TOWN OF WALDEN
BOARD OF APPEALS

MEETING AGENDA
NOVEMBER 10, 2026
4:00 PM

CALL TO ORDER

ROLL CALL

PRESENTATION OF REQUEST FROM BJORN CROXALL FOR VARIANCE TO ESCARPMENT AT 6316 FOREST PARK DRIVE FOR NEW RESIDENTIAL STRUCTURE

Applicant: Bjorn Croxall, Croxall Residential Construction Company LLC
Owner: Joseph and Linda Geleris
Address: 6316 Forest Park Drive
Parcel: 090A B 007
Zoning: R-1 Residential

Variance Request: Reduce the required 100-foot escarpment setback (Article 6.02) to approximately 51 feet to construct a new single-family residence.

ADJOURNMENT

Remit application and fee to:
Town of Walden
1836 Taft Highway
Walden, Tennessee 37377

Town of Walden

BOARD OF ZONING APPEALS

VARIANCE APPLICATION

SUBJECT PROPERTY INFORMATION	
Address: 6316 Forest Park Signal Mountain, TN 37377	
Subdivision: _____	
Block Number: _____	Tax Map Number: 090A B 007.00

APPLICANT INFORMATION	
Name: Bjorn Croxall	
Name of Business (if applicable): Croxall Residential Construction Company LLC	
Address: 6224 Airpark Dr. Chattanooga, TN 37421	
Email Address: [redacted]	Phone Number: [redacted]

PROPERTY OWNER INFORMATION (If different from applicant)	
Name: Joseph and Linda Geleris	
Address: 66B Surfside Ave, Surfside, CA 90743	
Email Address: [redacted]	Phone Number: [redacted]

TYPE OF REQUEST

Appeal of Decision **[X] VARIANCE** Special Exemption Permit

Before proceeding, please read the Walden Zoning Ordinance Article 9. Board of Appeals for Variances, sections 9.03, 9.04, & 9.05.

Town of Walden

Board of Zoning Appeals Variance Application

Address of subject property:

Provide a description of the requested variance:

Applicant requests a dimensional variance from Article 6.02 (Escarpment) of the Town of Walden Zoning Ordinance, which provides that no building or structure shall be constructed within 100 feet of the easternmost town limit line of the Town of Walden as that line existed on November 11, 2002.

Applicant requests relief of 49 feet, to permit construction of a single-family residence whose nearest point lies approximately 51 feet from that line — on the building pad of the residence that stood on the property from 1956 until 2022, served by the existing driveway alignment and existing curb cut. The line, the 100-foot setback, and the proposed location are depicted on the accompanying site plan.

This is a dimensional variance only. No use variance, no additional dwelling unit, no additional density, and no relief from any other setback is requested. As proposed, the residence complies with the required 25-foot front yard, 25-foot rear yard, and all side yard requirements.

At 51 feet, the residence would stand farther from the 2002 town limit line than either adjoining residence.

Describe the situation creating the hardship:

The difficulty arises from the physical condition of the land. The topography, the shallow bedrock, and the drainage pattern of this lot are natural and pre-existing, and were not created by the Applicant or by the owners.

1. Topography and drainage. The property falls continuously from the escarpment at the rear of the lot toward Forest Park Drive at the front. The previously developed pad sits near the high end of that fall. The nearest compliant building location lies approximately 10 feet lower on the slope, placing the residence farther into the natural drainage path and watershed of the property — every foot of downhill movement adds upslope area that drains toward and around the structure. Siting the residence there places the rear and side elevations substantially below surrounding grade and puts the home in the path of the property's surface water rather than above it.

2. Expanded grading and vegetation loss. Because the compliant location sits lower on the slope, with the rear and side below surrounding grade, a materially larger portion of the site must be cut, filled, and regraded to establish a buildable pad and to divert the property's surface water around it. That expanded disturbance footprint is what drives the canopy loss described below. It is a consequence of the slope position, not of the building design.

