

File # (office use only)

7-A-23-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 (Individual not company)	Robert Marlino	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address	2554 Sutherland Avenue	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip	Knoxville, TN. 37919	Tenant <input type="checkbox"/>	Off Street Parking <input checked="" type="checkbox"/>
Phone Number	865.521.7550, x31	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email	rmarlino@smeebusby.com		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 5121 Camelia Road City, State, Zip Knoxville, TN. 37912
 See KGIS.org for Parcel # 068LA009 City Council District # 5 and Zoning District O - Office

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.

Peace of Mind Daycare has been in business and operational since October 2022. Currently the City has approved the total enrollment of 24 students - because of community need the Owner would like to increase enrollment to 54 students. The increase has been approved by the State; however the only issue remaining is parking.

We are seeking the following variance:

- 1) Reduction of off-street parking spaces from 14 to 4 (.67 x 10 employees = 7) (.125 x 54 clients = 7)

Describe hardship conditions that apply to this variance.

The site has no room for additional parking. Client drop off and pickups are staggered per agreement with the parents so that additional loading spaces are not needed. Employees currently park across the street at the Merchants Village Shopping Center with Owner permission.

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 5-19-23

File #



BOARD OF ZONING APPEALS APPLICATION

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

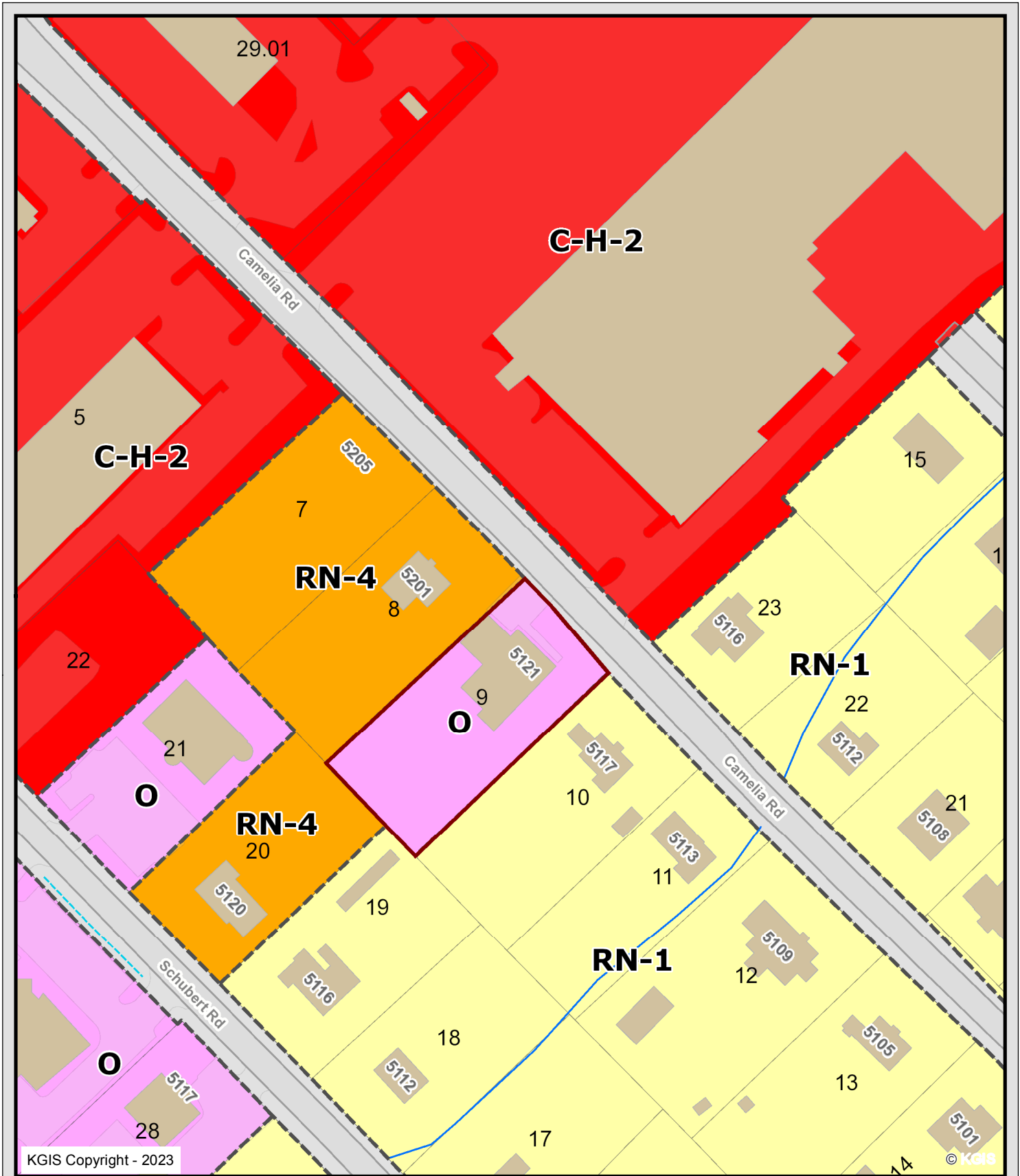
Is a plat required? Yes No

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

(This area is currently blank for variance requests.)

