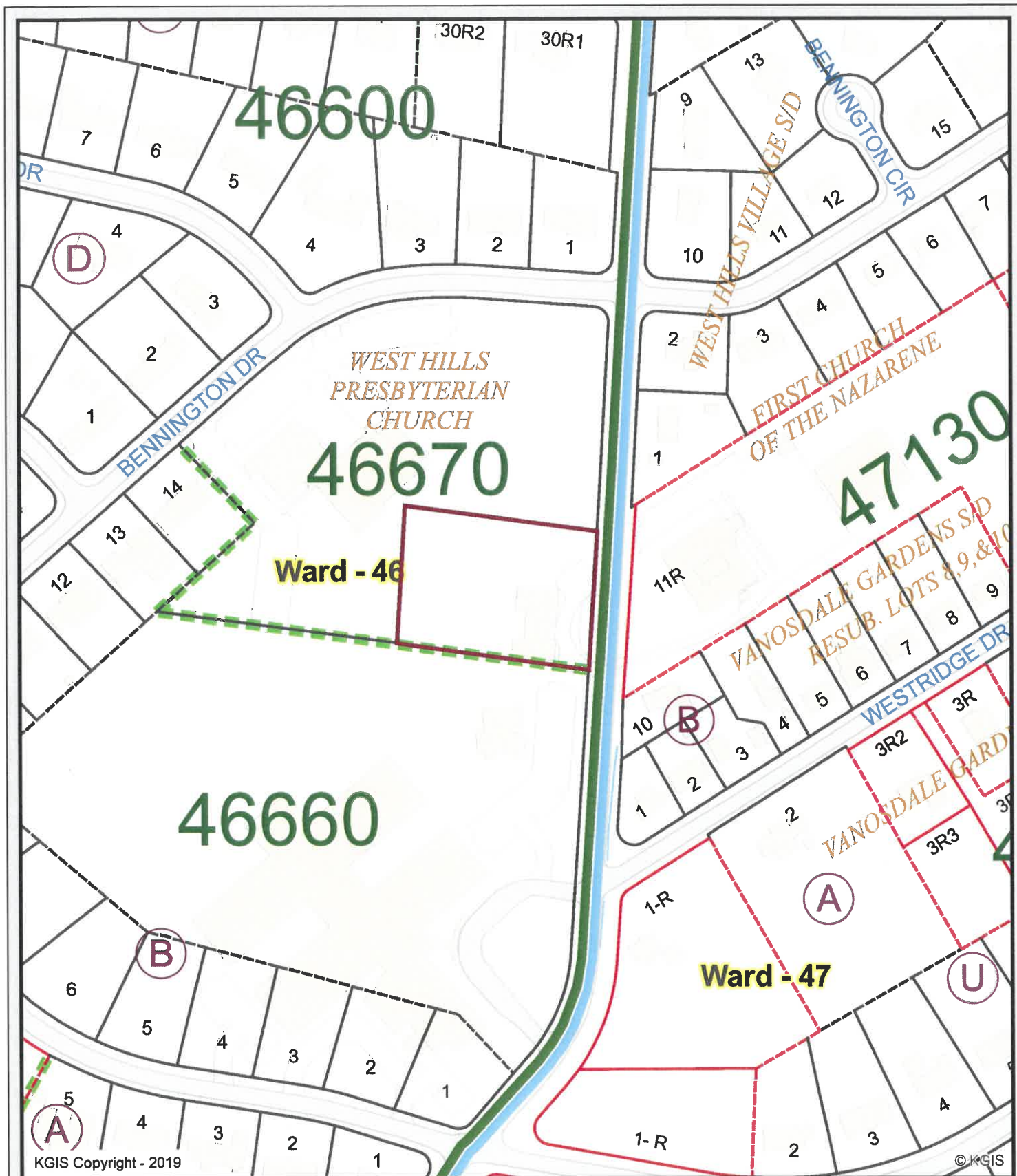


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531 Vanosdale Rd.

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0 50 100 200  
ft

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Rivers Edge West  
Hills School  
(historical)

980

Jean Teague Greenway

Vanosdale Rd

VANOSDALE  
GARDENS

Jean Teague Greenway

West Hills  
Elem. School Park  
WEST HILLS  
(MID-NORTH)

GROUND

TENNIS  
COURT

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531 Vanosdale Rd.

