



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 Sweet, McBride Dale Clarion	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 5721 Dragon Way, Suite 300	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Cincinnati, OH 45227	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 513-441-7747	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email rsweet@mcbridedale.com		Other Access/Driveway <input checked="" 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 checked="" type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation |

PROPERTY INFORMATION

Street Address 1415 Third Creek Road City, State, Zip Knoxville, TN 37921
 See KGIS.org for Parcel # 0930A021 City Council District # 2 and Zoning District "IG"

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.

Casey's has a contract to lease 2.0 acres of property at 1415 Third Creek Road. Casey's is requesting a Variance from Section 11.7 to allow the driveway configuration as illustrated on the proposed site plan. A variance is requested from Article 11.7.B.2 - To allow a reduction in the separation width between driveways from 35' to 13'.

Please see the attached project description and justification statement for additional information.

Describe hardship conditions that apply to this variance.

The variances is requested due to the unique frontage arrangement of Middlebrook Pike (divided in area of the proposed development) of the site and the practical difficulty of the use. Please see the attached project description and justification statement for additional information.

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 ~~5-26-2023~~ *Revised 6.27.23*

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

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 intentionally left blank for the applicant to provide variance request details and ordinance citations.)

PROJECT INFORMATION

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

June 27, 2023

Board of Zoning Appeals
City of Knoxville
Building Inspections Department
400 Main Street, Ste. 475
Knoxville, Tennessee 37902

Via Email / Digital Submittal

RE: Casey's – 1415 Third Creek Road – Driveway Spacing Variance

Dear Knoxville Board of Zoning Appeals Members:

On behalf of Casey's General Stores, I am transmitting this letter and enclosed materials requesting driveway/access related variances associated with a proposed Casey's convenience store and fuel sales facility located at 1415 Third Creek Road, Knoxville, Tennessee. Casey's has contract to lease 2-acres of property from the owners of the parent parcel (4810 North Middlebrook Pike), for the development of a 4,750+/- square foot convenience store and a 3,100+/- square foot automobile fueling canopy over five (5) double-sided dispensers.

The subject property is zoned "IG" General Industrial District. Casey's is requesting approval of a variance to from Article "11.7.B.2" to allow a reduction in the separation width between driveways from 35' to 13'.

To initiate the request, I am transmitting the following materials:

- A completed and signed Board of Zoning Appeals Application;
- A Project Description and Variance Justification Statement; and
- A Site Plan and Grading Plan.

Please review the enclosed materials and contact me immediately if additional information is needed. Per a discussion with Mike Robinson on Friday, June 16, 2023, we updated our applications and materials with some additional information related to the request.

It is our understanding that upon receipt and review of the submittal materials, the fee for the requests will be determined. Once available, please send the invoice for fee payment to my attention.

Our team looks forward to presenting our request to the Board of Zoning Appeals on July 18, 2023.

Sincerely,



Robert C. Sweet
CC: File
MDC #4814

Casey's #4318
Project Description & Variance Justification Statement
1415 Third Creek Road, Knoxville, Tennessee

Introduction

Casey's has a contract to lease 2.0+/- acres of property at 1415 Third Creek Road, Knoxville, Tennessee. The property is zoned "IG" General Industrial Zoning District within the City of Knoxville zoning jurisdiction. Casey's proposes to develop the subject property with a convenience store and fuel sales facility. As part of the project, Casey's is requesting variances related to the proposed driveway location, number of required parking spaces, and proposed freestanding signage.

Project Description

Casey's proposes to develop a 4,750+/- square foot convenience store and 3,100+/- square foot fueling canopy over five (5) double-sided dispensers. A total of sixteen (16) parking spaces are proposed. Driveway access to the property consists of a 35' left-in/right-out driveway along South Middlebrook Pike and two (2) - 35' wide full access driveways along 3rd Creek Road. The driveways proposed along 3rd Creek Road are designed to align with the access points provided for the existing Weigel's on the east side of 3rd Creek Road. The development has a retaining wall along the North Middlebrook Pike property line, and along a portion of the western property line.

The proposed convenience store is a flat roofed structure, approximately 22 feet tall, and constructed of Redstone antique brick. Stone columns are provided on the four corners of the building and the two corners of the building's primary entry. The entry feature projects roughly 4 feet from the plane of the front façade. An ACM panel system and glazing providing views into the store is proposed along the primary elevation. The main entrance to the convenience store is on the eastern elevation facing 3rd Creek Road. Service entrances are proposed on the northern and southern elevations of the building. Enhancement of the primary elevation is completed with the use of decorative lighting fixtures on the building walls and lighting fixtures flush mounted into the soffit of the convenience store. Mechanical units for the convenience store are installed on the roof. A flat roofed metal canopy is proposed. A dumpster enclosure is proposed on the northern side of the building and utilizes design elements from the proposed convenience store.

The property is landscaped with a variety of trees, shrubs, and ground covers to meet code and enhance the development. A total of 25 trees and 104 shrubs are provided throughout the site. Within areas that are not paved or built on, sod and ground cover are provided. Areas behind the store and within the detention basin are seeded.

