

File # 12-E-21-VA



# BOARD OF ZONING APPEALS APPLICATION

Click on Meeting Schedule, Deadlines and Fees for information on submitting an application to be heard at a monthly Board meeting.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Gregor Smee, Smee + Busby Architects	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 2554 Sutherland Ave.	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37919	Tenant <input type="checkbox"/>	Off Street Parking <input checked="" type="checkbox"/>
Phone Number (865) 414-1326	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email gsmee@smeebusby.com		Other driveways <input checked="" 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 5121 Camelia Rd. City, State, Zip Knoxville, TN 37912  
 See KGIS.org for Parcel # 068LA009 and Zoning District O

## 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 structure is an existing duplex/office space which our client has leased for a day care. This is an allowed use under the current zoning (O). There is an existing parking lot constructed before 2000 which was not permitted and does not meet the current zoning codes for required parking setbacks adopted in 2019.

We are asking for the following variances:

- Front parking setback: 25' to 0' (11.3.B)
- Side parking setback: 20' to 0' (2 sides) (11.3.C.2)
- Number of employee parking spaces: 4 to 1 (Table 11-2).
- Minimum aisle depth at ADA parking (north lot): 26' to 12'-6" (11.5.B.1)
- Maximum number of driveways: 1 to 2 (11.7.A.1)

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

Because a previous tenant did not apply for a permit to construct parking, the current tenant is being penalized and is subject to the new zoning code. Additionally, it is not possible to add the required parking setbacks on this property due to the siting of the structure, existing tree canopy and site constraints in front. Rear yard is reserved for outdoor play.

## 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 11/19/2021

File #



## BOARD OF ZONING APPEALS APPLICATION

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

Is a plat required?    Yes   ☐   No   ☐                      Small lot of record/substandard lot   ☐