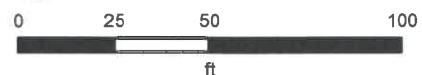
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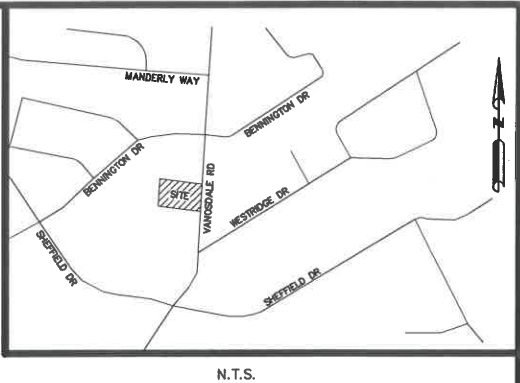
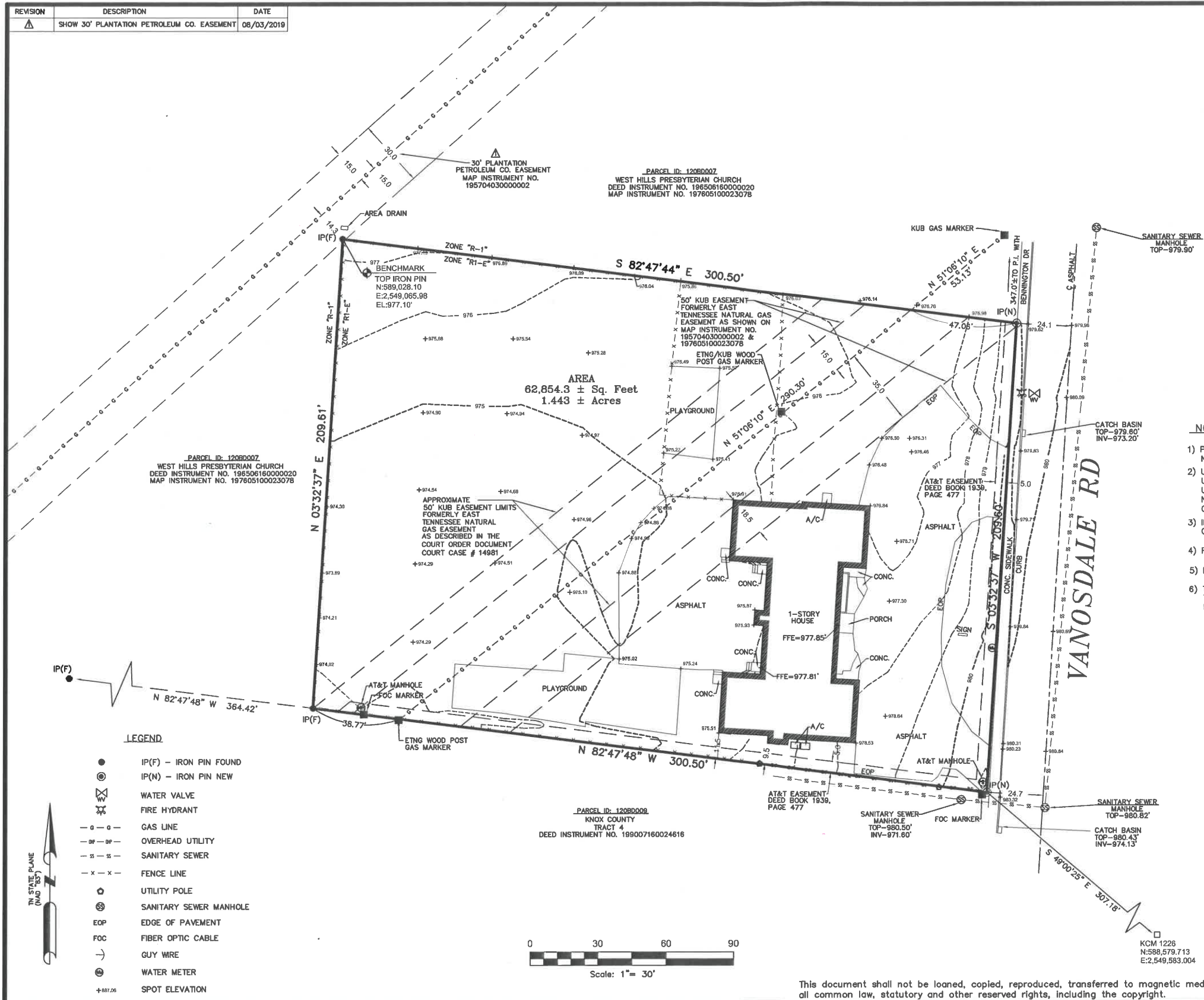
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REVISION	DESCRIPTION	DATE
1	SHOW 30' PLANTATION PETROLEUM CO. EASEMENT	08/03/2019



- NOTES
- 1) PROPERTY IS SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH. NO TITLE WORK FURNISHED TO SURVEYOR PRIOR TO SURVEY.
  - 2) UTILITIES SHOWN WERE LOCATED FROM ACTUAL FIELD EVIDENCE. EXISTING UTILITY AGENCY RECORDS AND ANY OTHER AVAILABLE EVIDENCE. OTHER UTILITIES MAY EXIST AND NOT BE SHOWN OR VARY FROM WHERE SHOWN. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE ACTUAL LOCATION OF ANY UTILITIES SHOWN, WHICH ARE NOT VISIBLE FROM THE SURFACE.
  - 3) IRON PIN CORNER MARKERS AT ALL LOT CORNERS, UNLESS DESIGNATED OTHERWISE.
  - 4) RECORD NORTH REFERENCES THE TENNESSEE STATE PLANE GRID.
  - 5) PROPERTY IS CURRENTLY ZONED "R-1E".
  - 6) THE SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "X", BEING OUTSIDE THE 100 YEAR FLOOD ZONE PER FLOOD INSURANCE RATE MAP #47093C, PANEL 0266F.

