



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:

Zoning Variance (Building Permit Denied)
 Extension of Non-Conforming Use/or Structure
 Appeal of Administrative Official's Decision
 Map Interpretation

PROPERTY INFORMATION

Street Address _____ City, State, Zip _____

See **KGIS.org** for Parcel # _____ City Council District # **X 4** 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 # 5-E-23-VA



BOARD OF ZONING APPEALS APPLICATION

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

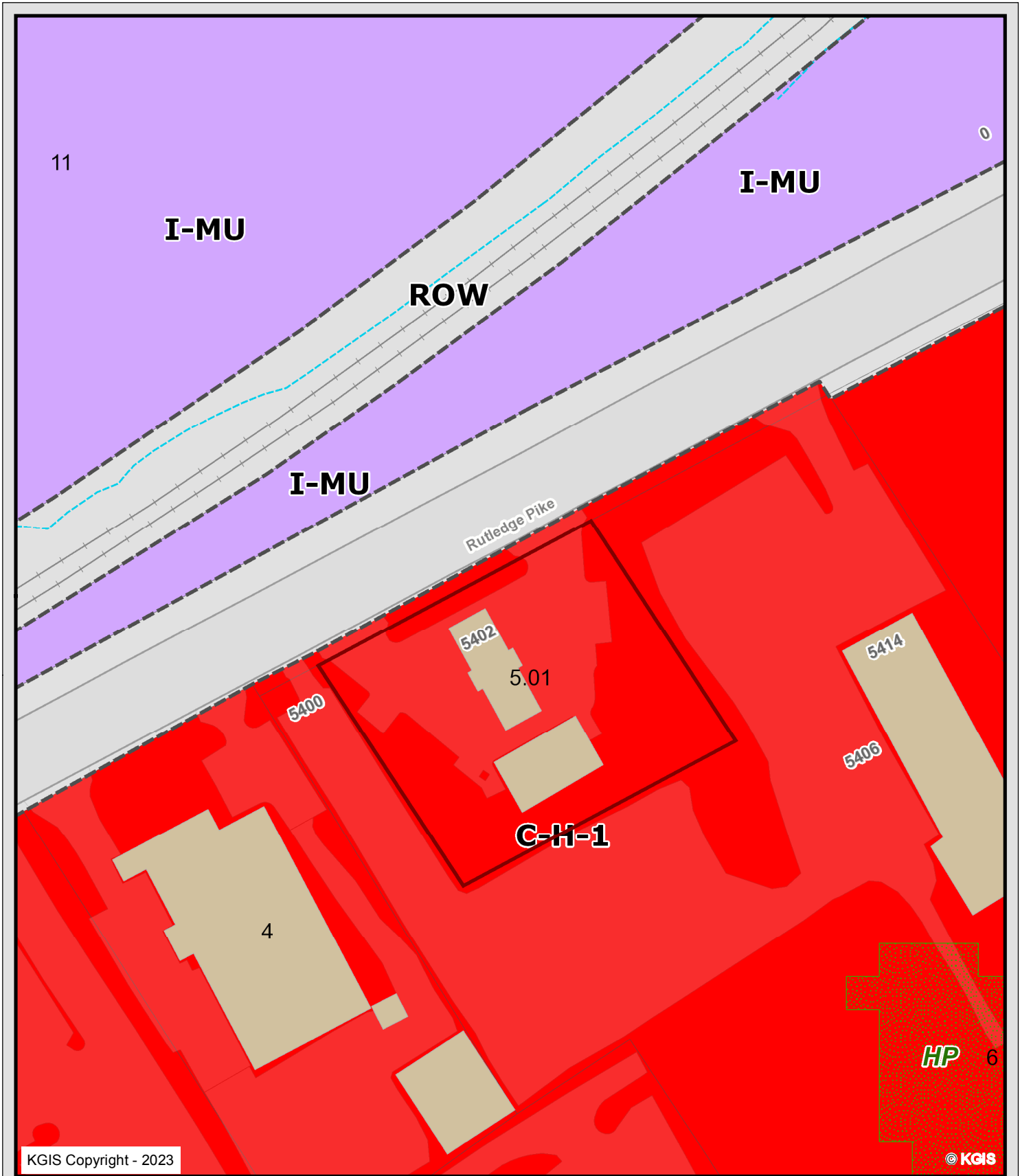
Is a plat required? Yes No

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

(This area is currently blank for variance requests.)