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

### PROJECT INFORMATION

Date Filed

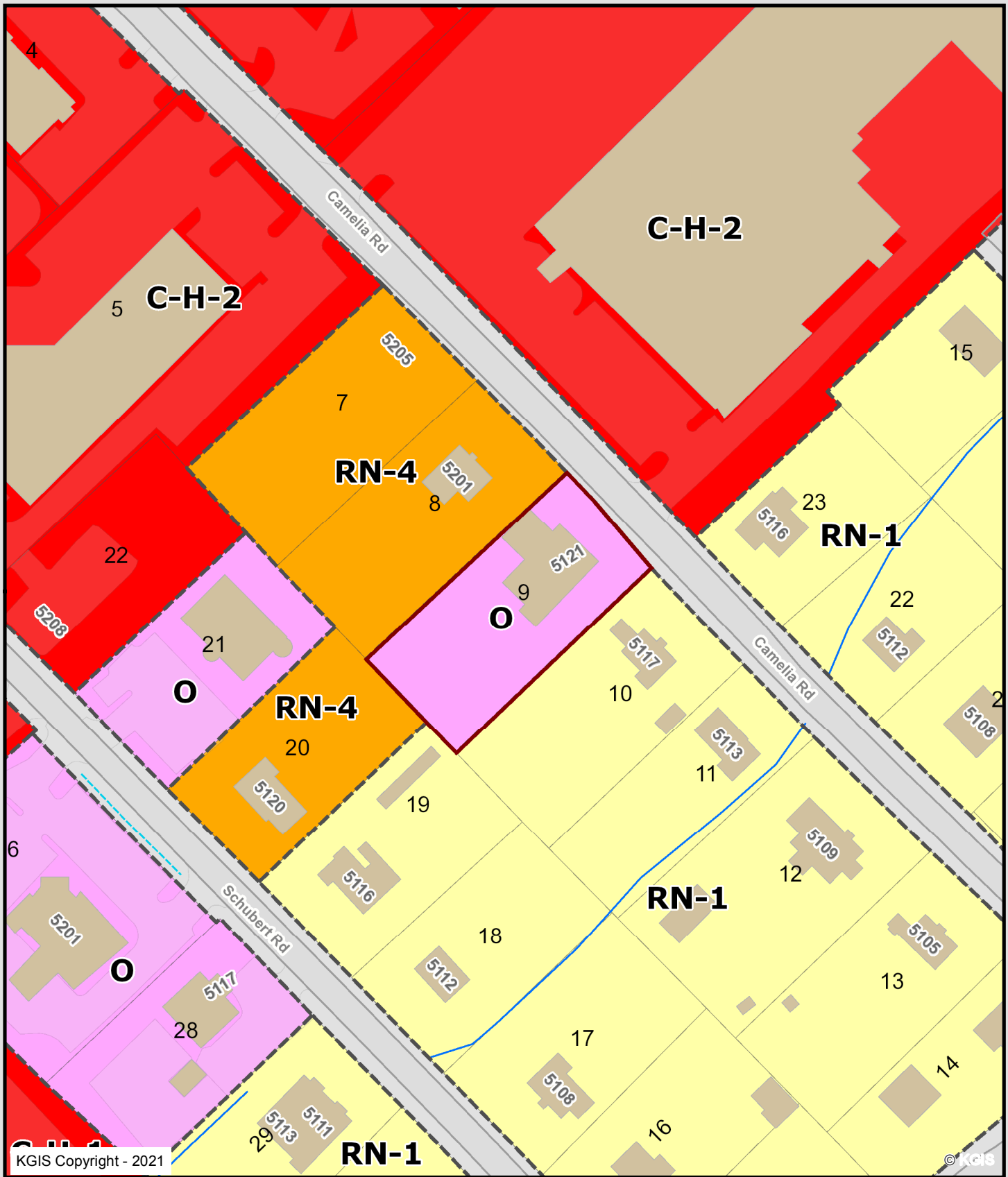
Fee Amount

Council District

BZA Meeting Date

PLANS REVIEWER

DATE



