

File # (office use only)

12-F-22-VA



BOARD OF ZONING APPEALS APPLICATION

Please reach out to a City of Knoxville Zoning Examiner about your project before submitting a variance application.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Daryl Johnson	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 2332 News Sentinel Dr, Ste 230	Contractor <input type="checkbox"/>	Modification of Existing Structure <input checked="" type="checkbox"/>
City, State, Zip Knoxville, TN 37921	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-671-9060	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email djohnson@jainc.com		Other <input type="checkbox"/>

THIS IS A REQUEST FOR:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Zoning Variance (Building Permit Denied) | <input type="checkbox"/> Extension of Non-Conforming Use/or Structure |
| <input type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation |

PROPERTY INFORMATION

Street Address 400 Neyland Drive 095PB00901 City, State, Zip Knoxville TN 37902
 See KGIS.org for Parcel # 9.01 City Council District # 6 and Zoning District C-G-1

VARIANCE REQUIREMENTS

City of Knoxville Zoning Ordinance Article 16, Section 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.

Calhoun's on the River has two distinct, exterior decks at two separate levels. The applicant has added a roof covering these decks as an addition to the existing building that will provide protection from the elements for diners. The applicant has received 26A approval from TVA to add roll up doors to the structure so that they may be used in inclement weather. As per the COK Site review comments, "if the structure does not meet substantial improvement, the finished floor elevation (FFE) of the new addition and connecting additions will need to match the highest existing FFE of the main level of the primary structure." The new roof canopy addition does not meet the threshold for substantial improvement. However, raising the existing lower deck level to align with the upper deck level and main floor, would cause significant operational and egress issues.

Describe hardship conditions that apply to this variance.

Raising the deck would create an egress issue from that area. In addition, the riverwalk connection would be impacted by creating a more vertical "edge" along the sidewalk. The applicant respectfully requests that the existing lower deck be allowed to remain in place.

Site plans and any other relevant information associated with the hardship must accompany this application.

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

DATE

11/1/22

INCOMPLETE APPLICATIONS WILL BE RETURNED FOR RESUBMISSION. ALL INFORMATION IS REQUIRED.

rev 8/2022

File #



BOARD OF ZONING APPEALS APPLICATION

*******OFFICE USE ONLY*******

Is a plat required? Yes No

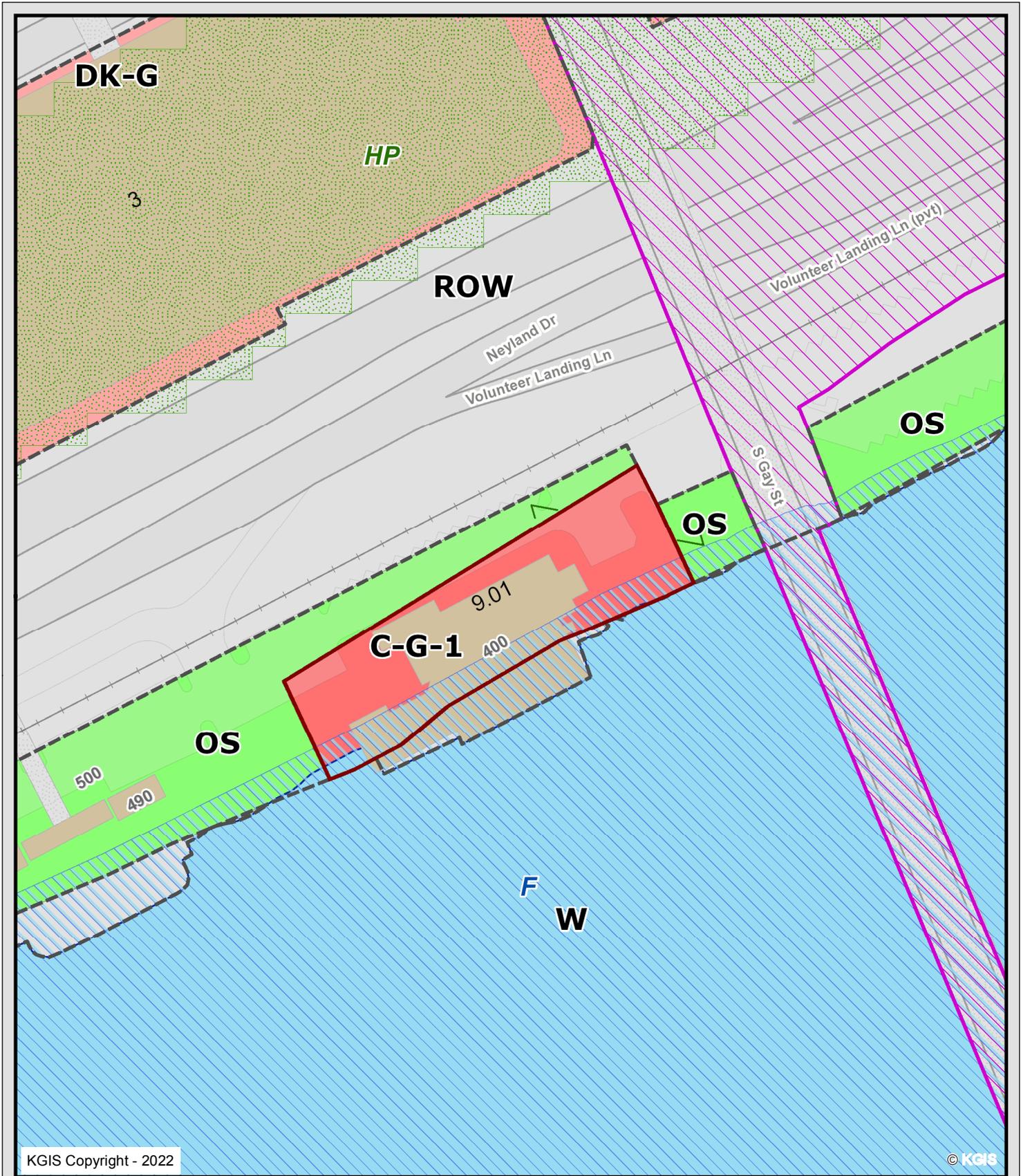
Small Lot of record?

VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):

(This area is currently blank for variance requests and ordinance citations.)