PROJECT INFORMATION

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



KGIS Copyright - 2023

© KGIS

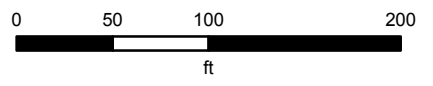
5121 CAMELIA RD

7-A-23-VA
ROBERT MARLINO

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/30/2023 at 4:21:18 PM

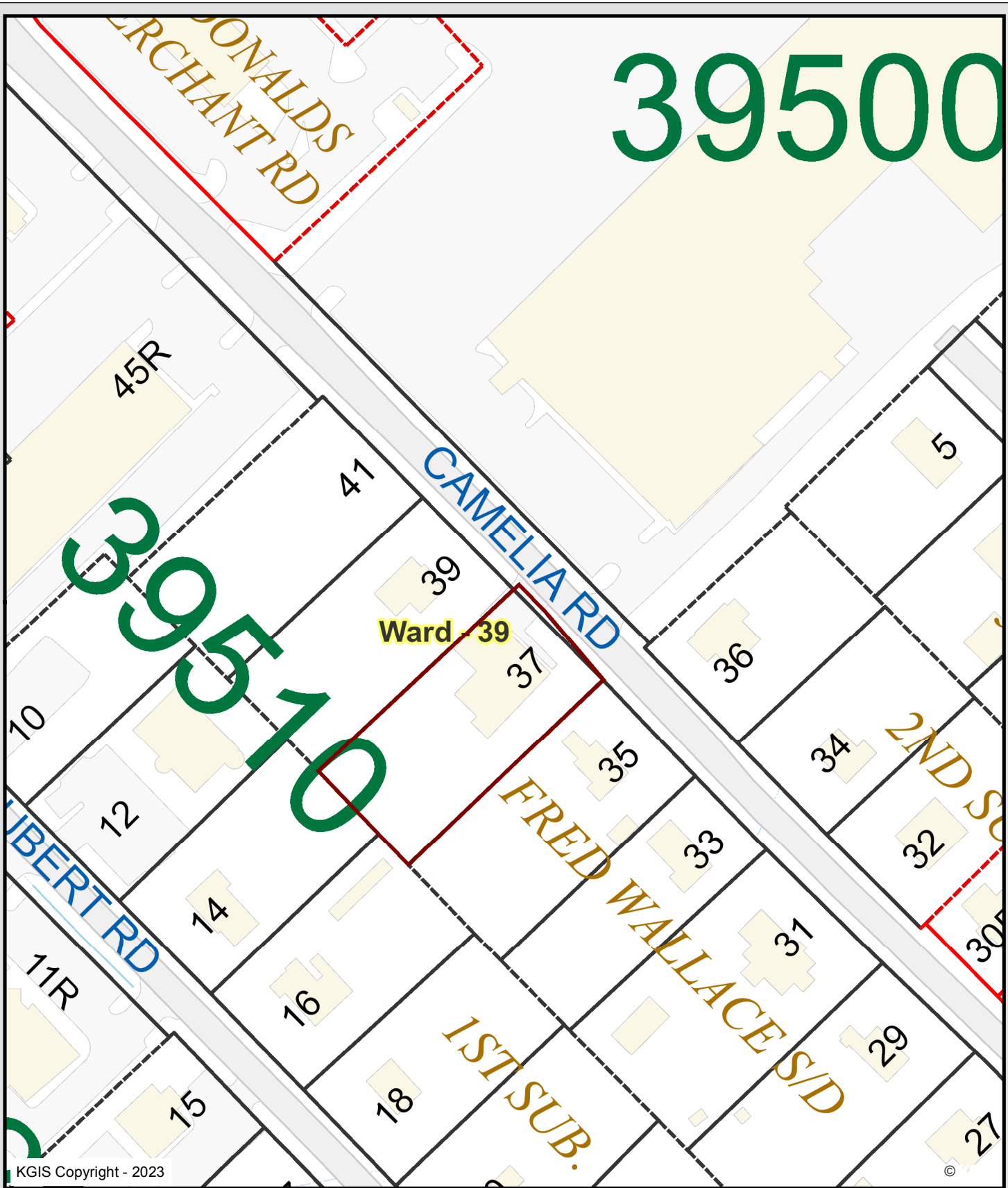


KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any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

39500

39510

Ward 39



KGIS Copyright - 2023

5121 CAMELIA RD

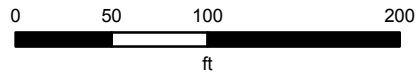
7-A-23-VA

ROBERT MARLINO

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/30/2023 at 4:21:47 PM



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.