5121 Camelia Rd

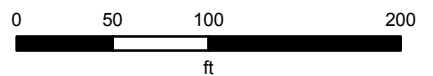
12-E-21-VA

Gregor Smee, Smee & Busby Architects

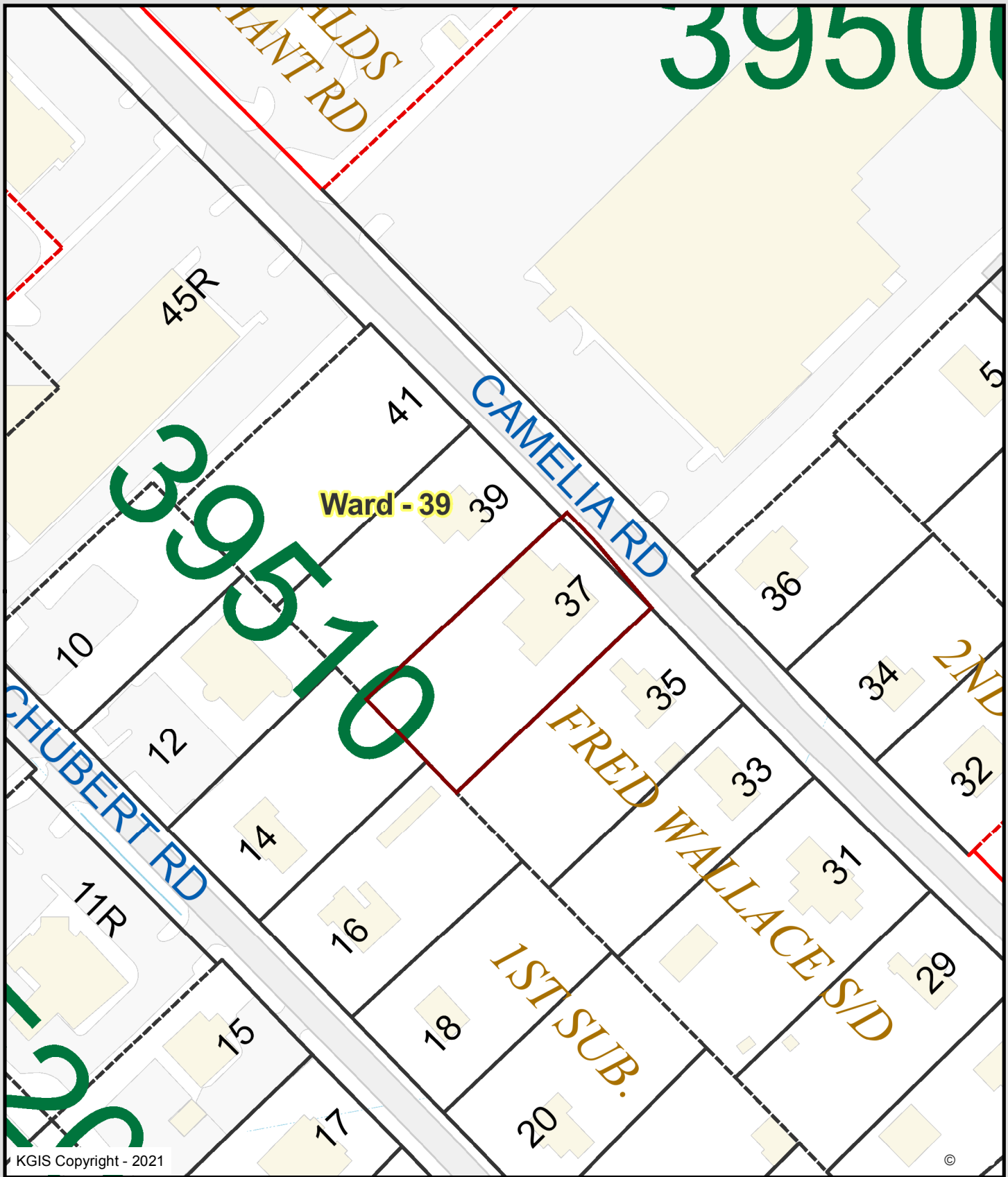
Knoxville - Knox County - KUB Geographic Information System