PROJECT INFORMATION

Date Filed	Fee Amount
Council District	BZA Meeting Date
PLANS REVIEWER	DATE



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400 NEYLAND DR

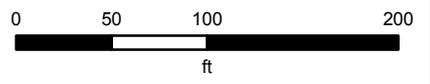
12-F-22-VA

DARYL JOHNSON

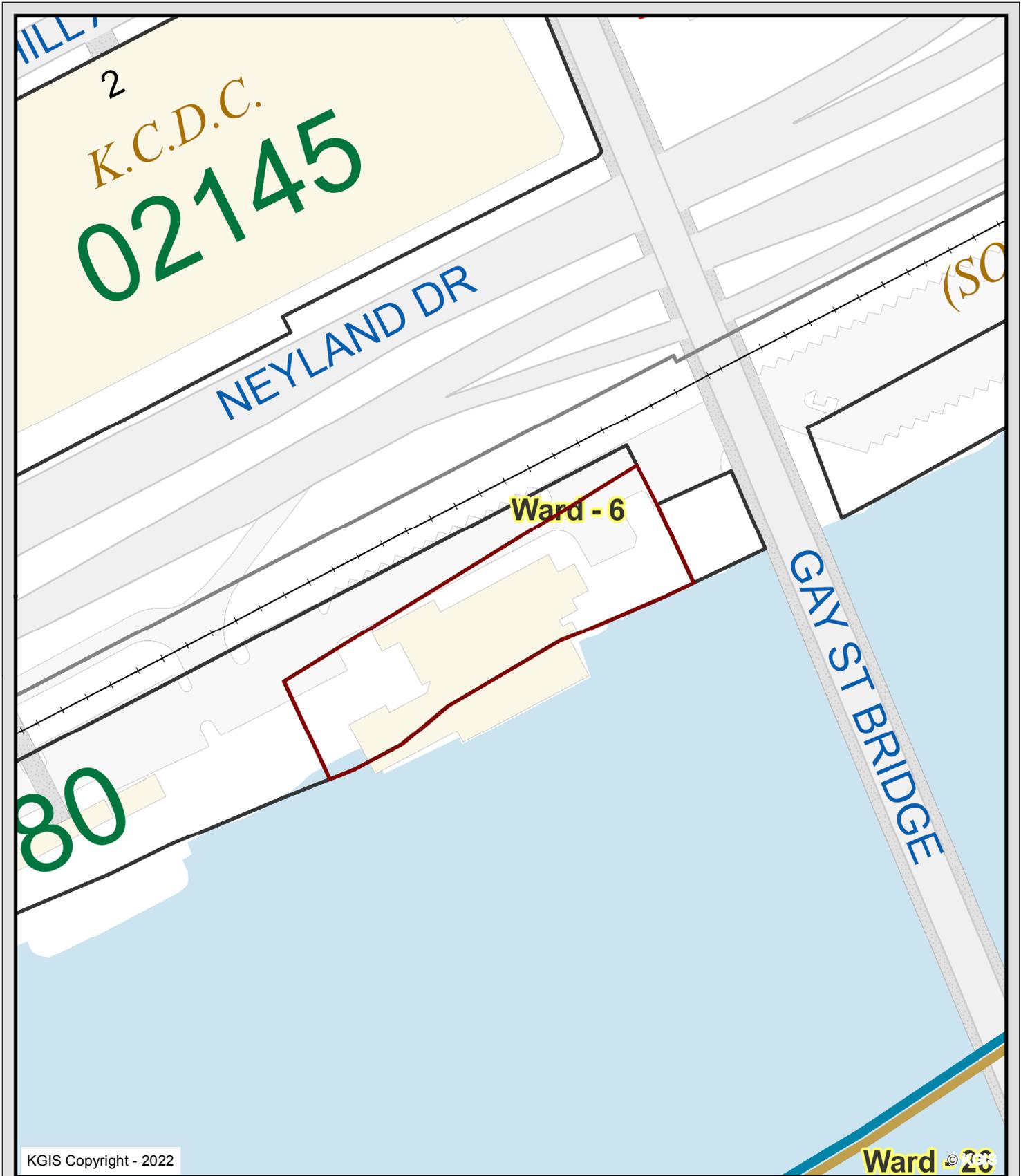
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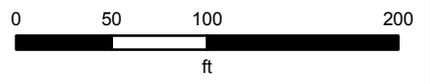
Ward 28

400 NEYLAND DR
 12-F-22-VA
 DARYL JOHNSON

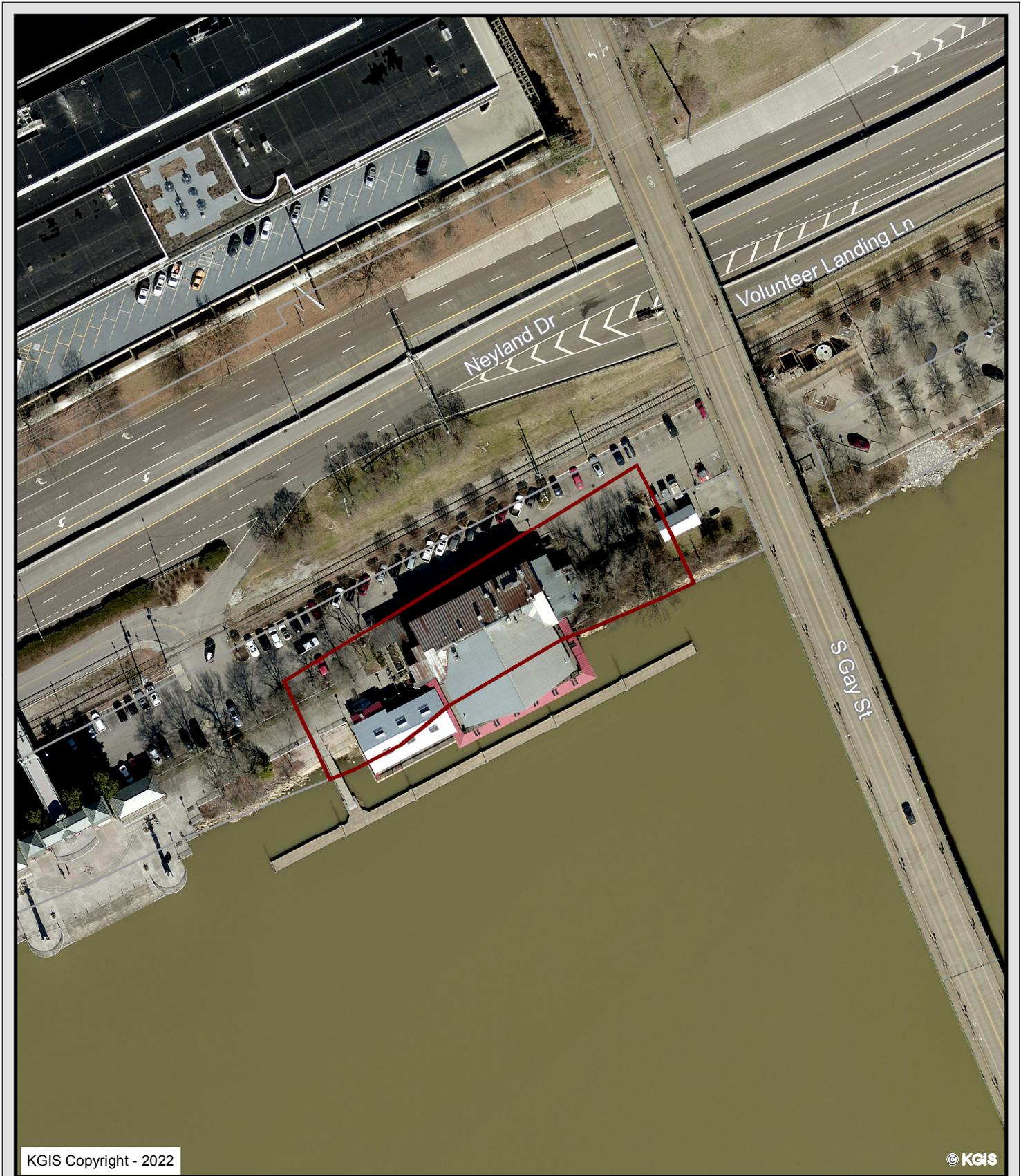
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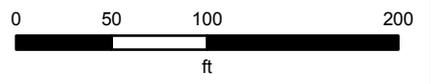
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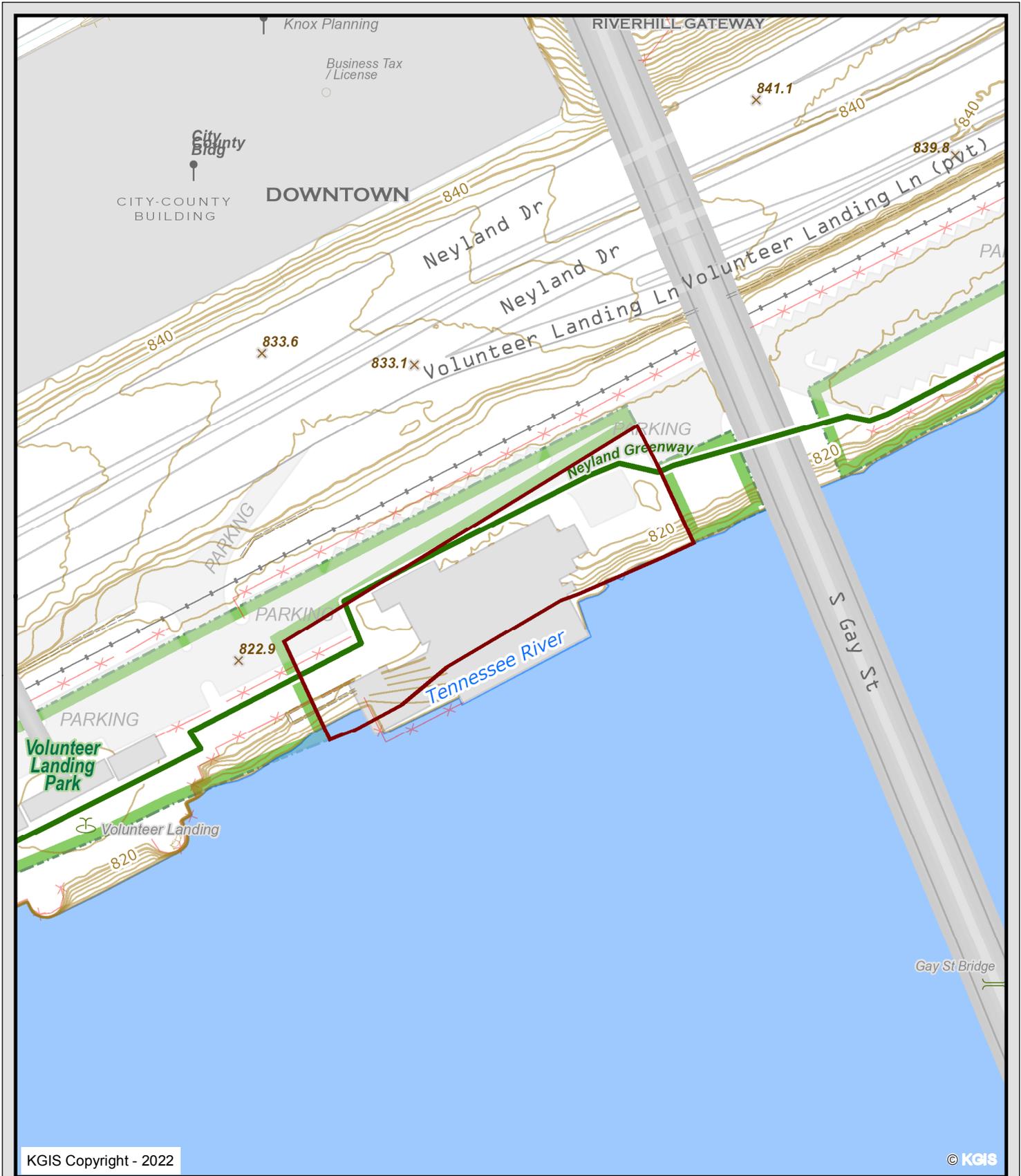
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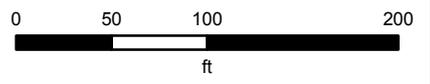
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Johnson
Architecture

