
MEMORANDUM

Agenda Item: # 80

To: Planning Commission
From: Mark Donaldson, Executive Director
Date: August 29, 2008
**RE: Appeal by Teresa Johnson of the Infill Housing Design Review
Committee’s decision to deny a Certificate of Appropriateness for the
Infill Housing Overlay for 315 E. Springdale Neighborhood 9-B-08-OB**

STAFF RECOMMENDATION

Deny the appeal.

BACKGROUND

On July 32, 2008 the Infill Housing Design Review Committee denied an application for a Certificate of Appropriateness for installing a parking pad in the front yard at 315 E. Springdale.

The committee’s decision to deny this application was based on belief that the proposal is counter to the guiding principles found in the Heart of Knoxville Infill Housing Guidelines. Below are some relevant excerpts from the guidelines:

- “Parking should not be in front yards.”
- “Alley access should be used for garage or parking pad locations.”
- “On those streets which have alleys, driveways should not be permitted from the front of the house.”

Further reasons for denial included unclear plans (exact parking pad location and dimensions and distances from house and property lines). In addition, the proposed parking pad dimensions (as estimated in the paving estimate provided by the applicant) do not meet the minimum space required for two off-street parking spaces. A rectangular parking pad needs to be a minimum of 18’x 20’ for a side-by-side parking arrangement. Also, with a shallow front yard setback of approximately 15’, an easily maneuverable parking pad configuration cannot be accommodated in this tight space. Other designs for parking pads could meet the parking regulations, but may exceed the maximum impervious surface threshold for impervious surface on small lots.

Upon the committee’s request, the East Tennessee Community Design Center offered their services to the applicant. The Design Center drafted an alternative plan for the applicant that had access off the alley: The applicant did not pursue this alternative any further. The Design Center also analyzed the house to see what structural changes needed to be made to accommodate future wheelchair access (a concern of the

applicant). They concluded that changes would include removing an inner door, ramping between thresholds, replacing back door with 36" wide door.

Advantages of locating the access to the back, as noted by the East Tennessee Design Center, included:

- Building a wheelchair ramp from the back porch would result in a shorter ramp because the porch is lower than the front porch rise of 2';
- When a wheelchair ramp is added, it will not have to go before the Infill Housing Design Review Committee (in that it would not be seen from the street);
- A rear yard ramp would be less detracting from the house's architectural character;
- There is more room in the back to accommodate a ramp and parking, and not enough in the front yard;
- The front door 32" wide and is original and contains a transom. Adding wheelchair access through the front door would require the door to be replaced with a 36" wide door, losing the historic appearance of the entrance.

Given the preceding reasons for not allowing a parking pad in the front yard, staff recommends denial of this appeal.

Suite 403 • City County Building
400 Main Street
Knoxville Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
www.knoxmpc.org

APPEAL OF DECISION

Original Applicant Name: Teresa Johnson File No: 9-B-08-0B
(Please Note Original application and staff report are made a part of this application)

Type: One Year Plan Amendment Sector Plan Amendment Rezoning Variance
 Use on Review Street Name Change Right-of-Way Closure
 Certificate of Appropriateness Other: zoning

Decision by: MPC BZA Other: _____ Date of Decision: July 23, 2008

Jurisdiction: City SB Councilmanic District County _____ Commission District

DECISION BEING APPEALED:

Denial of parking pad @ 315 East Springdale
by Zoning Certificate of Appropriateness

REASON FOR THE APPEAL:

Husband is disabled and parking pad will assist him
into the house very easy. We have a friend to do the
paving and building of a ramp for easy access,

PERSON APPEALING DECISION:

Name: Teresa Johnson Interest: owner
(Applicant, Owner Proponent, Opponent Attorney, Other)

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Same as below

AUTHORIZATION OF APPLICATION:

I hereby certify that I am the applicant or authorized representative for the above named appellant

Signature: Teresa Johnson

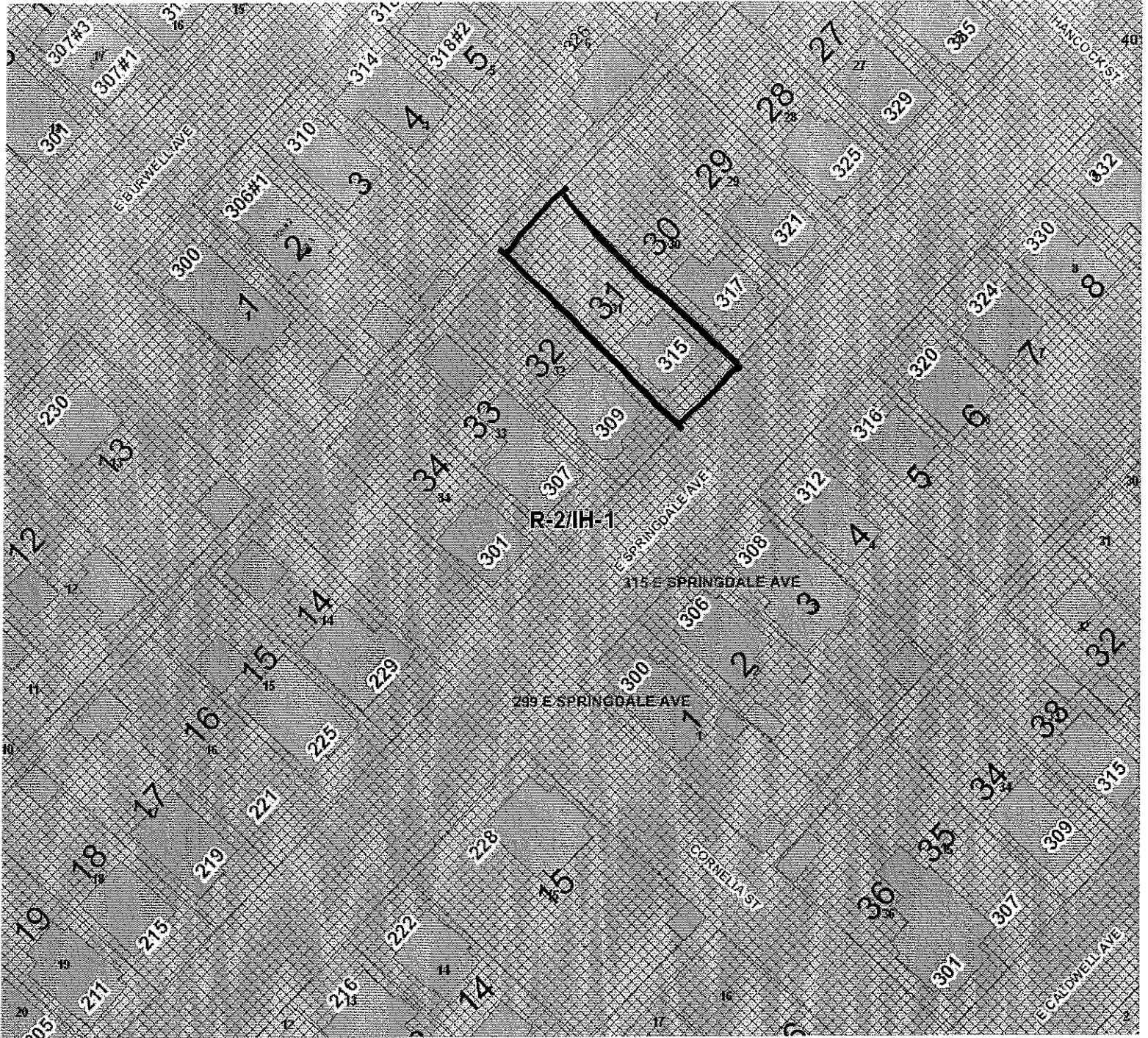
Teresa Johnson 315 E. Springdale Knoxville TN 37917 455-8058