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5121 Camelia Rd

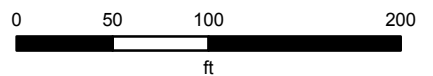
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5121 Camelia Rd

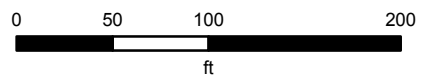
12-E-21-VA

Gregor Smee, Smee & Busby Architects

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

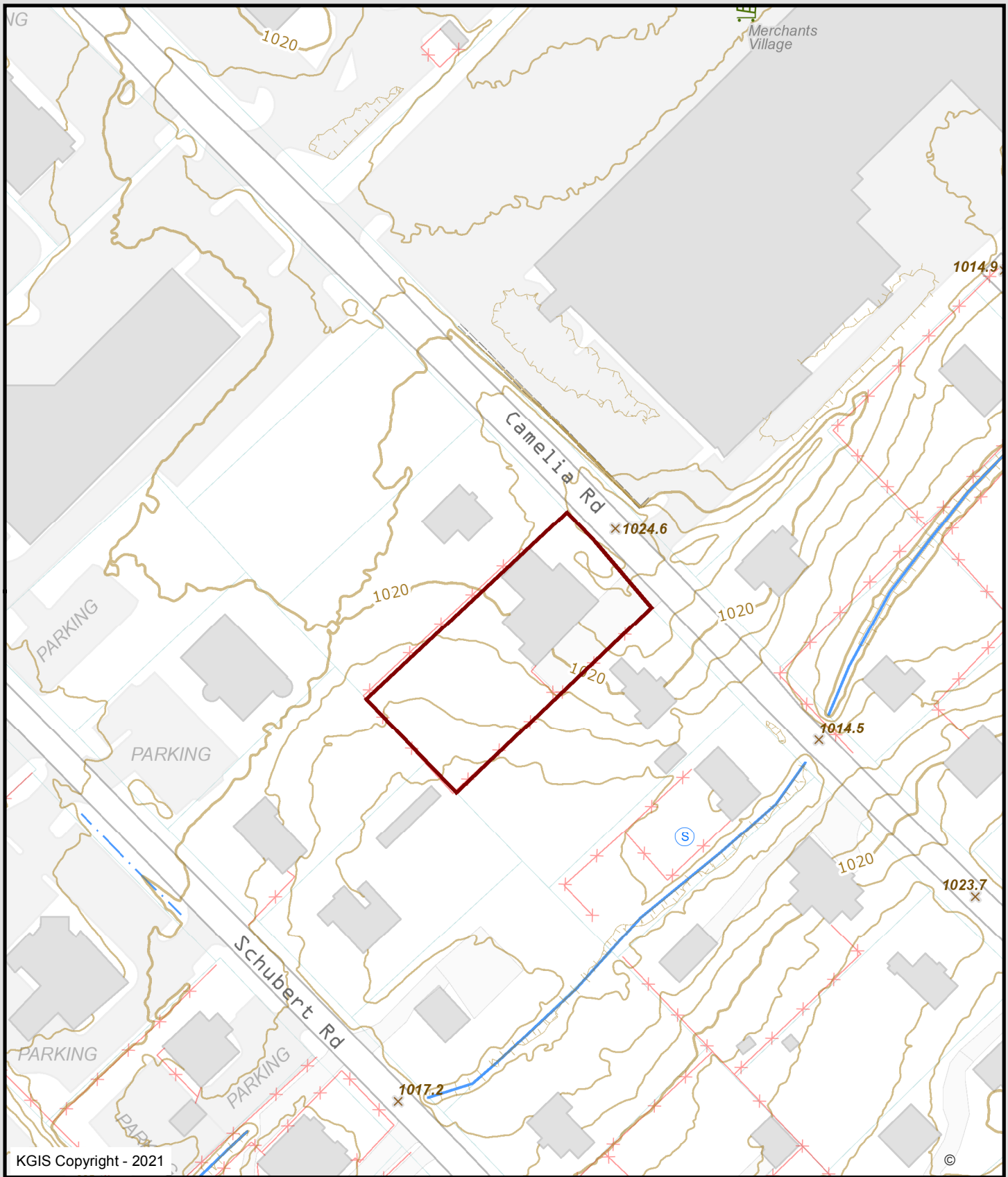


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5121 Camelia Rd

