

# BOARD OF ZONING APPEALS

**NAME OF APPLICANT** JASON RUST

**FILE NO.** 10-E-18-VA

**The applicant is:** ☐ Owner ☐ Tenant ☒ Contractor ☐ Other \_\_\_\_\_

**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 400 Merchant Dr.		<input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Official
Zoning District C-3	Zoning Map Number 068	
Ward and Block 39510	Lot/Parcel 068LA004	

**This proposal pertains to:** ☐ New Structure ☐ Extension of Existing Structure ☐ Off-Street Parking

☒ Signage ☐ Other \_\_\_\_\_

**Is a plat required?** ☐ Yes ☒ No

**DESCRIPTION OF PROPOSAL**

Installation of wall signs for newly constructed restaurant. Permitted square footage for wall signs is based on 10% of primary frontage of building. 107 s.f. is permitted for this building, applicant is seeking to install 145 s.f.

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): \_\_\_\_\_

Request to increase the maximum permitted square footage for wall signs from 107 s.f. to 145 s.f.  
per Article 8, Section 11.6.a.2

**CITY OF KNOXVILLE BUILDING INSPECTOR**

Rebecca Johnson

**DATE**

9-17-18

**APPLICANT'S HARDSHIP**

10-E-18-1A

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

☐ Size ☒ Elevation ☐ Slope ☐ Shape ☐ Soil ☐ Subsurface ☐ Other \_\_\_\_\_

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

N/A

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: \_\_\_\_\_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
Jason Rust	P.O. Box 16216	Bristol	VA	24209	423-956-7411

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

Name (Print)	Street Address	City	State	Zip	Telephone
Bhumika LLC	122 Kawonu Ln	Loudon	TN	37774	

Date Filed:

Fee Paid: \$250 9/17 gfr chr

Councilmanic District:

MPC Planning Sector:

General Location Description

Size: Acres

Size: Sq. Ft.

**METROPOLITAN PLANNING COMMISSION****DATE**

9/17/18

# BOARD OF ZONING APPEALS

NAME OF APPLICANT

FILE NO.

10-E-18-YA

The applicant is: ☐ Owner ☐ Tenant ☒ Contractor ☐ Other

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 400 Merchants Drive Knoxville, TN 37912 ☐ Temporary ☒ Official

Zoning District 39 C-3 Zoning Map Number CTL Map 68

Ward and Block 39/39510 Lot/Parcel 068LA004 N/Lot #

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

☒ Signage ☐ Other

Is a plat required? ☐ Yes ☒ No

## DESCRIPTION OF PROPOSAL

Wendys would like to have 145 sqft of wall signage at their proposed new location on 400 Merchants Drive. Location will also have road frontage on Camelia Road.

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):

1074 Primary building elevation is 1,045.2 sqft. Maximum allow wall signage is 10% of building elevation. This makes a maximum of 104.5 sqft of wall signage, which is less than Wendy's is requesting.

CITY OF KNOXVILLE BUILDING INSPECTOR

DATE

**APPLICANT'S HARDSHIP**

10-E-18-VA

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

☐ Size ☒ Elevation ☐ Slope ☐ Shape ☐ Soil ☐ Subsurface ☐ Other \_\_\_\_\_

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

N/A

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: \_\_\_\_\_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
Jason Rust	PO Box 16216	Bristol	VA	24209	423-956-7411

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

Name (Print)	Street Address	City	State	Zip	Telephone
Bhumika LLC	122 Kawong	Loudon	TN	37774	

Date Filed:

Fee Paid:

Councilmanic District:

MPC Planning Sector:

General Location Description

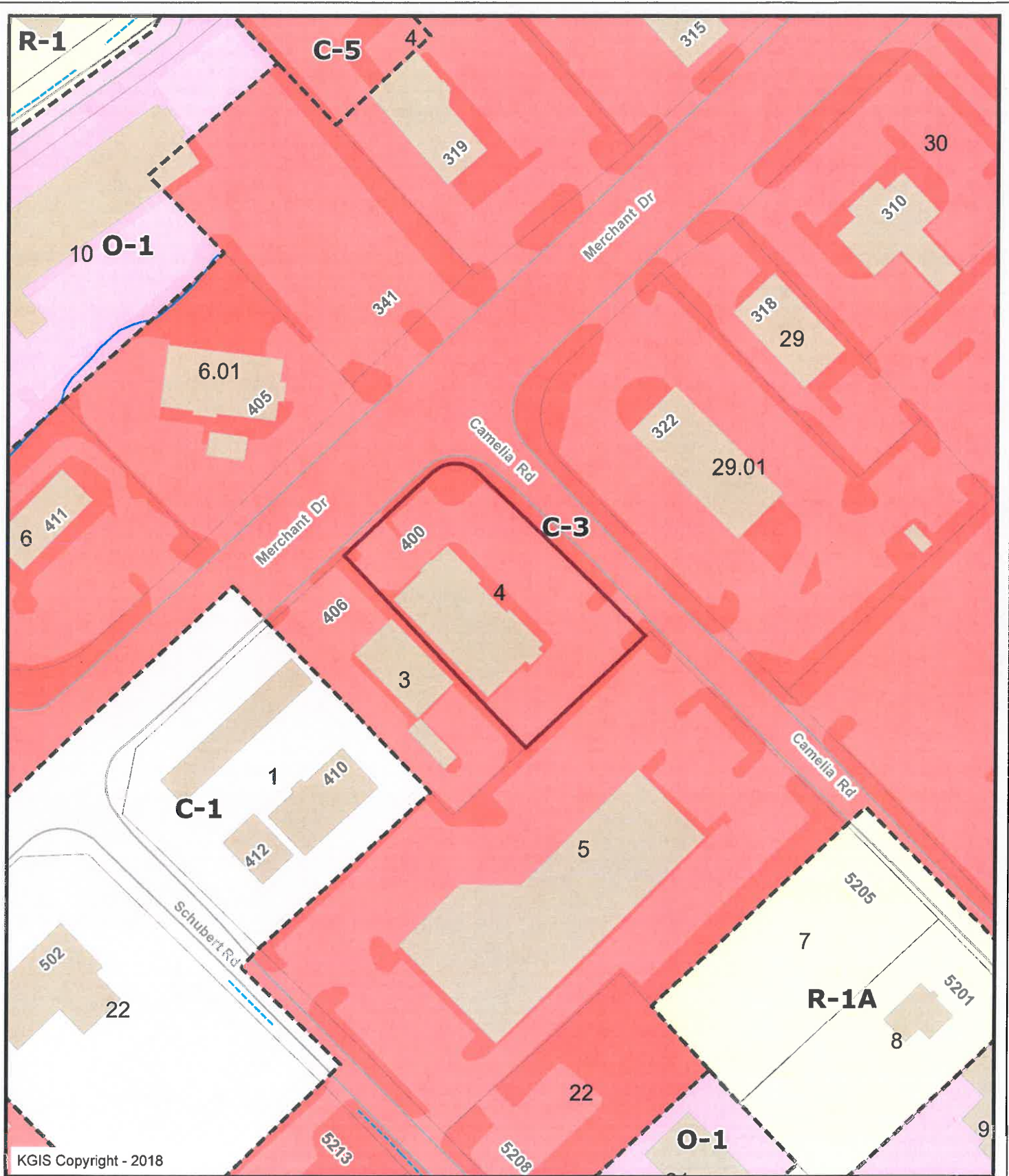
Size: Acres

Size: Sq. Ft.

**METROPOLITAN PLANNING COMMISSION****DATE**

jason@prosignandcrane.com





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Jason Rust

400 Merchant Dr.

10-E-18-VA

Knoxville - Knox County - KUB Geographic Information System



Printed: 10/1/2018 at 9:00:25 AM

0 50 100 200  
ft

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Ward - 39

MCDON  
MERCHANT

PILOT #215

45R

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Jason Rust

400 Merchant Dr.

10-E-18-VA

Knoxville - Knox County - KUB Geographic Information System



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0 25 50 100  
ft

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**Jason Rust**

400 Merchant Dr.  
10-E-18-VA

**Knoxville - Knox County - KUB Geographic Information System**



Printed: 10/1/2018 at 9:01:34 AM

0 50 100 200  
ft

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October 11, 2018

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

Dear Mr. Elder:

**Re: Variance Requests 10-A-18-VA, 10-B-18-VA, 10-C-18-VA, 10-D-18-VA, and 10-E-18-VA**

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

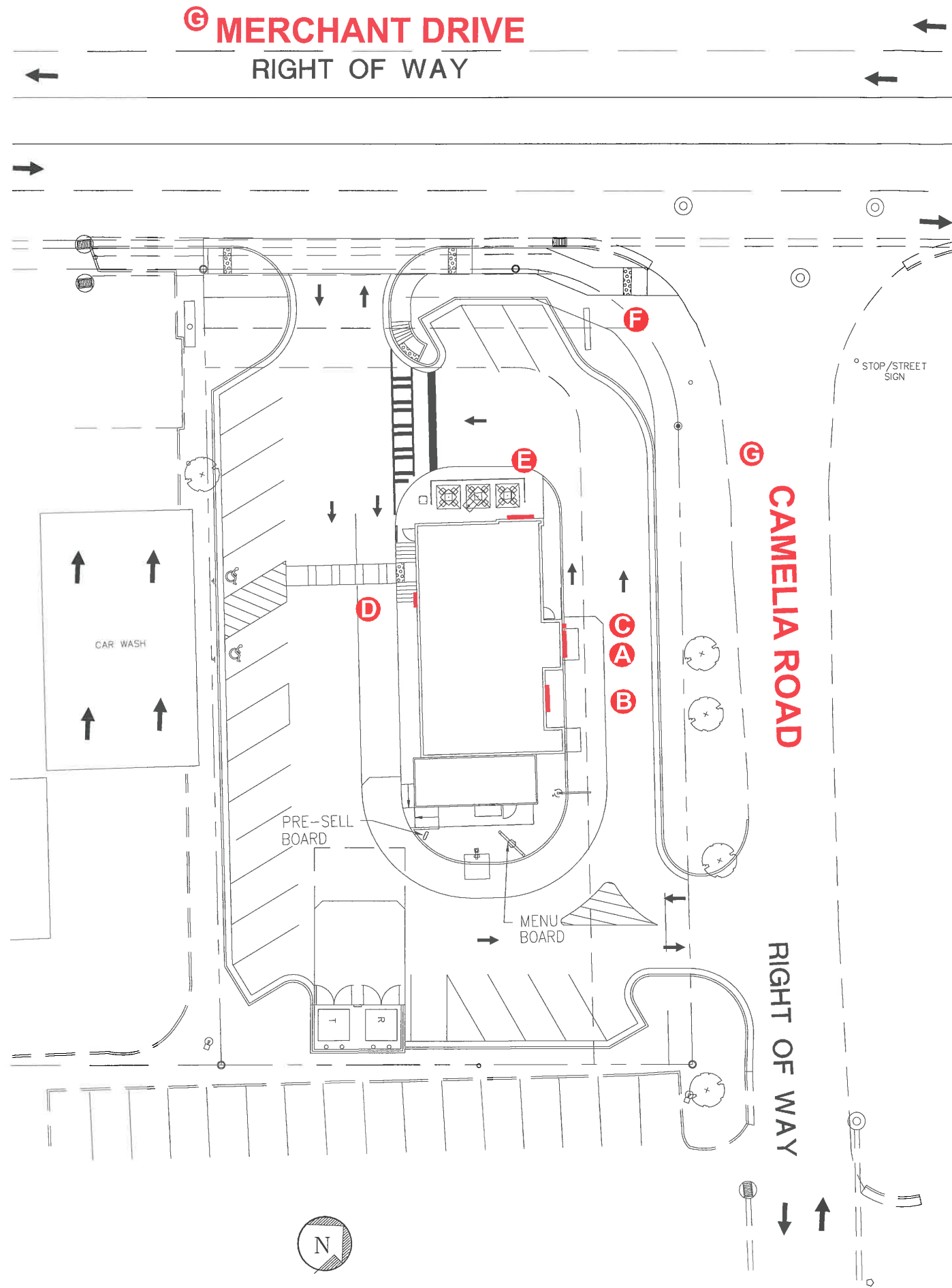


## **BZA 10-B-18-VA 4101 Clinton Hwy**

Upon review of the attached BZA applications, District 18 notes only that file no. 10-B-1B-YA (Lance Cunningham Ford at the intersection of Clinton Highway/SR 9 and I-640) should be referred to TDOT Highway Beautification, (865)594-2451, and go through the proper channels since the proposed improvements are adjacent to interstate rights of way.



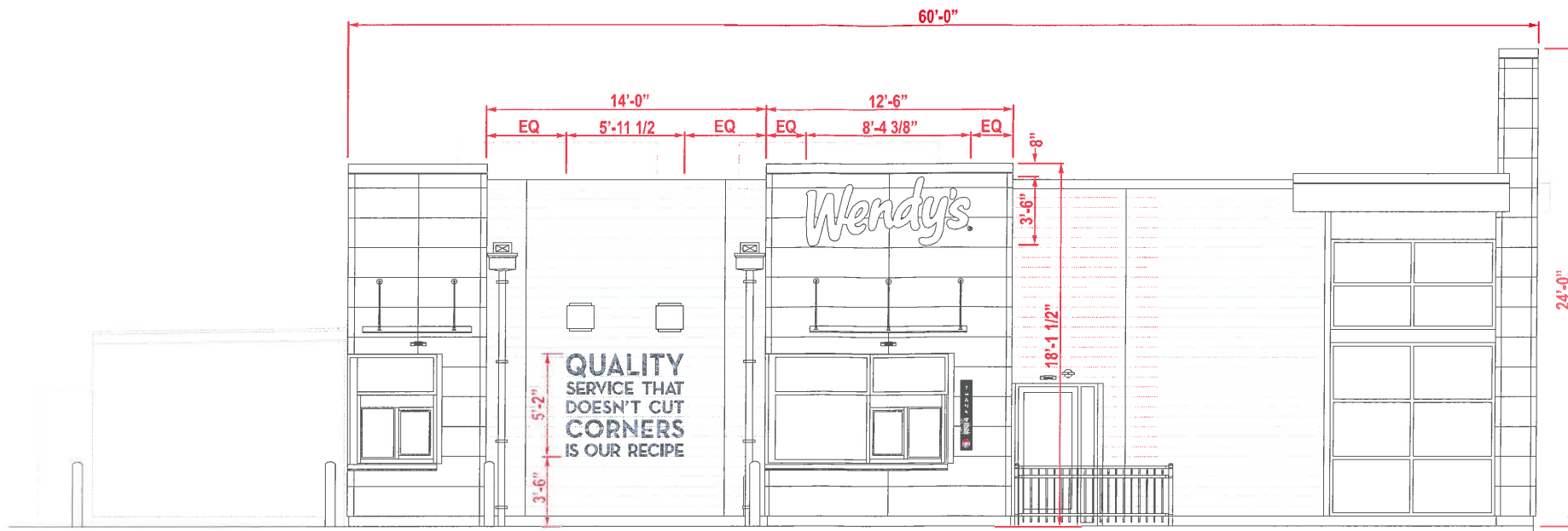
Doug Tarwater, PE | District Manager  
Operations Division, District 18  
7345 Region Lane  
Knoxville, TN 37914  
p. 865-594-2408  
[douglas.tarwater@tn.gov](mailto:douglas.tarwater@tn.gov)  
tn.gov/dot



- A** CHANNEL LETTERS
- B** PLATE LETTERS
- C** THANK YOU
- D** LOGO
- E** CHANNEL LETTERS/LOGO
- F** MONUMENT
- G** (2) STREET FRONTAGES

<b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD • DOTHAN, ALABAMA • 36303 PH (888) 303-5534 • FAX (334) 836-1401 www.idassociatesinc.com	DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZES AND OR LAYOUTS MAY CHANGE SLIGHTLY.		DRAWN BY: <b>ABS</b>	
	CLIENT: <b>WENDY'S</b>	STORE #: <b>12337</b>	DATE: <b>6-25-18</b>	
	LOCATION: <b>KNOXVILLE, TN</b>	SCALE: <b>AS NOTED</b>	REV #:	
	ACCOUNT REP: <b>CHRIS</b>	DRAWING #: <b>WENDYS-KNOXVILLE TN #12337</b>		

10-E-18-YA

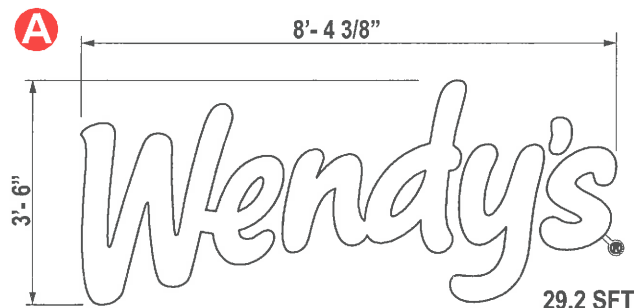


**DRIVE-THRU ELEVATION**  
Scale: 1/8" = 1'-0"

**B**

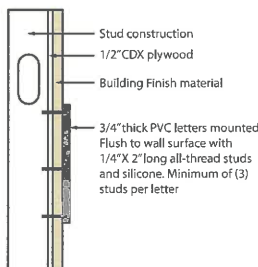
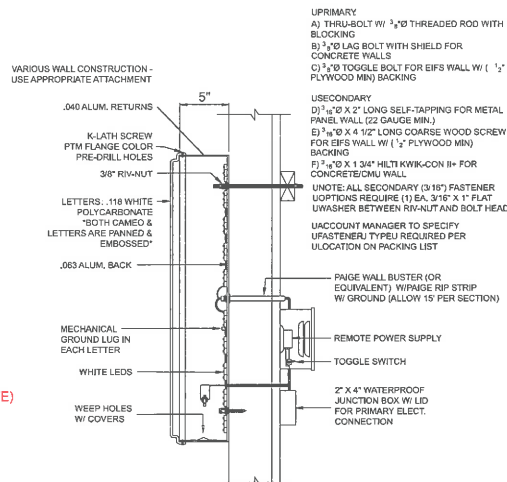
**A**

**C**



**W42-LIN-RM-W**

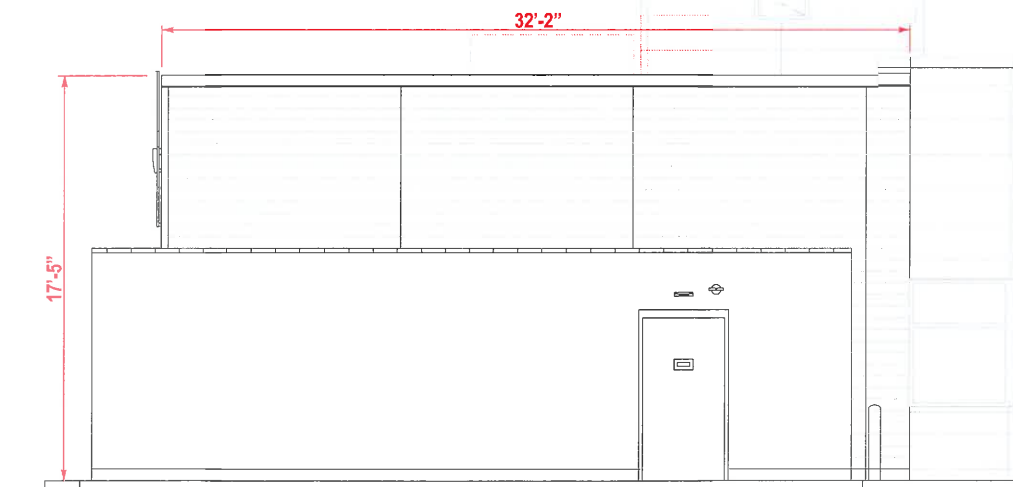
\*\*\*Butyl caulk all penetrations\*\*\*  
(ALL MOUNTING HARDWARE TO BE NON CORROSIVE)  
CAMEO/LETTERS SECTION VIEW  
MOUNTING DETAIL



