**BOARD OF ZONING APPEALS**

**NAME OF APPLICANT**  Damon Falconnier  
**FILE NO.**  7-18-18

The applicant is:  
☐ Owner  
☐ Tenant  
☐ Contractor  
☑ Other  Architects

This is a request for:  
☑ Zoning Variance (Building Permit Denied)  
☐ Extension of Non-Conforming Use  
☐ Appeal of Administrative Official's Decision  
☐ Map Interpretation

**PROPERTY INFORMATION**

| Street Address | 925 W Baxter Ave | ☑ Official  
| Zoning District | R1-A  
| Ward and Block | 21104 / 20  
| Lot/Parcel | 24R / 094 CS01001 |

This proposal pertains to:  
☑ New Structure  
☐ Extension of Existing Structure  
☐ Off-Street Parking  
☐ Signage  ☐ Other

Is a plat required?  
☐ Yes  
☐ No

**DESCRIPTION OF PROPOSAL**

Church is adding a new 1-story building. Parking is existing, non-conforming. Additionally, the sanctuary, which dictates parking count, is not being altered. Therefore, the parking will not require a variance.

Describe specific ways in which this proposal fails to meet the requirements of the City of Knoxville Zoning Ordinance (please reference Section/Article of the Ordinance):

1. Reduce the required rear yard setback from 25 ft to 13ft 4in (Article IV Section 2.1.2.D.3.a).

**CITY OF KNOXVILLE BUILDING INSPECTOR**  Joshua Frerichs  
**DATE**  06-15-2018
APPICANT'S HARDSHIP

Which special circumstance(s) of the property do not apply generally in the zoning district?

☐ Size  ☐ Elevation  ☐ Slope  ☐ Shape  ☐ Soil  ☐ Subsurface  ☑ Other

Existing non-conforming building built prior to zoning regulations. Owner desires to align new building w/existing bldg.

What legal hardship(s) prevents any reasonable use of your land under the terms of the Zoning Ordinance?
Locating the new building 25 feet from the alley will reduce the non-conforming gravel parking area that was created prior to the City of Knoxville zoning and parking regulations.

I affirm that the hardship described above was not created by anyone having an ownership interest in the property since 1962. ☑ Yes  ☐ No If answering no, explain: The existing building was constructed at 13' from the property line in the early 1950's prior to the creation of the City of Knoxville zoning regulation.

Are the conditions on your property the result of other man-made changes (such as the relocation of a road or highway)? ☑ No  ☐ Yes  If answering yes, describe:

APPICANT'S AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of options on same, as listed below.

[Signature]

Address to which all correspondence should be mailed regarding this application:
Name (Print)       Street Address       City       State       Zip       Telephone
Damon Falconnier   4622 Chambliss Ave   Knoxville   TN      37919     865-584-7868

Names of all property owners or holders of option on same must be listed here:
Name (Print)       Street Address       City       State       Zip       Telephone
New Victory Baptist Ch  925 W Baxter Ave   Knoxville   TN      37921

Date Filed: ☑ 5/18  Fee Paid: $250.00
Councilmanic District: ☑  MPC Planning Sector: [Central City]
General Location Description
Size: Acres  Size: Sq. Ft.
July 9, 2018

Mr. Scott Elder
Board of Zoning Appeals
Room 505, City-County Building
P.O. Box 1631
Knoxville, Tennessee 37901

Dear Mr. Elder:


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 G. Wiberley
Engineering

CGW