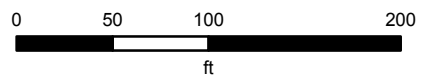
12-E-21-VA

Gregor Smee, Smee & Busby Architects

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



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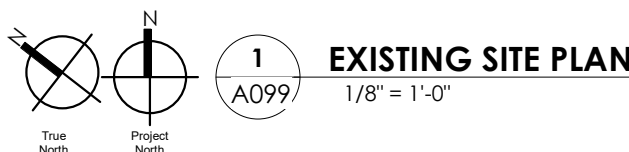


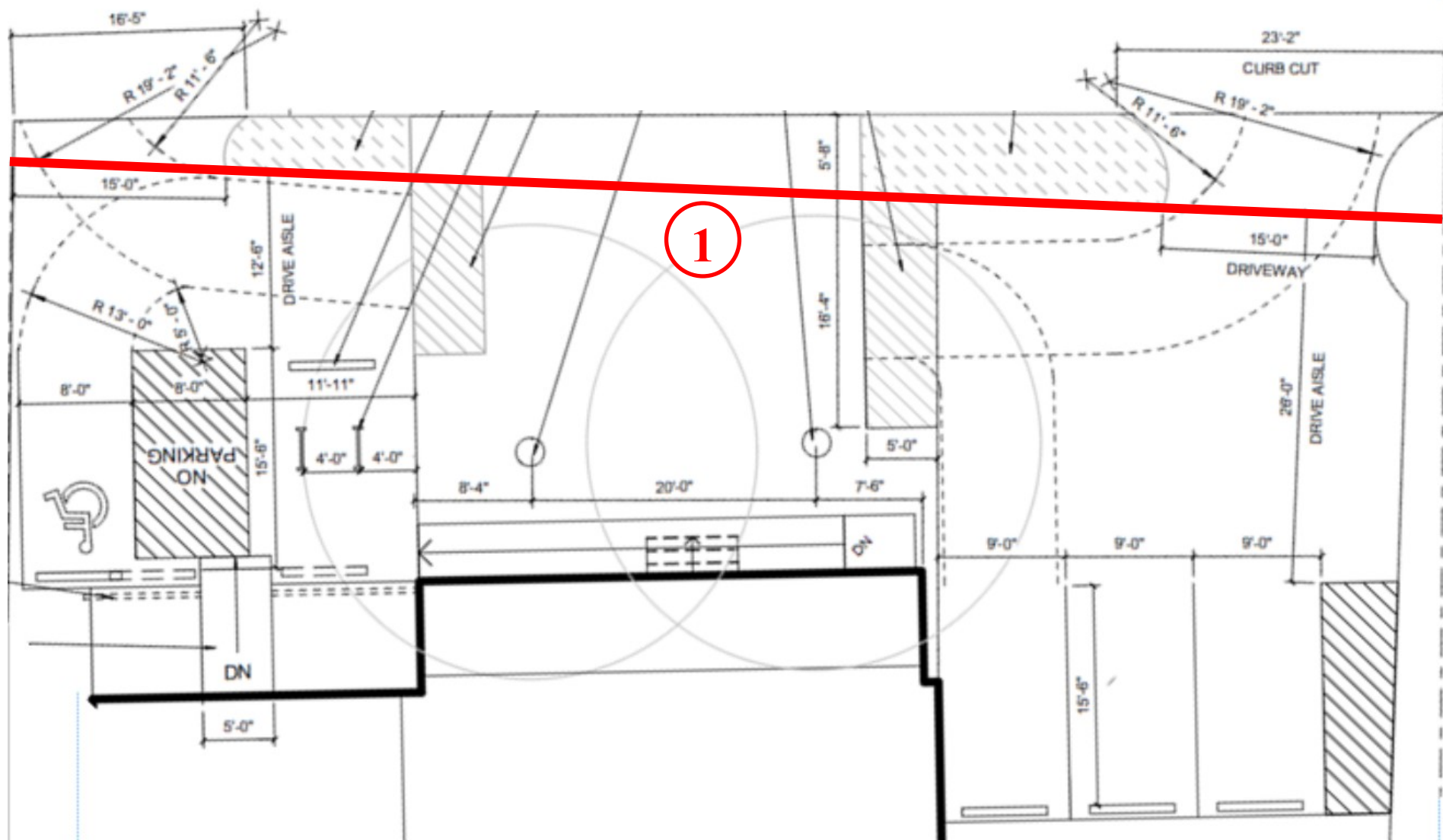
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5121 Camelia Rd., Knoxville, TN 37912