CERTIFICATION

I hereby certify that this is an accurate on the ground survey, made under my supervision; that this survey has been made using the latest recorded deed and any other information furnished by the Title Attorney; that there are no encroachments or projections other than those shown; that the survey is correct to the best of my knowledge and belief; & that this is a Category "1" Survey, with a ratio of precision exceeding 1:10,000.



Project: 19030	County of: KNOX	District: 6
Date: 07/30/2019	CLT Map: 120B, GROUP D	Parcel No.: 008.00
Scale: 1"= 30'	Ward: 46	City Block: 46670
Drawn by: MF	DEED INSTRUMENT # 201506020065873	MAP: N/A

PROPERTY ADDRESS:  
531 VANOSDALE RD  
KNOXVILLE, TN 37909

1 of 1

# GENERAL PROPERTY AND TOPOGRAPHIC SURVEY



**FIGURA LAND SURVEYING**

MARTIN FIGURA R.L.S. # 2379  
1300 COLLIER RIDGE LN  
POWELL, TN 37849  
Ph: (865) 765-7599  
e-mail: mfigura@figuralandsurveying.com

11-H-19-VA

# DRAWING INDEX

CS COVER SHEET

## ARCHITECTURAL

- AS101

SITE PLAN
- AS102

LANDSCAPE PLAN
- A101

AFTER SCHOOL FACILITY FLOOR PLAN
- A102

AFTER SCHOOL FACILITY ELEVATIONS
- A201

PHOTO KEY PLAN (1-14)
- A202

PHOTOS OF EXISTING ELEVATIONS (1-4)
- A203

PHOTOS OF EXISTING ELEVATIONS (5-8)
- A204

PHOTOS OF EXISTING ELEVATIONS (9-12)
- A205

PHOTOS OF EXISTING ELEVATIONS (13-14)

A Renovation for  
Westside Learning Center  
531 Vanosdale Rd, Knoxville, TN

Project Number: 19018

Issue Date: 10-23-2019

Drawn By: TNG

Approved By: GRS

Project Manager: GRS

Principal: GRS

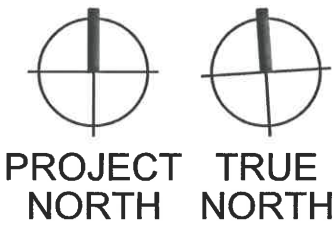
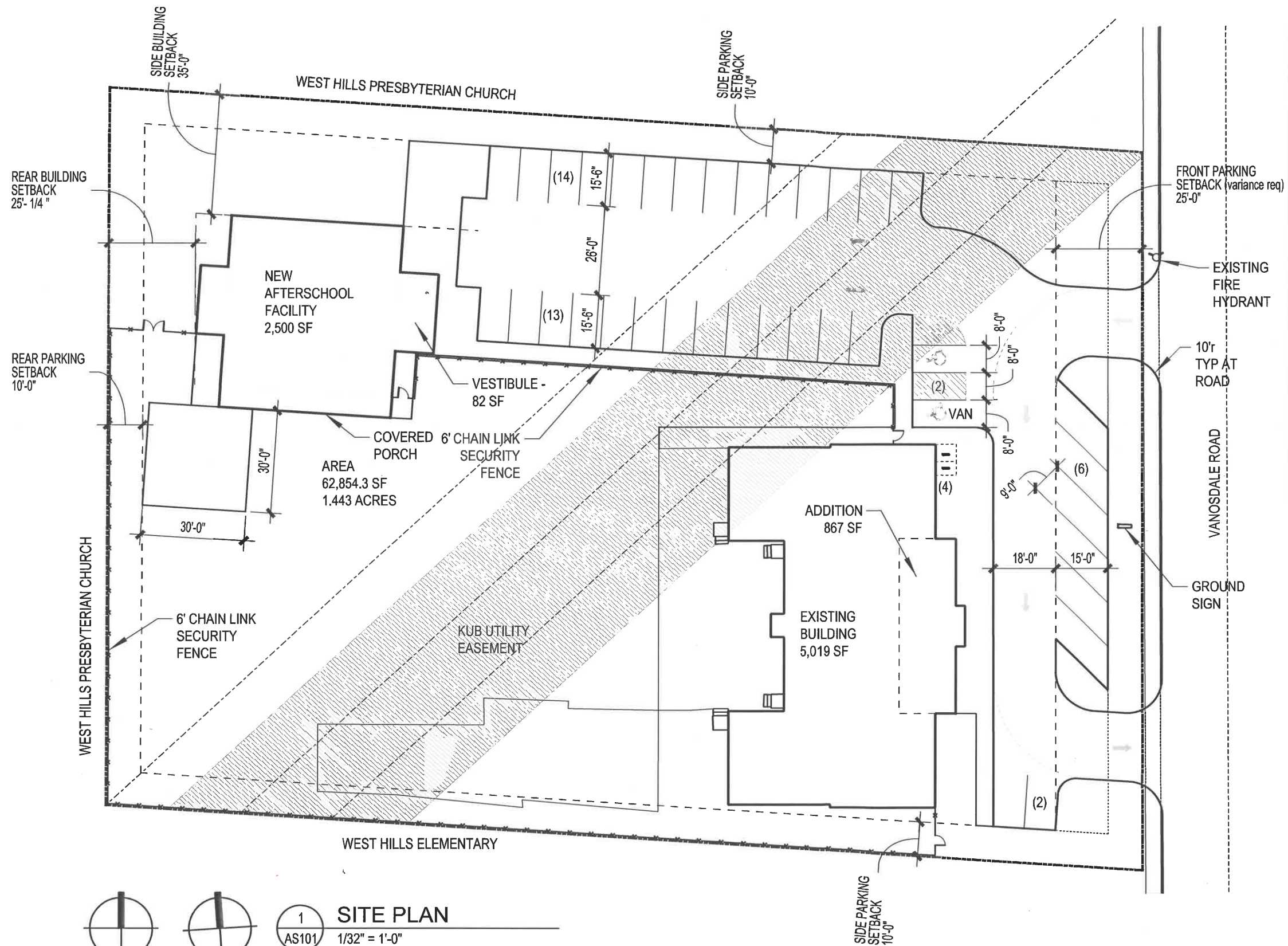
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COVER SHEET