**QUALITY-PUW**



**NON-ILLUMINATED BLADE SIGN**  
• Aluminum Construction  
• Wall Mounted  
• 1/2" PVC Letters  
• 2 Square Feet



**REAR ELEVATION**  
Scale: 1/8" = 1'-0"

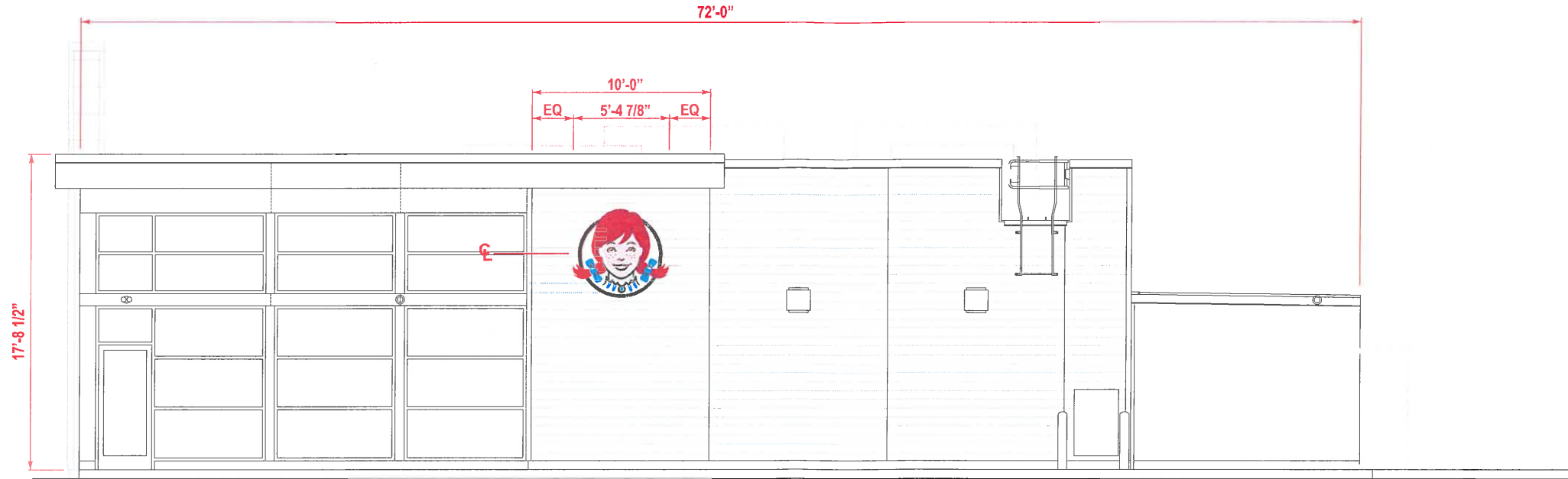


DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZES AND OR LAYOUTS MAY CHANGE SLIGHTLY.

<b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD · DOTHAN, ALABAMA · 36303 PH (888) 303-5534 · FAX (334) 836-1401 www.idassociatesinc.com	CLIENT:	WENDY'S	STORE #:	12337	DRAWN BY:	ABS
	LOCATION:	KNOXVILLE, TN	SCALE:	AS NOTED	DATE:	6-25-18
	ACCOUNT REP:	CHRIS	DRAWING #:	WENDY'S-KNOXVILLE TN #12337	REV #:	R1 9-7-18 ABS

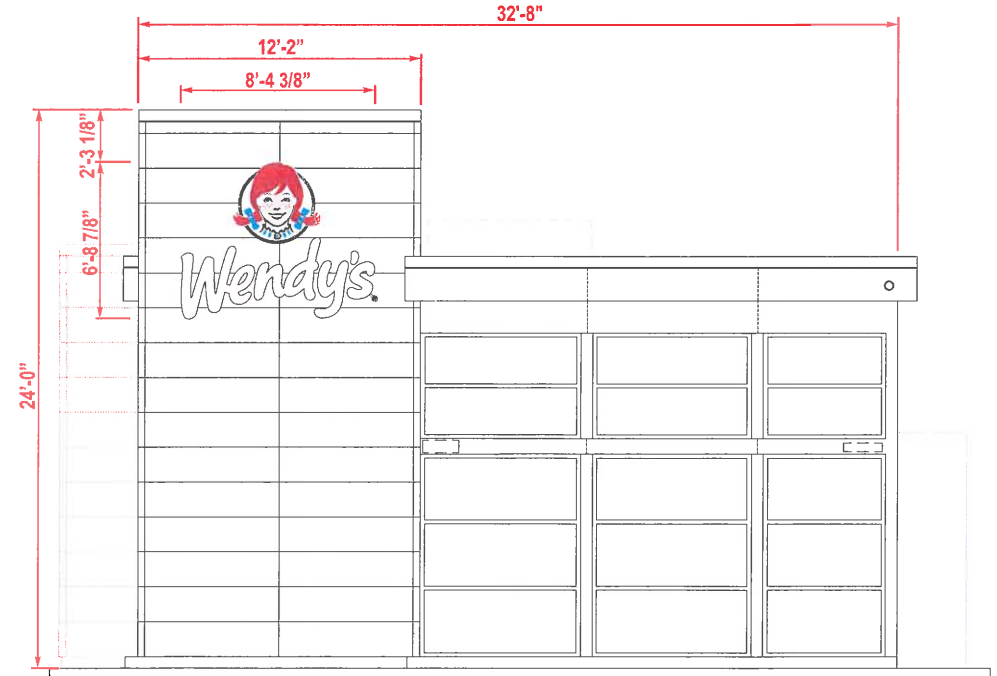
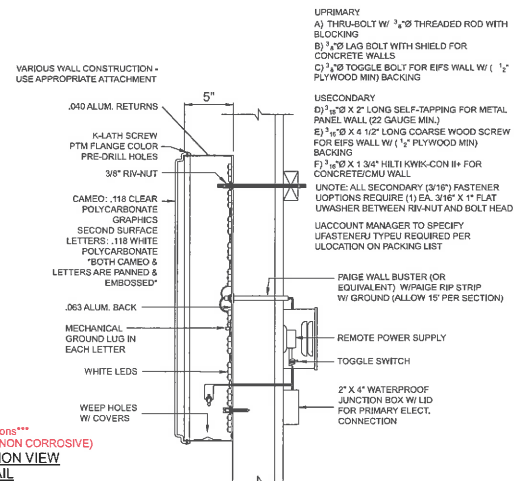
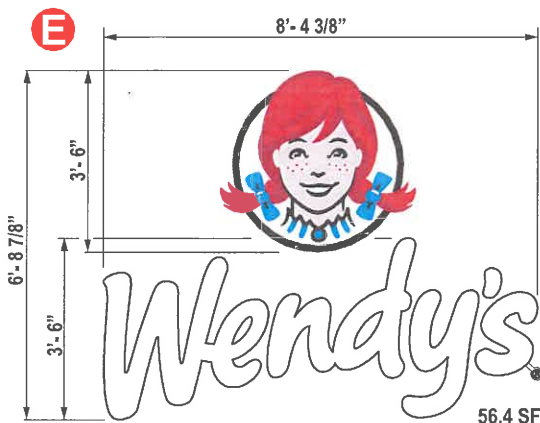
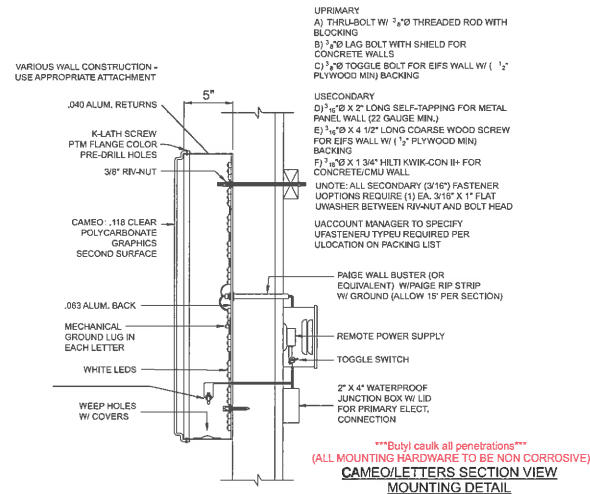
10-E-18-VA





**MAIN ENTRANCE ELEVATION**  
Scale: 1/8" = 1'-0"

**D**



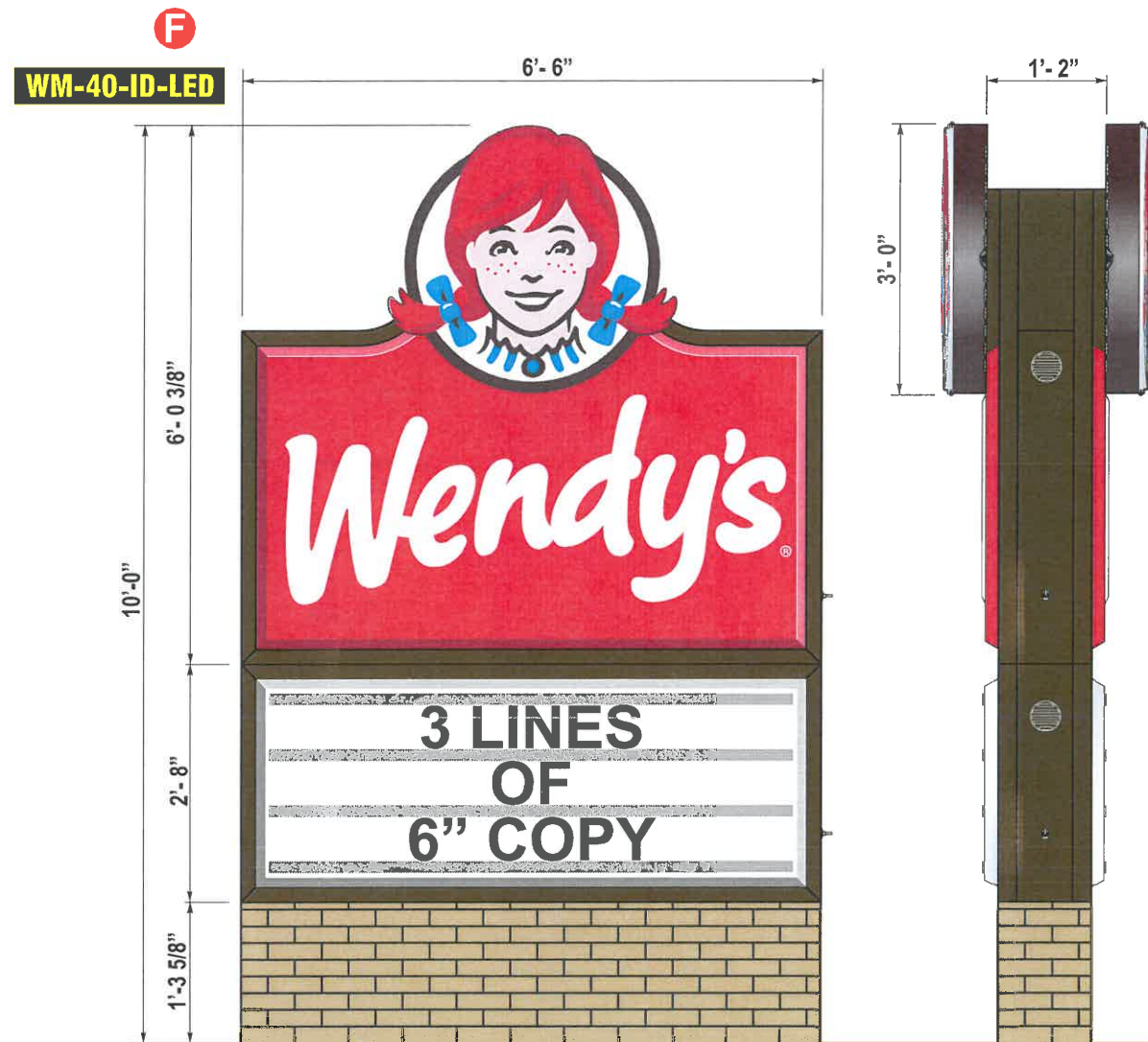
**FRONT ELEVATION**  
Scale: 1/8" = 1'-0"