FOR MPC STAFF USE ONLY:

Application Accepted by MPC Staff Member: [Signature]
Appeal Fee Amount: NA Date Appeal Received: 8/21/08

MEETING DATE OF APPEAL DECISION:

<input type="checkbox"/> City Council - 7 p.m.	<input type="checkbox"/> County Commission - 6 p.m.	<input type="checkbox"/> City BZA - 4 p.m.	<input checked="" type="checkbox"/> MPC - 1:30 p.m.
_____	_____	_____	<u>9/11/08</u>
Month • Date • Year	Month • Date • Year	Month • Date • Year	Month • Date • Year



9/11/08
1:30



1956-2006

Celebrating Fifty Years of Public Service



July 25, 2008

Teresa Johnson
315 E. Springdale Avenue
Knoxville, TN 37917

315 Springdale E. Ave. – Application for Infill Housing Certificate of Appropriateness

Dear Ms. Johnson:

Your application for a Certificate of Appropriateness for installing a parking pad in the front yard at 315 Springdale E. Avenue was reviewed and denied on July 23, 2008 by the Infill Housing Design Review Committee. The infill guidelines state the following on page 13 of the Heart of Knoxville Infill Housing Guidelines, as related to this application:

1. "Parking should not be in the front yards."
2. "Alley access should be used for garbage or parking pad location."
3. "On those streets which have alleys, driveways should not be permitted from the front of the house."

My understanding is that Kathy Ellis, Project Specialist with the City of Knoxville's Department of Community Development has been in touch with you to see if there were resources to assist you in improving access into the house.

In addition, the committee wanted you to be aware of the expense associated with installing the proposed parking pad. In your application, you submitted an estimate from Mays Asphalt & Paving Co. of \$1,005.00 which did not include any curb cuts/replacement, sidewalk removal. The Infill Housing Committee wanted to make sure you were aware of the additional cost of cutting a curb, installing a curb cut, cutting and removing the sidewalk, these cost do not appear in the contractors estimate and by the City's Engineering Departments estimates would range between \$2,000 and \$5,000 which would be an additional expense and would be required by the city to install a parking pad in the front yard. CONTINUED. ...

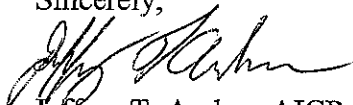
In addition, the committee had trouble interpreting the submitted plans that were part of the application. In the future, we need to see the specific location of the parking surface, its labeled dimensions and the distance from the property lines and house. We encourage you to contact Perry Childress of the East Tennessee Community Design Center who could assist you in making a new application at no expense. He can be reached at:

East Tennessee Community Design Center
Downtown Studio, 500 South Gay Street
cell phone: (865) 803-2545
perry@etcdc.org

If however, you would like to appeal the Infill Housing Design Review Committee's decision you can do so by filling out an appeal form at MPC's Development Services Counter on the 4th Floor of the City County Building.

If you have any questions please feel free to contact me at 215-3821 or by email at jeff.archer@knoxmpc.org.

Sincerely,



Jeffrey T. Archer, AICP
Senior Planner

**KNOXVILLE – KNOX COUNTY
METROPOLITAN PLANNING COMMISSION**

**APPLICATION FOR INFILL HOUSING
CERTIFICATE OF APPROPRIATENESS**

Date 7-15-08

1. **Location of Property:** Address: 315 E. Springdale Ave.

NOTE: Obtain a certified address from MPC before submitting your plans

Lot and Parcel Number: Lot 7 Parcel # 081 FP 031

Check nature of request:

New primary structure: Site built Modular* Multi-sectional**

Additions visible from the primary street

Changes to porches visible from the primary street

Driveways parking pads, access point, garages or similar facilities

* Submit Manufacture, Distributor and Installer; ** Submit Home Dealer and Stabilizer

Project contact:

Name of Applicant: _____

Street: _____ City: _____

State: _____ Zip: _____ Daytime Telephone: _____

Email: _____ Fax: _____

2. **Owner:**

Name of Owner: Richard + Teresa Johnson

Organization (if applicable): _____

Street: 315 E. Springdale Ave City: Knoxville

State: TN Zip: _____ Daytime Telephone: (865) 455-8058

Email: tjohnson_tu@yahoo.com Fax: _____

3. **Documents:**

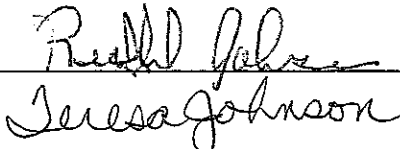
Proposed plot plan, submit 9 copies (see plot plan requirements)

Proposed front and side elevations, submit 9 copies (see elevation requirements)

Workmans Compensation Certificate (if required)

4. **Signature of Applicant:**

I hereby certify that this application is consistent with the principles found within the *Heart of Knoxville Infill Housing Design Guidelines*.

