



# 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 (Individual not company) | Owner <input type="checkbox"/>      | New Structure <input type="checkbox"/>                      |
| Street Address                | Contractor <input type="checkbox"/> | Modification of Existing Structure <input type="checkbox"/> |
| City, State, Zip              | Tenant <input type="checkbox"/>     | Off Street Parking <input type="checkbox"/>                 |
| Phone Number                  | Other <input type="checkbox"/>      | Signage <input type="checkbox"/>                            |
| Applicant Email               |                                     | Other <input type="checkbox"/>                              |

### THIS IS A REQUEST FOR:

- |   |   |
|---|---|
| <input 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  | City, State, Zip  |
| See <a href="http://KGIS.org">KGIS.org</a> for Parcel # | City Council District # <b>XX 1</b> and Zoning District |

### 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.

Describe hardship conditions that apply to this variance.

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 *Jeffrey L. Encher* DATE \_\_\_\_\_

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):**

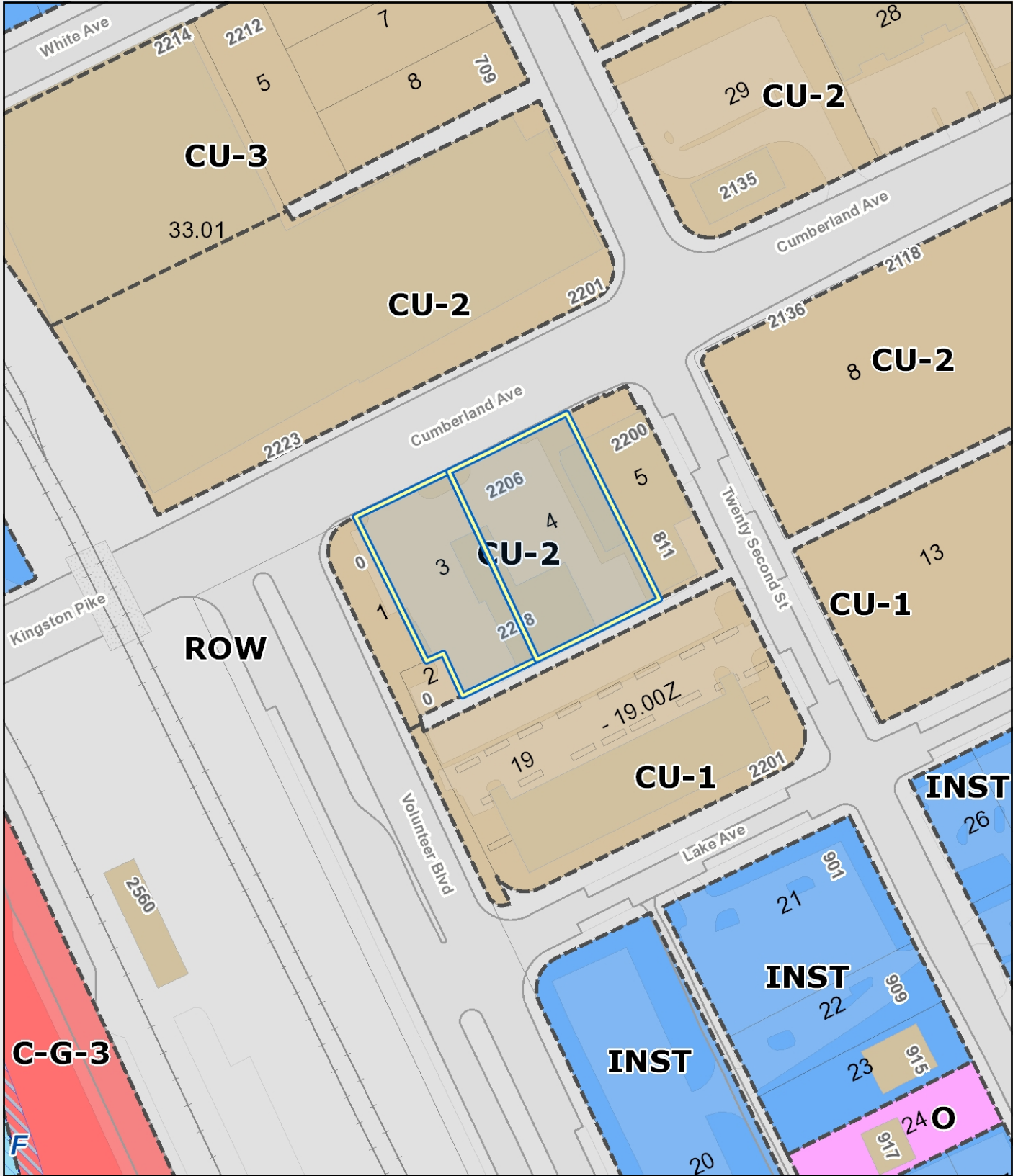
Large empty rectangular area for providing variance request details and ordinance citations.

