# BOARD OF ZONING APPEALS

**NAME OF APPLICANT** Perry Childress  
**FILE NO.** 9-A-18-VA

**The applicant is:**  
- [x] Owner  
- [ ] Tenant  
- [ ] Contractor  
- [ ] Other

**This is a request for:**  
- [x] Zoning Variance (Building Permit Denied)  
- [ ] Extension of Non-Conforming Use  
- [ ] Appeal of Administrative Official’s Decision  
- [ ] Map Interpretation

## PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Street Address</th>
<th>212 Hialeah Drive</th>
<th>Temporary</th>
<th>[x] Official</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
<td>R-1A</td>
<td>Zoning Map Number</td>
<td>123</td>
</tr>
<tr>
<td>Ward and Block</td>
<td>27/27137</td>
<td>Lot/Parcel</td>
<td>1/123BF016</td>
</tr>
</tbody>
</table>

**This proposal pertains to:**  
- [ ] New Structure  
- [x] Extension of Existing Structure  
- [ ] Off-Street Parking  
- [ ] Signage  
- [ ] Other

**Is a plat required?**  
- [ ] Yes  
- [x] No

## DESCRIPTION OF PROPOSAL

New owner wants to make the rear addition which was installed around 2016 legal. The setback is 18.4’

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):  
**Reduce rear yard setback from 25’ to 18.4’**

as per City of Knoxville Zoning Ordinance Article 4, section 2.1.2.D.3.a.

**CITY OF KNOXVILLE BUILDING INSPECTOR** Brandon Littlejohn  
**DATE** 8-7-18
APPLICANT'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 CONDITION WHEN PURCHASED, LOT WAS NOT PLATTED PRIOR TO PURCHASE

What legal hardship(s) prevents any reasonable use of your land under the terms of the Zoning Ordinance?

CURRENT LOT OF RECORD HAS ORIGINAL HOUSE WHICH DID NOT MEET REAR SETBACK. ADDITIONAL PROPERTY NOT AVAILABLE.

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: PREVIOUS OWNER ADDED APPROX. 2' TO BACK OF HOUSE APPROX. 2016

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:_____________________________________

APPLICANT'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

J. PERRY CHILDRESS  1821 MARYVILLE PK  KNOX TN  37920  (865) 803-2545

Names of all property owners or holders of option on same must be listed here:

____________________________________  ______________________________________

____________________________________  ______________________________________

____________________________________  ______________________________________

____________________________________  ______________________________________

Date Filed: ________________________________  Fee Paid: $250 02/02/18  8/7/18

Councilmanic District: ________________________________  MPC Planning Sector: ________________________________

General Location Description: ________________________________

Size: Acres  Size: Sq. Ft.

METROPOLITAN PLANNING COMMISSION  DATE: 8/7/18
212 HIALEAH DRIVE
Tax Map: 123B  Group:  F
Parcel:   016.00  Ward:  27
Property ID: 123BF016  Zoning:  R-1A

VARIANCE REQUEST:
Reduce minimum rear setback from 25'-0" to 18'-4"

NARRATIVE:
This house was built prior to setback enforcement with a 21'-4" rear setback. The previous owner began renovation of the property under a repair permit, but went beyond the scope of the permit by putting a 3'-0" addition on the back of the house. This was the condition when the current owner purchased the house. The property had never been properly platted on the City Ward Map and the current owner had it surveyed and added to the Ward Map.

Additional land is not available to the rear of the lot due to an existing residence in that location and removal of the addition is not practical due to the structure of the addition. The original floor system was removed and a continuous cantilevered joist system was used tying the addition to the original house as one unit. These hardships make a variance necessary for the continued existence of the house and it's feasibility for completing the renovation.