5121 CAMELIA RD

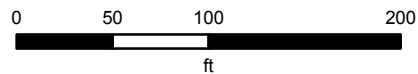
7-A-23-VA

ROBERT MARLINO

Knoxville - Knox County - KUB Geographic Information System



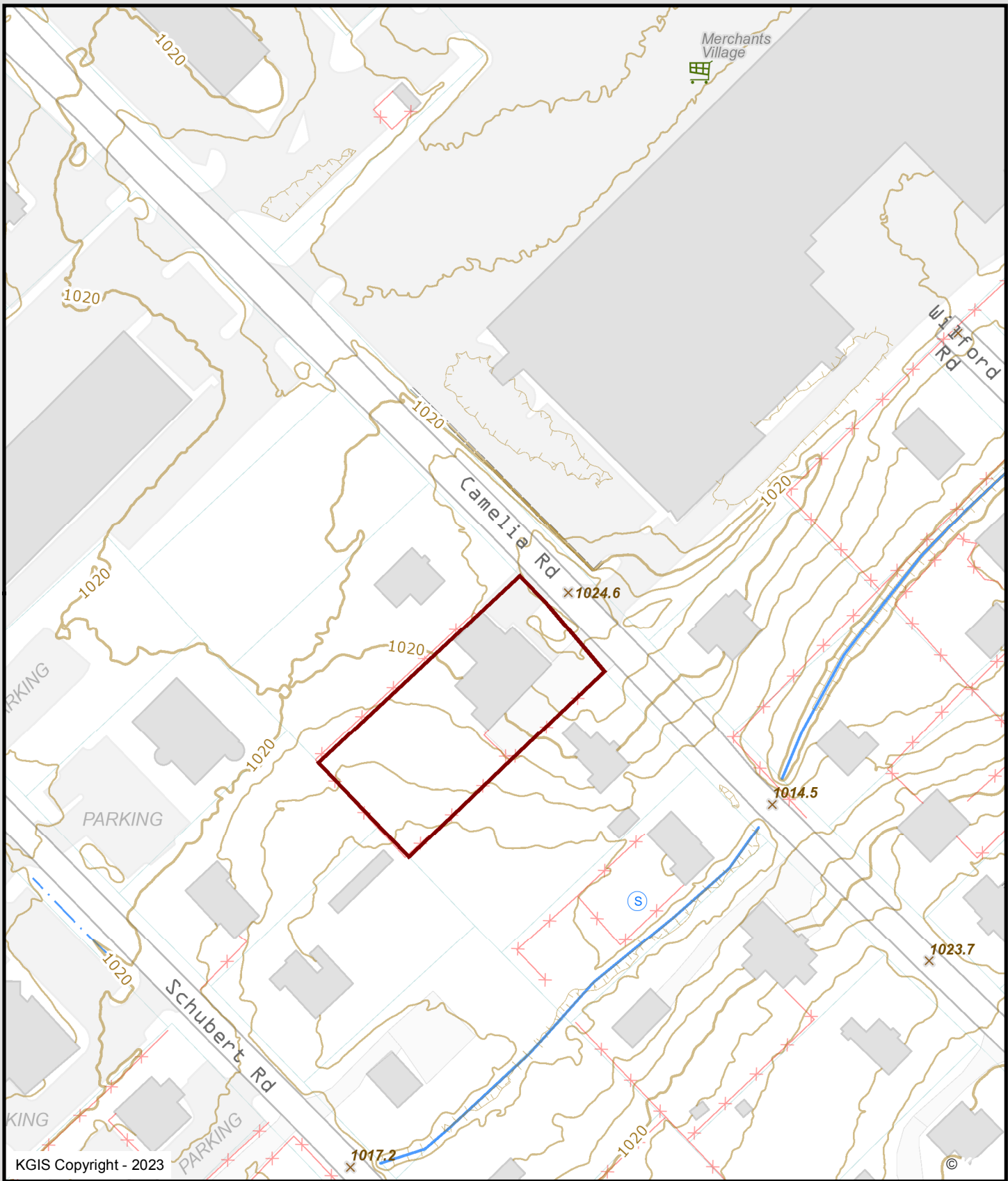
Printed: 5/30/2023 at 4:19:49 PM



KGIS Copyright - 2023

© KGIS

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.



KGIS Copyright - 2023

5121 CAMELIA RD

7-A-23-VA
ROBERT MARLINO

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/30/2023 at 4:22:06 PM



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.



SITE PLAN NOTES

A	PARCEL ID 068LA009
B	CITY BLOCK 39510
C	REAR PROPERTY LINE DEMARCATIONS
G	60" ADA TURN CLEARANCE UNDER PORCH OVERHANG
H	SIDE PROPERTY LINE DEMARCATION
E	FRONT PROPERTY LINE DEMARCATION
D	ZONE "O" FRONT SET BACK REQ: 15' - ACTUAL: 28' 9"
F	ZONE "O" SIDE SET BACK REQ: 30' - ACTUAL: 41' 6"
I	ZONE "O" REAR SET BACK REQ: 30' - ACTUAL: 65'

NOTE ON SEEDING:
 TEMPORARY SEEDING REQUIRED IF GRADING OPERATIONS ARE TEMPORARILY HALTED FOR OVER 14 DAYS / ON SOIL STOCKPILES. PERMANENT SEEDING IS REQUIRED WHEN GRADING OPERATIONS ARE COMPLETED AND WHEN CONSTRUCTION OPERATIONS WILL NOT IMPACT THE DISTURBED AREA. SEED AREAS THAT SHOW SIGNS OF EXCESSIVE EROSION.

NOTE ON RELEVANT PARTIES:
 MICHELLE JOHNSON - PEACE OF MIND CHILDCARE CENTER - 3635 MEREDITH LYNN WAY, KNOXVILLE, TN, 37924. EMAIL: MAJOHNSON82965@GMAIL.COM.