Signature: 
Teresa Johnson

Date: 7-15-08
7-15-08

FACULTY INTERNAL MEDICINE, PLLC

HALLS MEDICAL PLAZA
4005 FOUNTAIN VALLEY DRIVE
SUITE 350
KNOXVILLE, TENNESSEE 37918
TELEPHONE 925-9020 • FAX 377-1042

CRYSTAL L. GUE, MD
WES HAYES, MD
JUDITH D. KINZY, MD
DAPHNE M. NORWOOD, MD
BARBARA FOLSOM, NP
BEVERLY GLASURE, PA

NAME Richard Johnson DATE 12/21/05

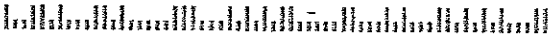

ADDRESS _____ AGE _____

Rx

Mr. Johnson needs
to elevate his feet
2° to diabetes,
diabetic neuropathy
and poor circulation

Refill _____ Times

W. H. H. M. MD _____ MD
SUBSTITUTION ALLOWED DISPENSE AS WRITTEN

DISABLED PLACARD RENEWAL			DEPARTMENT USE ONLY		
NEW PLACARD NUMBER <i>P583257A</i>	DATE OF ISSUE <i>11-14-07</i>	PLACARD EXPIRES 12/14/2009	PREVIOUS PLACARD P288936A	RENEWAL FEE 3.00	COUNTY KNOX
CUSTOMER NUMBER 1064787		-- HANDICAP PLACARD RENEWAL FOR -- RICHARD D JOHNSON 315 E SPRINGDALE AVE KNOXVILLE TN 37917-5032 			
DATE OF BIRTH 10/05/1951					
 TENNESSEE DEPARTMENT OF REVENUE					
INDICATE CHANGE OF INFORMATION BELOW:			APPLICANTS USE ONLY		
STREET ADDRESS:			CITY	STATE	ZIP
					COUNTY
I, the undersigned applicant, hereby certify, under the penalties prescribed in chapter 55-21-108, Tennessee Code Annotated, that the statements made herein are true and correct to the best of my knowledge, information and belief.					DATE OF BIRTH
Applicant's Signature <i>Richard D. Johnson</i>					Date <i>11-14-07</i>

SF-1273

*** SPECIAL INSTRUCTIONS FOR RENEWING BY MAIL ***

To renew by mail, send this notice to a county clerk who participates in the disabled placard program. A list of participating county clerks is on the enclosed insert.

Effective July 1, 2004 a new law was passed governing the issuance of disabled placards. This law states in T.C.A. 55-21-103(f)(1) that "Any person issued a permanent placard must submit a new certification pursuant to T.C.A. 55-21-102(1)(A) or (C), prior to the department renewing such permanent placard." (PLEASE SEE REVERSE SIDE)

INSTRUCTIONS FOR RENEWAL

Immediately upon receipt of this renewal notice, the holder of a disabled placard must renew through a participating County Clerk's office or apply directly to the State of Tennessee, Taxpayer and Vehicle Services. Please follow the instructions below:

1. If the person who held the disabled placard is deceased, please write deceased on the disabled placard renewal notice and return both the placard and this notice to the State of Tennessee at the address given below
2. The applicant must sign as indicated above after verifying that all information is correct.
3. To obtain a placard, present this document with the correct fee to one of the participating County Clerks or directly to the State of Tennessee at the address given below.
4. Remember, when you change your address, please notify the State of Tennessee at the address given below. Please reference your placard number.
5. If you have questions, you may contact any of the participating County Clerks or the State of Tennessee at (615) 741-3101 extension 157

State of Tennessee
 Taxpayer and Vehicle Services
 44 Vantage Way, Suite 160
 Nashville, TN 37243-8050

A medical doctor licensed to practice medicine or a Christian Science Practitioner listed in the Christian Science Journal must complete the following section.

I hereby certify that the applicant named in this application has appeared before me and that, in my opinion, he or she meets the requirements of T.C.A. 55-21-102(1)(A), (B), or (C).

Mechanical device used: Crutches _____ Braces _____ Other (list) _____

Is applicant PERMANENTLY confined to a wheelchair? Yes _____ No _____

The nature of the disability is: _____

Physician's OR Christian Science Practitioner's Name _____ Telephone No. _____

Address _____ City _____ State _____ Zip Code _____

Physician's OR Christian Science Practitioner's Signature _____

apron ...
Curb cut ...

Sidewalk

(NO Lines on street)

