# BOARD OF ZONING APPEALS APPLICATION

**APPLICANT INFORMATION**

<table>
<thead>
<tr>
<th>Name</th>
<th>Tailwater South, LLC</th>
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</thead>
<tbody>
<tr>
<td>Street Address</td>
<td>813 S. Northshore Dr., Suite 104</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Knoxville, TN 37919</td>
</tr>
<tr>
<td>Phone Number</td>
<td>(865) 588-8663</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:lloyd@tailwaterproperties.com">lloyd@tailwaterproperties.com</a></td>
</tr>
</tbody>
</table>

**APPLICANT IS:**

- Owner [✓] New Structure [✓]
- Contractor [ ] Modification of Existing Structure [ ]
- Tenant [ ] Off Street Parking [ ]
- Other [ ] 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: 404 McCormick Street, #104 (Lot 8)
- City, State, Zip: Knoxville, TN 37920
- See KGis.org for Parcel #: 095 OD 001, 095 OD 002, 095 OD 003 and Zoning District: SW-4

**VARIANCE REQUIREMENTS**

City of Knoxville Zoning Ordinance Article 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.

Proposed project is a 20 unit residential town home (for sale) development on Island Home Avenue and McCormick Street, within the South Waterfront Form Based Zoning District.

Project is unable to meet requirements for 70% transparent glass on the ground level as required by Article 7, Section 7.1.3.E.6: “Building Frontages”.

The façade frontages range from 20’-0", 24’-0" to 24’-8” wide and have corresponding Ground Level façade areas of 200sf, 240sf to 246sf. The minimum 70% transparency area required for these frontages range from 112sf, 135sf to 139sf. Due to the townhouses' B.O. Truss/T.O. Wall height being set at 9’-0” AFF and the 1’-0” structural header required above window, the T.O. Window height is set at 8’-0” AFF. With T.O. Window set at 8’-0” AFF, the corresponding window length, required to meet the minimum 70% transparency area, leaves inadequate room for wall structure and does not account for an entry door.

Describe hardship conditions that apply to this variance.

Due to the limited size of the facade frontages, glass windows cannot adequately meet the 70% transparency requirement while still leaving adequate room for wall structure and an entry door. That amount of transparency also creates security & privacy concerns for residential occupants.

**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** Lloyd L. Montgomery IV  
**DATE** 04/08/2021
VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):

Reduce the minimum required percentage of transparent glass at the ground level on a principal frontage from 70% to 22.8%. Per Article 7, Section 7.1.3.E.6. Table.
1404, 1408, 1416 Island Home Ave. & 404 McCormick St.

5K - 5W-21-VA
Tailwater South, LLC

Knoxville - Knox County - KUB Geographic Information System

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