PROJECT INFORMATION

Date Filed	Fee Amount
Council District 4	BZA Meeting Date
PLANS REVIEWER	DATE



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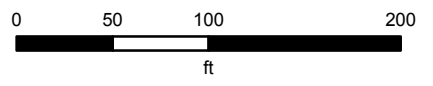
5402 RUTLEDGE PK

5-E-23-VA
JEFF LONCHOR

Knoxville - Knox County - KUB Geographic Information System



Printed: 4/13/2023 at 9:19:45 AM



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30

Ward - 31

PILOT OIL

5400 RUTLEDGE PIKE
LLC PROPERTY

1

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5402 RUTLEDGE PK

5-E-23-VA

JEFF LONCHOR

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5402 RUTLEDGE PK

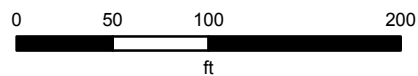
5-E-23-VA

JEFF LONCHOR

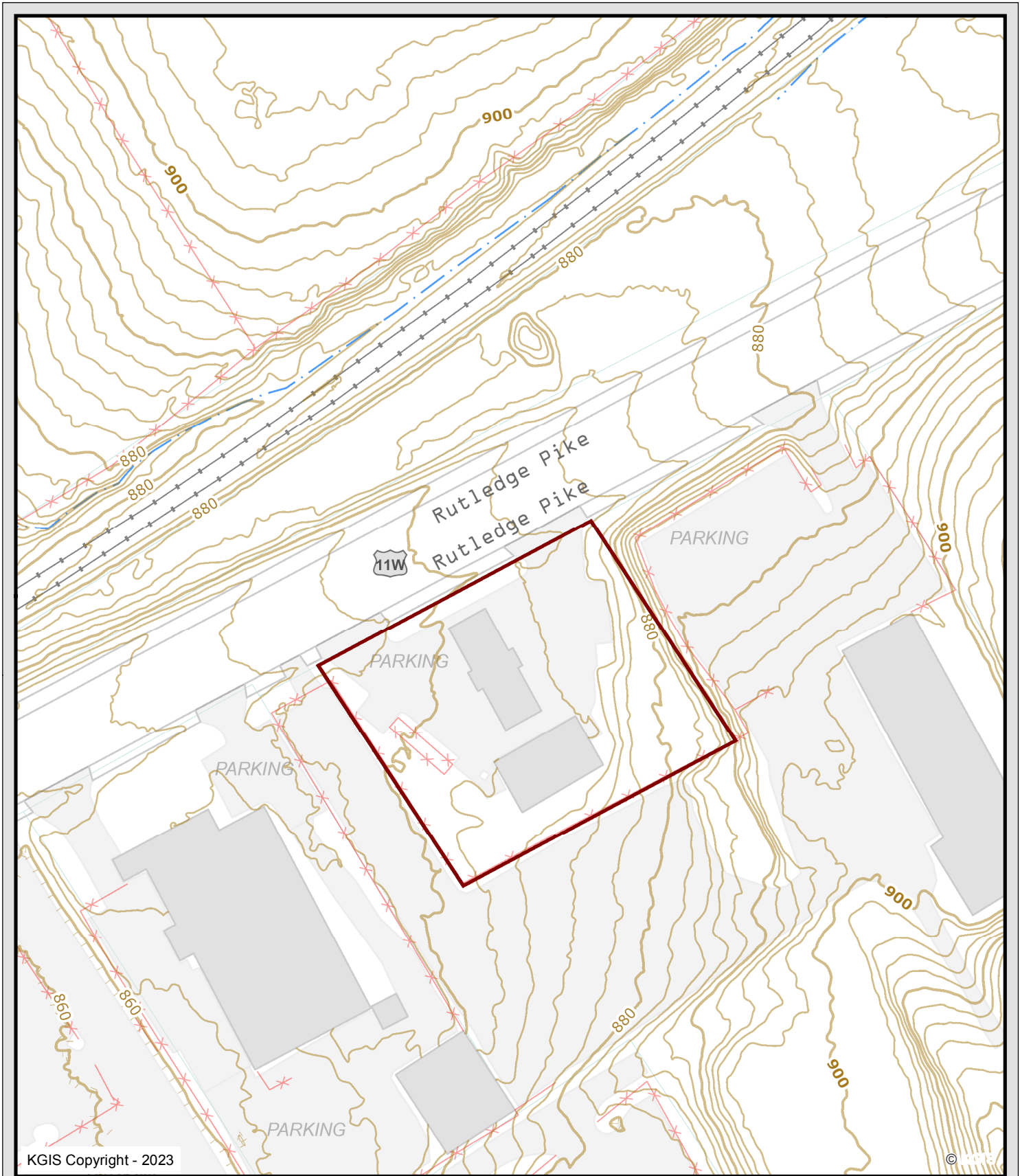
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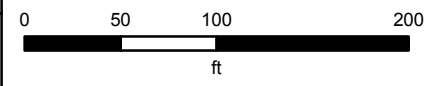
5402 RUTLEDGE PK