E. Springdale Ave

apron
SSWO

Sidewalk

SIDE STREET

Side STREET

Driveway

or
pad

parking

STEPS

FRONT PORCH

Window

DOOR

Window

Window

Back
door

GATE

DRIVE

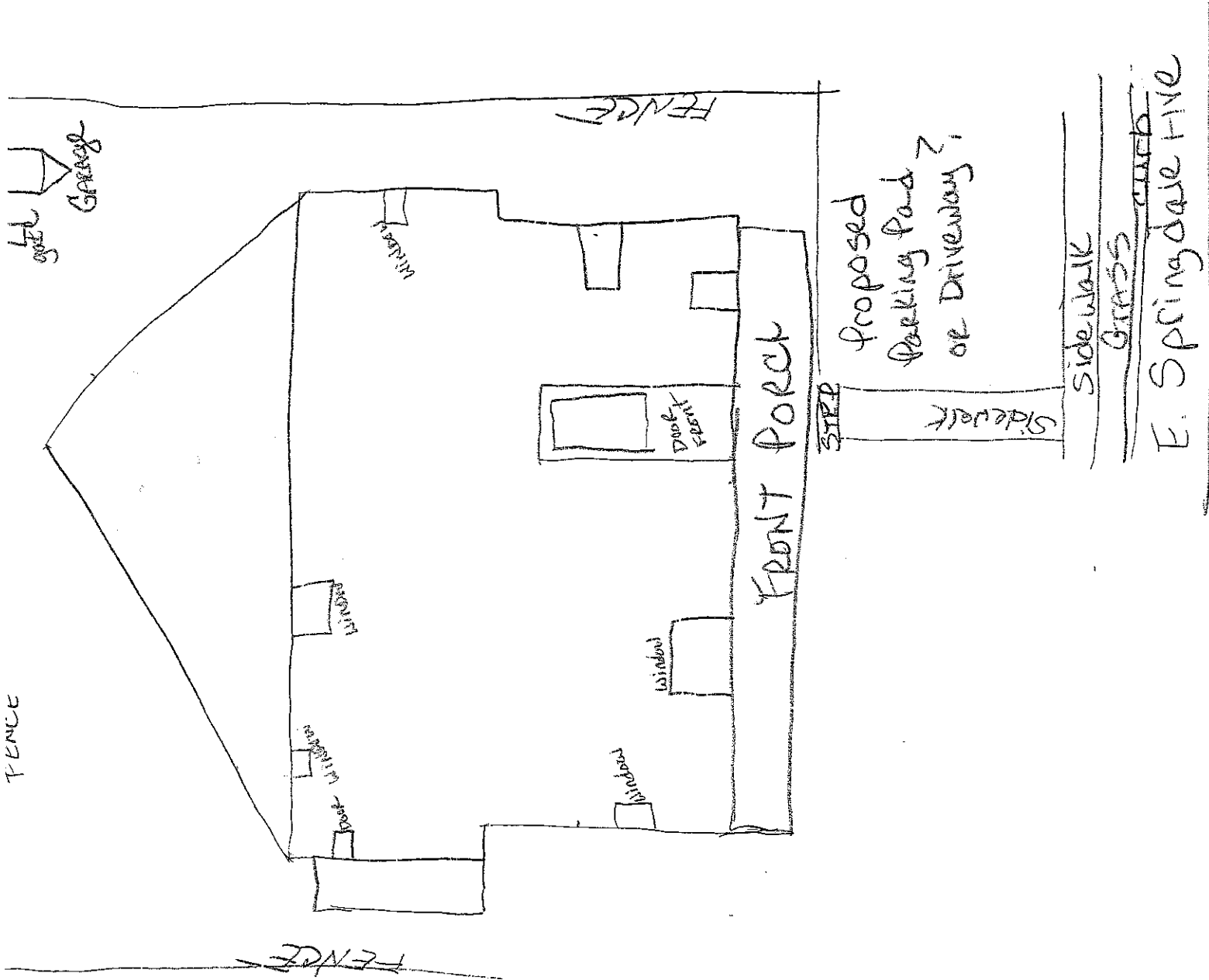
Back
door

FENCE

Garage

GATE

Alley



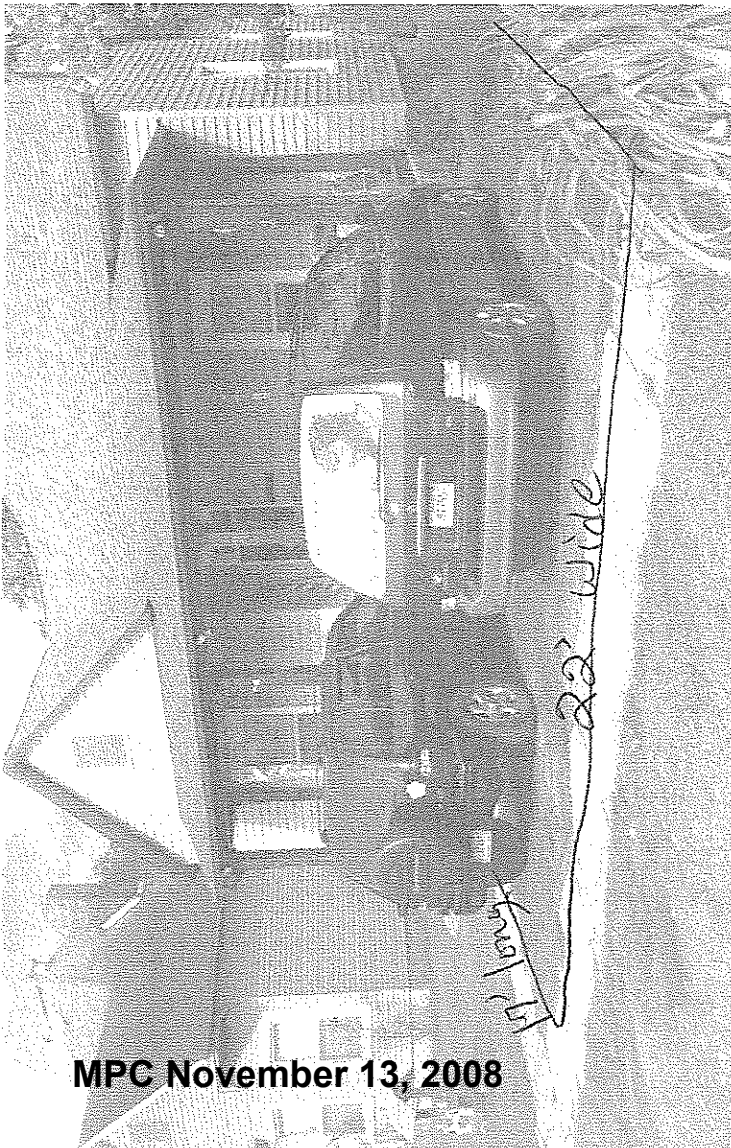
7/15/08

Dear Sirs,

Please accept this application and drawings as they are. My husband cannot stand on his feet to help me measure, He is in severe pain most of the time and I have no one else to help me. We just bought this house July 7, 2008 with plans to pave an area in front so he only has about 8-10 foot steps and he is at the front door. We had no idea it would be a problem when we bought this house to get a permit to have an area paved very nice and the curb cut ~~of~~ out and slope to the street. It will look nice and we so desperately need it. My husband at times uses a wheelchair also. I would not mind someone coming out to look and let me explain why we cannot come in from the back.