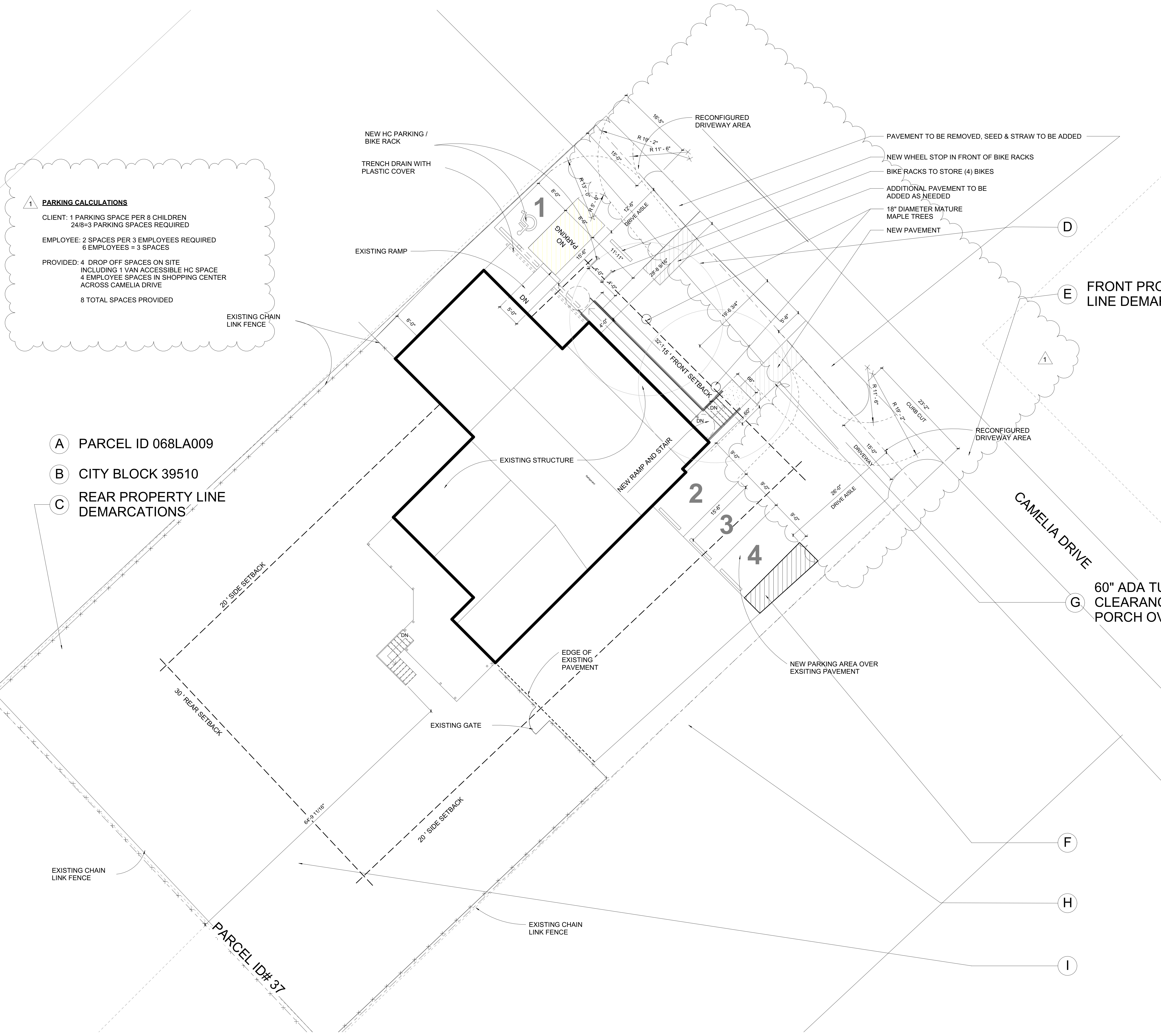
NOTE ON PARKING:
 4 NEW PARKING SPACES, INCLUDING 1 VAN ACCESSIBLE HC SPACE AT NORTH LOT. DESIGN WAS PROPOSED BY SCOTT ELDER.