5-E-23-VA
JEFF LONCHOR

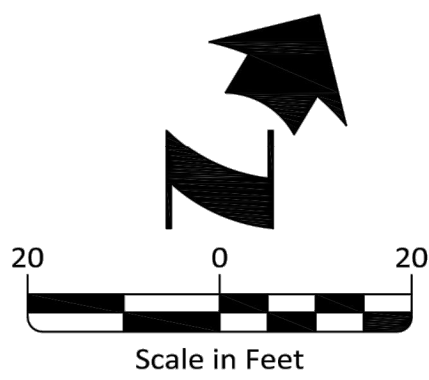
Knoxville - Knox County - KUB Geographic Information System



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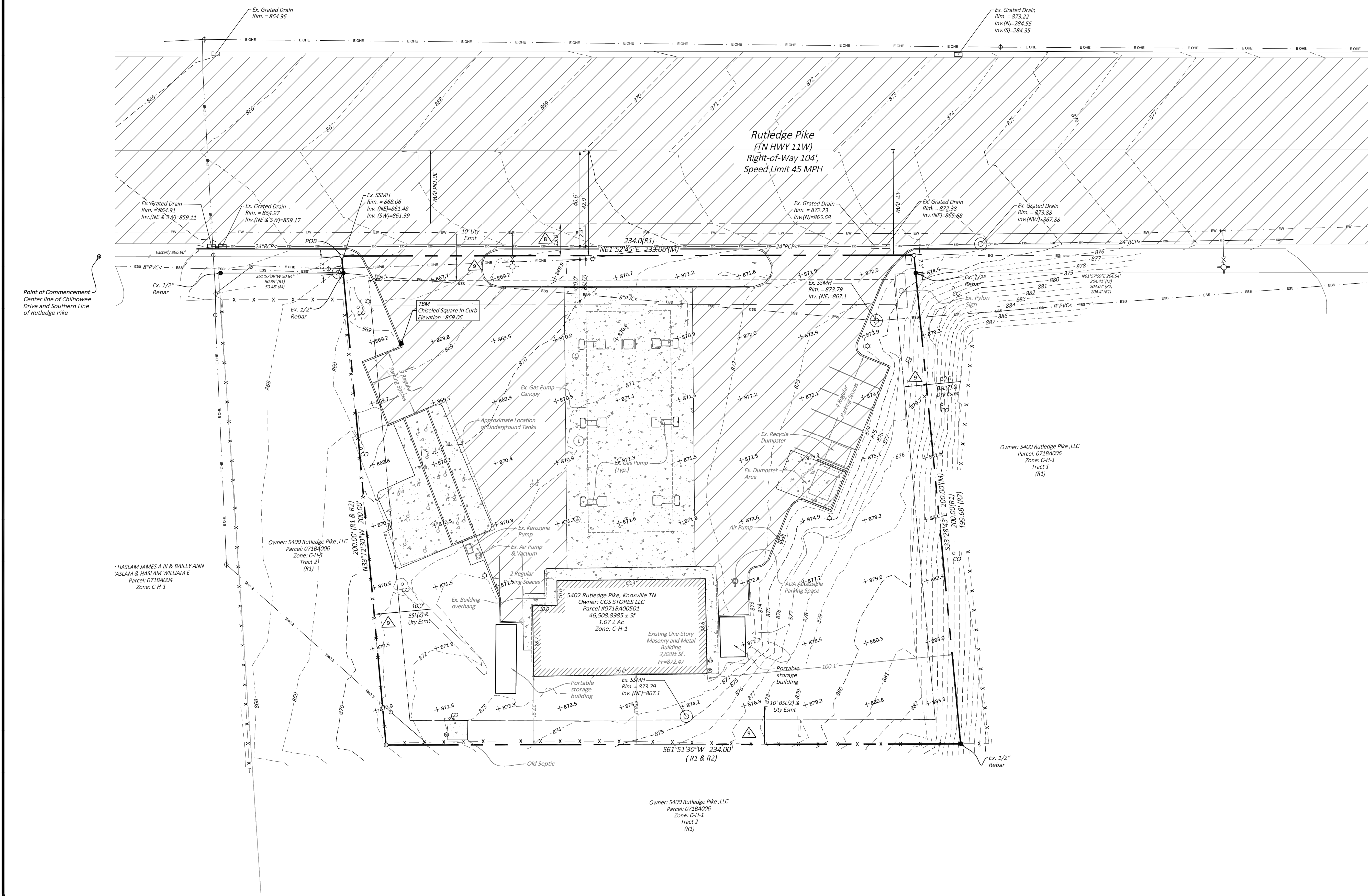
KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any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



LEGEND

- Ex. Boundary Line
- - - Ex. Adjacent Boundary Line
- - - R/W
- - - Ex. Right of Way Line
- - - Ex. Road Centerline
- - - Ex. Easement Line
- [Hatched Box] Ex. Building
- [Diagonal Hatched Box] Ex. Asphalt
- [Stippled Box] Ex. Concrete
- EW Ex. Water Line
- ESS -> 8" SS - ESS Ex. Sanitary Sewer Line
- EG Ex. Gas Line
- EUT Ex. Telephone Line
- EOL Ex. Overhead Electric Line
- E.FOL Ex. Fiber Optic Line
- E.FOL Ex. Storm Drain Pipe
- X X X X X Ex. Fence Line
- - - Ex. Ditch Line
- - - Ex. Contours
- (M) Measure Bearing and Distance
- (R) Record Bearing and Distance
- Zoning
- Tank Lid
- Bollard
- X 914.5 Spot Elevation
- Ex. Rebar / Iron Pipe
- Ex. Nail
- ⊗ Set Chiseled "x"
- ⊗ Ex. Chiseled "x"
- ▲ Ex. Monument
- △ Calculated Point
- Set Mag Nail 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 Manhole
- 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
- △ 9 Title Commitment Schedule B2 Item
- TIC Title Insurance Commitment

See page 1 of 2 for Title Insurance Commitment description, Notes, Seal and Signature.