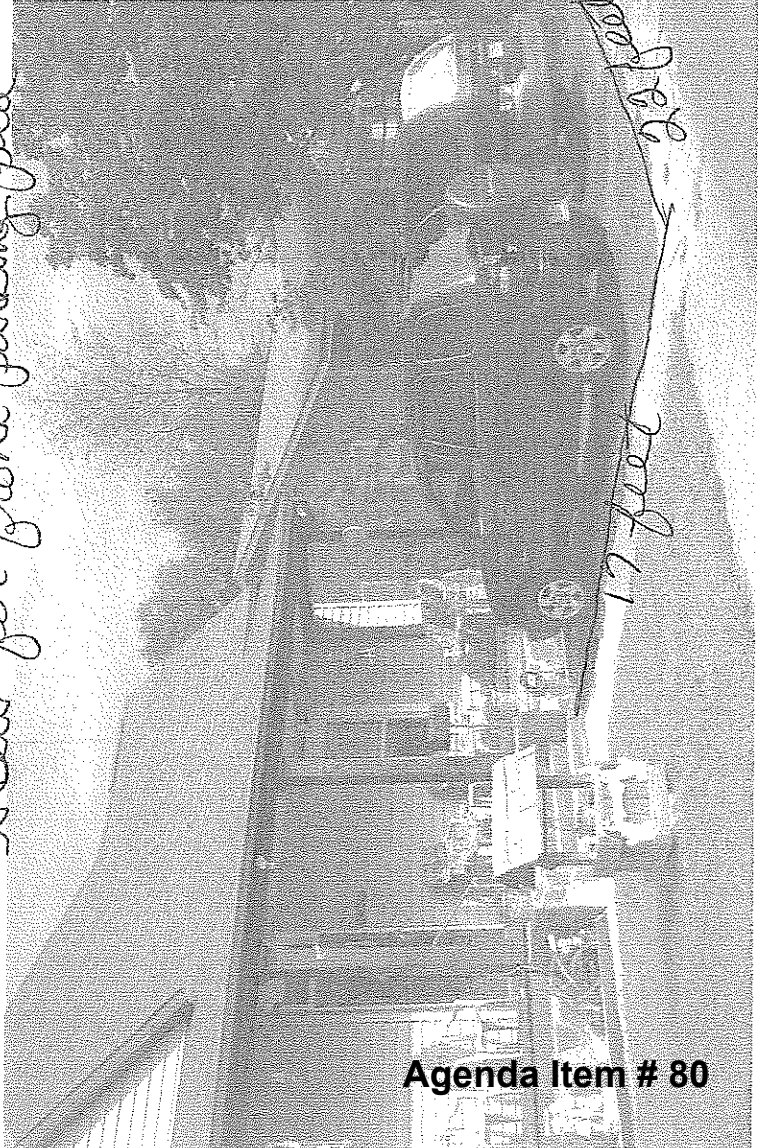
Thank you,

Jeresa Johnson



17' long
22' wide

Parking area 17 feet long & 22' wide
new for front parking pad

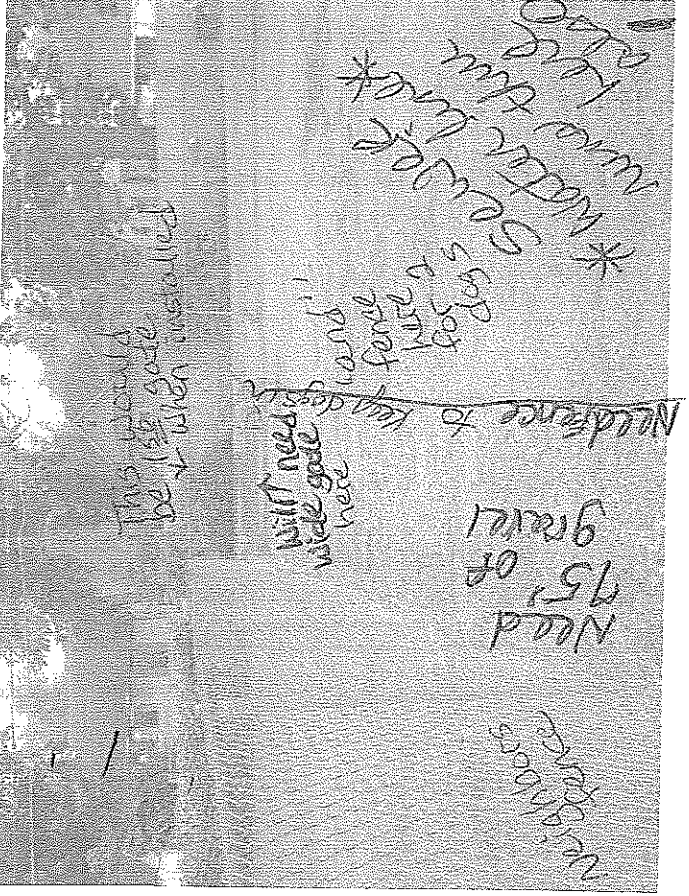


17 feet

22 feet



For parking pad in the back
'Able to get into out of car to open & close gate



This would
be a gate
when installed

Will need
wide gate
here