3. Shallow bedrock and imported fill. The lot is predominantly shallow bedrock, which limits the ability to regrade or to establish subsurface drainage by excavation. Establishing a stable, properly drained pad at the compliant location requires over 50 additional truckloads of fill dirt and gravel, together with engineered site grading and drainage, and retaining structures as required.

4. Impervious surface and watershed. The property today carries approximately 7,110 square feet of existing impervious surface at the prior building pad and driveway. The proposed improvements total approximately 15,872 square feet of impervious surface. Built at the prior location, approximately 7,110 square feet of those improvements — roughly 45 percent — fall on ground that is already impervious and already disturbed. Built at the compliant location, the entire 15,872 square feet falls on previously undisturbed ground, and the prior pad is additionally disturbed through demolition. The compliant alternative roughly doubles the area of the site newly committed to development. It also places the residence below the existing pad on the slope, so that the prior impervious area drains toward the new structure rather than away from it.

5. Mature canopy. The previously developed pad is cleared and contains no trees. Constructing the residence and the driveway required to reach it at the compliant location would require removal of over two dozen mature trees, as shown on the Updated Site Plan dated 9.2.26.

6. Constrained building envelope. After application of the 100-foot escarpment setback together with the required front, rear, and side yards, the remaining compliant building envelope on this lot lies entirely downslope of the prior building pad, on undisturbed ground within the natural drainage path of the property. The Ordinance does not merely relocate the residence — it moves it off the only part of the lot already graded, drained, and served by a driveway, and onto the ground that carries the property's surface water.

Applicant acknowledges that cost alone is not grounds for a variance, and does not rest this application on cost.

Describe the conditions associated with this situation that make your property different from the conditions of the surrounding lots:

The distinguishing condition is not proximity to the town limit line — which is common along Forest Park Drive — but the combination of an existing pre-ordinance building pad and site conditions that cannot be replicated elsewhere on this lot without the adverse effects described above.

A. Pre-existing development. This is a lot of record improved with a single-family residence, driveway, and curb cut constructed in 1956 — forty-six years before the November 11, 2002 line was fixed, and forty-nine years before Article 6.02 was adopted. The pad is graded, cleared, drained, and already impervious. No other location on the lot shares those characteristics.

B. Exceptional topography and subsurface conditions. The lot falls continuously from the escarpment at the rear toward Forest Park Drive at the front, dropping approximately 10 feet between the prior building pad and the nearest compliant location. Shallow bedrock limits the ability to regrade. The result is that the only compliant building envelope on this lot lies farther down that fall, within the property's natural drainage path — its most hydrologically and geologically adverse ground.

C. No compliant alternative that avoids those conditions. The compliant envelope lies entirely downslope of the prior pad, on undisturbed ground. There is no siting on this lot that both satisfies Article 6.02 and avoids the grading, fill, drainage, and canopy consequences described above.

D. For reference, and not offered as the basis of hardship: both adjoining residences are situated less than 50 feet from the 2002 town limit line. At 51 feet, the residence proposed here would stand farther from that line than either of them.

Describe the effect that granting this variance would have on adjoining streets or public or private property:

Granting this variance will have no adverse effect on adjoining streets or on public or private property. The residence occupies the footprint of the prior structure, and the existing driveway alignment and curb cut are retained. Applicant addresses each finding required of the Board:

1. Light and air to neighboring properties — not reduced. The structure occupies a previously built footprint and complies with all yard requirements.

2. Fire risks and other hazards — not increased. The residence is served by the existing driveway and curb cut, which provide established emergency vehicle access.

3. Surrounding property values — not diminished. The proposed residence is a multi-million dollar custom home, consistent in scale, siting, materials, and character with surrounding development along Forest Park Drive. Its construction represents a substantial increase in the improved value of the subject property and supports, rather than diminishes, surrounding property values.

4. Traffic congestion or hazards — not increased. No change in use, no additional dwelling unit, and no change to the point of ingress or egress. Sight distance at the existing curb cut is unchanged.