**E**

DARK BRONZE #313 SIGN BACKGROUND	PMS 186C RED	PMS 299C BLUE	PMS 201C DARK RED	PMS 698C FLESH	PMS 439C BROWN	WHITE
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<b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36303 PH: (888) 303-5534 - FAX: (334) 836-1401 www.idassociatesinc.com	CLIENT:	WENDY'S	STORE #:	12337	DRAWN BY:	ABS
	LOCATION:	KNOXVILLE, TN	SCALE:	AS NOTED	DATE:	6-25-18
	ACCOUNT REP:	CHRIS	DRAWING #:	WENDY'S-KNOXVILLE TN #12337	REV #:	R1 9-7-18 ABS

10-E-18-VA



**INTERNALLY ILLUMINATED DOUBLE FACE MONUMENT**

- 2" Retainers
- Aluminum Cabinet Construction
- Illuminated with LEDs / Cameo Illuminated with LEDs
- Clear Polycarbonate Panned & Embossed Faces
- Vinyl Graphics Second Surface
- Brick Base Subject to Change
- 39.2 Square Feet

**READER BOARD:**

- Panned Clear Polycarbonate Faces
- Illuminated with LEDs
- 17.3 Square Feet



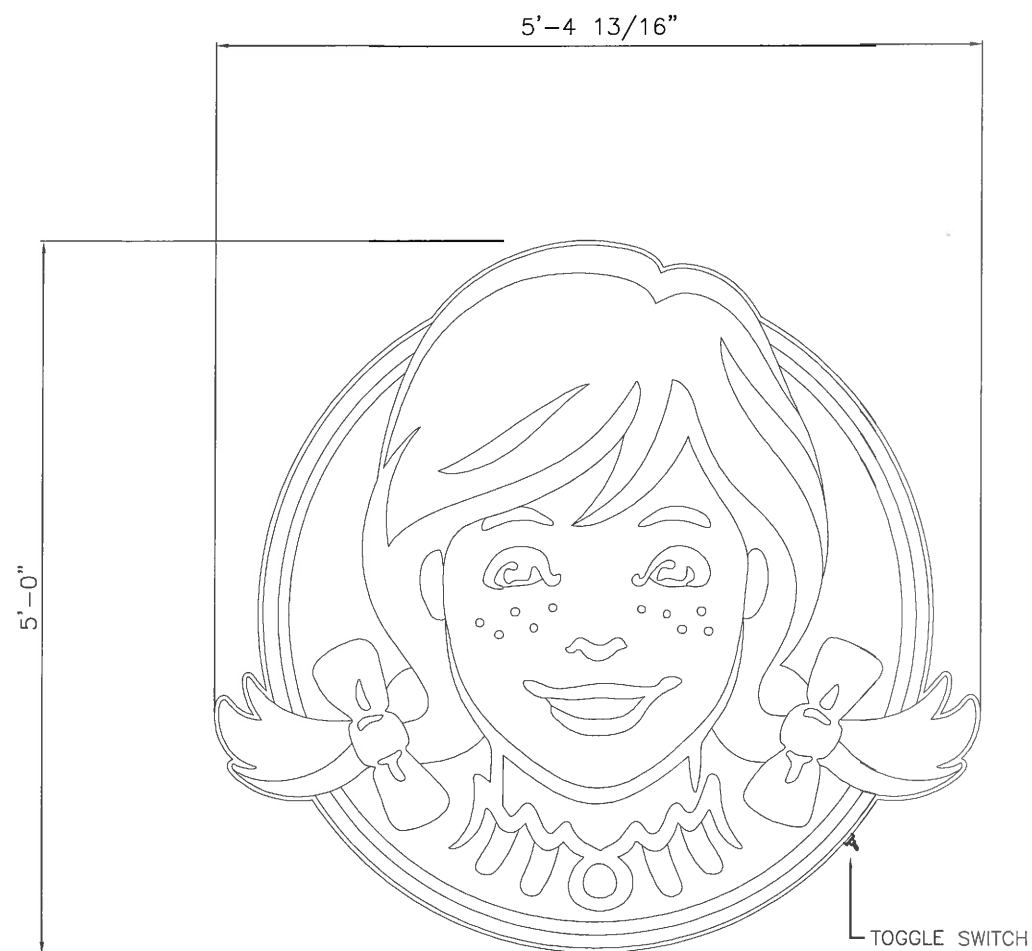
<b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36303 PH (888) 303-5534 • FAX (334) 836-1401 www.idassociatesinc.com	CLIENT: <b>WENDY'S</b>		DRAWN BY: <b>ABS</b>	
	LOCATION: <b>KNOXVILLE, TN</b>		STORE #: <b>12337</b>	
	ACCOUNT REP: <b>CHRIS</b>		DATE: <b>6-25-18</b>	
	WENDY'S KNOXVILLE TN #12337		REV #: <b>R1 9-7-18 ABS</b>	

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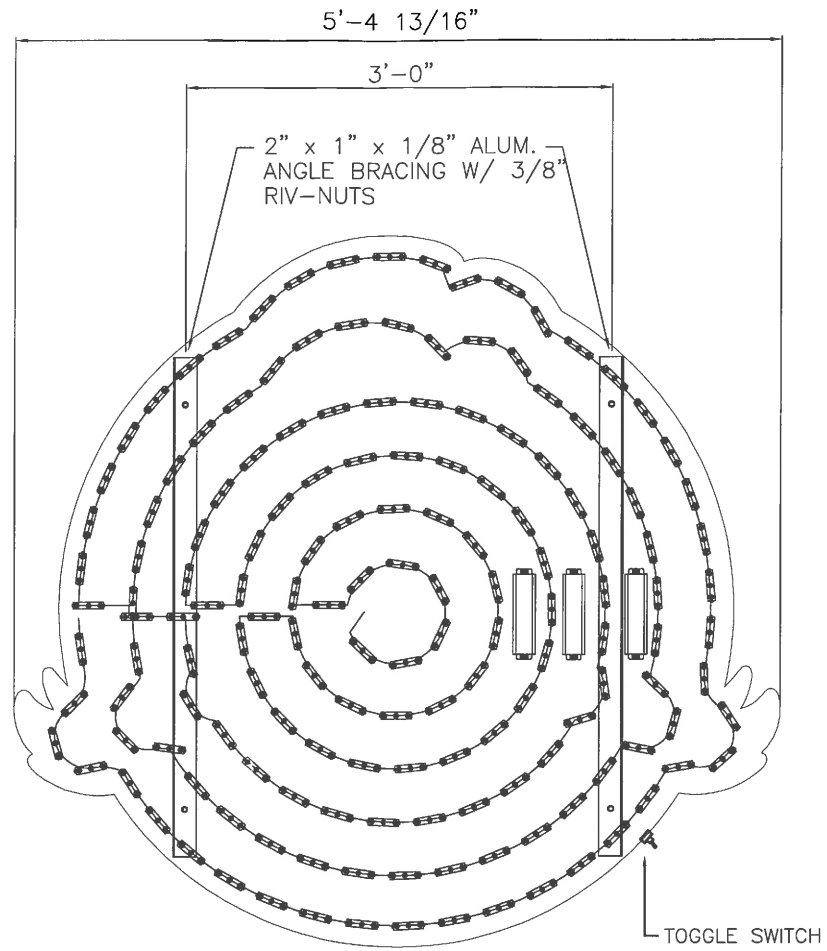
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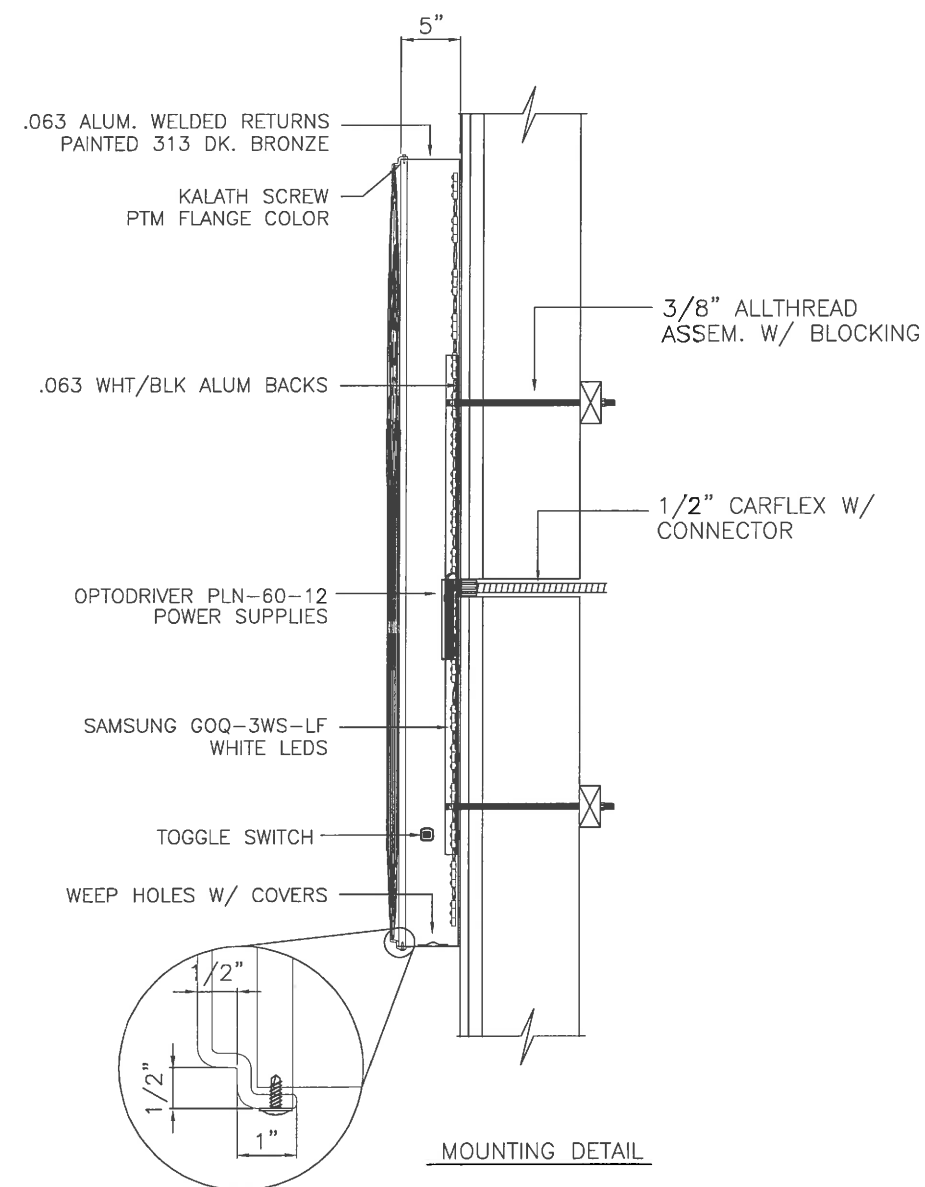