Needence to keep
wheels from
rolling

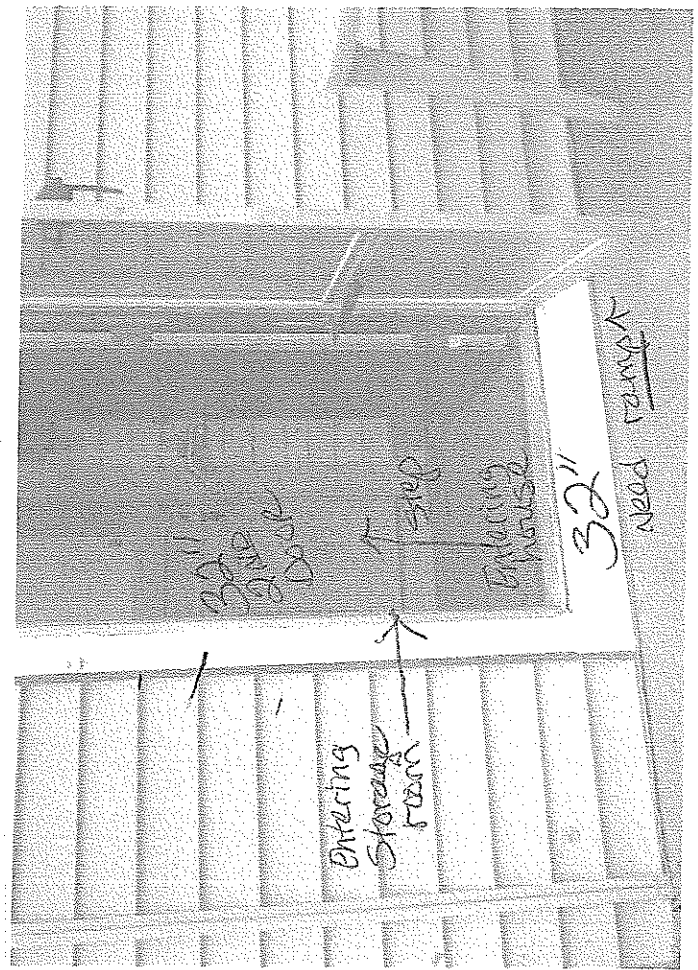
Need
95' of
gravel

Weight
bearing

* Sewer
water tank
line
also
* Water tank



2

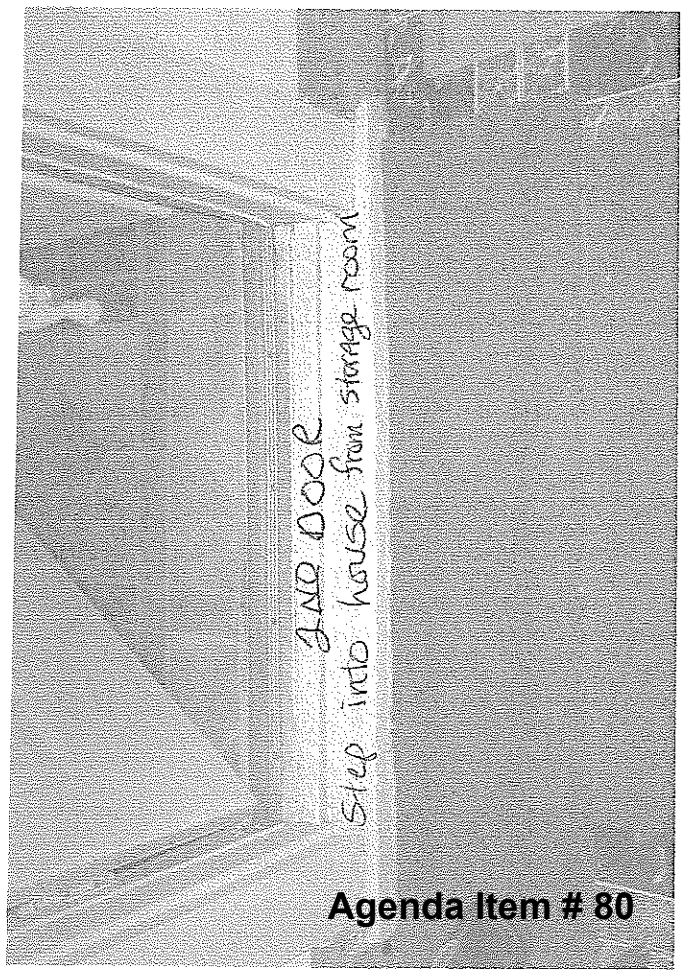


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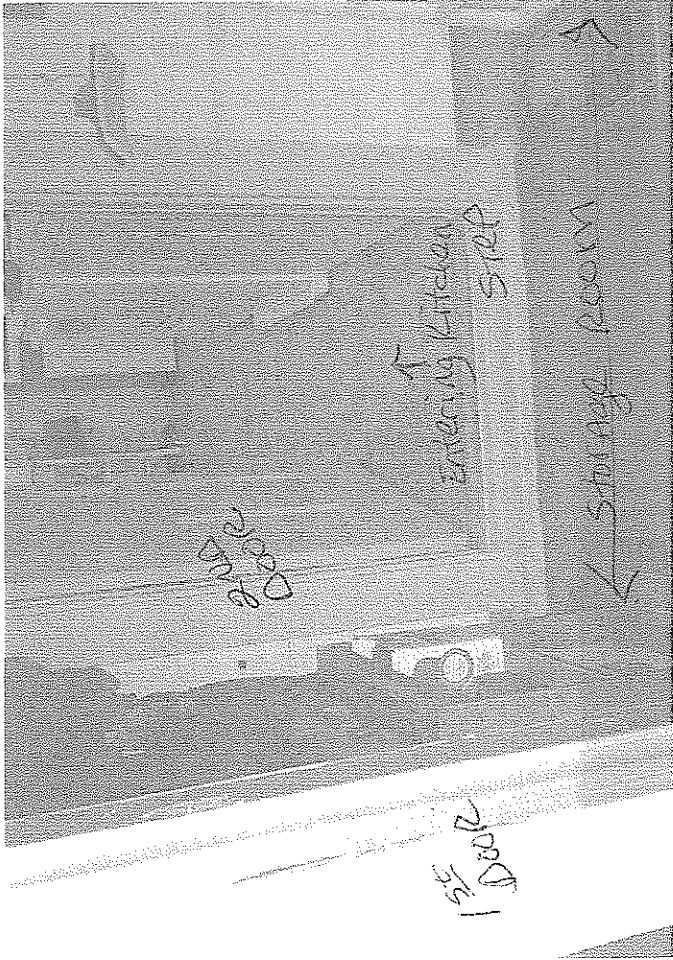
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MPC November 13, 2008