Peace of Mind Childcare Center
 5121 Camelia Rd., Knoxville, TN 37912

THESE PLANS AND SPECIFICATIONS ARE REQUIRED TO BE KEPT IN THE JOB SITE UNIT, A FINAL COPY OF THE JOB SITE UNIT, A FINAL COPY OF THE COMPLETION FORM OR THIS OFFICE.
 No alterations, omissions, additions or modifications of any kind shall be made to this drawing without the written permission of SMEE + BUSBY ARCHITECTS, INC. TENNESSEE STATE FIRE MARSHAL'S OFFICE

FIELD SET TFM # 20609 PROJECT # 2022-10-20-03



1 PARKING CALCULATIONS
 CLIENT: 1 PARKING SPACE PER 8 CHILDREN
 24/8=3 PARKING SPACES REQUIRED
 EMPLOYEE: 2 SPACES PER 3 EMPLOYEES REQUIRED
 6 EMPLOYEES = 3 SPACES
 PROVIDED: 4 DROP OFF SPACES ON SITE INCLUDING 1 VAN ACCESSIBLE HC SPACE
 4 EMPLOYEE SPACES IN SHOPPING CENTER ACROSS CAMELIA DRIVE
 8 TOTAL SPACES PROVIDED

- A PARCEL ID 068LA009
- B CITY BLOCK 39510
- C REAR PROPERTY LINE DEMARCATIONS

FRONT PROPERTY LINE DEMARCATION

60" ADA TURN CLEARANCE UNDER PORCH OVERHANG

Project Number:	21020
Issue Date:	
Drawn By:	LC
Principal:	GS
1	3-3-22
2	
3	
4	
5	
6	
7	

This drawing is the property of SMEE + BUSBY ARCHITECTS, INC. and is not to be reproduced or used in any way without the written permission of SMEE + BUSBY ARCHITECTS, INC.

SITE PLAN

CITY OF KNOXVILLE
 DEPARTMENT OF ENGINEERING
APPROVED
 Austin Brownell
 03/10/22

A099 APPROVED
 CITY OF KNOXVILLE
 Plans Review & Inspection Division
 NOTICE: These plans were not reviewed for compliance with the Americans with Disabilities Act or the Fair Housing Act (U.S.S. 3604(f)).

3/3/2022 3:55:29 PM

EXISTING SITE PLAN
 1/8" = 1'-0"



Slow Down in K. Town



VARIANCE
7-4-23-16
Knoxville BZA
PUBLIC HEARING
215-4244

PEACE
OF
MIND
CHILD CARE
NOW ENROLLING
AGES 6 WEEKS TO 5 YEARS OLD
HOURS OF OPERATION:
MONDAY - FRIDAY
6:30 AM - 6:00 PM
MAIN NUMBER 865.357.0080
OWNER / DIRECTOR MIMI JOHNSON
865.321.0108
5121 CAMELIA RD
KNOXVILLE, TN 37912

From: [Steve Borden](#)
To: [Jennifer Scobee](#)
Subject: RE: Board of Zoning Appeals Meeting 8-15-23 - Application Review
Date: Friday, August 4, 2023 2:52:43 PM
Attachments: [image002.png](#)

Jennifer,

Please see the summary of responses to the August 15th BZA. If you have questions or would like any additional information please let me know.

7-A-23-VA 5121 Camelia Rd (this was postponed from the July meeting) – Operations has No Comment regarding off street parking on local road
8-A-23-VA 4145 Holston Dr - Operations has No Comment regarding setbacks on properties not adjacent to ROW
8-B-23-VA 185 Wrinkle Ave - Operations has No Comment
8-C-23-VA 1108 Forest Ave Operations has No Comment regarding off street parking on local road
8-D-23-VA 1800 & 1900 Vermont Ave - Operations has No Comment regarding setbacks on properties not adjacent to ROW
8-E-23-VA 500 Clinch Ave - Operations has No Comment regarding vertical clearance on properties not adjacent to ROW
8-F-23-VA 7300 Westridge Dr - Operations has No Comment regarding setbacks on properties not adjacent to ROW
8-G-23-VA 0 Sanders Ln - Operations has No Comment
8-I-23-VA 2230 Laurel Ave - Operations has No Comment regarding setbacks on properties not adjacent to ROW

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



August 8, 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 7-A-23-VA, 8-A-23-VA, 8-B-23-VA, 8-C-23-VA, 8-D-23-VA, 8-E-23-VA, 8-F-23-VA, 8-G-23-VA, and 8-I-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