5. Public health, safety, comfort, morals, and general welfare — not harmed, and affirmatively advanced. Approval reduces grading, imported fill, and tree removal; avoids siting a residence below surrounding grade within the property's natural drainage path; and places roughly 45 percent of the proposed improvements on already-disturbed ground rather than on undisturbed ground.

Consistency with the spirit and intent of Article 6.02. Article 6.02 protects the visual character of the escarpment. The requested location is an existing cleared pad requiring no new clearing on the escarpment side. The compliant alternative would require removal of over two dozen mature trees, together with substantially expanded grading, over 50 additional truckloads of imported fill, and retaining structures introducing new constructed mass on the slope. Applicant will accept reasonable conditions the Board deems appropriate.

Please list other alternatives that could solve the problem caused by the situation:

Applicant has evaluated the following alternatives.

Alternative A — Build at the compliant location shown on the Updated Site Plan dated 9.2.26. Physically possible. Difficult and less than ideal — it sites the residence approximately 10 feet lower on the slope, within the property's natural drainage path and with the rear and side elevations below surrounding grade; requires over 50 additional truckloads of imported fill and substantially expanded grading; requires removal of over two dozen mature trees; places the entire 15,872 square feet of proposed impervious surface on previously undisturbed ground; and creates a drainage condition directing runoff toward the structure.

Alternative B — Reduce or reconfigure the footprint at the compliant location. Difficult and less than ideal — the controlling constraint is elevation and drainage rather than building area. A smaller structure remains sited below surrounding grade in the same

drainage path and requires substantially the same fill, grading, and tree removal.

Alternative C — Partial encroachment. Applicant evaluated intermediate locations between the compliant envelope and the prior pad, and found them the least efficient option available. Because the property falls continuously from the escarpment toward Forest Park Drive, any location short of the prior pad is undisturbed sloping ground. A partial shift therefore requires a complete new building pad, full site grading and fill, new tree removal, and a new driveway — the same work Alternative A requires — while capturing only a fraction of the elevation benefit. It incurs the full cost and disturbance of relocation for partial relief.

The 49 feet requested is not an arbitrary distance. It is the distance to the only location on this lot that is already graded, already drained, already impervious, and already served by an existing driveway and curb cut.

Alternative D — Reconstruction under Article 3.06. The prior residence was removed in 2022. Applicant acknowledges that the one-year restoration period provided by Article 3.06 has run, and does not rely on that provision. This application is submitted as a request for variance relief.

Town of Walden

Board of Zoning Appeals Variance Application

Acknowledgement

It is understood that approval of the proposed development is conditioned upon full compliance with all applicable regulations and ordinances of the Town of Walden and conditions imposed by the applicable Boards of the Town.

In cases where the applicant is not the property owner, it is also hereby acknowledged by the property owner that he or she is in full agreement with the content of this application.

_____

Signature of Applicant

_____

Signature of Property Owner (if different from applicant)

Date 9/29/2026

BELOW FOR OFFICE USE ONLY

Address of Property

_____

Outcome of Hearing: Approved Denied

_____ _____

Signature/Town of Walden Hearing Date

Total Fees	Date Paid	Check No	Staff

Town of Walden

Board of Zoning Appeals Variance Application

APPLICANT INFORMATION

General Information

Meeting Information

- The Board of Zoning Appeals meets as needed
- Meeting Location: Walden Town Hall, 1836 Taft Highway, Walden, TN

37377 **Application Requirement**

- A completed Variance Application must be submitted **before** a meeting will be scheduled • $100 non-refundable filing fee
    - o Make check payable to: Town of Walden
- Submission information
    - o Application, supporting documents, and filing fee may be emailed, mailed, or delivered in person
      Email: info@waldentn.gov

Address: 1836 Taft Highway, Walden, TN 37377

Before the Board of Appeals Meeting

Contact the Town of Walden to:

- Confirm meeting dates and times
- Determine whether additional information or documents are required • If applicable, submit any additional requested information or documents

Attendance Requirement

The applicant or their authorized representative must attend the meeting.