FACE LAYOUT



LED LAYOUT



MOUNTING DETAIL

**NOTES:**

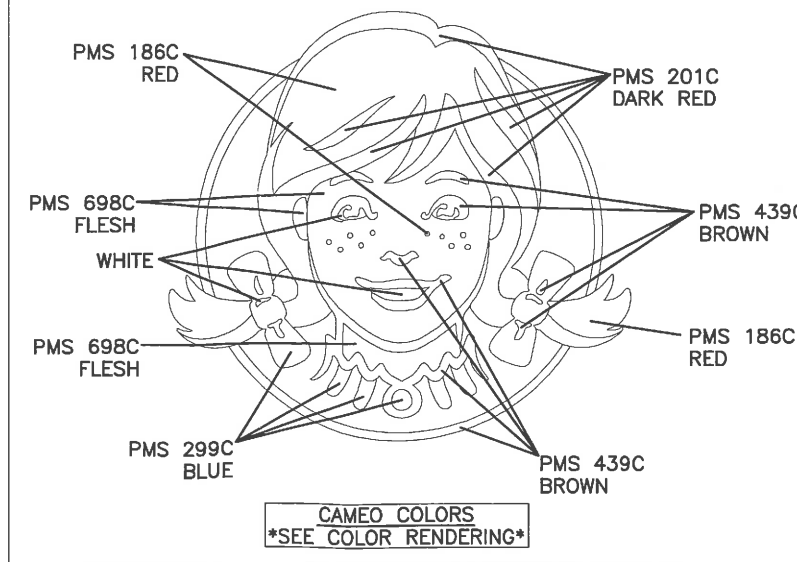
SINGLE FACE LOGO W/ PANNED & EMBOSSED CLEAR LEXAN FACES W/ GRAPHICS  
 .063 ALUM BACKS W/ .063 WELDED RETURNS  
 WELDED LIP ON LOGO BACKS MOUNTED TO EXISTING D/F PYLON W/  
 INTERNALLY ILLUMINATED WITH LED'S

**COLORS:**

RETURNS - PAINTED 313 DK. BRONZE  
 LOGO FACES - PANNED & EMBOSSED CLEAR LEXAN FACES W/ DIGITALLY  
 PRINTED GRAPHICS (SEE DETAIL FOR COLORS)

**ELECTRICAL SPECS:**

(159) MODS OF SAMSUNG GOQ-3WS-LF LED PER LOGO  
 (3) OPTODRIVER PLN-60-12 POWER SUPPLIES (.98 AMPS EA) PER LOGO  
 2.94 TOTAL AMPS-120 V



THIS SIGN IS INTENDED TO BE INSTALLED IN  
 ACCORDANCE WITH THE REQUIREMENTS OF  
 ARTICLE 600 OF THE NATIONAL ELECTRICAL  
 CODE AND/OR OTHER APPLICABLE LOCAL  
 CODES. THIS INCLUDES PROPER GROUNDING  
 AND BONDING OF THE SIGN.



**I.D. ASSOCIATES**

1771 INDUSTRIAL ROAD  
 DOTHAN, AL 36303  
 PHONE: (334) 836-1400  
 FAX: (334) 836-1401

CUSTOMER:

WENDY'S

LOCATION:

STANDARD

DATE:

9/1/16

BY:

MRJ

ACCOUNT MANAGER:

B. HOLLAND

ITEM NUMBER:

WEN-60-CAMEO

REVISED:

BY:

SCALE:

3/4"=1'-0"

WIND LOAD:

REVISED:

BY:

APPROVED BY:

APPROVED DATE:

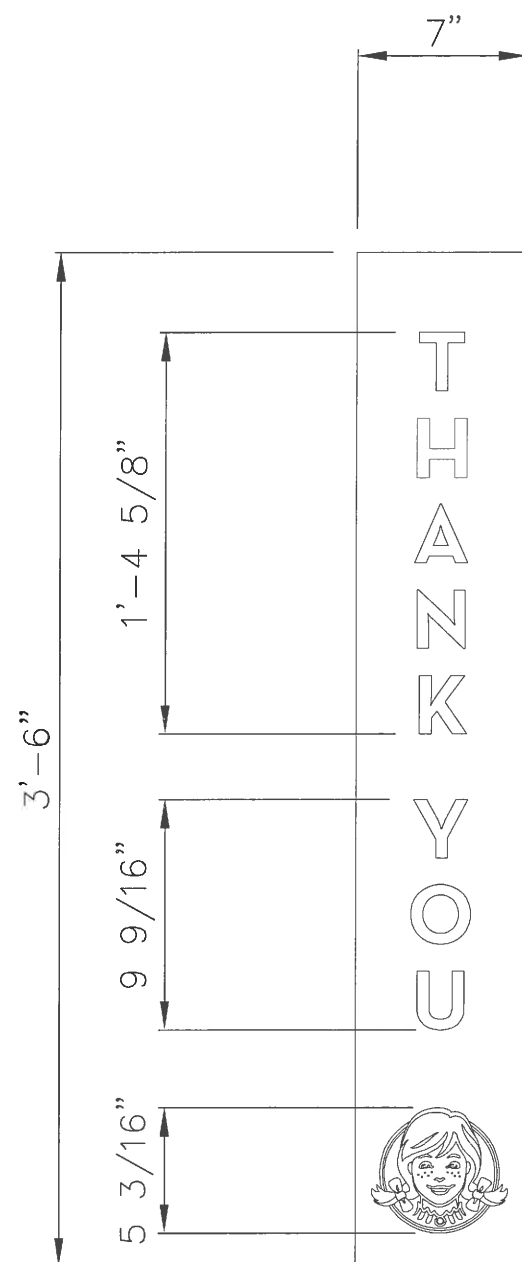
REVISED:

BY:

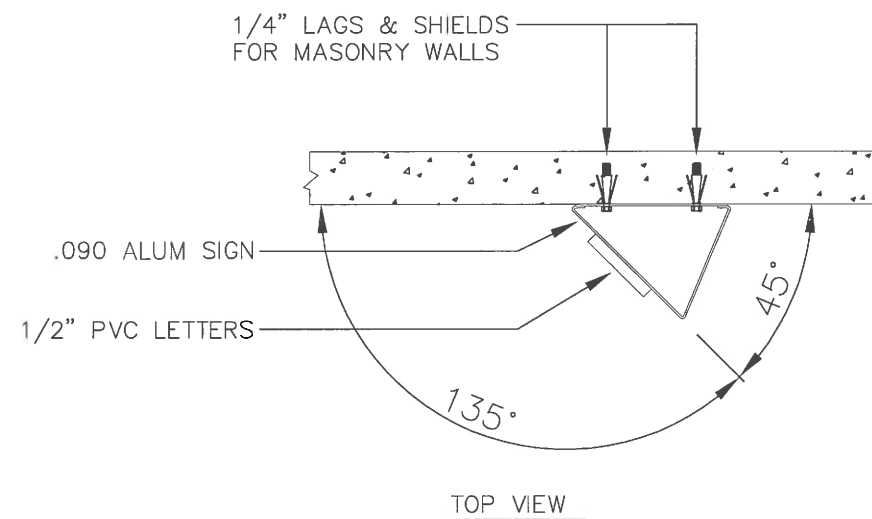
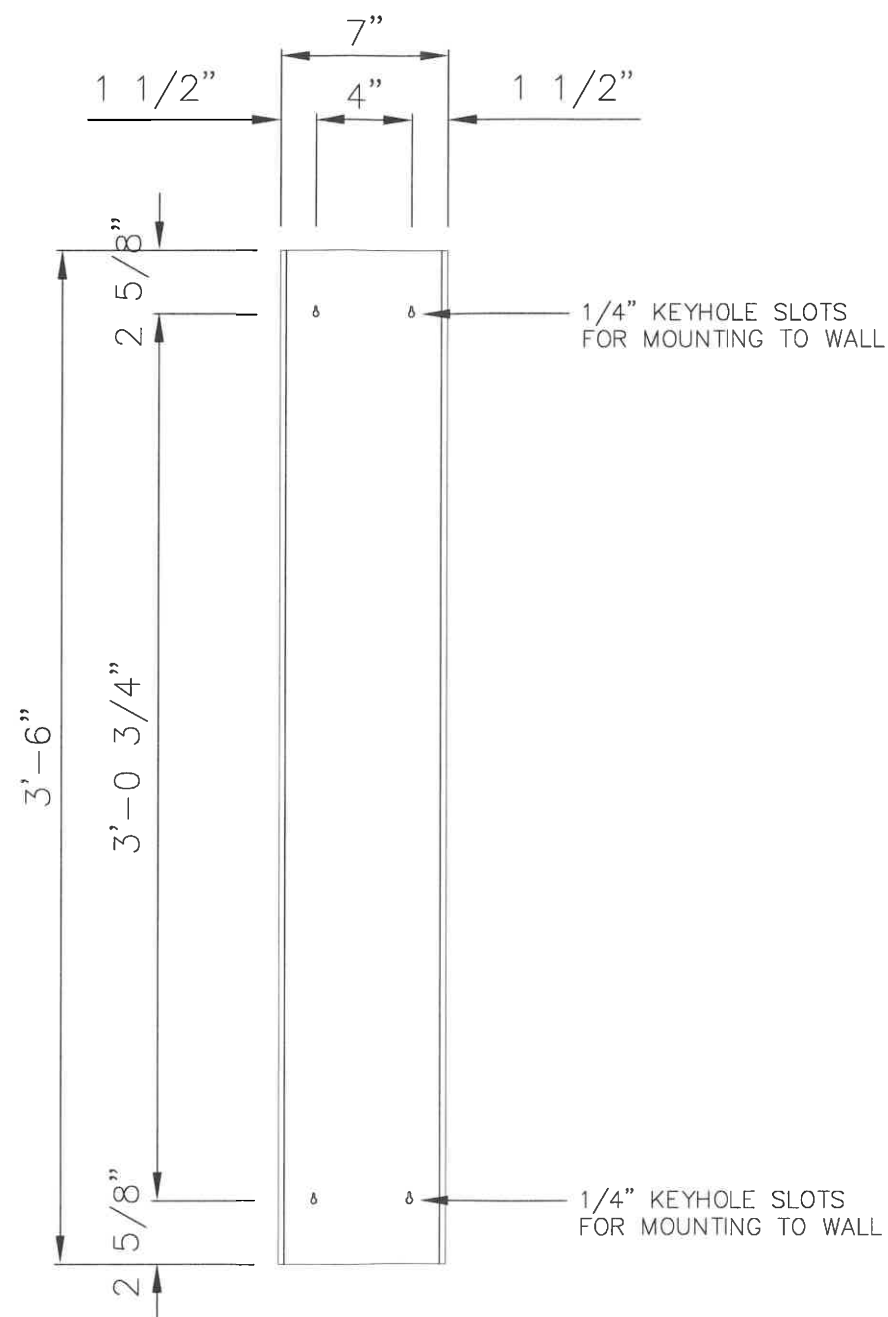
ESTIMATED WEIGHT:

PAGE 1 OF 1

10-E-18-VA



NON-ILLUMINATED BLADE SIGN


NOTES:

3'-6" X 7" NON-ILLUMINATED BLADE SIGN  
 FLUSH MOUNTED TO EXISTING WALL  
 1/2" WHITE PVC LETTERS MOUNTED TO  
 BENT UP .090 ALUMINUM BODY W/  
 (4) 1/4" KEYHOLE SLOTS FOR MOUNTING TO WALL

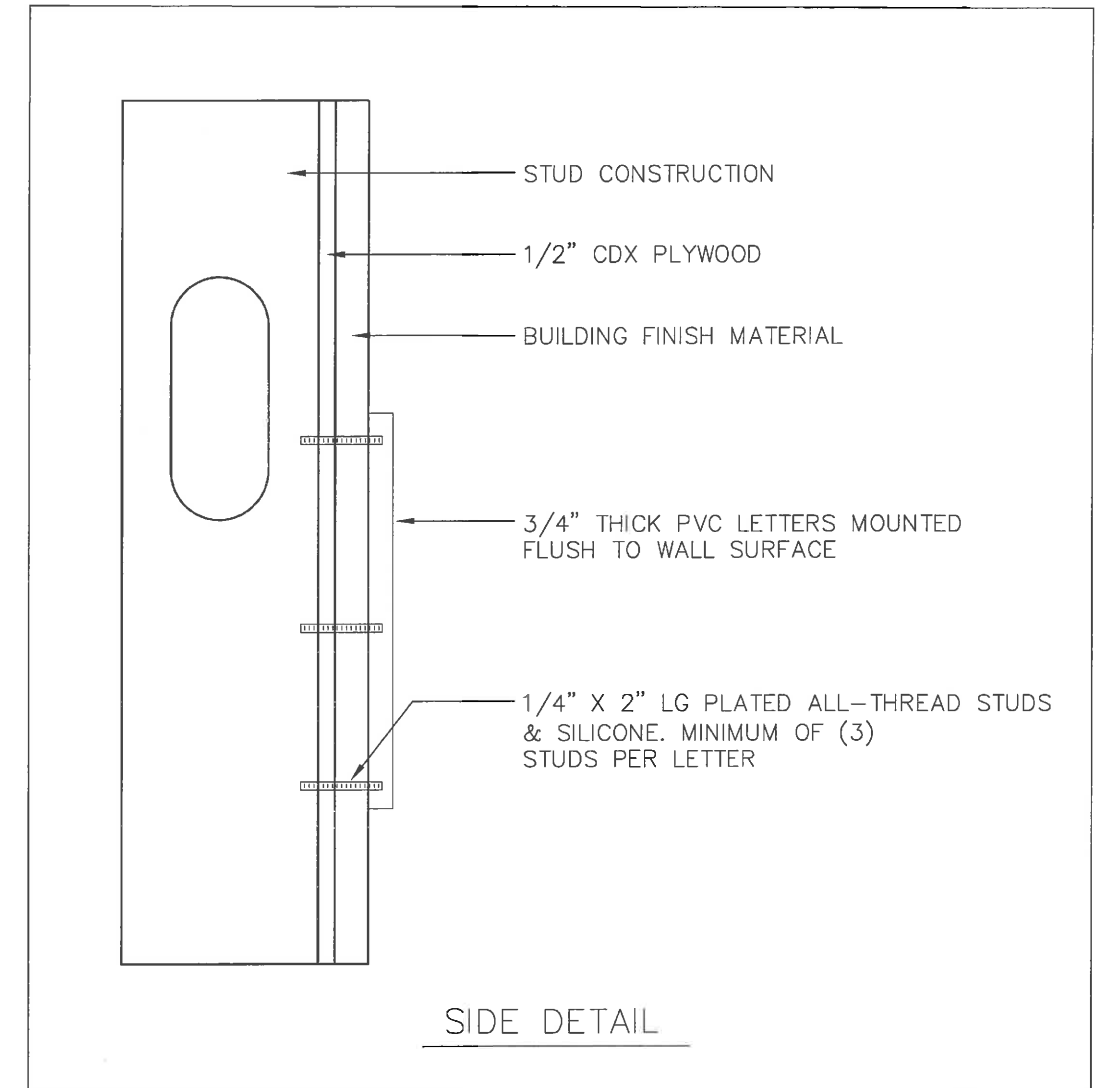
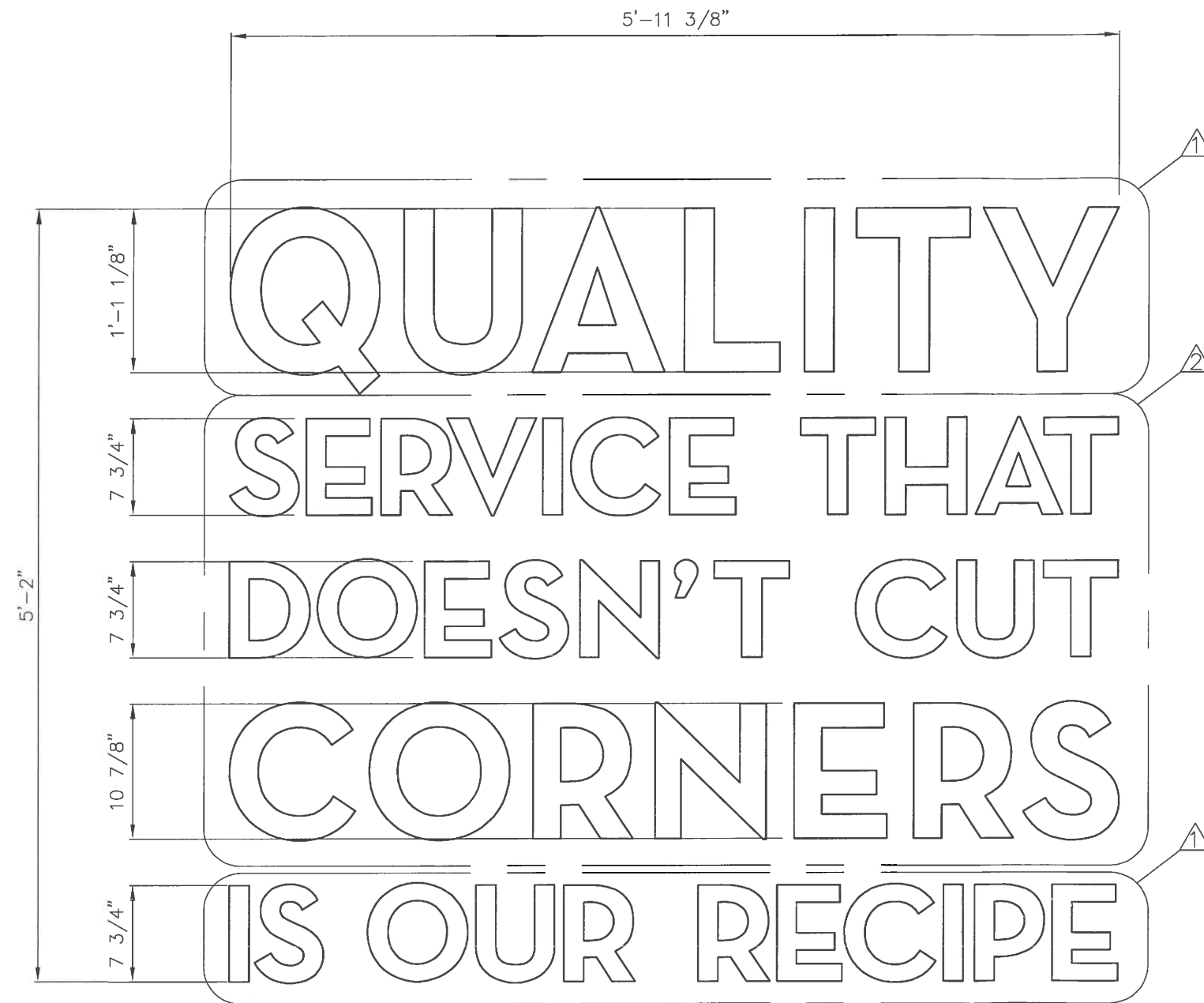
COLORS:

COPY - WHITE PVC  
 LOGO - WHITE PVC W/ DIGITAL PRINT  
 ALUM. BODY - PMS #313 DARK BRONZE

PAGE 1 OF 1

<b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD DOTHAN, AL 36303 PHONE: (334) 836-1400 FAX: (334) 836-1401		CUSTOMER: <b>WENDY'S</b>	
		LOCATION: STANDARD	
DATE: 07/18/14	BY: DMS	ACCOUNT MANAGER: B. HOLLAND	ITEM NUMBER: TY-DT
REVISED:	BY:	SCALE: 1 1/2"=1'-0"	WIND LOAD:
REVISED:	BY:	APPROVED BY:	APPROVED DATE:
REVISED:	BY:	ESTIMATED WEIGHT:	 Underwriters Laboratories Inc.