Drawing Name: M:\2022\071BA006\071BA006.dwg; Date: 07/11/22; 9:58am; By: JSA

Revision	By	Date

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

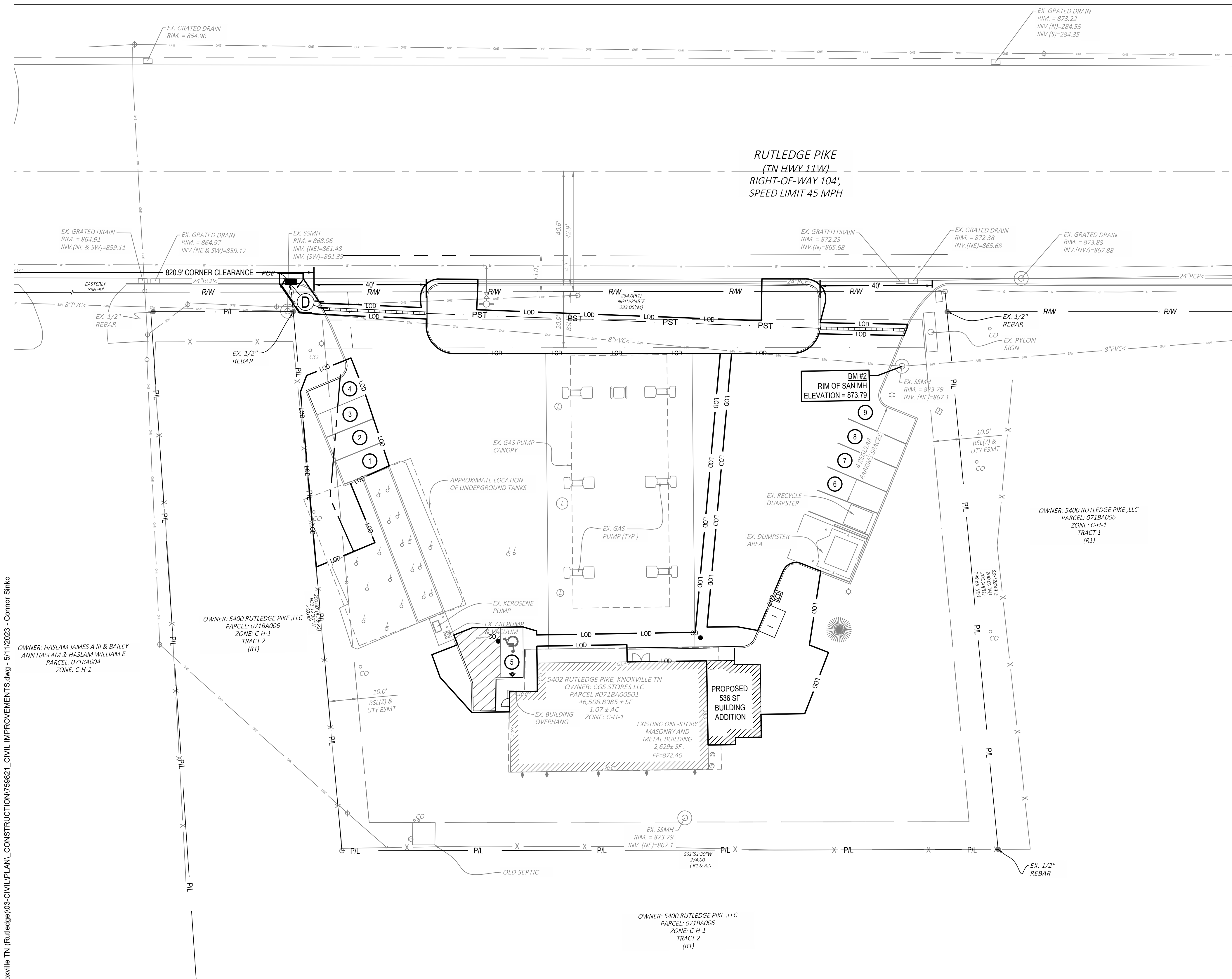
Drawn By:	PWH
Approved By:	JSA
Date:	07.11.22
Project No.:	CSA-100
Vertical Scale:	
Horizontal Scale:	1"=20'
Plotting Scale:	1
Drawing Name:	ALTA SURVEY