2240 Sutherland Ave., Suite 105
Knoxville, TN 37919
865.671.9060
jainc.com

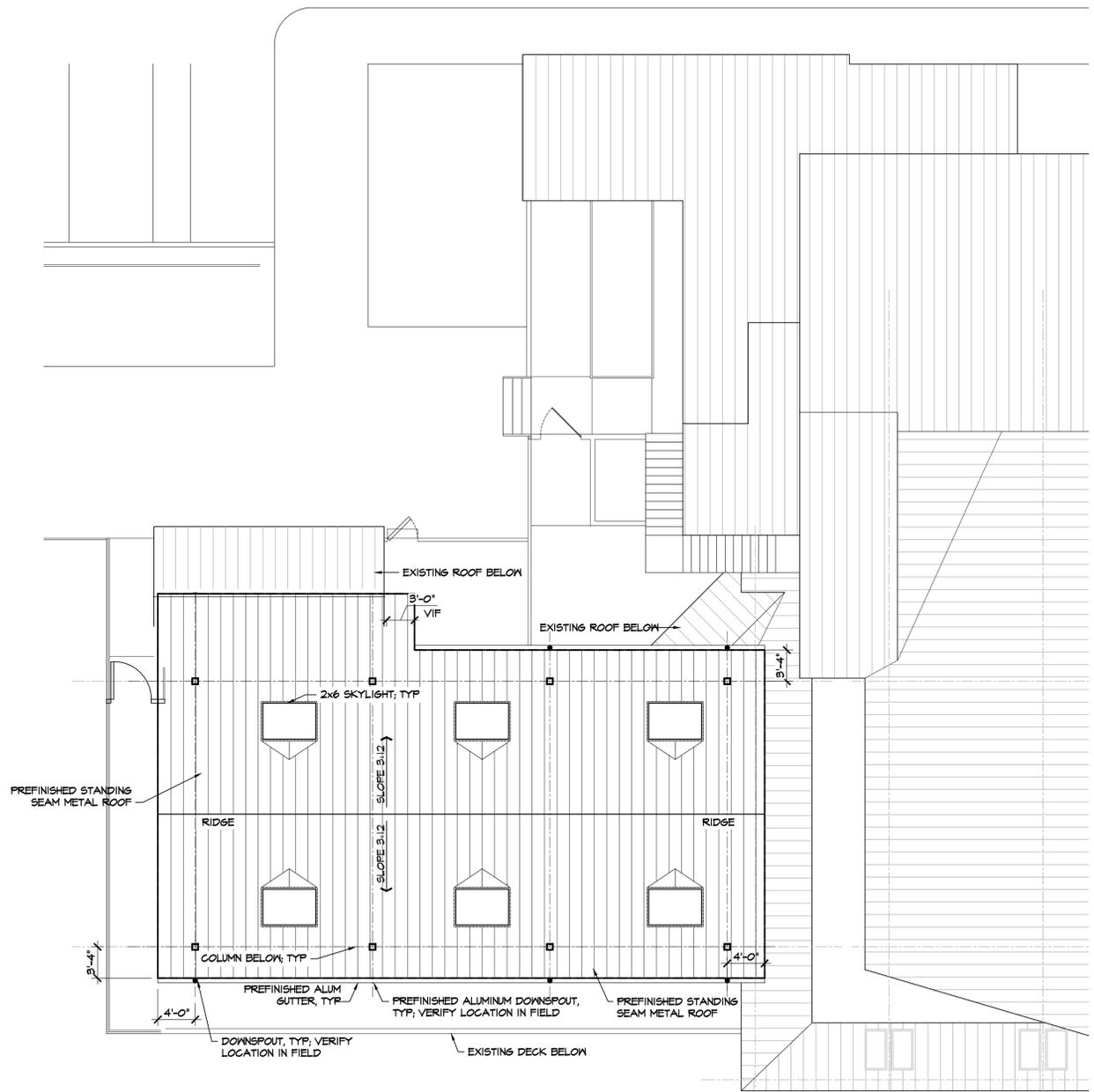
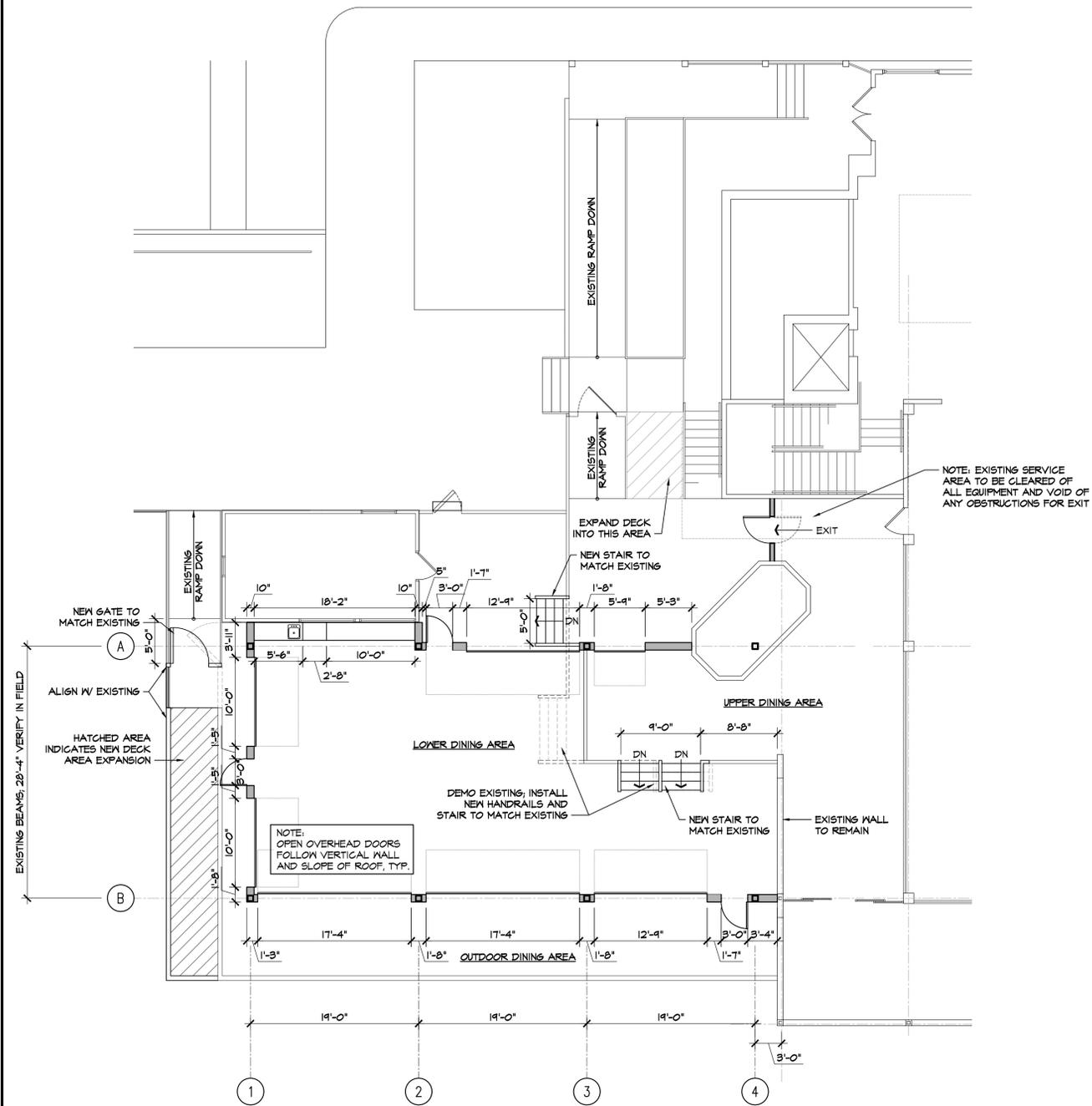
A New Deck Canopy for:
Calhoun's on the River
400 Neyland Dr
Knoxville, Tennessee 37902