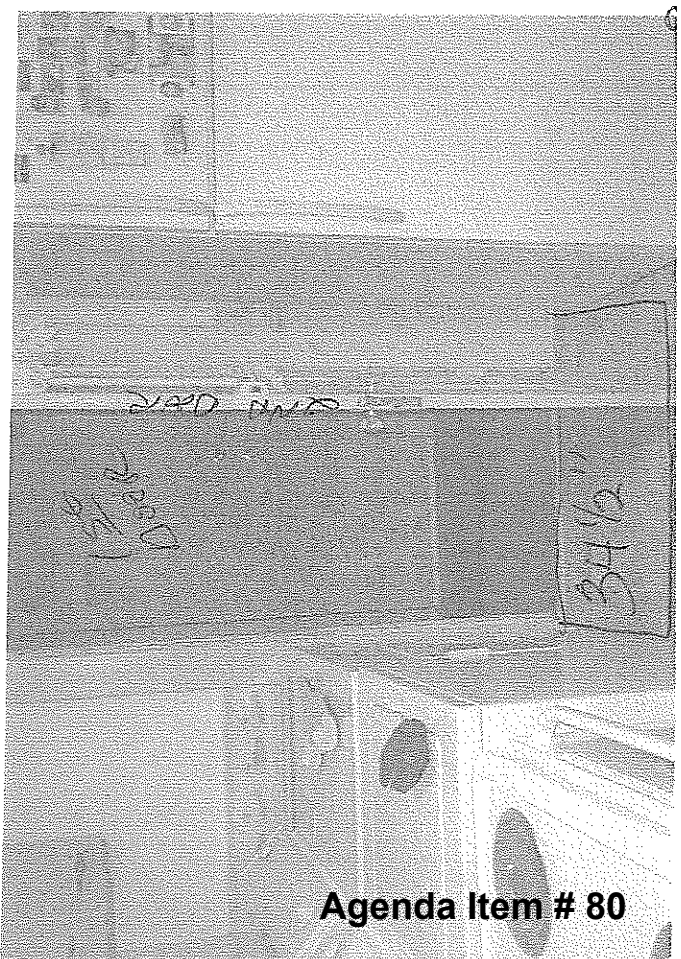


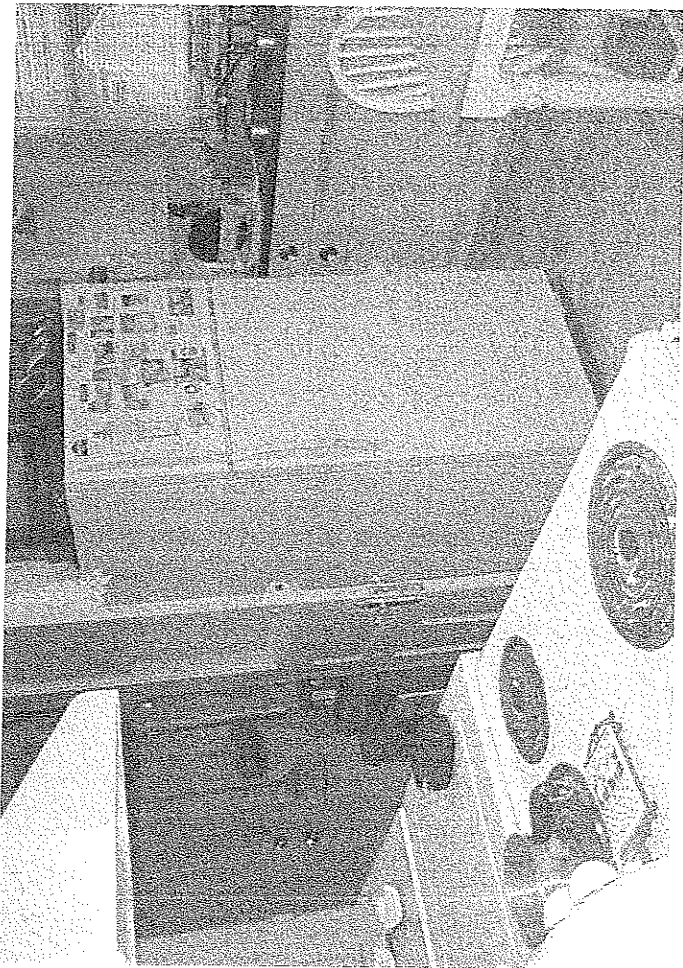
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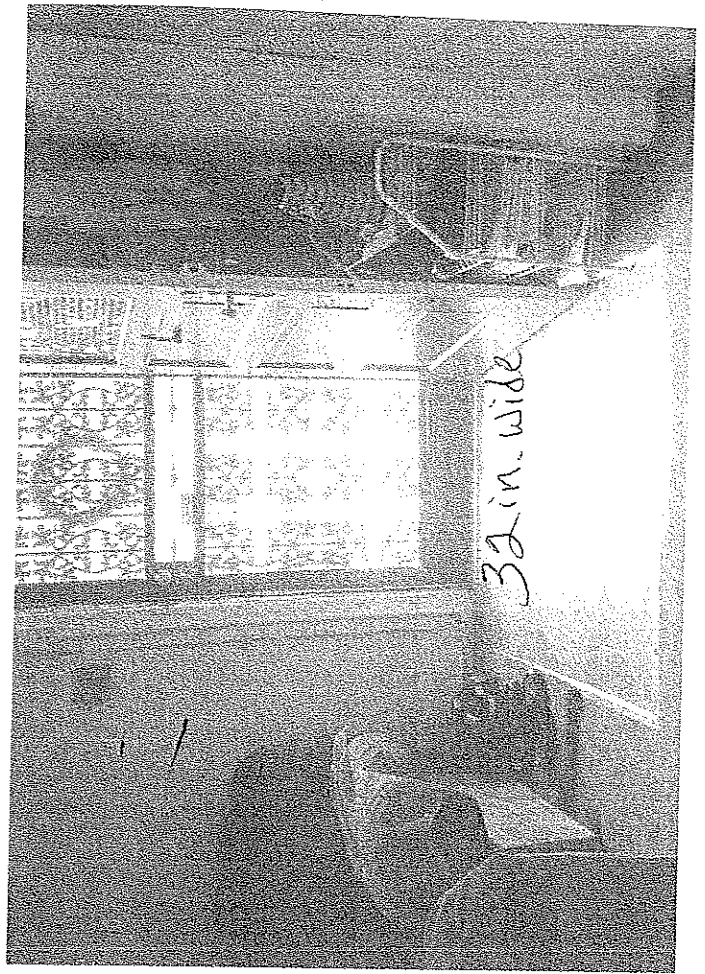