Submission Requirement Checklist

The following information shall be submitted with this application. Additional information may be required as determined by the Board of Zoning Appeals and/or staff.

- Completed application
- Site plan and description of the property involved



- Site plan must include
  - Proposed building uses
  - Building plan
  - Building elevations
  - Location of property lines
  - Front, rear, and side setback lines
  - Footprint of existing and proposed buildings
  - Location of easements or rights-of-way
  - Location of existing and proposed driveways
  - Location of existing streams
- Approved site plan from the Walden Planning Commission for all subdivisions • Approved Septic Permit

• Supporting evidence demonstrating the hardship or special

circumstances • Additional information may be requested as determined

by the staff

• Check payable to the Town of Walden for $100.00

Board of Appeals Powers & Responsibilities

In accordance with Article 9.03 of the Zoning Ordinance, the Board of Zoning Appeals is authorized to hear and decide the following types of requests:

Variances

The BZA may grant variances from area and building site regulations when strict application of the zoning ordinance would result in practical difficulty or unnecessary hardship not caused by the applicant.

A variance may be approved only after a public hearing and only if it

does not: • Reduce light or air to neighboring properties

• Increase fire risks or other hazards

• Lower surrounding property values

• Increase traffic congestion or hazards

• Harm public health, safety, comfort, morals, or general welfare

The Board may impose conditions to protect nearby properties and maintain the integrity of the zoning district.



Town of Walden

Board of Zoning Appeals Variance Application

Appeal of Zoning Decision

An appeal may be filed when:

• A permit is denied by the Hamilton County Building and Zoning

Director • A permit is granted and a person or entity is aggrieved by

that decision

- An appeal of a granted permit does not pause or suspend the permit unless the appellant provides a bond, in an amount acceptable to the BZA, protecting the permit holder from potential costs or damages if the appeal is unsuccessful

Appeals must be filed **no sooner than 15 days and no later than 30 days** from the decision date.