FLOOR PLAN
ROOF PLAN

REVISIONS:
1 SEPTEMBER 7, 2021
2 NOVEMBER 22, 2021

DATE: MAY 5, 2021
FILE NAME: NEW GARAGE DOOR - 21.DWG
PROJECT NO:

A2.1

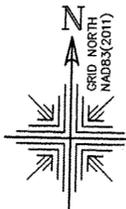


1 FLOOR PLAN
2.1 SCALE: 1/8" = 1'-0"
MAGNETIC NORTH

2 ROOF PLAN
2.1 SCALE: 1/8" = 1'-0"
MAGNETIC NORTH

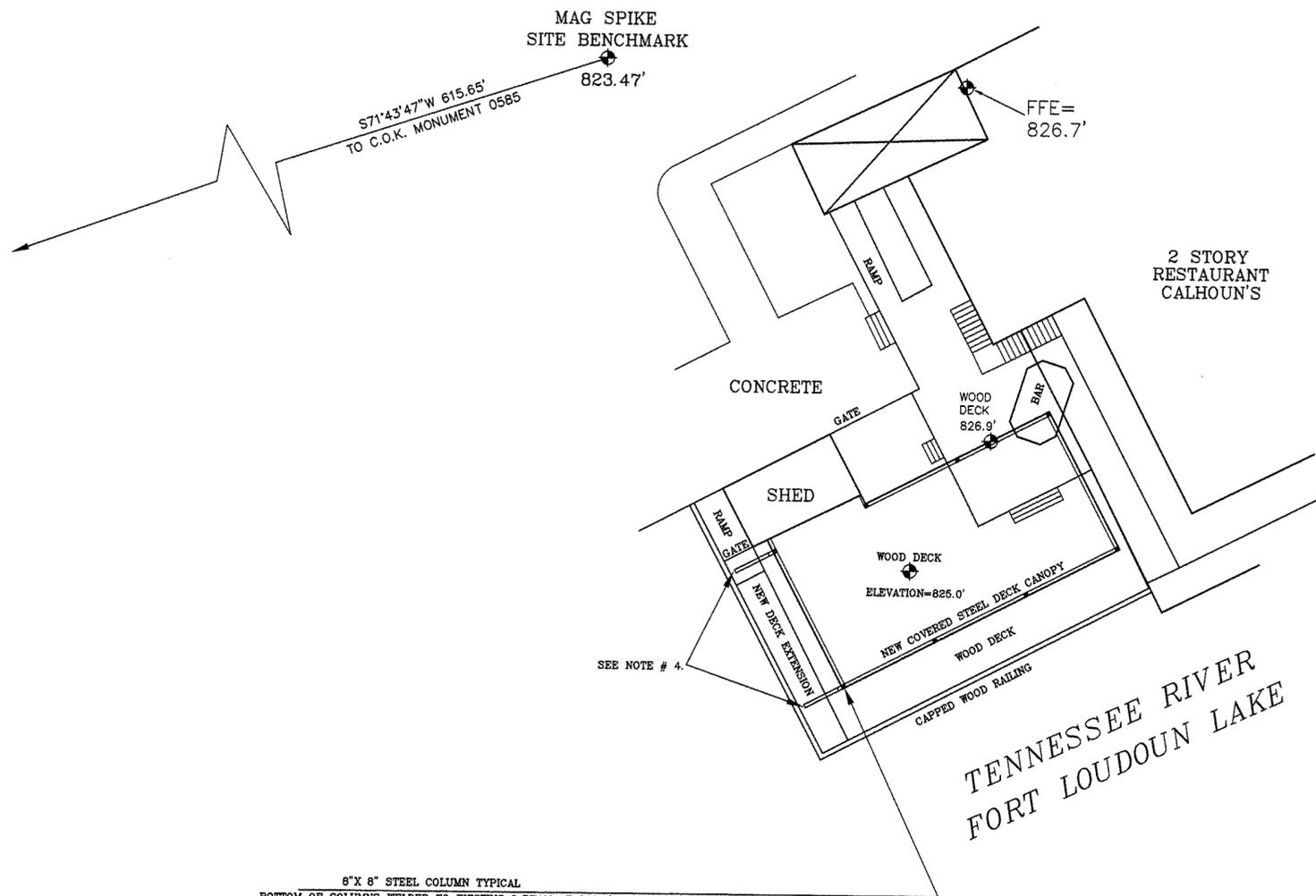
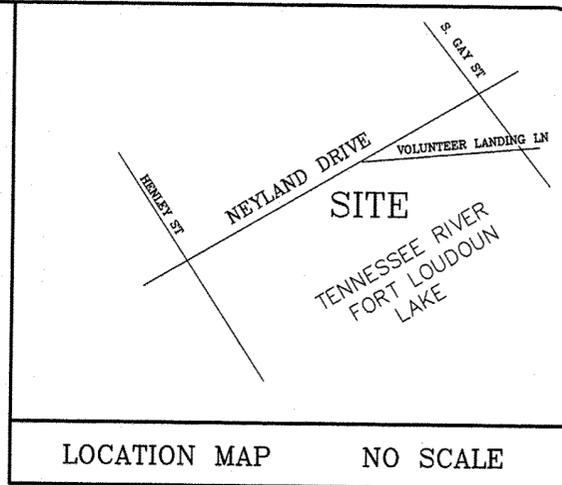
- NOTES
1. REMOVE ALL EXISTING LIGHTING, CAP EXISTING GAS LINES, SEE PLUMBING DRAWINGS FOR NEW GAS CONNECTIONS
 2. VERIFY ALL COLUMN PLACEMENTS IN FIELD, COORDINATE W/ EXISTING STRUCTURE, ADJUST COLUMN SPACING AS NEEDED PER FIELD MEASUREMENTS

PLOT SCALE: AS NOTED



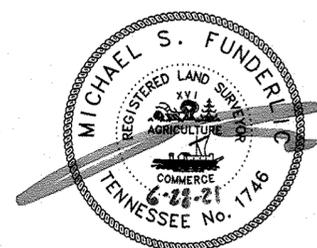
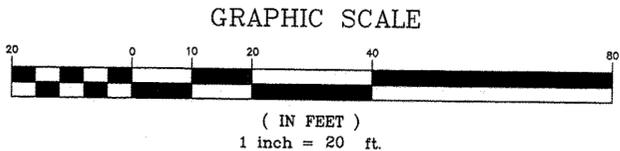
GRID NORTH IS BASED ON A BEARING OF S47°16'28"W FROM CITY CONTROL POINT # 0585 TO CITY CONTROL POINT # 0586. DISTANCES HAVE NOT BEEN REDUCED TO GRID. SURVEY CONTROL DATA IS BASED ON A CITY OF KNOXVILLE ADJUSTMENT EFFECTIVE JUNE 6, 2014.