View from kitchen going outside (2 doors) 32" each





10
Hard to turn wheelchair around
in the kitchen

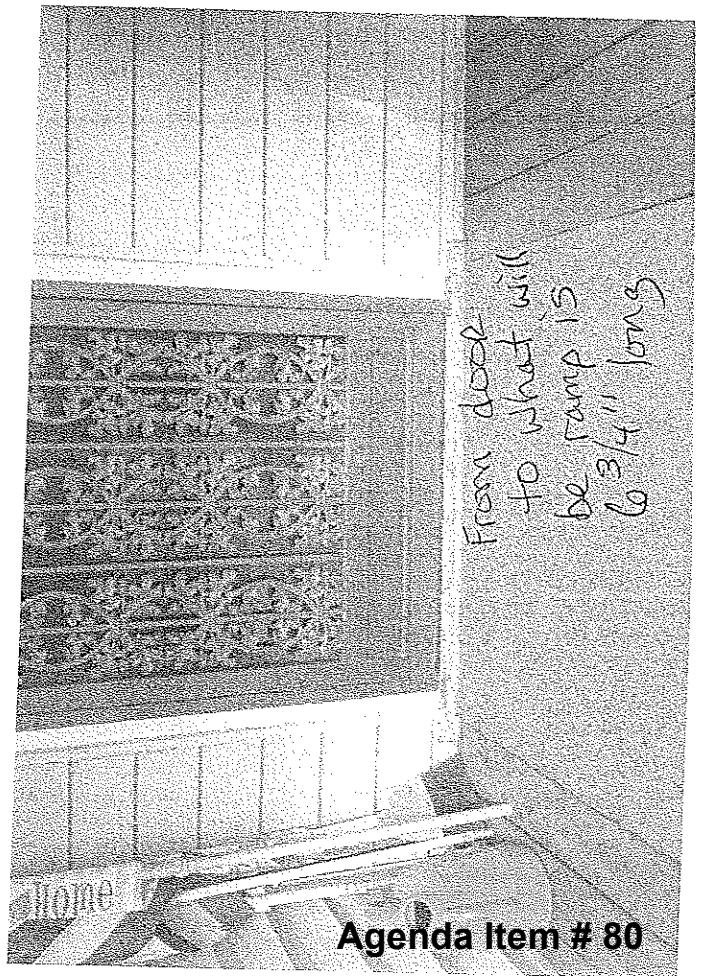


32 in. wide



Wheelchair
to
Living Room
to Living Room

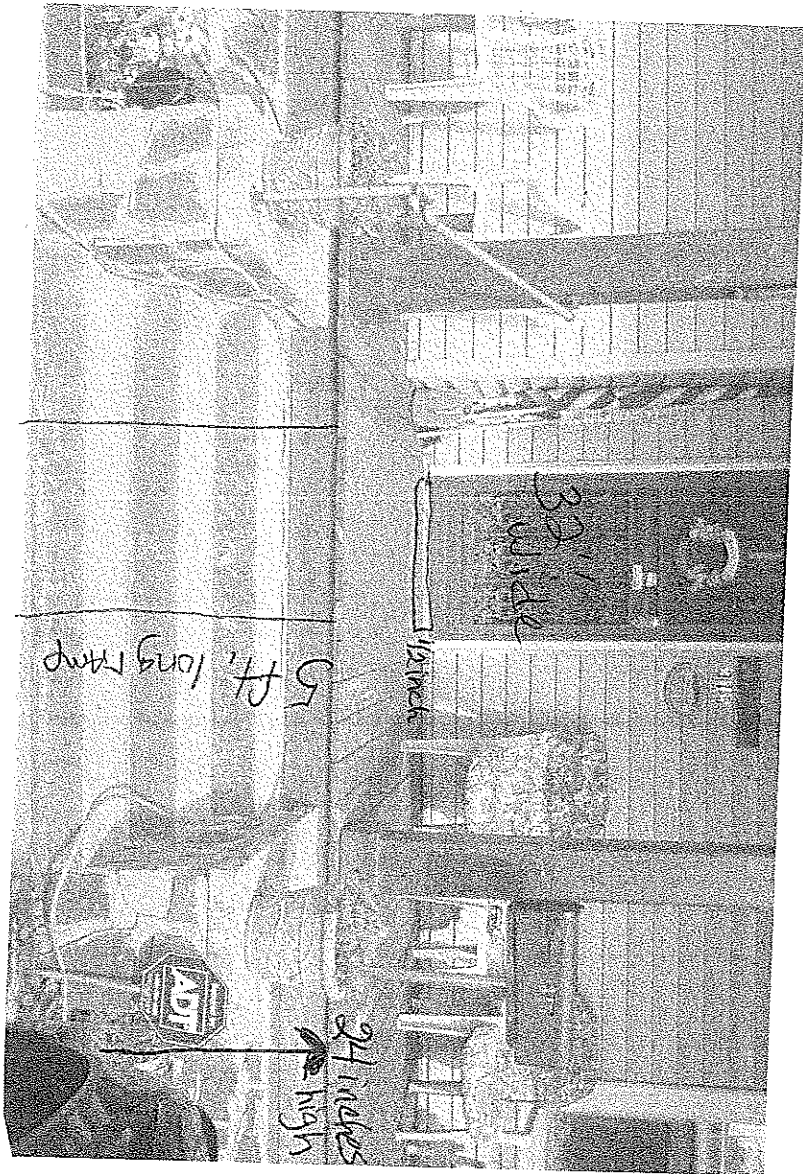
MPC November 13, 2008



From door
to what will
be ramp is
6 3/4" long

#63

Agenda Item # 80





435 E. Springdale
next block from us!