Variance Requests

Casey's is requesting the following variances from the City of Knoxville Zoning Ordinance to allow the driveways for the development to be constructed as proposed:

- **Variance from Section "11.7.B.2"** – To allow a reduction in the separation width from 35' (width of the widest driveway) to 13'.

Approval of the driveways as proposed allows Casey's a second access driveway along 3rd Creek Road to allow for safe and unobstructed movement of the fuel delivery truck. The fuel delivery truck will enter the site from South Middlebrook Pike and maneuver to the tank pad to re-fuel underground storage tanks. The fuel delivery truck off-loads fuel on the passenger side of the vehicle. Once re-filling is completed, the truck will exit onto 3rd Creek Road. This set up allows fuel trucks to maneuver the site without more dangerous backing up/reverse movements. The additional driveway helps to align the truck on 3rd Creek so it is not overhanging the lane when turning out of the site.

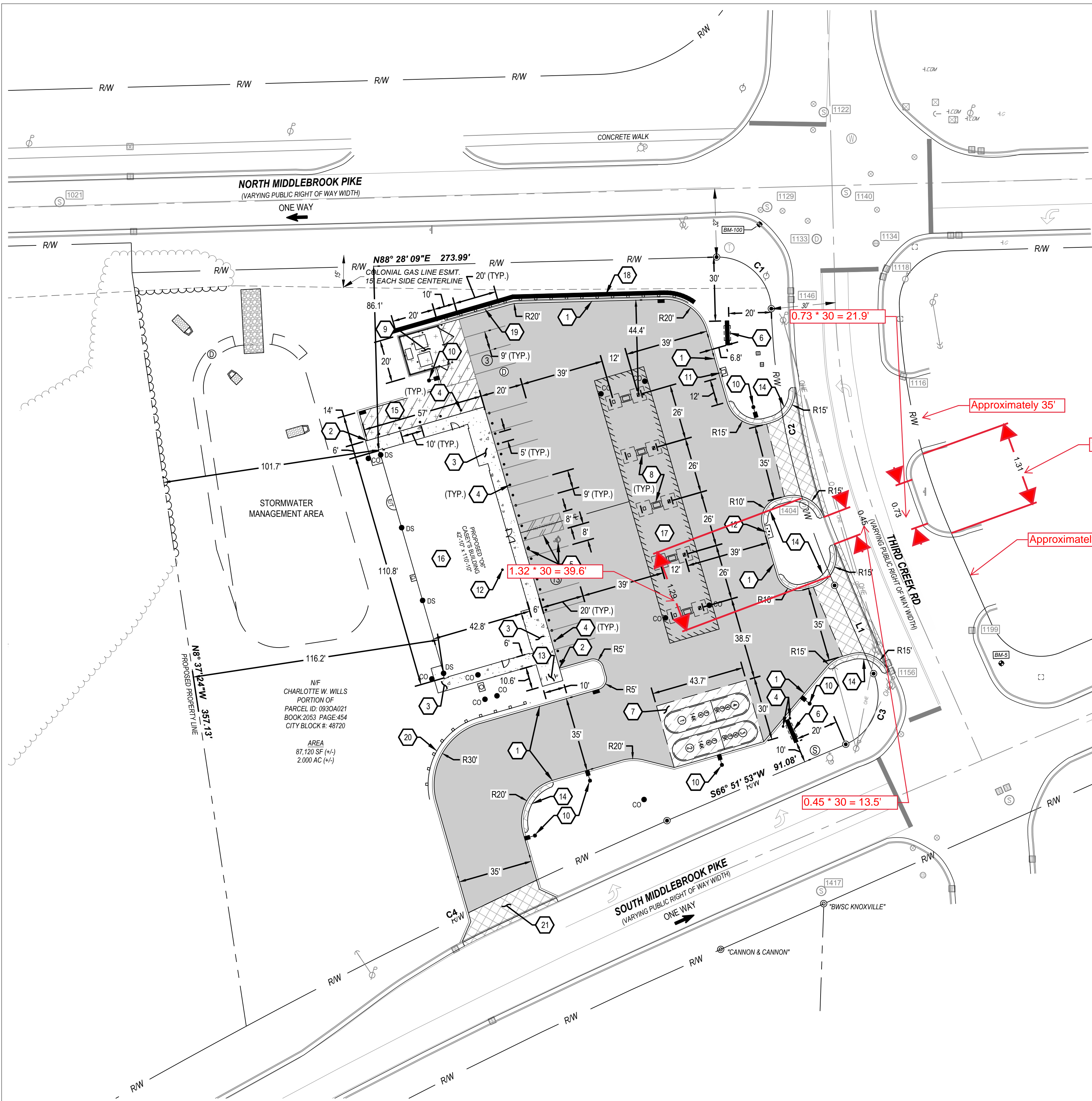
Casey's typically aims to have access to all abutting roadways. In this circumstance, a driveway on North Middlebrook Pike is not feasible due to the grading and retaining wall associated with the project. Additionally, access is further restricted due to being in the middle of a divided roadway. The abutting streets are one-way roadways that limit the movements of the fuel delivery truck and customers utilizing the facility, which makes the requested accesses vital to the successful use of this property.