SOME SURVEY CONTROL WAS ESTABLISHED USING GPS SURVEY MONUMENTS, SITE FEATURES AND APPURTENANCES LOCATED RADIALLY USING A ROBOTIC TOTAL STATION. GPS RECEIVER USED IS A TOPCON HIPER SR NETWORK ROVER, DUAL FREQUENCY WAS USED L1, L2. ROBOTIC TOTAL STATION USED IS A TOPCON 3" QS3. GPS SURVEY IS NETWORK, CONTINUOUSLY OPERATING REFERENCE STATION. HORIZONTAL DATUM IS NAD83(2011). VERTICAL DATUM IS NAVD29, GEOID09 EPOCH 2010. DISTANCES HAVE NOT BEEN REDUCED TO GRID. FIXED CONTROL STATION TDOT GNSS TN15 PUBLISHED LONG.=83° 46' 13.95236(W) LAT.=36°00' 08.23511(N) ELLIPSOID HEIGHT=271.44M VERTICLE DATUM IS NGVD29 AND ESTABLISHED FROM COK CONTROL MONUMENT 0585.



- NOTES:**
1. DEED REFERENCE WDB. 1932 PG. 168.
 2. TAX MAP 95P GROUP B PARCEL 9.01.
 3. CITY BLOCK # 02180.
 4. THE 2 MAIN SUPPORT I BEAMS WHERE EXTENDED APPROXIMATELY 7 FEET EACH TO SUPPORT THE NEW DECK EXTENSION FOR A FIRE EXIT. TOP OF I BEAMS IS 822.7', BOTTOM IS 820.5'

6" X 8" STEEL COLUMN TYPICAL
BOTTOM OF COLUMNS WELDED TO EXISTING I BEAM AT 822.7'



Certification of Class and Accuracy of Survey.
I hereby certify that this is a category IV survey and the ratio of precision of the unadjusted survey is not less than 4 cm plus 50 parts per million as shown hereon and that said survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.

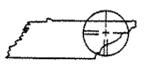
FOR:
CRAIG BELITZ CONSTRUCTION INC.
1773 AMHERST ROAD
KNOXVILLE TENNESSEE 37909
865-212-5588

Registered Land Surveyor
Tennessee License No. 1746
Date 6-28-2021

SITE CONDITIONS AND ELEVATION SURVEY OF
CALHOUNS ON THE RIVER WEST DECK
CALHOUNS
400 NEYLAND DRIVE
KNOXVILLE TENNESSEE 37902
WARD SIX

PROJECT NO.

BOUNDARY CONSULTANTS
SUBDIVISIONS SURVEYING SITE DEVELOPMENT
422 E OAK HILL AVENUE KNOXVILLE TENNESSEE 37917
PH. 865-637-3997



REVISIONS	
DRAWN BY: M.S.F.	1 1-4-2022 AS BUILT CONDITIONS
CHECKED BY: M.S.F.	2
APPROVED BY: M.S.F.	3
SCALE: 1" = 20'	4
DATE: 6-28-2021	5
DRAWING NO: 16850	6

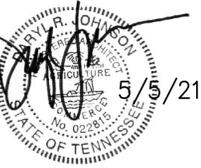
COPPER CELLAR CORPORATION
3001 INDUSTRIAL BLVD. # E
KNOXVILLE TENNESSEE 37921
865-673-3400

16850

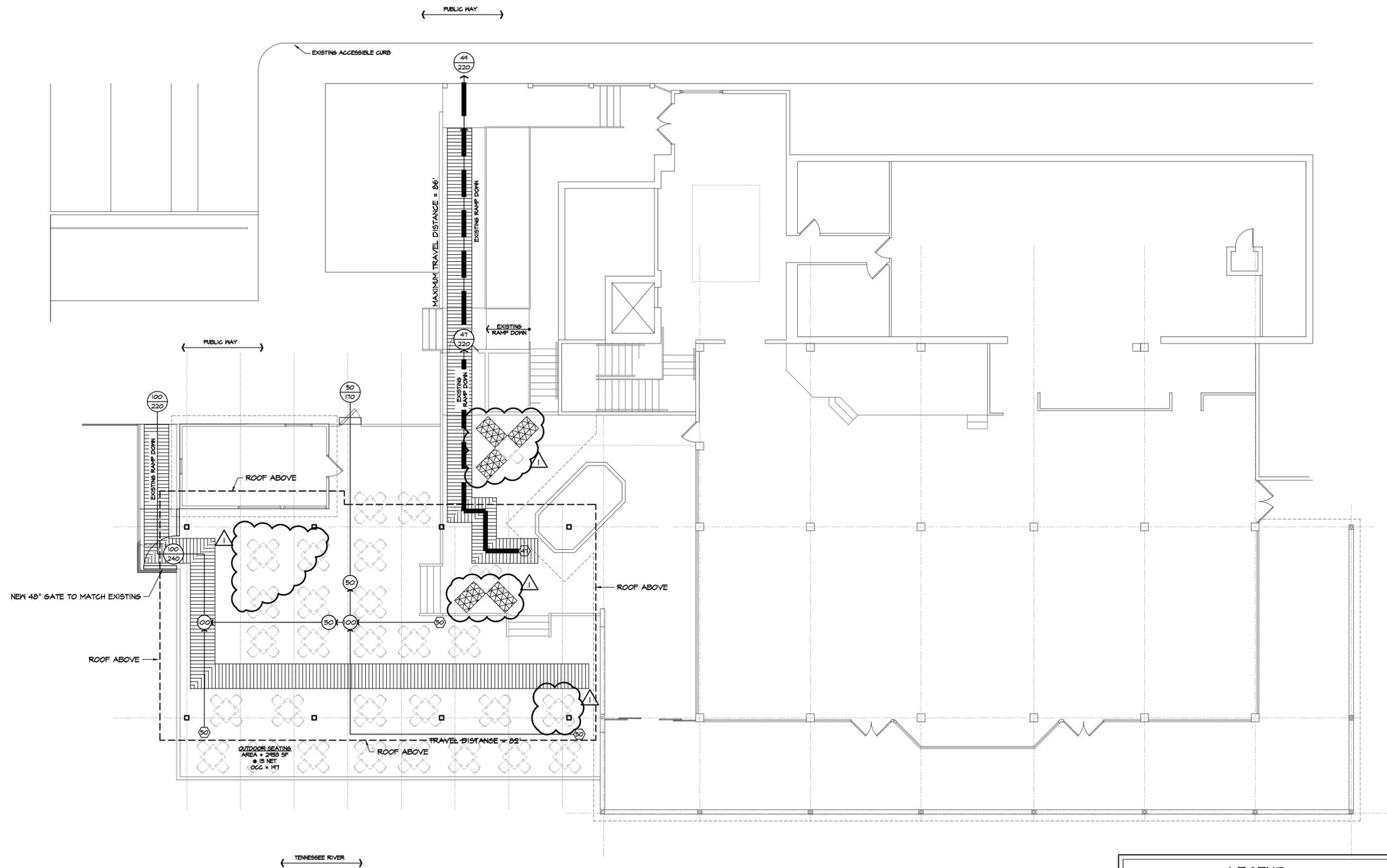


**Johnson
Architecture**

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A New Deck Canopy for:
Calhoun's on the River
400 Neyland Dr
Knoxville, Tennessee 37902



EGRESS PLAN
SCALE: 1/8" = 1'-0"

OCCUPANT LOADS		
OCCUPANCY TYPE	OCCUPANT LOAD FACTOR	
OUTDOOR DINING (2453 sf)	15 NET	191 OCCUPANTS
ACCESSIBLE WHEEL CHAIR SPACES REQUIRED - TABLE 1108.2.2.1 OCCUPANT LOAD = 191 5 SPACES REQUIRED		
ACCESSIBLE DINING SURFACES REQUIRED - 1108.2.9.1 5% OF TOTAL DINING SURFACES - 34 SURFACES SHOWN = MINIMUM OF 2 SURFACES		

OCCUPANCY SIGNAGE NOTE

1. IBC 1004.9 - POSTING OF OCCUPANT LOAD
EVERY ROOM OR SPACE THAT IS AN ASSEMBLY OCCUPANCY SHALL HAVE THE OCCUPANT LOAD OF THE ROOM OR SPACE POSTED IN A CONSPICUOUS PLACE, NEAR THE MAIN EXIT OR EXIT ACCESS DOORWAY FROM THE ROOM OR SPACE. POSTED SIGNS SHALL BE OF AN APPROVED LEGIBLE PERMANENT DESIGN AND SHALL BE MAINTAINED BY THE OWNER OR AUTHORIZED AGENT.