11-4-19-VA

CS





1  
AS101

**SITE PLAN**  
1/32" = 1'-0"

LOT COVERAGE CALCULATIONS  
KNOXVILLE TN CODE OF ORDINANCES  
2.1.3. - R-1E, SECTION D.5.A

LOT COVERAGE ALLOWABLE: 30%  
LOT SIZE: 62,854 SF  
MAIN BUILDING: 5,886 SF  
AS FACILITY: 2,500 SF  
TOTAL BUILT AREA: 8,386 SF

$8,386 \text{ SF} / 62,854 \text{ SF} = 0.1334$   
= 13% TOTAL COVERAGE  
(13% < 30%)

PARKING CALCULATION  
KNOX, TN - CODE OF ORDINANCES  
APPENDIX B - ZONING REGULATIONS  
ARTICLE V - SUPPLEMENTARY REG.  
SECTION 7 - OFF-STREET PARKING

22 TEACHERS  
102 STUDENTS @ DAYCARE  
70 STUDENTS @ ASF

SEC.7 TABLE 1 #14 - DAY CARE HOME  
0.67 PER EMPLOYEE ON SHIFT  
+ 0.125 OFF-STREET FOR CLIENT

$22 \times 0.67 = 14.74 = 15 \text{ SPACES}$   
 $172 \times 0.125 = 21.5 = 22 \text{ SPACES}$   
TOTAL: 37 SPACES REQ  
SHOWN: 37 SPACES

ACCESSIBLE PARKING SPACES  
KNOX, TN - CODE OF ORDINANCES  
APPENDIX B - ZONING REGULATIONS  
ARTICLE V - SUPPLEMENTARY REG.  
SECTION 7 - OFF-STREET PARKING

SEC.7 TABLE 2 (26-50)  
2 TOTAL, 1 VAN & 1 CAR

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SITE PLAN

11-17-19-VA

AS101

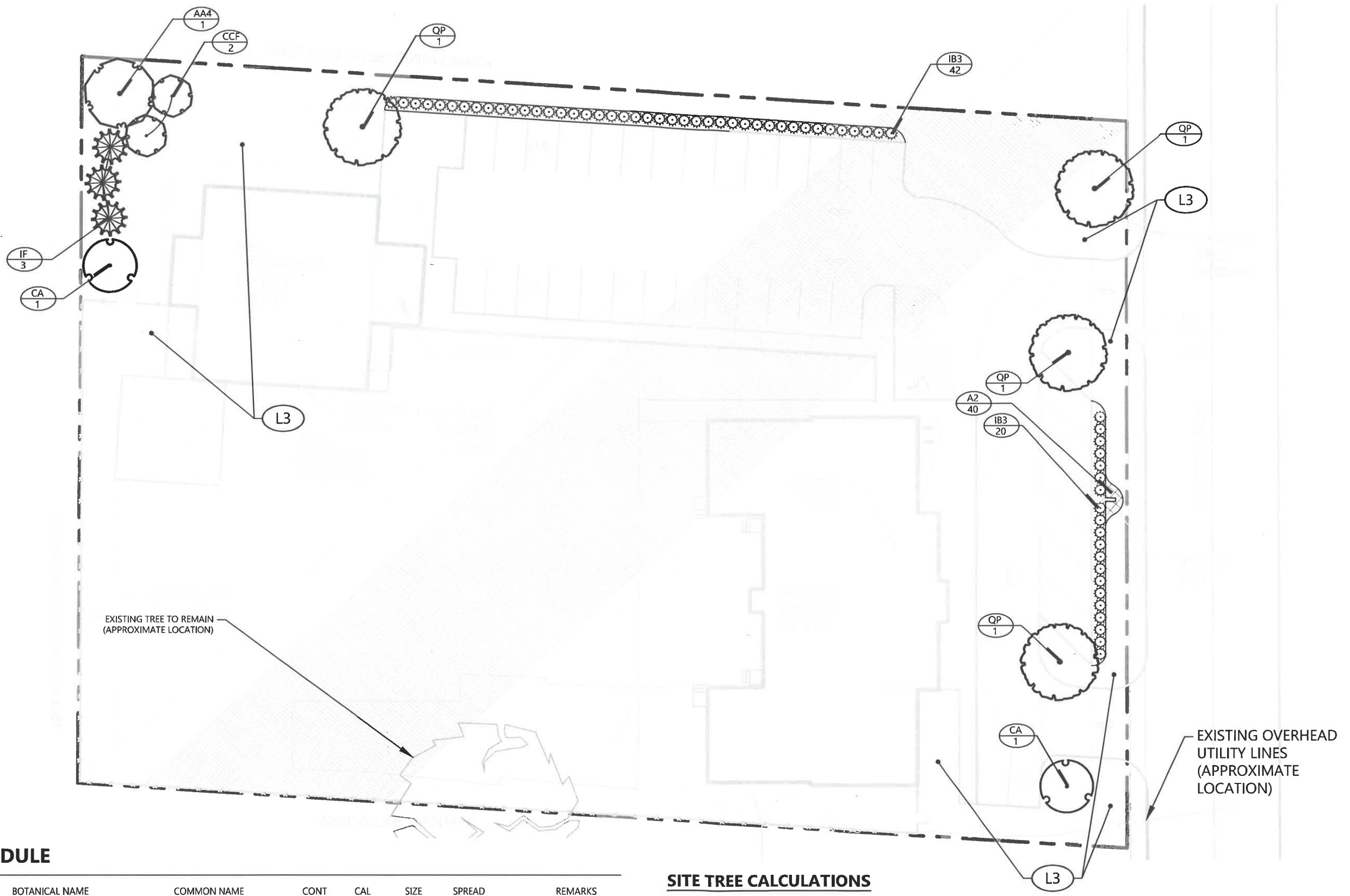
A Renovation for  
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Approved By: GRS  
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LANDSCAPE PLAN