ALTA/NSPS Land Title Survey
 5402 Rutledge Pike
 Knoxville, TN, 37934
 Casey's Store # 4047
 Prepared For: Casey's Marketing Company

PARCEL 071BA00501
 WARD 31, DISTRICT 8
 KNOX COUNTY, KNOXVILLE TENNESSEE
 Knoxville, Knoxville County, Tennessee

Sheet No:
C-004
 Sheet 2 of 2

\\cesoinc.local\in\projdata\PROJECTS\CASEYS_Caseys Remodels\Plot759821_0417_F191_Knoxville TN (Rutledge03-CIVIL)\PLAN_CONSTRUCTION\759821_CIVIL IMPROVEMENTS.dwg - 5/11/2023 - Connor Simko



LEGEND

- EXISTING**
- REFER TO C-001 FOR EXISTING FEATURES LEGEND
- PROPOSED**
- SETBACK
 - EASEMENT
 - /// BUILDING
 - CONCRETE CURB
 - PAVEMENT/WALK
 - LIMITS OF DISTURBANCE
 - ⑨ PARKING SPACE COUNT

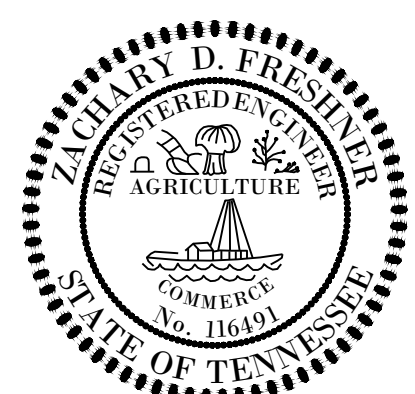
PARKING CALCULATION:

REQUIRED PARKING = 15 SPACES
 4 PER 1000 SF GFA = 4" (3165/1000) = 13 SPACES

PROPOSED PARKING = 9 SPACES PROVIDED

- TRAFFIC NOTES:**
- AADT = 14,227 (2021)
 - ALL DRIVEWAYS MEET TDOT INTERSECTION SIGHT DISTANCE STANDARDS.
 - THERE WILL BE NO INCREASE IN THE Q50 RUNOFF FROM THE DEVELOPMENT ON TDOT RW.
 - ALL PAVEMENT MARKINGS WITHIN THE RIGHT-OF-WAY SHALL BE THERMOPLASTIC.

STORMWATER CONDITIONS			
SITE CONDITION	PERVIOUS AREA (SF)	IMPERVIOUS AREA (SF)	Q 50 (CFS)
EXISTING	31,233	26,746	8.52
PROPOSED	33,052	24,926	8.52



CASEY'S GENERAL STORES

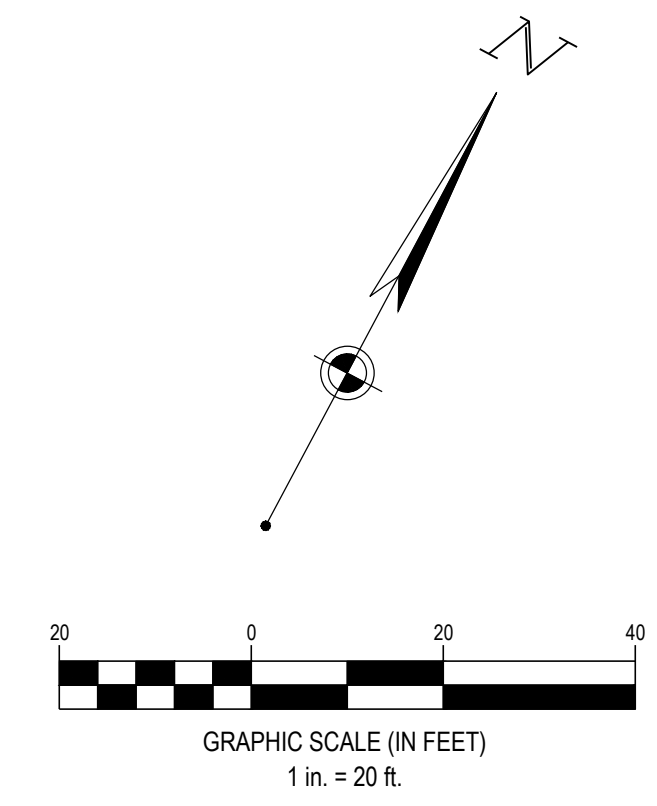
STORE #4047
 5402 RUTLEDGE PIKE
 KNOXVILLE, TN 37924