- NOTES**
- THIS PLAN DOCUMENTS THE MAJOR LIFE SAFETY FEATURES OF THE PROJECT INCLUDING THE EXIT FLOW
 - REFER TO ELECTRICAL DRAWINGS FOR LOCATION OF FIRE ALARM SYSTEM.
 - REFER TO REFLECTED CEILING PLANS AND ELECTRICAL DRAWINGS FOR EXIT LIGHT LOCATIONS.
 - FURNITURE IS OWNER FURNISHED, CONTRACTOR INSTALLED. FURNITURE LAYOUT TO BE COORDINATED WITH OWNER.

LEGEND

44" EXIT AISLE
36" MIN. ACCESSIBLE ROUTE (32" MIN. CLEAR OPENING AT DOORWAYS) CONNECTING ALL ACCESSIBLE SPACES, ELEMENTS, WORK STATIONS & WORK AREAS WITHIN THE BUILDING AND FACILITY.

ACCESSIBLE WHEEL CHAIR SPACE

TOTAL OCCUPANT LOAD / SPACE

OCCUPANT FLOW

AGGREGATE OCCUPANT LOAD PER EXITWAY
ALLOWABLE OCCUPANT LOAD PER EXITWAY

FIRE EXTINGUISHER, COORDINATE LOCATION W/ LOCAL JURISDICTION

EGRESS PLAN

REVISIONS:

▲ July 2, 2021

DATE: MAY 5, 2021

FILE NAME: CAL DECK - 1.1.DWG

PROJECT NO:

LS1.1

PLOT SCALE: AS NOTED

GENERAL AND STANDARD CONDITIONS

Section 26a

GENERAL CONDITIONS

1. You agree to make every reasonable effort to construct and operate the facility authorized herein in a manner so as to minimize any adverse impact on water quality, aquatic life, wildlife, vegetation, and natural environmental values.
2. This permit may be revoked by TVA by written notice if:
 - a. the structure is not completed in accordance with approved plans;
 - b. you fail to comply with any condition contained in this approval;
 - c. if in TVA's judgment the structure is not maintained in a good state of repair and in good, safe, and substantial condition;
 - d. the structure is abandoned;
 - e. the structure or work must be altered or removed to meet the requirements of future reservoir or land management operations of the United States or TVA;
 - f. TVA finds that the structure has an adverse effect upon navigation, flood control, or public lands or reservations;
 - g. all invoices related to this permit are not timely paid;
 - h. you no longer have sufficient property rights to maintain a structure at this location; or
 - i. a land use agreement (e.g., license, easement, lease) for use of TVA land at this location related to this permit expires, is terminated or cancelled, or otherwise ceases to be effective.
3. If this permit for this structure is revoked, you agree to remove the structure, at your expense, upon written notice from TVA. In the event you do not remove the structure within 30 days of written notice to do so, TVA shall have the right to remove or cause to have removed, the structure or any part thereof. You agree to reimburse TVA for all costs incurred in connection with removal.
4. In issuing this Approval of Plans, TVA makes no representations that the structures or work authorized or property used temporarily or permanently in connection therewith will not be subject to damage due to future operations undertaken by the United States and/or TVA for the conservation or improvement of navigation, for the control of floods, or for other purposes, or due to fluctuations in elevations of the water surface of the river or reservoir, and no claim or right to compensation shall accrue from any such damage. By the acceptance of this approval, applicant covenants and agrees to make no claim against TVA or the United States by reason of any such damage, and to indemnify and save harmless TVA and the United States from any and all claims by other persons arising out of any such damage.
5. In issuing this Approval of Plans, TVA assumes no liability and undertakes no obligation or duty (in tort, contract, strict liability or otherwise) to the applicant or to any third party for any damages to property (real or personal) or personal injuries (including death) arising out of or in any way connected with applicant's construction, operation, or maintenance of the facility which is the subject of this Approval of Plans.
6. You are responsible for obtaining all necessary licenses, permits, and/or approvals required by local, state, or federal statute, regulation, or code prior to commencing any construction activities. This permit is not a substitute for any such requirements.
7. You must conduct all activities authorized by this permit in a manner that complies with all applicable local, state and federal laws, and all licenses, permits, and/or approvals issued thereunder.
8. If your activity is subject to Section 401 water quality certification, you must comply with the conditions of any enclosed certification. Those conditions are incorporated into and made a part of this permit approval.
9. This permit supersedes all verbal communications related to the work authorized. The facility will not be altered, or modified, unless TVA's written approval has been obtained prior to commencing work.
10. You understand that covered second stories are prohibited by Section 1304.204 of the Section 26a Regulations.
11. You agree to notify TVA of any transfer of ownership of the approved structure to a third party. Third party is required to make application to TVA for permitting of the structure in their name (1304.10). Any permit which is not transferred within 60 days is subject to revocation.
12. You agree to stabilize all disturbed areas within 30 days of completion of the work authorized. All land-disturbing activities shall be conducted in accordance with Best Management Practices as defined by Section 208 of the Clean Water Act to control erosion and sedimentation to prevent adverse water quality and related aquatic impacts. Such practices shall be consistent with sound engineering and construction principles; applicable federal, state, and local statutes, regulations, or ordinances; and proven techniques for controlling erosion and sedimentation, including any required conditions under Section 6 of the Standard Conditions.
13. You agree not to use or permit the use of the premises, facilities, or structures for any purposes that will result in draining or dumping into the reservoir of any refuse, sewage, or other material in violation of applicable standards or requirements relating to pollution control of any kind now in effect or hereinafter established.

14. The Native American Graves Protection and Repatriation Act and the Archaeological Resources Protection Act apply to archaeological resources located on the premises of land connected to any application made unto TVA. If applicant (for 26a permit) discovers human remains, funerary objects, sacred objects, objects of cultural patrimony, or any other archaeological resources on or under the premises, applicant shall immediately stop activity in the area of the discovery, make a reasonable effort to protect the items, and notify TVA by telephone (865-632-2931). Work may not be resumed in the area of the discovery until approved by TVA.
15. You should contact your local government official(s) to ensure that this facility complies with all applicable local floodplain regulations.
16. You agree to abide by the conditions of the vegetation management plan. Unless otherwise stated on this permit, vegetation removal is prohibited on TVA land.
17. You agree to securely anchor all floating facilities to prevent them from floating free during major floods.
18. You are responsible for accurately locating your facility, and this authorization is valid and effective only if your facility is located as shown on your application or as otherwise approved by TVA in this permit. The facility must be located on land owned or leased by you, or on TVA land at a location approved by TVA.
19. You agree to allow TVA employees access to your water use facilities to ensure compliance with any TVA issued approvals.
20. It is understood that you own adequate property rights at this location. If at any time it is determined that you do not own sufficient property rights, or that you have only partial ownership rights in the land at this location, this permit may be revoked. TVA may require the applicant to provide appropriate verification of ownership.
21. In accordance with 18 CFR Part 1304.9, Approval for construction covered by this permit expires 18 months after the date of issuance unless construction has been initiated.

Structures and Facilities

- a. The 100-year flood elevation at this site is estimated to be 821.6 feet mean sea level. As a minimum, your fixed facility should be designed to prevent damage to stored boats by forcing them against roof during a 100-year flood event.
- b. For all electrical services permitted, a disconnect must be located at or above the 822-foot contour that is accessible during flooding.
- c. You agree that all storage, piping, and dispensing of liquid fuel shall comply with applicable requirements of the "Flammable and Combustible Liquids" section of the National Fire Codes and any additional requirements of federal, state, and local laws and regulations.
- d. You agree that the facilities hereby approved will be used for a commercial restaurant and for no other purpose unless approved in writing from TVA.
- e. You agree to securely anchor all floating facilities to prevent them from floating free during major floods. All anchoring cables or spud poles must be anchored to the walkway or the ground in a way that will not accelerate bank erosion. Anchoring of cables, chains or poles to trees on TVA property is not permitted.

Ownership Rights

- a. You are advised that TVA retains the right to flood this area and that TVA will not be liable for damages resulting from flooding.
- b. You recognize and understand that this authorization conveys no property rights, grants no exclusive license, and in no way restricts the general public's privilege of using shoreland owned by or subject to public access rights owned by TVA. It is also subject to any existing rights of third parties. Nothing contained in this approval shall be construed to detract or deviate from the rights of the United States and TVA held over this land under the Grant of Flowage Easement. This Approval of Plans does not give any property rights in real estate or material and does not authorize any injury to private property or invasion of private or public rights. It merely constitutes a finding that the facility, if constructed at the location specified in the plans submitted and in accordance with said plans, would not at this time constitute an obstruction unduly affecting navigation, flood control, or public lands or reservations.