10-E-10-VA



NON-ILLUMINATED CANOPY LETTERS

COLORS:

1 MP 18214

2 MP 18140

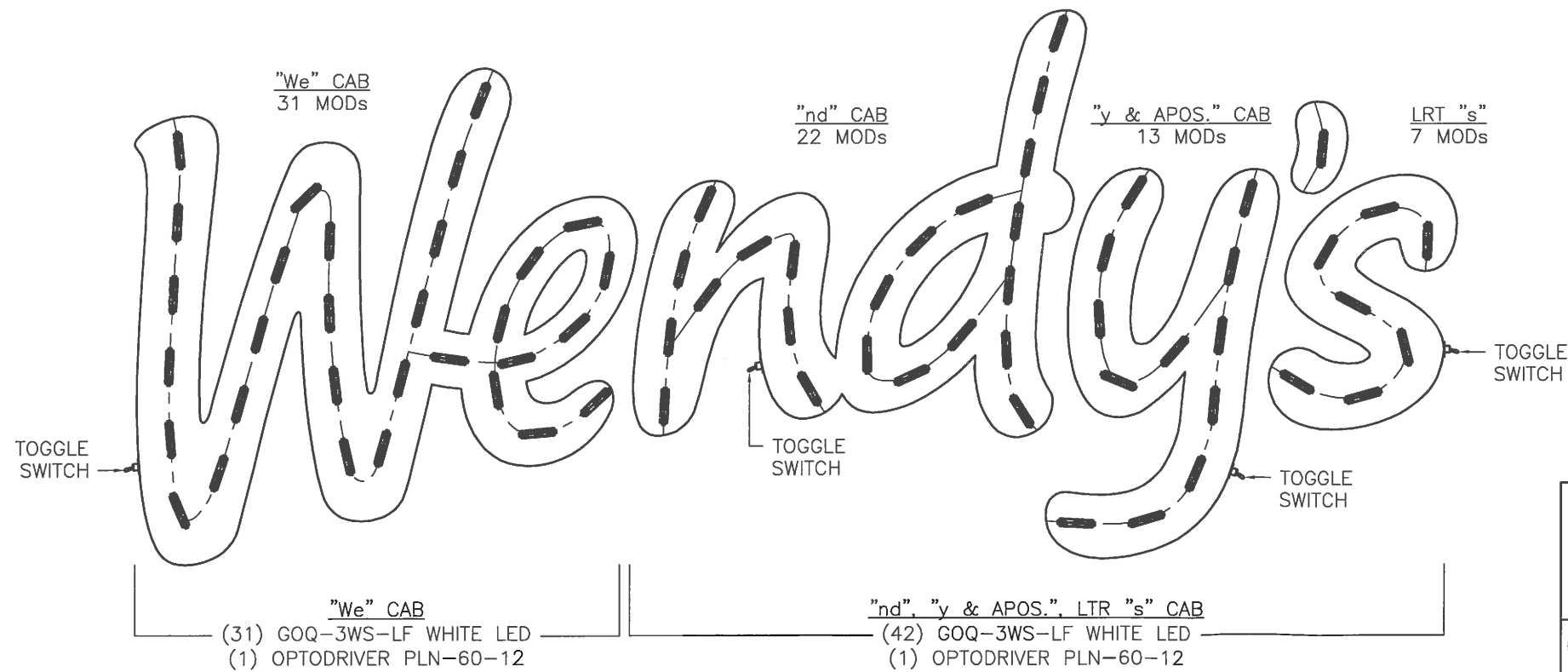
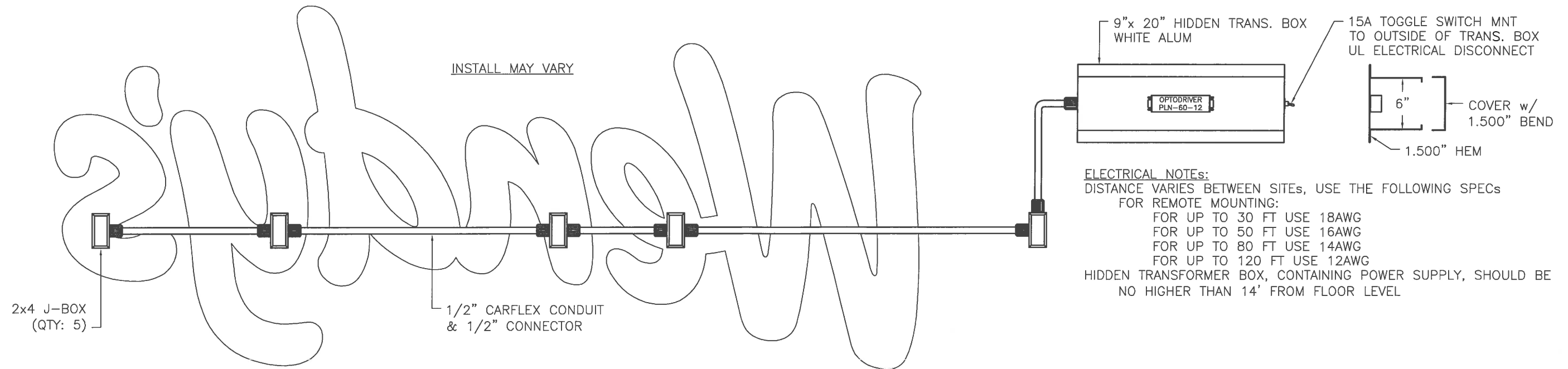


<b>I.D. ASSOCIATES</b> 1771 INDUSTRIAL ROAD DOTHAN, AL 36303 PHONE: (334) 836-1400 FAX: (334) 836-1401		CUSTOMER: WENDY'S	
DATE: 07/17/14 BY: DMS REVISED: 11/12/14 BY: MRJ REVISED:		LOCATION: STANDARD - VARIOUS ACCOUNT MANAGER: B. HOLLAND SCALE: 1"=1'-0" APPROVED BY: ESTIMATED WEIGHT:	
ITEM NUMBER: QUALITY-PUW WIND LOAD: APPROVED DATE:		10-E-10-VA PAGE 1 OF 1	



S

REVISION HISTORY			
REV	DESCRIPTION	DATE	BY



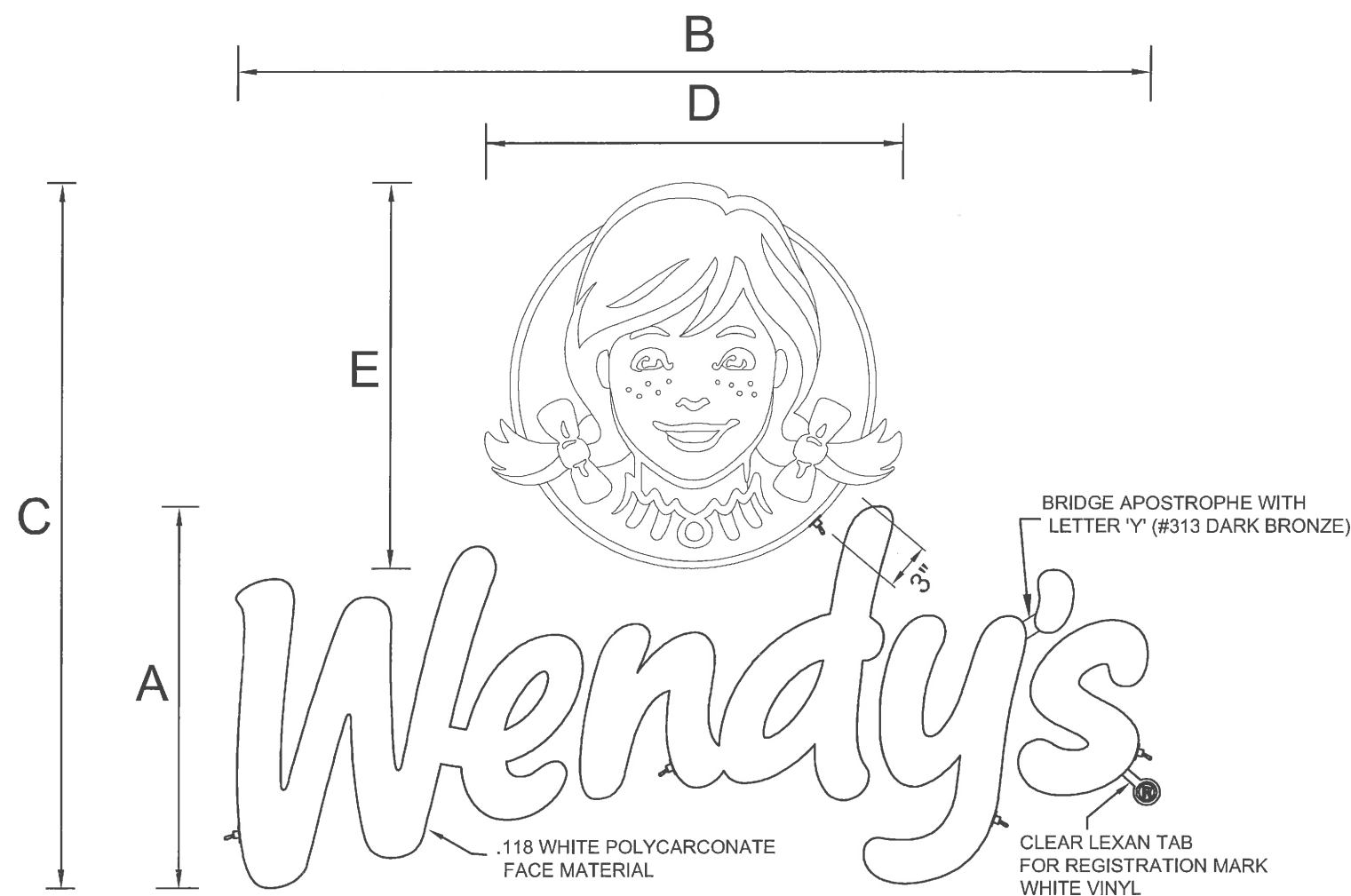
73 TOTAL MODs OF GOQ-3WS-LF  
(2) OPTODRIVER PLN-60-12  
1.00 MAX AMPs (.50 AMPs MAX EA)  
(1) 15 AMP DISCONNECT SWITCH