**PROJECT INFORMATION**

Date Filed | Fee Amount

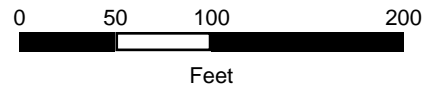
Council District | BZA Meeting Date

**PLANS REVIEWER** | **DATE**



2218 CUMBERLAND AVE

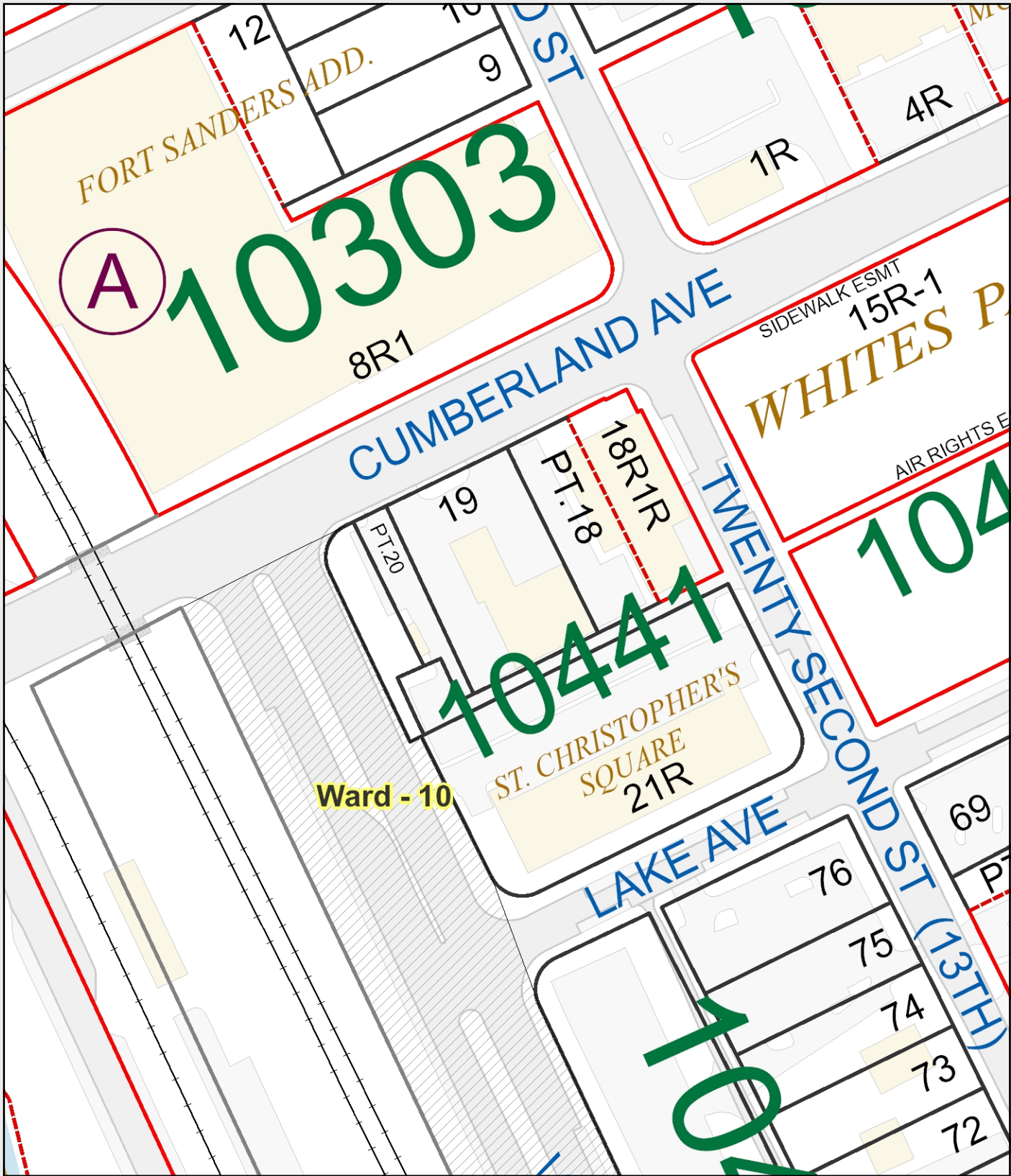
4-F-23-VA  
JEFF LONCHOR



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2218 CUMBERLAND AVE

4-F-23-VA

JEFF LONCHOR

0 50 100 200



Feet

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2218 CUMBERLAND AVE

4-F-23-VA  
JEFF LONCHOR

0 25 50 100



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## 2218 CUMBERLAND AVE

4-F-23-VA

JEFF LONCHOR

0 50 100 200

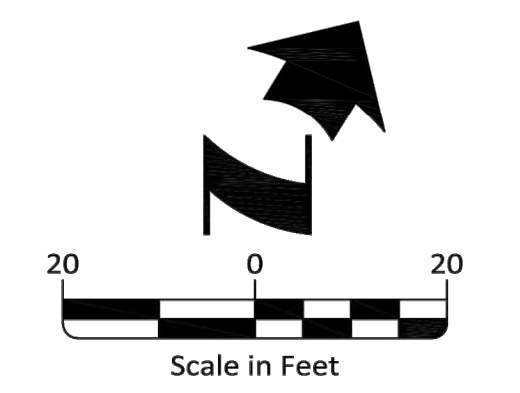


Feet

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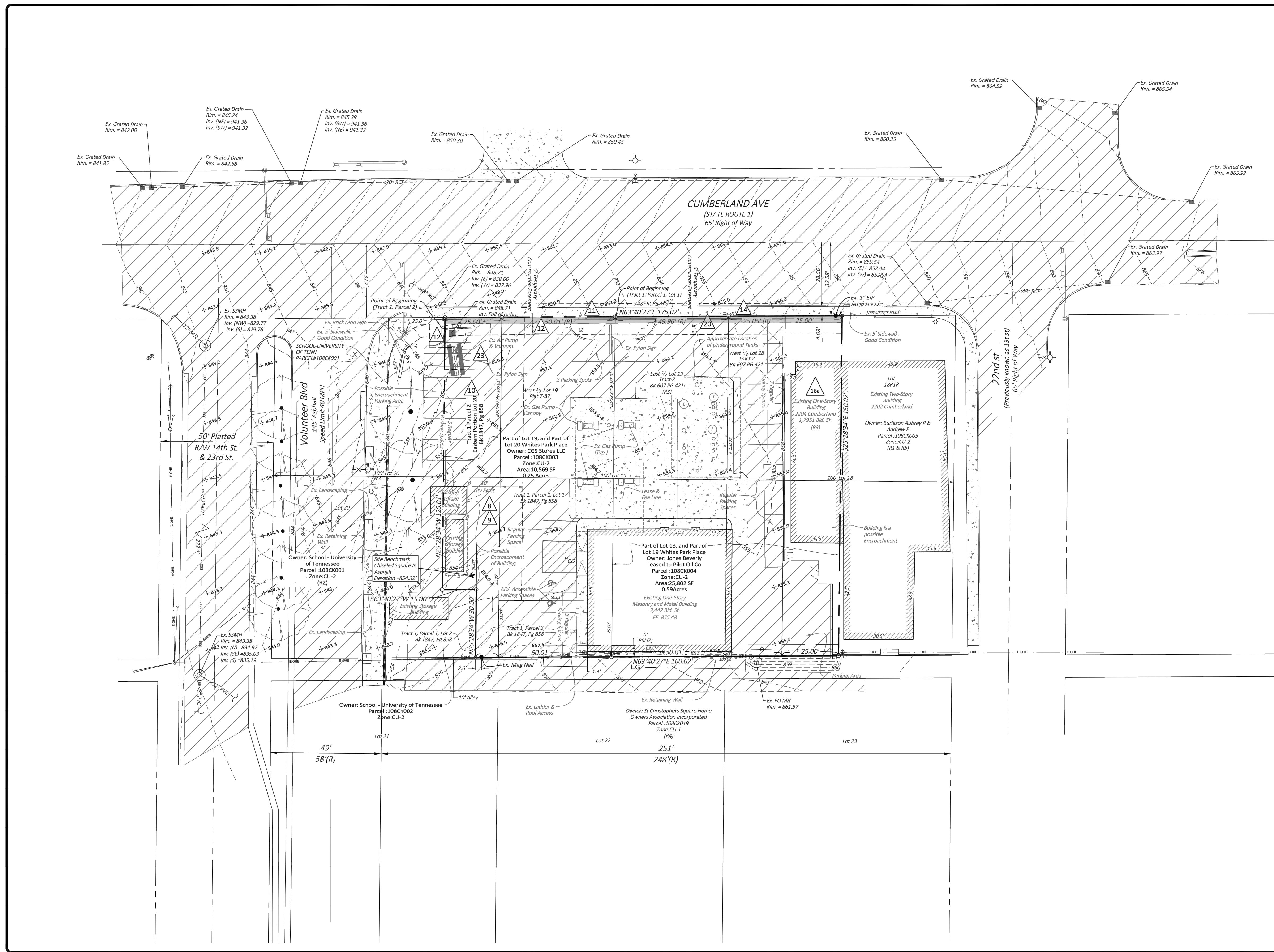
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| LEGEND |   |
|--------|---|
|        | Ex. Boundary Line                                   |
|        | Ex. Adjacent Boundary Line                          |
|        | Ex. Right of Way Line                               |
|        | Ex. Road Centerline                                 |
|        | Ex. Easement Line                                   |
|        | Ex. Building  |
|        | Ex. Asphalt   |
|        | Ex. Concrete  |
|        | Ex. Less and Except                                 |