AS102



PLANT SCHEDULE

CANOPY TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE	SPREAD	REMARKS	
AA4	1	Acer x freemanii 'Jeffsred'	Autumn Blaze Maple	B & B	2"Cal	10-12'	3-4'		
QP	4	Quercus phellos	Willow Oak	B & B	2"Cal	12-14'			
UNDERSTORY TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE	SPREAD	REMARKS	
CA	2	Cornus x 'Rutban'	Aurora Flowering Dogwood	B & B	2"Cal	6-8'			
CCF	2	Cercis canadensis 'Forest Pansy' TM	Forest Pansy Redbud	B & B	2"Cal	8-9'			
IF	3	Ilex x attenuata 'Fosteri'	Foster's Holly	B & B	2"Cal	7-8'		Full to base	
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	CALIPER	HEIGHT	SPREAD	SPACING	REMARKS
IB3	62	Ilex cornuta 'Burfordii Nana'	Dwarf Burford Holly	#7 Cont.		24-30"		42" o.c.	
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CONT	CALIPER	HEIGHT	SPREAD	SPACING	REMARKS
A2	40	ANNUAL COLOR	ANNUAL COLOR	flat				12" o.c.	

SITE TREE CALCULATIONS

ACREAGE: 1.44 ACRES  
TREES REQUIRED: (8 TREES/ACRE x 1.44 ACRES) 11.5  
TREE DENSITY UNITS PROVIDED: UNKNOWN  
EXISTING TREE CREDITS: 12  
PROPOSED TREES: (SEE CHART BELOW)  
TOTAL TREES PROVIDED: 12  
PROPOSED TREES:

LANDSCAPE KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
L1	PLANTING BED LIMITS	
L3	AREA TO BE SEED*	

\* ALL DISTURBED AREAS TO BE ESTABLISHED LAWN

11-H-19-VA

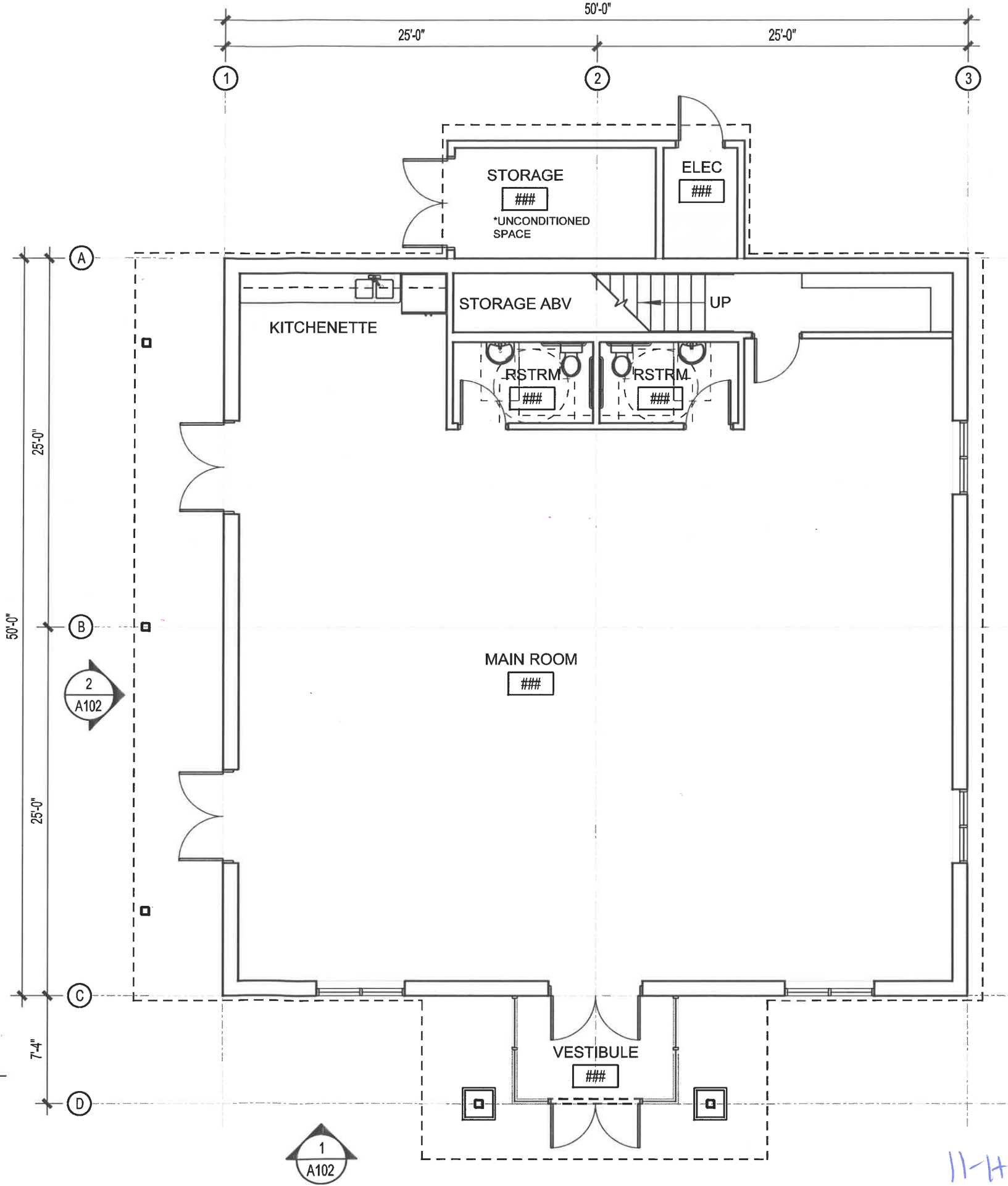


PROJECT  
NORTH

1  
A101

AFTER SCHOOL FACILITY FLOOR PLAN

1/8" = 1'-0"



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AFTER SCHOOL  
FACILITY FLOOR PLAN