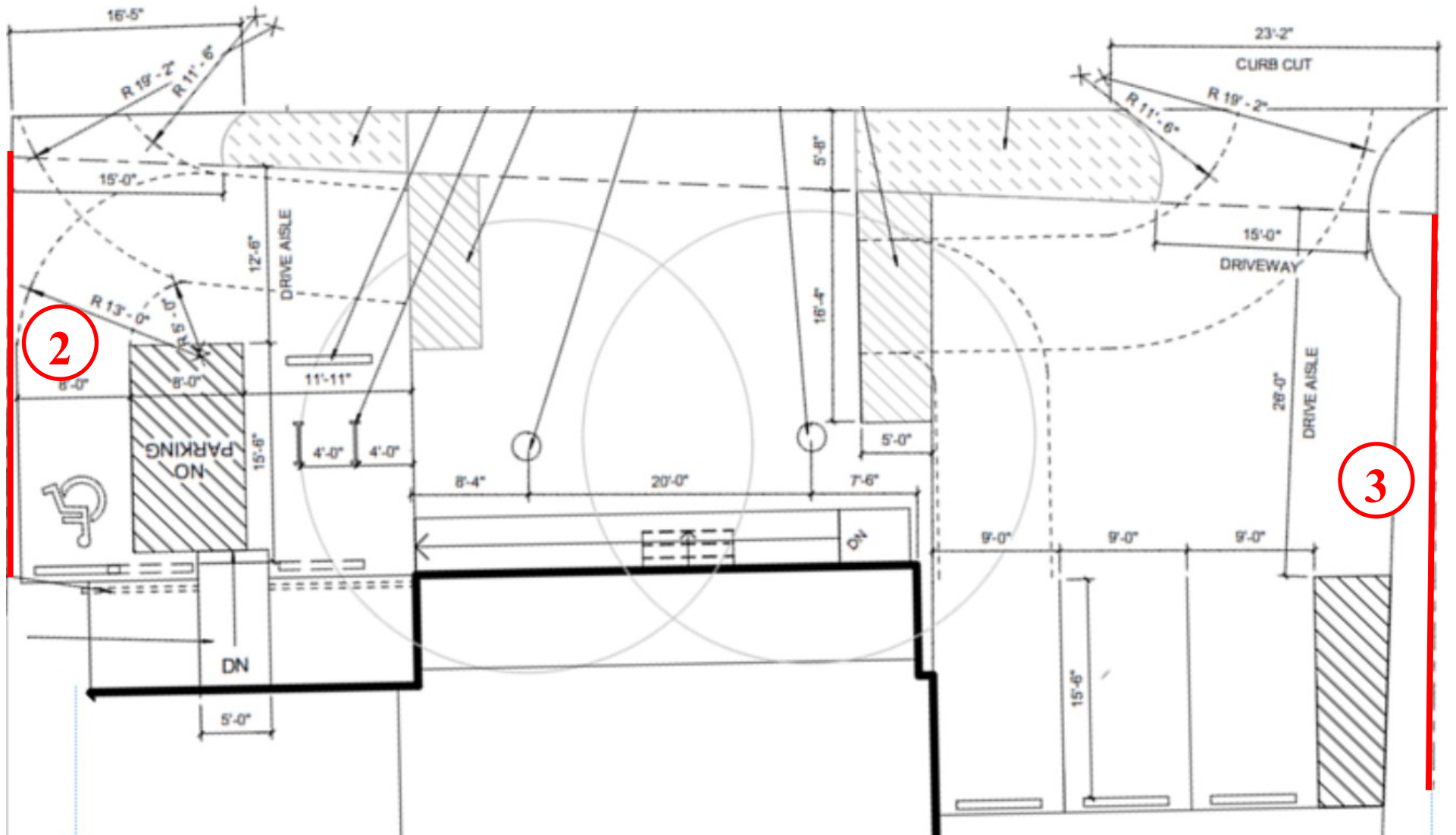
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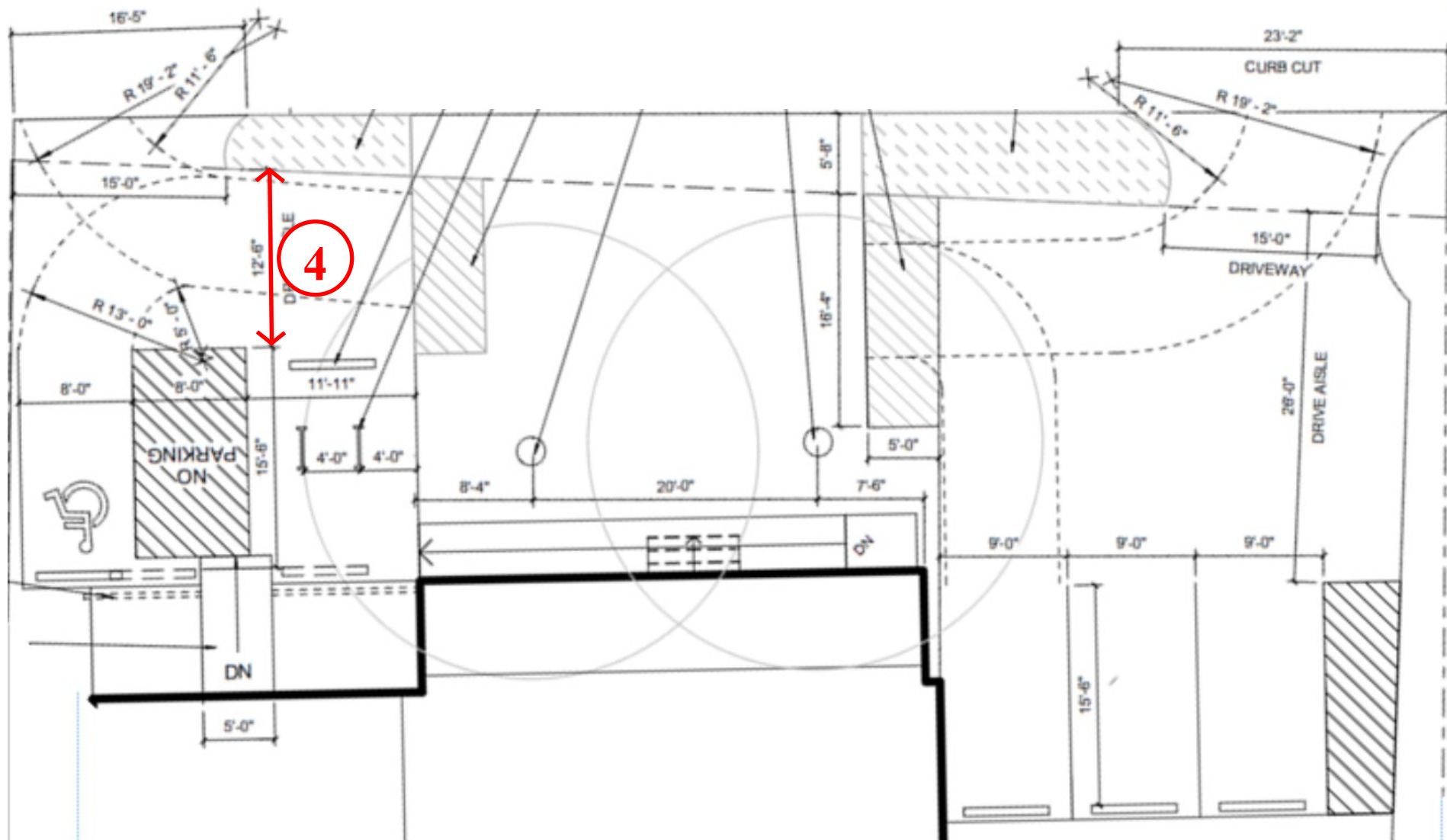