|        | Ex. Water Line                                      |
|        | Ex. Sanitary Sewer Line                             |
|        | Ex. Gas Line  |
|        | Ex. Telephone Line                                  |
|        | Ex. Overhead Electric Line                          |
|        | Ex. Fiber Optic Line                                |
|        | Ex. Storm Drain Pipe                                |
|        | Ex. Fence Line                                      |
|        | Ex. Ditch Line                                      |
|        | Ex. Contours  |
|        | Measured Bearing and Distance                       |
|        | Reference #   |
|        | Record Bearing and Distance per Zoning Requirements |
|        | Tank Lid  |
|        | Bollard   |
|        | Spot Elevation                                      |
|        | Ex. Rebar / Iron Pipe                               |
|        | Ex. Nail  |
|        | Ex. Chiseled "X"                                    |
|        | Ex. Monument  |
|        | Calculated Point                                    |
|        | Set 1/2" Rebar w/ TN RPLS 2618 Washer               |
|        | Set 1/2" Rebar w/ TN RPLS 2618 Cap                  |
|        | Ex. Television Pedestal                             |
|        | Ex. Water Meter                                     |
|        | Ex. Fire Hydrant                                    |
|        | Ex. Water Valve                                     |
|        | Ex. Sewer Man-hole                                  |
|        | Ex. Sewer Clean-Out                                 |
|        | Ex. Gas Meter                                       |
|        | Ex. Telephone Pedestal                              |
|        | Ex. Fiber Optic Pedestal                            |
|        | Ex. Electric Pedestal                               |
|        | Ex. Electric Meter                                  |
|        | Ex. Power Pole                                      |
|        | Ex. Power Pole w/ Guy Wire                          |
|        | Ex. Light Pole                                      |
|        | Ex. Light Pole w/ Pedestal                          |
|        | Ex. Electric Transformer                            |
|        | Ex. Mailbox   |
|        | Tank Lid  |
|        | Bollard   |
|        | Ex. Sign  |
|        | Ex. Vault Box                                       |
|        | Ex. Tree  |
|        | Title Commitment Schedule B2 Item                   |