11-H-19-VA A101

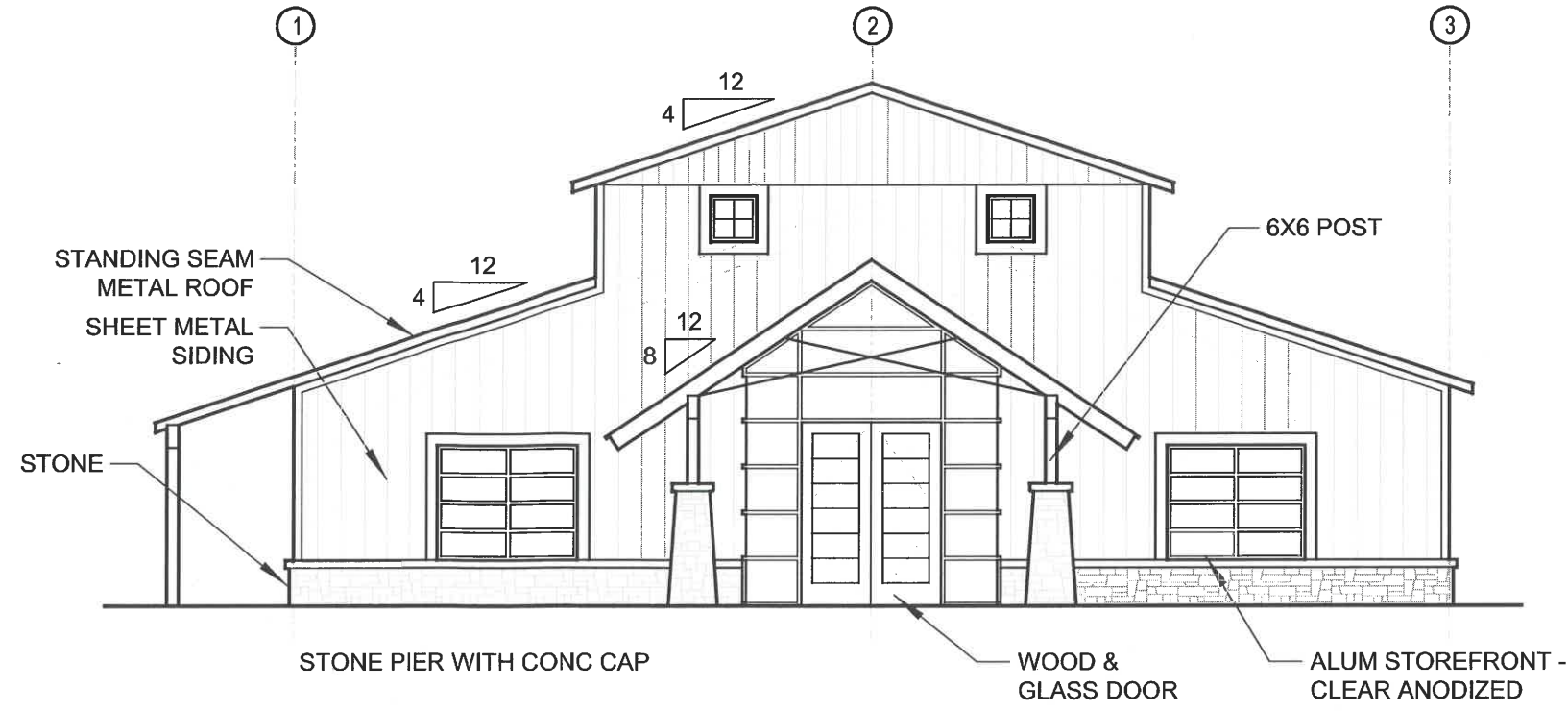


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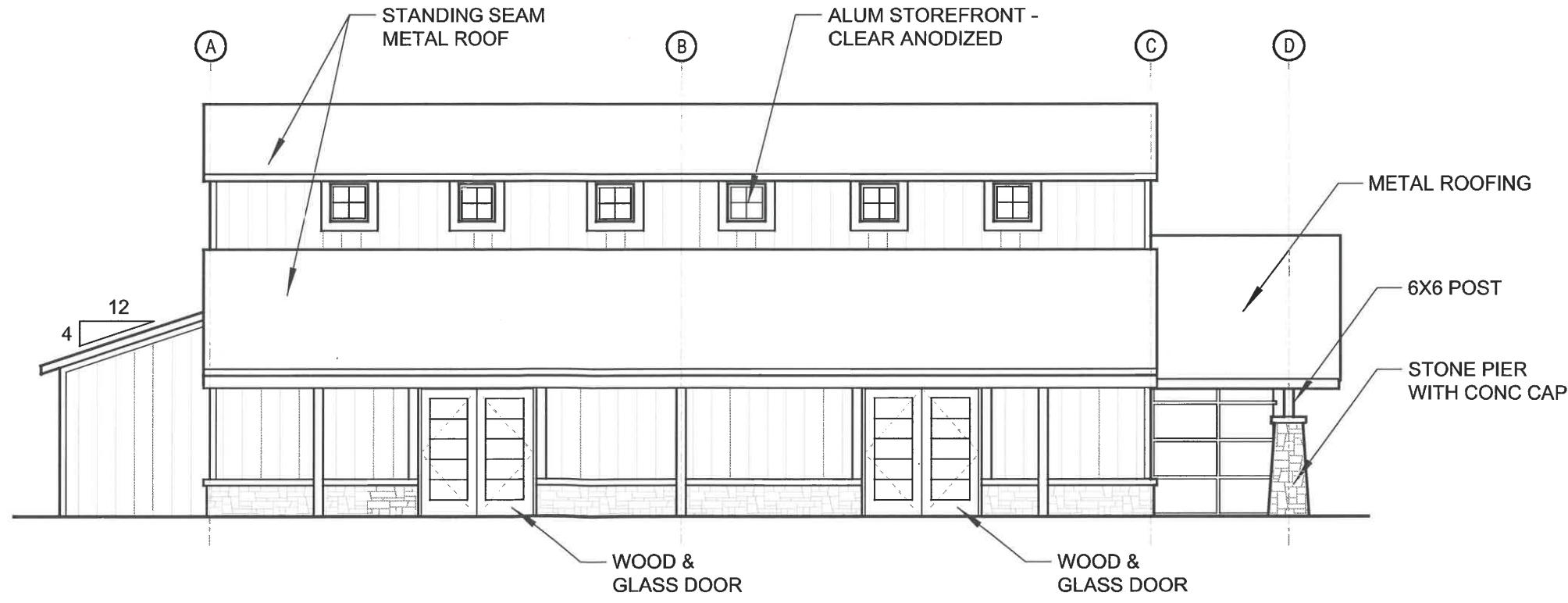
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AFTER SCHOOL FACILITY ELEVATIONS