Revisions / Submissions

ID	Description	Date

OVERALL SITE PLAN

C-101



BENCHMARKS

	ELEVATION*	DESCRIPTION
BM #1	869.06	CHISELED SQUARE IN CURB
BM #2	873.79	RIM OF SANITARY MANHOLE

* VERTICAL DATUM: NAVD88 (GEOID 18)
 ** HORIZONTAL DATUM: NAD83
 NOTE: REFER TO ALTA SURVEY, SHEET C-003 & C-004, FOR BENCHMARK LOCATIONS



From: [Steve Borden](#)
To: [Jennifer Scobee](#)
Subject: RE: Board of Zoning Appeals - May 2023 applications
Date: Friday, May 5, 2023 1:19:19 PM
Attachments: [image002.png](#)

Jennifer,

Please find operation's comments on this month's BZAs below:

5-A-23-VA 2230 Laurel Ave: Operations has no comment
5-B-23-VA 1458 Wilson Rd] : Operations has no comment
5-C-23-VA 1452 Wilson Rd: Operations has no comment
5-D-23-VA 6916 Haverhill Dr: Operations has no comment
5-E-23-VA 5402 Rutledge Pk: Operations has no comment regarding the requested variance.
Any work conducted within State ROW will require a grading permit be obtain through TDOT
5-F-23-VA 11068 Parkside Dr: Operations has no comment
5-G-23-VA 2900 N. Broadway: Operations has no comment regarding the requested variance.
Any work conducted within State ROW will require a grading permit be obtain through TDOT
5-H-23-VA 2126 Forest Ave: 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: [Steve Borden](#)
To: [Jennifer Scobee](#)
Subject: RE: June Board of Zoning Appeals Applications - City of Knoxville
Date: Monday, June 12, 2023 4:24:04 PM
Attachments: [image001.png](#)
[image002.png](#)

Jennifer,

Please find the following responses to the referenced BZAs:

5-E-23-VA 5402 Rutledge Pk (postponed from May): Operations has no opposition to the changing of parking requirements specifically, but would remind that on-street parking along Rutledge Pike is not permitted.
6-A-23-VA 236 W. Scott Ave: Operations has no comment.
6-B-23-VA 321 Deaderick Ave: Operations has no comment.
6-C-23-VA 519 Douglas Ave: Operations has no comment.
6-D-23-VA 109 S. Broadway: Operations has no opposition to the requested modification of the build-to setback along Worlds Fair Park Drive. The Department would like to emphasize that no structure, appurtenance, or signage (at grade or over-hanging) shall be permitted to be constructed within the limits of State-Owned ROW.
6-F-23-VA 1931 & 1923 Forest Ave: 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



May 3, 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 5-A-23-VA through 5-H-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



June 12, 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 5-E-23-VA, 6-A-23-VA, 6-B-23-VA, 6-C-23-VA, 6-D-23-VA, and 6-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.

Sincerely,

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

Christian Wiberley, P.E.
Engineering

CGW



VARIANCE
5-E-23-VA
Knoxville BZA
PUBLIC HEARING
215-4244