Best Management Practices

- a. You agree that removal of vegetation will be minimized, particularly any woody vegetation providing shoreline/streambank stabilization.
- b. You agree to installation of cofferdams and/or silt control structures between construction areas and surface waters prior to any soil-disturbing construction activity, and clarification of all water that accumulates behind these devices to meet state water quality criteria at the stream mile where activity occurs before it is returned to the unaffected portion of the stream. Cofferdams must be used wherever construction activity is at or below water elevation.
- c. A floating silt screen extending from the surface to the bottom is to be in place during excavation or dredging to prevent sedimentation in surrounding areas. It is to be left in place until disturbed sediments are visibly settled.
- d. You agree to keep equipment out of the reservoir or stream and off reservoir or stream banks, to the extent practicable (i.e., performing work "in the dry").
- e. You agree to avoid contact of wet concrete with the stream or reservoir, and avoid disposing of concrete washings, or other substances or materials, in those waters.

- f. You agree to use erosion control structures around any material stockpile areas.
- g. You agree to apply clean/shaken riprap or shot rock (where needed at water/bank interface) over a water permeable/soil impermeable fabric or geotextile and in such a manner as to avoid stream sedimentation or disturbance, or that any rock used for cover and stabilization shall be large enough to prevent washout and provide a good aquatic habitat.
- h. You agree to remove, redistribute, and stabilize (with vegetation) all sediment which accumulates behind cofferdams or silt control structures.
- i. You agree to use vegetation (versus riprap) wherever practicable and sustainable to stabilize streambanks, shorelines, and adjacent areas. These areas will be stabilized as soon as practicable, using either an appropriate seed mixture that includes an annual (quick cover) as well as one or two perennial legumes and one or two perennial grasses, or sod. In winter or summer, this will require initial planting of a quick cover annual only, to be followed by subsequent establishment of the perennials. Seed and soil will be protected as appropriate with erosion control netting and/or mulch and provided adequate moisture. Streambank and shoreline areas will also be permanently stabilized with native woody plants, to include trees wherever practicable and sustainable (this vegetative prescription may be altered if dictated by geologic conditions or landowner requirements). You also agree to install and perform additional erosion control structure/techniques deemed necessary by TVA.

Additional Conditions

All items and/or equipment subject to flood damage are located above or floodproofed to the TVA Flood Risk Profile elevation 827.6.

You agree the garage doors are designed to be floodable consistent with local floodplain regulations.

You agree to notify TVA of any sale or transfer of this land/structure with the name, address, and phone number of the new owner. The new owner is subject to application for transfer of these approvals including any applicable administrative cost.

You are advised that your facility will front on a commercial navigation channel at a location where the sailing line follows your side of the river making the facility and any moored boats vulnerable to wave wash and possible collision damage from passing vessels.

Required Bat Conservation Measures

Noise will be short-term, transient, and not significantly different from urban interface or natural events (i.e., thunderstorms) that bats are frequently exposed to when present on the landscape.

Operations involving chemical/fuel storage or resupply and vehicle servicing will be handled outside of riparian zones (streamside management zones) in a manner to prevent these items from reaching a watercourse. Earthen berms or other effective means are installed to protect stream channel from direct surface runoff. Servicing will be done with care to avoid leakage, spillage, and subsequent stream, wetland, or ground water contamination.

Oil waste, filters, other litter will be collected and disposed of properly. Equipment servicing and chemical/fuel storage will be limited to locations greater than 300-ft from sinkholes, fissures, or areas draining into known sinkholes, fissures, or other karst features.

Direct temporary lighting away from suitable habitat during the active season.

Evaluate the use of outdoor lighting during the active season and seek to minimize light pollution when installing new or replacing existing permanent lights by angling lights downward or via other light minimization measures (e.g., dimming, directed lighting, motion-sensitive lighting).

NOTE: INCLUDE ALL DIMENSIONS AND ELEVATIONS WHERE INDICATED



Walkway expansion and addition of garage doors to covered deck

SPECIAL CONDITIONS

1. NO UNAUTHORIZED CUTTING OR REMOVAL OF VEGETATION ON TVA LAND WITHOUT PRIOR WRITTEN TVA CONSENT.
2. NO ATTACHMENTS TO EXISTING VEGETATION ON TVA LAND. (i.e. NAILS IN TREES, CABLES)
3. NO LANDSCAPING ON TVA LAND WITHOUT PRIOR WRITTEN CONSENT FROM TVA.
4. PLANTINGS OTHER THAN NATIVE VEGETATION AND WITHOUT PRIOR WRITTEN CONSENT FROM TVA ARE PROHIBITED.



VEGETATION MANAGEMENT PLAN

PROJECT LOCATION INFORMATION:

APPLICANT Calhoun's on the River - ID-4019175

RESERVOIR Fort Loudoun

TRACT NUMBER XTFR-113RE

SUBDIVISION N/A

LOT NO. _____ MAP NO. 65D

RIVER Tennessee RIVER MILE 647.6R



35.959162 -83.915731

Section 26a Map
Calhouns on the River
ID No. 4019175
Tract No. XTFL-113RE
Fort Loudoun Reservoir
Tennessee River Mile 647.6R

Map Reference:
 C/D Stage - 65 D
 Topo - 147NW

 Section 26a Location



Natural Resources
 June 3, 2022
 Location information is approximate

JOINT APPLICATION FORM
Department of the Army/TVA

OMB No. 3316-0060
 Exp. Date 06/30/2022

The Department of the Army (DA) permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (P.L. 95-217). These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. Section 26a of the Tennessee Valley Authority Act, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

<p>Name and Mailing Address of Applicant: Michael Chase Calhouns on the River PO Box 50370 Knoxville, TN 37950-370</p> <p>Email Address: <u>mchase@coppercellar.com</u></p> <p>Telephone Number: Home _____ Office <u>865-250-3761</u> Mobile _____</p>	<p>Name, Mailing Address, and Title of Authorized Agent: Daryl Johnson Johnson Architecture 2240 Sutherland Ave, Suite 105 Knoxville, TN 37919</p> <p>Email Address: <u>djohnson@jainc.com</u></p> <p>Telephone Number: Home _____ Office <u>865-671-9080</u> Mobile _____</p>
<p>Facility/Activity Location (include all known information): Reservoir <u>Fort Loudon</u></p> <p>Address: <u>400 Neyland Dr, Knoxville, TN 37902</u></p> <p>Subdivision, Lot No., and/or Tax Parcel No.: <u>Parcel ID: 095PB00901</u></p> <p>Stream Name and Mile: <u>Tennessee River</u> Longitude/Latitude: <u>35°57'33"N, 83°54'57"W</u></p>	
<p>Application submitted to <input checked="" type="checkbox"/> DA <input checked="" type="checkbox"/> TVA</p> <p>Date activity is proposed to commence: <u>October 2021</u> Date activity is proposed to be completed: <u>July 2022</u></p>	

Describe in detail the proposed activity, its purpose and intended use (*private, public, commercial, or other*). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also, describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

We seek approval of an already constructed 6' wide walkway that was added for added safety and egress to an existing approved covered deck. The covered deck includes addition of garage type doors for use during inclement weather during restaurant hours. The roof enclosure is entirely within the footprint of the original existing deck - the 6' wide walkway is open-air. The proposed deck addition requires no site modifications, other than the structure itself. The existing deck and proposed deck extension has a floor level of 825' above sea level. FEMA 100 yr flood level is 822' at this location. New steel support beams for the deck extension extend down to existing deck support beams at 820.5' above sea level.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I understand that TVA and the U.S. Army Corps of Engineers may contact an Authorized Agent listed above and such Agent may act on my behalf on all aspects of this application. I agree that, if TVA approves this application, I will comply with the terms and conditions and any special conditions that TVA may impose. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.