1 AFTER SCHOOL FACILITY FRONT ELEVATION  
 1/8" = 1'-0"



2 AFTER SCHOOL FACILITY SIDE ELEVATION  
 1/8" = 1'-0"

11-H19-VA

A102



PROJECT  
NORTH

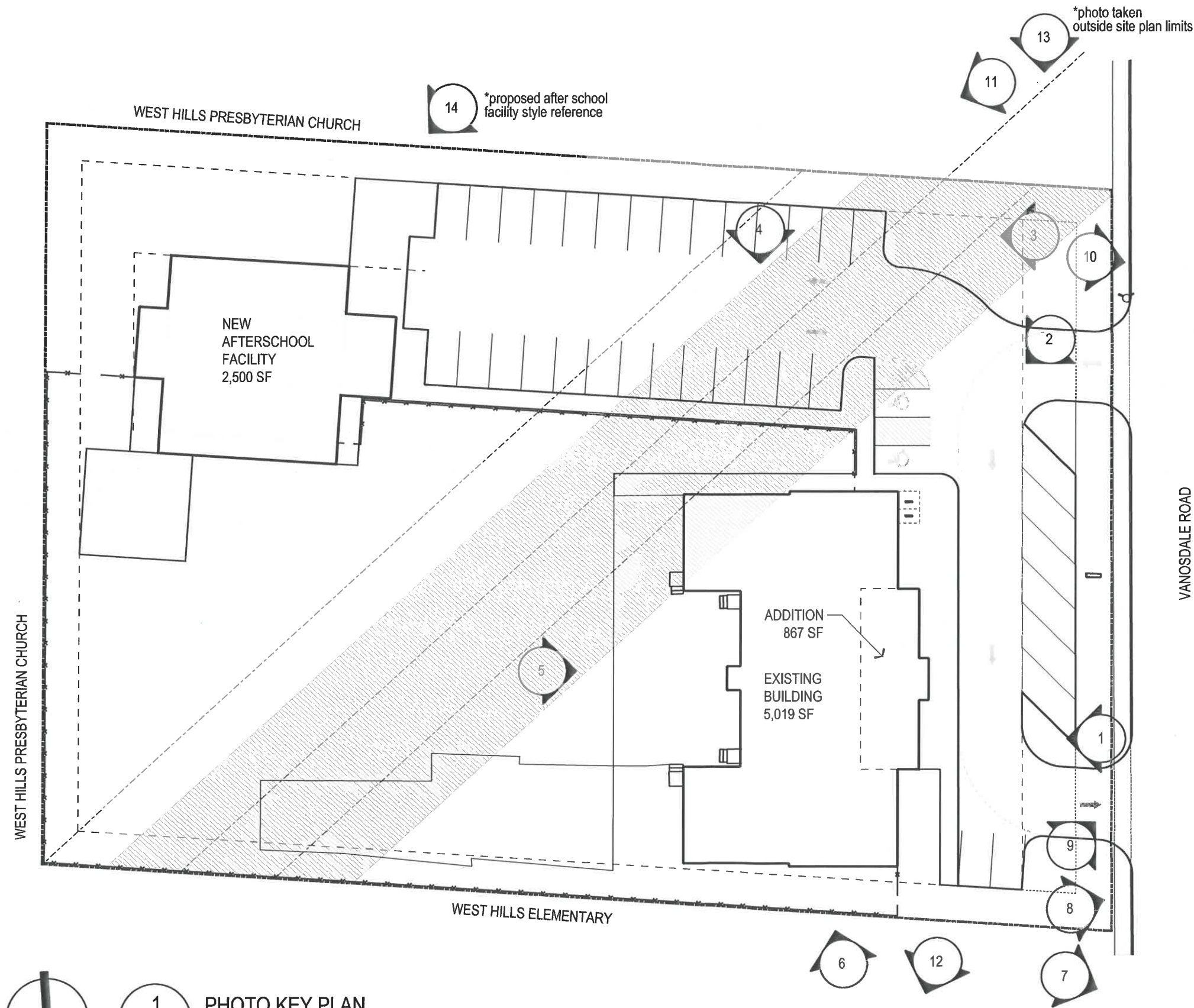


TRUE  
NORTH

1  
A201

PHOTO KEY PLAN

1/32" = 1'-0"



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PHOTO KEY PLAN  
 (1-14)

11-H-19-VA

A201





1 EXIST DAYCARE - EAST ELEVATION



2 EXIST DAYCARE - NORTHEAST ELEVATION



3 WEST HILLS PRESBYTERIAN CHURCH - LOOKING WEST



4 EXIST DAYCARE - NORTH ELEVATION

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PHOTOS OF EXISTING ELEVATIONS (1-4)

11-H-19-VA A202





5 EXIST DAYCARE - WEST ELEVATION



6 EXIST DAYCARE - SOUTH ELEVATION



7 RESIDENCE - LOOKING DIAGONALLY SE



8 NAZARENE CHURCH - LOOKING EAST

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PHOTOS OF EXISTING ELEVATIONS (5-8)

11-11-19-VA A203





9 NAZARENE CHURCH - LOOKING EAST



10 NAZARENE CHURCH - LOOKING EAST



11 WEST HILLS PRESBYTERIAN CHURCH - LOOKING WEST



12 WEST HILLS ELEMENTARY SCHOOL - LOOKING WEST

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PHOTOS OF EXISTING ELEVATIONS (9-12)

11-H-19-VA **A204**





13 WEST HILLS PRESBYTERIAN CHURCH SIGN - LOOKING WEST



14 PROPOSED AFTER SCHOOL FACILITY - STYLE REFERENCE

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PHOTOS OF EXISTING  
ELEVATIONS (13-14)