<b>ID ASSOCIATES</b> 1771 INDUSTRIAL ROAD • DOTHAN, AL 36303 PHONE: (334) 836-1400 FAX: (334) 836-1401 www.idassociates.com	CUSTOMER <b>WENDY'S</b>	ITEM NUMBER <b>W42-RM-W-NO-LOGO</b>	
DESCRIPTION WENDY'S w/ NO LOGO CHLL SIGN PACKAGE 2'-0" - 3'-6"	LOCATION VARIOUS		
CODE 126003 COMP. DATE 03/10/2016	PAGE LAYOUT ASSEMBLY DETAIL		
APPROVAL DATE A-P DATE	SHEET 05 OF 05 SCALE 1" = 1'-0"		
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE w/ THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.	DRAWN BY R. BEEBE ACCOUNT MANAGER B. HOLLAND	REV <b>A</b>	
WIND LOAD —	EST. WEIGHT —		
	ITEM NUMBER <b>W42-RM-W-NO-LOGO</b>		

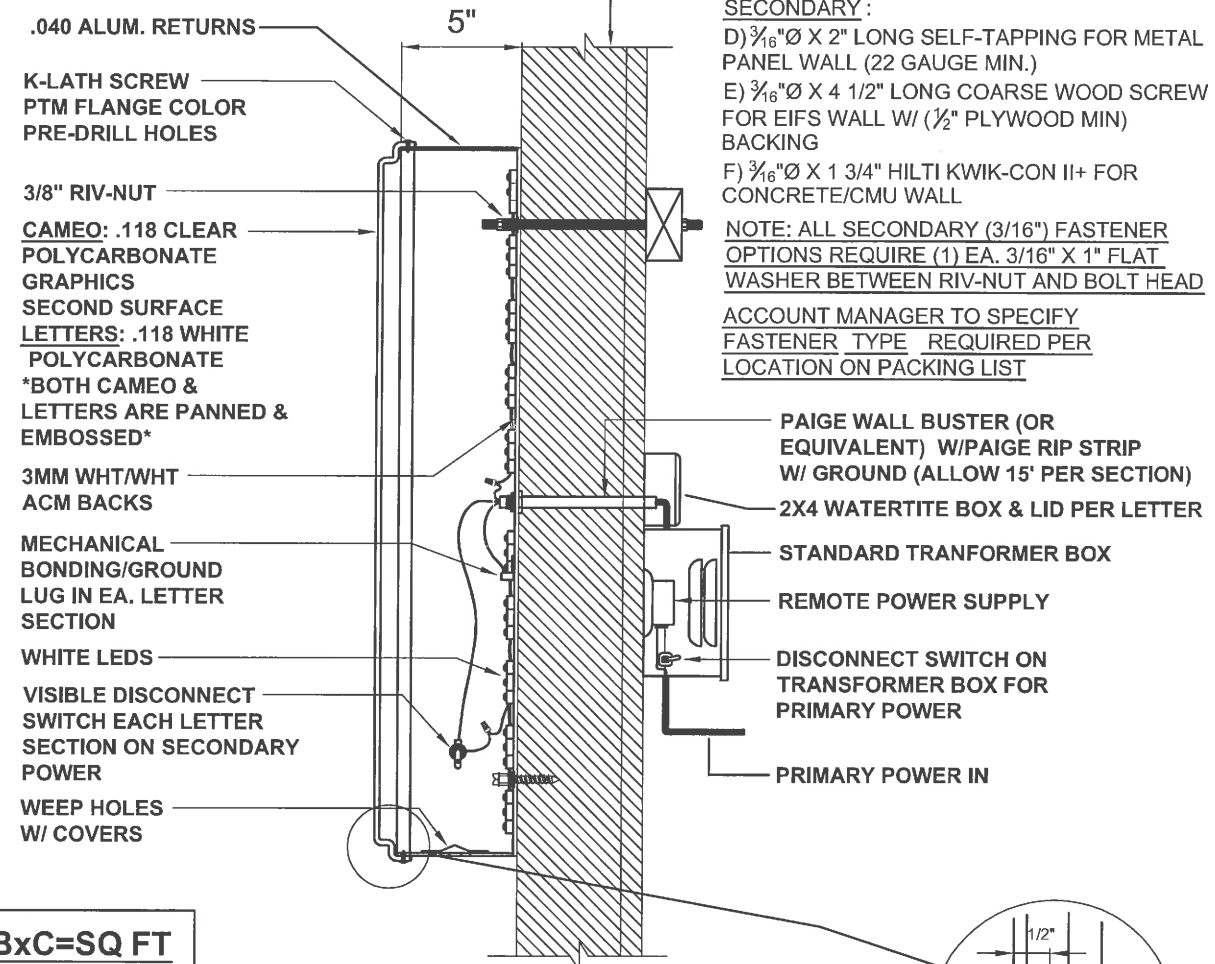
10-E-10VA

STANDARD STACKED REMOTE-WHITE

S



VARIOUS WALL CONSTRUCTION -  
USE APPROPRIATE ATTACHMENT



PRIMARY :  
A) THRU-BOLT W/ 3/8"Ø THREADED ROD WITH  
BLOCKING  
B) 3/8"Ø LAG BOLT WITH SHIELD FOR  
CONCRETE WALLS  
C) 3/8"Ø TOGGLE BOLT FOR EIFS WALL W/ (   
PLYWOOD MIN) BACKING

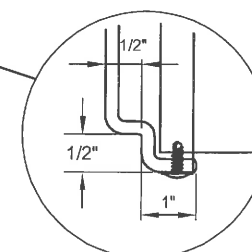
SECONDARY :  
D) 3/16"Ø X 2" LONG SELF-TAPPING FOR METAL  
PANEL WALL (22 GAUGE MIN.)  
E) 3/16"Ø X 4 1/2" LONG COARSE WOOD SCREW  
FOR EIFS WALL W/ (1/2" PLYWOOD MIN)  
BACKING  
F) 3/16"Ø X 1 3/4" HILTI KWIK-CON II+ FOR  
CONCRETE/CMU WALL

NOTE: ALL SECONDARY (3/16") FASTENER  
OPTIONS REQUIRE (1) EA. 3/16" X 1" FLAT  
WASHER BETWEEN RIV-NUT AND BOLT HEAD  
ACCOUNT MANAGER TO SPECIFY  
FASTENER TYPE REQUIRED PER  
LOCATION ON PACKING LIST

PAIGE WALL BUSTER (OR  
EQUIVALENT) W/PAIGE RIP STRIP  
W/ GROUND (ALLOW 15' PER SECTION)  
2X4 WATERTITE BOX & LID PER LETTER  
STANDARD TRANSFORMER BOX  
REMOTE POWER SUPPLY  
DISCONNECT SWITCH ON  
TRANSFORMER BOX FOR  
PRIMARY POWER  
PRIMARY POWER IN

\*\*\*Butyl caulk all penetrations\*\*\*  
(ALL MOUNTING HARDWARE TO BE NON CORROSIVE)

CAMEO/LETTERS SECTION VIEW  
MOUNTING DETAIL  
NOT TO SCALE



COLOR NOTES  
BACKS: 3MM WHT/WHT ACM  
RETURNS: 5" X .040" ALUMINUM PRE-FINISHED #313 DARK BRONZE (LETTERS & CAMEO)  
TRIM CAP: NONE (CAP-OVER FACE). PAINT SCREWS TO MATCH FLANGE COLOR  
FACES: CAMEO- .118" CLEAR POLYCARBONATE - .150" FOR 42" (DECORATE 2ND SURFACE)  
LETTERS- .118" WHITE POLYCARBONATE - .150" FOR 42"  
LEDS: WHITE FROSTED -CAMEO & LETTERS  
(SEE ELECT SHEET FOR MANUFACTURER CALLOUT)  
POWER SUPPLY: OPTODRIVER POWER SUPPLIES IN STANDARD TRANSFORMER BOX  
WITH TOGGLE SWITCH (SEE ELECT SHEET FOR MANUFACTURER CALLOUT)

LTR SIZE	QTY OF FASTENERS
2'-0"	25
2'-6"	27
3'-0"	36
3'-6"	38

<b>ID ASSOCIATES</b> 1771 INDUSTRIAL ROAD DOTHAN, AL 36303 PHONE: (334) 836-1400 FAX: (334) 836-1401		CUSTOMER: <b>WENDY'S</b>	
		LOCATION: STANDARD STACKED REMOTE - WHITE	
DATE: 11/04/14	BY: RMS	ACCOUNT MANAGER: B. HOLLAND	ITEM NUMBER: W-STK-RM-W
REVISED: 2/16/15 NOTES	BY: RMS	SCALE: NONE	WIND LOAD:
REVISED: 2/19/15 SED INFO	BY: RMS	APPROVED BY:	APPROVED DATE:
REVISED: 05/21/15 REV TO ADD GROUND LUG	BY: DMS	ESTIMATED WEIGHT:	
REVISED: 06/21/16 REV TO UPDATE SPECS	BY: DMS	PAGE 1 OF 4	

W-E18-VA