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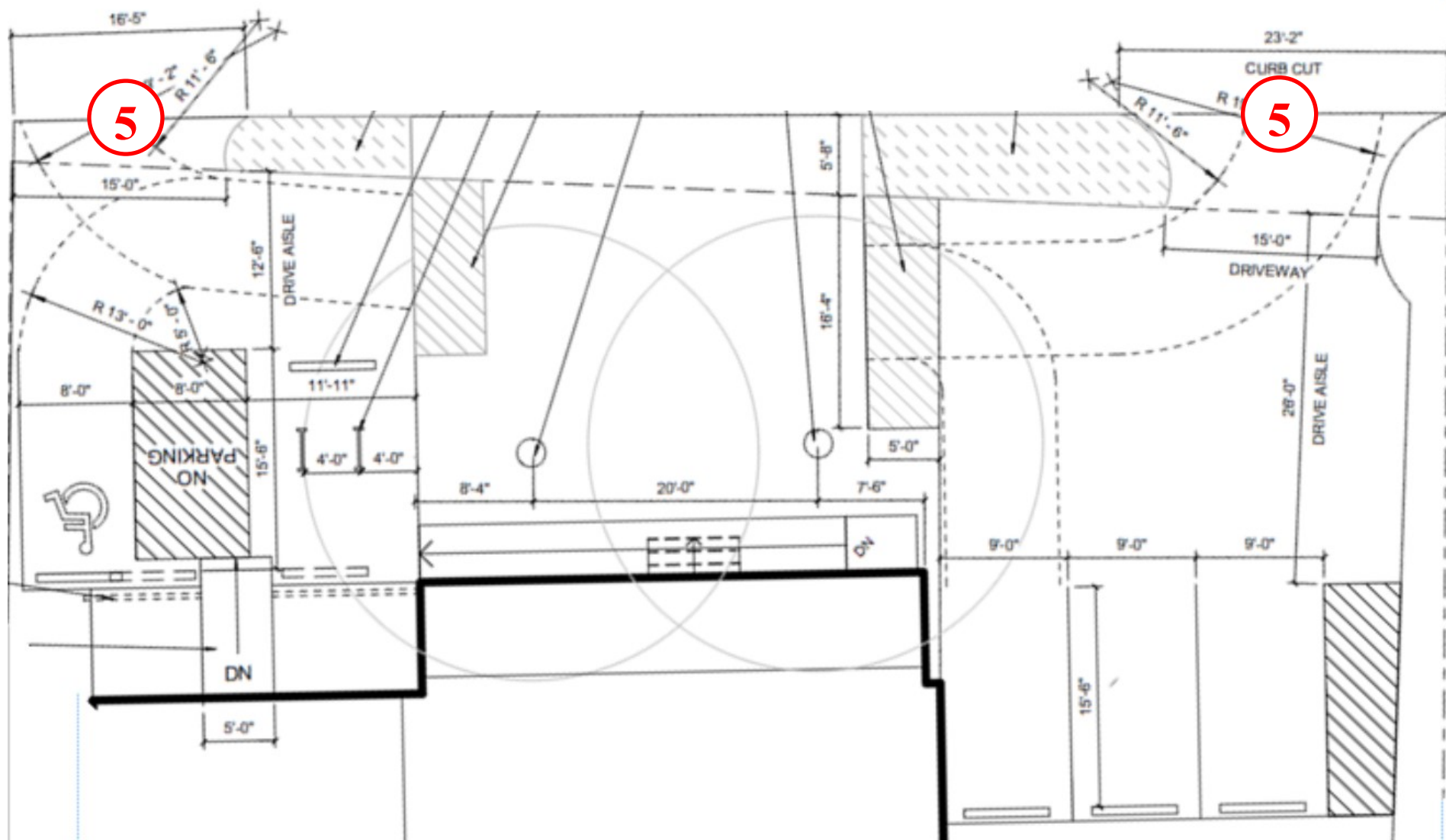