See page 1 of 2 for Title Insurance Commitment Description, Notes Seal & Signature



Drawing Name: M:\2023\ALTA\NSPS Land Title Survey\228 Cumberland Ave Knoxville TN\228 Cumberland Ave Knoxville TN.dwg; Date: 06/13/2023; 10:46:00 AM; User: jwh

| Revision | By | Date |
|----------|----|------|
|          |    |      |
|          |    |      |
|          |    |      |
|          |    |      |

5704 EUPER LANE, SUITE 200 • FORT SMITH, AR 72903 • 479.452.1933 • HALFF.COM

|              |          |
|--------------|----------|
| Drawn By:    | PWH      |
| Approved By: | JSA      |
| Date:        | 06.13.22 |
| Project No.: | CSA-97   |

|                   |             |
|-------------------|-------------|
| Vertical Scale:   | 1" = 20'    |
| Horizontal Scale: | 1" = 20'    |
| Plotting Scale:   | 1           |
| Drawing Name:     | ALTA SURVEY |

**ALTA/NSPS Land Title Survey**  
 2218 Cumberland Ave,  
 Knoxville, TN, 37916  
 Casey's Store # 4206

Prepared For: Casey's Marketing Company

PART OF LOT 18, 19, AND 20  
 WHITES PARK PLACE ADDITION  
 WARD 10, DISTRICT 4  
 KNOXVILLE, KNOX COUNTY, TENNESSEE

Knoxville, Knox County, Tennessee

Sheet No. **C1.2**  
 Sheet 2 of 2









# VARIANCE

4-F-23-VA

Knoxville BZA  
PUBLIC HEARING  
215-4244

Casey's

Coca-Cola

FUTURE HOME OF  
Casey's  
PIZZA

THIS BUICK'S  
FOR YOU

**From:** [Steve Borden](#)  
**To:** [Jennifer Scobee](#)  
**Subject:** RE: April BZA applications  
**Date:** Thursday, April 6, 2023 1:35:32 PM

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Jennifer,

Please find the following responses to the April BZA applications:

4-A-23-VA 415-417 Lovenia Ave: Operations has no comment.  
4-C-23-VA 4101 Westgate Dr: Operations has no comment.  
4-D-23-VA 313 Tedlo Ln: Not posted online  
4-E-23-VA 4800 N. Broadway St: Operations has no comment.  
4-F-23-VA 2218 Cumberland Ave: Operations has no comment.

Sincerely,

Steven M. Borden, P.E.  
Director/Assistant Chief Engineer  
TDOT – Region 1

as

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**From:** Jennifer Scobee <jscobee@knoxvilletn.gov>  
**Sent:** Tuesday, March 28, 2023 1:32 PM  
**To:** Steve Borden <Steve.Borden@tn.gov>; 'Christian.Wiberley@kub.org' <Christian.Wiberley@kub.org>  
**Subject:** [EXTERNAL] April BZA 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 afternoon gentlemen,

Please have your staff review the following applications and provide your responses by Monday, April 10, 2023. You may access the applications [here](#).

We are waiting for some more information from the applicant for 4-D-23-VA so I haven't posted that on the web yet, but I've attached it to this email.

[4-A-23-VA 415-417 Lovenia Ave \[PDF\]](#)  
[4-C-23-VA 4101 Westgate Dr \[PDF\]](#)  
[4-D-23-VA 313 Tedlo Ln \[PDF\]](#) (*waiting on info, not posted on web yet*)  
[4-E-23-VA 4800 N. Broadway St \[PDF\]](#)  
[4-F-23-VA 2218 Cumberland Ave \[PDF\]](#)

Thanks,



April 10, 2023

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 4-A-23-VA, 4-C-23-VA, 4-D-23-VA, 4-E-23-VA, and 4-F-23-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". The signature is written in a cursive style.

Christian Wiberley, P.E.  
Engineering

CGW