May 18, 2022
Date

Michael Chase
Name of Applicant (Printed)

Michael D. Chase
Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway:
 City of Knoxville, United States of America

TVA	Murphy, NC
Received Date	<u>5/23/2022</u>
Reservoir	<u>Fort Loudoun</u>
ID	<u>4019175</u>
Amount	<u>1000</u> Ck No <u>25196</u>
POET	<u>Invoice-156194</u>



TVA RESTRICTED INFORMATION

List of previous DA/TVA permits/approvals DA _____ TVA _____
Permit Number Permit Number

Previous Property Owner (if known) _____

Is any portion of the activity for which authorization is sought now complete? Yes No (If "Yes" attach explanation)
 Month and year the activity was completed: _____ . Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval
City of Knoxville	Building Permit	BU21-1253	05-05-2021	08-05-2021

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
 Yes No (If "Yes" attach explanation)

Project plans or drawings, on paper suitable for reproduction no larger than 11 x 17 inches or in electronic format (dxf, docx, or pdf) must accompany the application. Submit the application to the appropriate TVA and U.S. Army Corps of Engineers offices. An application that is not complete will be returned for additional information.

U.S.A.C.E. Offices		TVA Offices	
U.S. Army Corps of Engineers Eastern Regulatory Field Office 501 Adesa Parkway., Suite 250 Lenoir City, Tennessee 37771 (865) 986-7296	U.S. Army Corps of Engineers Savannah District The Plaza, Suite 130 1590 Adamson Parkway Morrow, Georgia 30260-1763 (678) 422-2729	Tennessee Valley Authority Chattanooga Regional Office 4601 N. Access Road, Bldg. B Chattanooga, Tennessee 37415-3825 1-800-882-5263	Tennessee Valley Authority Murphy Regional Office 4195 West US Highway 64, Suite 10 Murphy, North Carolina 28906 1-800-882-5263
U.S. Army Corps of Engineers Regulatory Branch 3701 Bell Road Nashville, Tennessee 37214 (615) 369-7500	U.S. Army Corps of Engineers Western Regulatory Field Office 2424 Danville Road, SW, Suite N Decatur, Alabama 35603 (256) 350-5620	Tennessee Valley Authority Gray Regional Office 106 Tri-Cities Business Park Drive Gray, Tennessee 37615 1-800-882-5263	Tennessee Valley Authority Muscle Shoals Regional Office Post Office Box 1010, MPB 1H Muscle Shoals, Alabama 35662-1010 1-800-882-5263
U.S. Army Corps of Engineers Norfolk District P.O. Box 338 Abingdon, Virginia 24212 (276) 623-5259	U.S. Army Corps of Engineers Asheville Regulatory Field Office 151 Patton Avenue, Room 208 Asheville, North Carolina 28801-5006 (828) 271-4856	Tennessee Valley Authority Guntersville Regional Office 3941 Brashers Chapel Road Guntersville, Alabama 35976 1-800-882-5263	Tennessee Valley Authority Paris Regional Office 2835-A East Wood Street Paris, Tennessee 38242-5948 1-800-882-5263
		Tennessee Valley Authority Knoxville Regional Office 400 West Summit Hill Drive, WT 11D-K Knoxville, Tennessee 37902 1-800-882-5263	Tennessee Valley Authority Floating Cabin Program Manager 400 West Summit Hill Drive, WT 11D-K Knoxville, Tennessee 37902 1-800-882-5263

Privacy Act Statement

This information is being requested in accordance with Section 26a of the TVA Act as cited on the front page of this form. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.

TVA RESTRICTED INFORMATION

OMB No. 3316-0080
Exp. Date 06/30/2022



Section 26a Permit and Land Use Application
Applicant Disclosure Form

By signing the Joint Application Form (Department of Army/TVA) or TVA's Land Use Application and again below, you agree to disclose any business, political, or financial interest that may present an actual or potential conflict of interest with TVA. If a new significant business, political, or financial interest is obtained during the period of the time that the application is under review, you agree to file an additional disclosure.

Disclose if any of the following apply to you (check all that apply [X]). I am:

- Disclose if any of the following apply to you (check all that apply [X]). I am:
- An elected government official or a candidate to an elected government office (whether federal, state, or local).
- A senior management level employee of an entity that regulates TVA or its activities.
- A senior management level employee of a power customer of TVA.
- A current TVA employee or Director.
- A former TVA officer or former TVA Director and it is less than one year after my last date of service with TVA.
- A current member of a TVA council created pursuant to the Federal Advisory Committee Act (FACA), such as the Regional Resource Stewardship Council (RRSC) or Regional Energy Resource Council (RERC), or I am a former council member and it is less than one year after my last date of service on the council.
- The spouse or dependent child of any of the above. List which one of the above applies.

A representative of a corporation or other non-governmental entity submitting an application and one of the above applies to me. Print entity or corporation name, and identify which of the above applies to you.

A representative of a corporation or other non-governmental entity submitting an application and I have significant financial interest in the corporation or non-governmental entity. Print entity or corporation name.

Copper Cellar Corporation

None of the above

Please sign and return this form with your application package. Your application cannot be processed without receipt of this signed form.

By signing this form, you consent to this Applicant Disclosure Form being made available to the public in response to an appropriate request, including, without limitation, a request made under the Freedom of Information Act. All applications and communications that occur as part of the application process may be made public to the extent permitted by applicable law, including the Freedom of Information Act and the Privacy Act, and could be reviewed formally by the Office of Inspector General (OIG). All written correspondence regarding your request may be forwarded to the TVA Designated Agency Ethics Official (DAEO) and the OIG, and all oral communication between TVA and the applicant regarding this request may be documented and maintained by TVA.

Michael D. Chase

Name of Applicant (Printed)

Michael D. Chase

Signature of Applicant

5/19/22

Date

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Privacy Act Statement

This information is being requested in accordance with Sections 4(k), 15d, 26a, and/or 31 of the TVA Act; 40 U.S.C. § 1314; 39 U.S.C. § 105; 16 U.S.C. § 667i; and/or 40 U.S.C. § 483. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your application being denied. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or the applicable program; and for oversight or similar purposes, corrective action, litigation, or law enforcement.

The information requested in this form becomes part of the Section 26a Permit Application Records Privacy Act System of Records (TVA-36). Authority for maintenance of this system of records is provided by the Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831ee.

The information solicited on this form may be made available as a "routine use." A complete list of the routine uses can be found in the system of records notice associated with this form, "Section 26a Permit Application Records, TVA-36." TVA's system of records notices can be found on the TVA website at https://www.tva.com/info/mailed/about-the-tva-privacy-program.

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.



December 2, 2022

Mr. Bryan Berry, Deputy Director
Board of Zoning Appeals
Room 475, City-County Building
P. O. Box 1631
Knoxville, Tennessee 37901

Dear Mr. Berry:

**Re: Variance Requests 9-C-22-VA, 11-E-22-VA, 12-A-22-VA, 12-B-22-VA, 12-C-22-VA,
12-D-22-VA, 12-E-22-VA, and 12-F-22-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,

A handwritten signature in black ink, appearing to read "C. Wiberley".

Christian Wiberley, P.E.
Engineering

CGW

From: [Steve Borden](#)
To: [Jennifer Scobee](#)
Subject: RE: Board of Zoning Appeals - December applications
Date: Thursday, December 8, 2022 3:27:10 PM
Attachments: [image002.png](#)

Jennifer,

Please see the responses below.

[9-C-22-VA](#) [7727 Kingston Pk \(PDF\)](#)- Operations has No Comment
[11-E-22-VA](#) [1700 Merchant Dr \(PDF\)](#)- Operations has No Comment
[12-A-22-VA](#) [3940 Seahorn Ave \(PDF\)](#)- Operations has No Comment
[12-B-22-VA](#) [1915 Forest Ave \(PDF\)](#)- Operations has No Comment
[12-C-22-VA](#) [4103 Chapman Hwy \(PDF\)](#)- Operations has No Comment
[12-D-22-VA](#) [701 N. Cherry St \(PDF\)](#)- Operations has No Comment
[12-E-22-VA](#) [1100 University Ave \(PDF\)](#)- Operations has No Comment
[12-F-22-VA](#) [400 Neyland DR \(PDF\)](#)- Operations has No Comment

Thank you,



Steven M. Borden, P.E. | Director/Assistant Chief Engineer
TDOT – Region 1
7345 Region Lane
Knoxville, TN 37914
(865) 594-2400
Steve.Borden@tn.gov
tn.gov/tdot

From: Jennifer Scobee <jscobee@knoxvilletn.gov>
Sent: Wednesday, November 30, 2022 9:24 AM
To: Steve Borden <Steve.Borden@tn.gov>; Christian.Wiberley@kub.org
Subject: [EXTERNAL] Board of Zoning Appeals - December applications

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good morning!

Please have your staff review the following applications and provide your responses by Monday, December 12, 2022. You may access the applications [here](#)

LIST APPLICATIONS BY FILE # AND ADDRESS