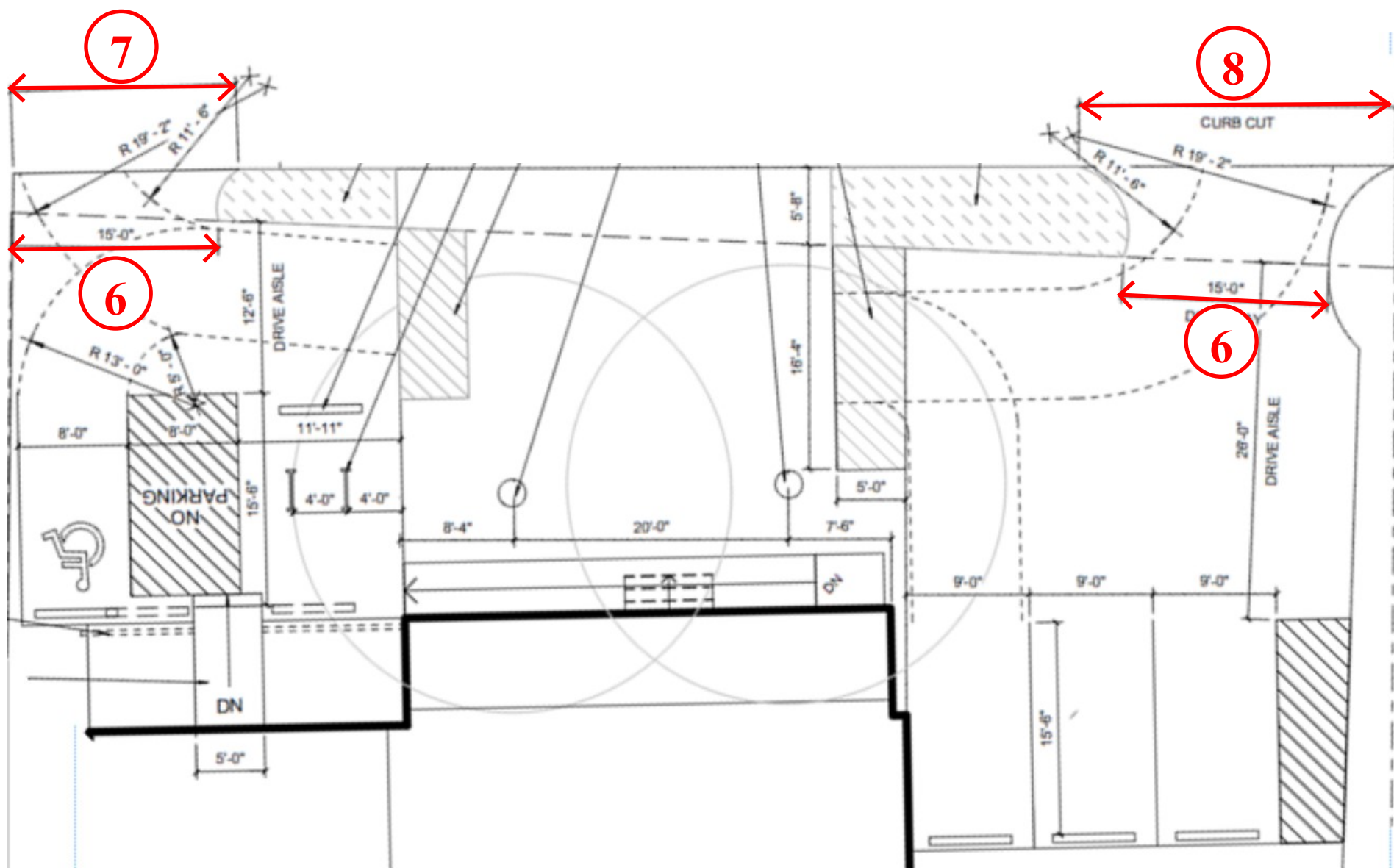
















**VIEW FROM CAMELIA DRIVE**









**FUTURE RAMP FROM HC PARKING AREA**





PRIVATE  
PROPERTY  
NO TRESPASSING

**REAR DECK, STAIR, & PLAY AREA**





**REAR DECK AND STAIR TO PLAY AREA**



a

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December 13, 2021

Mr. Scott Elder  
Board of Zoning Appeals  
Room 475, City-County Building  
P. O. Box 1631  
Knoxville, Tennessee 37901

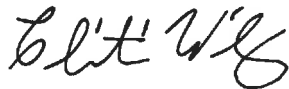
Dear Mr. Elder:

**Re: Variance Requests 11-A-21-VA, 12-A-21-VA, 12-C-21-VA, 12-D-21-VA, and 12-E-21-VA**

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the variance areas and we have no objection to the requested variances. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,



Christian Wiberley, P.E.  
Engineering

CGW

## RE: BZA December applications

Steve Borden <Steve.Borden@tn.gov>

Wed 12/15/2021 9:16 AM

To: Cheri Burke <cmburke@knoxvilletn.gov>

Responses from District 18 Operations are as follows:

[12-A-21-VA: 222 Radford Pl \[PDF\]](#) – Operations has No Comment - Request for change to setbacks and parking not near ROW or affecting TDOT drainage

[12-C-21-VA: 2126 Forest Ave \[PDF\]](#) – Operations has No Comment - Request for change to parking requirements and setbacks not near ROW or affecting TDOT drainage

[12-D-21-VA: 7201 Kingston Pk \[PDF\]](#) – Operations has No Comment - Request for change to sign setback and height variance on replacement of current sign. Behind curb outside of ROW.

[12-E-21-VA: 5121 Camelia Rd \[PDF\]](#) – Operations has No Comment – Request a variety of changes not near ROW or affecting TDOT drainage.



**Steven M. Borden, P.E.** | Director/Assistant Chief Engineer

TDOT – Region 1

7345 Region Lane

Knoxville, TN 37914

(865) 594-2400

[Steve.Borden@tn.gov](mailto:Steve.Borden@tn.gov)

[tn.gov/tdot](http://tn.gov/tdot)

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**From:** Cheri Burke <cmburke@knoxvilletn.gov>

**Sent:** Monday, December 6, 2021 9:52 AM

**To:** Steve Borden <Steve.Borden@tn.gov>

**Subject:** [EXTERNAL] BZA December applications

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

Good morning Steve,

Please have your staff review the following applications (located [at this link](#)) and provide your response by 12/13/21.

11-A-21-VA: 710 Forest Heights Rd

12-A-21-VA: 222 Radford Pl

12-C-21-VA: 2126 Forest Ave

12-D-21-VA: 7201 Kingston Pk

12-E-21-VA: 5121 Camelia Rd



Thank you,

Cheri Burke

Administrative Specialist

Neighborhood Codes Enforcement

City of Knoxville

865-215-2867

865-215-2119