Temporary Permits for Certain Nonconforming or Incidental Uses

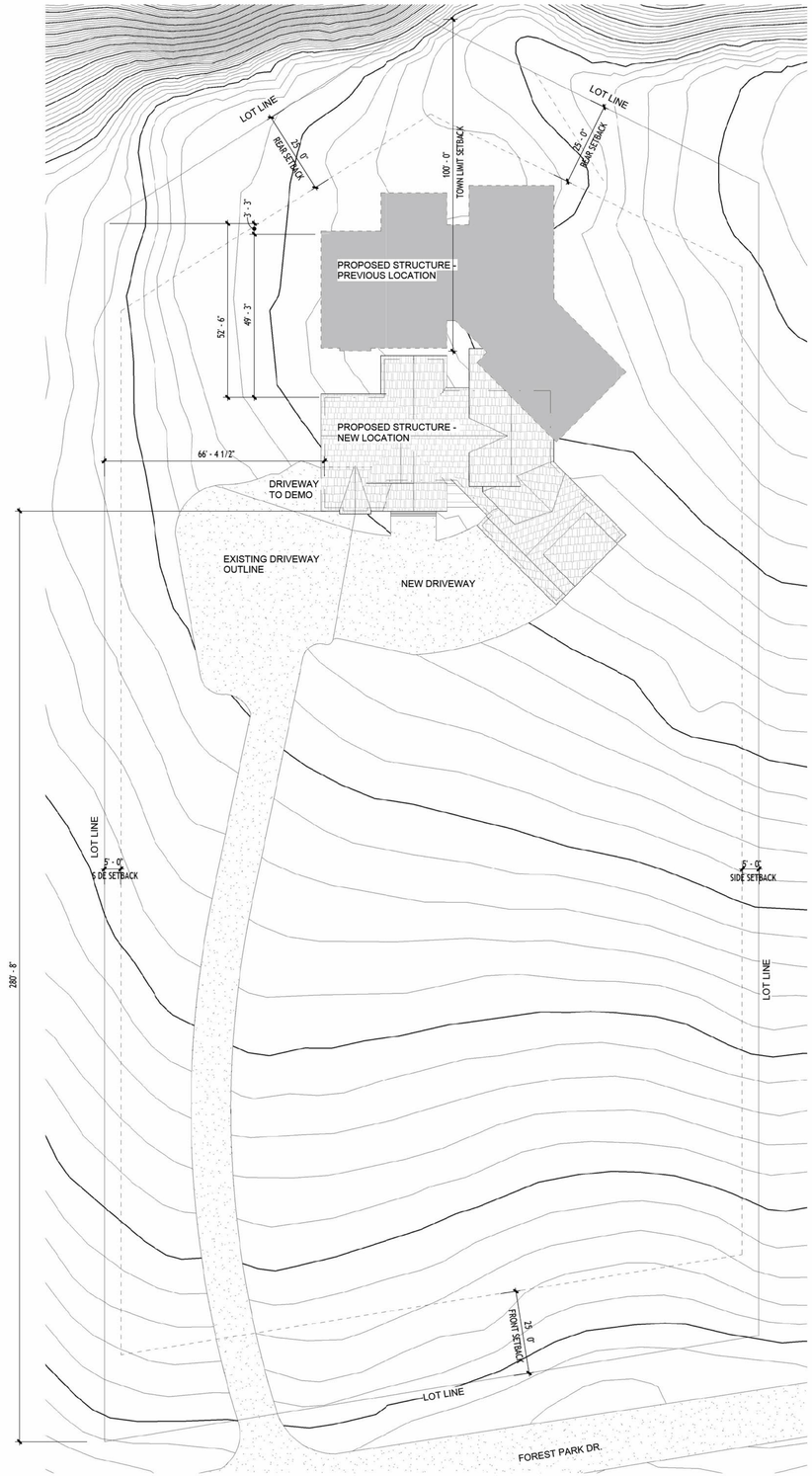
The Board may issue Temporary Permits for designated nonconforming uses or for uses incidental to development. These permits:

- May be issued for up to one (1) year
- May be renewed by the Board
- May require a cash or performance bond, to be paid for by applicant, to ensure compliance

Remodeling Nonconforming Buildings

The BZA may approve remodeling or reconstruction of a nonconforming building if architect-prepared plans show the improvements will:

- Improve structural safety
- Improve exterior appearance
- Bring its use and form into closer conformity with neighboring properties



1 Site Plan
3/64" = 1'-0"

0 10.7' 21.3' 42.7'
0 2"
3/64" = 1'-0"

AgapeDESIGN
4128 WINDTREE DRIVE
MOUNTAIN, TN 37377
SIGNAL

THIS PLAN IS THE PROPERTY OF AGAPE DESIGN AND MAY NOT BE USED OR REPRODUCED WITHOUT ITS PERMISSION

AGAPE DESIGN, LLC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO CONDUCT THE FOLLOWING BEFORE COMMENCING CONSTRUCTION.

1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS AND SPECIFICATIONS BEFORE COMMENCING ACTUAL CONSTRUCTION.
2. BUILDER OR CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL BUILDING CODES AND REGULATIONS WHERE THE HOME IS TO BE CONSTRUCTED.
3. PLANS ARE FOR CONCEPTUAL DESIGN PURPOSES ONLY. BUILDER OR CONTRACTOR MUST CONSULT A LICENSED PROFESSIONAL FOR ANY ARCHITECTURAL, ENGINEERING, ELECTRICAL, MECHANICAL OR STRUCTURAL ASPECTS TO CONSTRUCT THE HOME.

agapedesignstudio.com

GELERIS RESIDENCE

6316 FOREST PARK DRIVE
SIGNAL MOUNTAIN, TN

SITE PLAN

No.	Description	Date

Project Number	2601
Date	9.2.26
Drawn By	MBS, CDS
Checked By	AAB

C101

Scale 3/64" = 1'-0"

9/2/2026 3:03:54 PM