The subject property is directly across 3rd Creek Road from an existing Weigel's convenience store and gas station. Casey's is requesting access along 3rd Creek Road that would line up directly with Weigel's existing access points. By aligning the driveways, conflicts from opposing traffic are minimized. Allowing only one driveway on 3rd Creek Road increases opposing left turn traffic conflicts and decrease safety.

We believe the requested variances are a result of hardships due to the location of the facility, topography of the site, and practical operation of the facility. Granting the requested variance will provide the minimum relief necessary to allow the fueling truck to maneuver the site with ease and avoid conflicts with customer vehicles. An added benefit of having the driveway in the proposed location is that it aligns with the opposing driveways and minimizes vehicular conflicts. Due to the characteristics of the surrounding area, the variances will not be detrimental to the public welfare or the general area. The proposed development will have a positive impact on the area and provide a fueling and food option and an employee support business in the corridor.

We look forward to discussing the project with the Board of Zoning Appeals and respectfully request approval of the preceding Variances.

W:\PROJECTS\CASEY\1516756_Knoxville TN (3rd Creek)\03-CIVIL\PLAN_CONSTRUCTION\760756_C-101-SITE.dwg - 3/13/2023 - Brandon Dattilo



CODED NOTES:

1. PROPOSED INTEGRAL CURB. SEE DETAIL 2 ON SHEET C-601.
2. CURB TAPER. SEE DETAIL ON SHEET C-606.
3. PROPOSED SIDEWALK. SEE DETAIL 1 ON SHEET C-601.
4. CASEY'S TYPICAL BOLLARD. SEE DETAIL 1 ON SHEET C-601.
5. CONTRACTOR TO CONSTRUCT ADA PARKING SPACE PER DETAILS 3 & 4 ON SHEET C-602 AND ACCORDING TO ALL LOCAL, STATE AND FEDERAL REGULATIONS.
6. CASEY'S PYLON SIGN, PER SIGNAGE PLAN.
7. PROPOSED FUEL TANK AREA CONCRETE PAD. SEE DETAIL 2 ON SHEET C-601 AND DETAILS 2 & 5 ON SHEET C-602.
8. PROPOSED GAS TAPERED FUEL ISLAND. SEE DETAIL 1 ON SHEET C-602.
9. PROPOSED 20' X 20' DUMPSTER ENCLOSURE AND PAD. SEE ARCHITECTURAL PLANS FOR DETAILS.
10. PROPOSED SITE LIGHT POLE AND FOUNDATION. SEE DETAIL 9 ON C-602 FOR DETAILS.
11. AIR COMPRESSOR BOX. SEE DETAIL 6 ON SHEET C-601.
12. EMERGENCY SHUTOFF FOR GASOLINE DISPENSERS. ALL DISPENSERS FALL WITHIN A 100-FOOT RADIUS OF SHUTOFF. SEE DETAIL 7 ON SHEET C-601.
13. PROPOSED BIKE RACK SHALL BE PROCURED AND INSTALLED BY CONTRACTOR. EQUIVALENT HEAVY DUTY INVERTED U STYLE, BLACK IN COLOR AND SURFACE-MOUNTED. SEE DETAIL ON SHEET C-606.
14. PROPOSED LANDSCAPE PROTECTOR. SEE DETAIL 4 ON SHEET C-601.
15. PROPOSED 14' X 57' LOADING ZONE.
16. PROPOSED 4,750 SF BUILDING. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
17. PROPOSED 24' X 128', 5 DISPENSER AUTO FUEL CANOPY. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
18. INSTALL APPROXIMATELY 150 LINEAR FEET OF REDI-ROCK RETAINING WALL AND SAFETY RAIL. WALL TO BE DESIGNED BY OTHERS. SEE TYPICAL DETAIL ON SHEET C-605.
19. PROPOSED 120 LINEAR FEET OF GUARDRAIL. SEE DETAILS ON SHEET C-605.
20. PROPOSED 77 LINEAR FEET OF GUARDRAIL. SEE DETAILS ON SHEET C-605.
21. PROPOSED DRIVEWAY PER TDOT STANDARD DETAIL RP-D-15. SEE DETAIL ON SHEET C-606.

SITE LEGEND

REFER TO C-001 FOR EXISTING FEATURES LEGEND

EXISTING

PROPOSED

- PROPOSED STANDARD DUTY CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-601
- PROPOSED FUEL TANK CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-601 AND DETAIL 2 ON SHEET C-602
- PROPOSED HEAVY DUTY NON-REINFORCED CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-601
- PROPOSED APPROACH CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-601
- PROPOSED CONCRETE SIDEWALK. SEE DETAIL 1 ON SHEET C-601

BUILDING

CANOPY

CONCRETE CURB

PAVEMENT/WALK

RETAINING WALL

GUARDRAIL

PARKING SPACE COUNT

STORM MANHOLE

SANITARY MANHOLE

CURB INLET

CLEANOUT

DOWN SPOUT

LIGHT POLE

BOLLARD

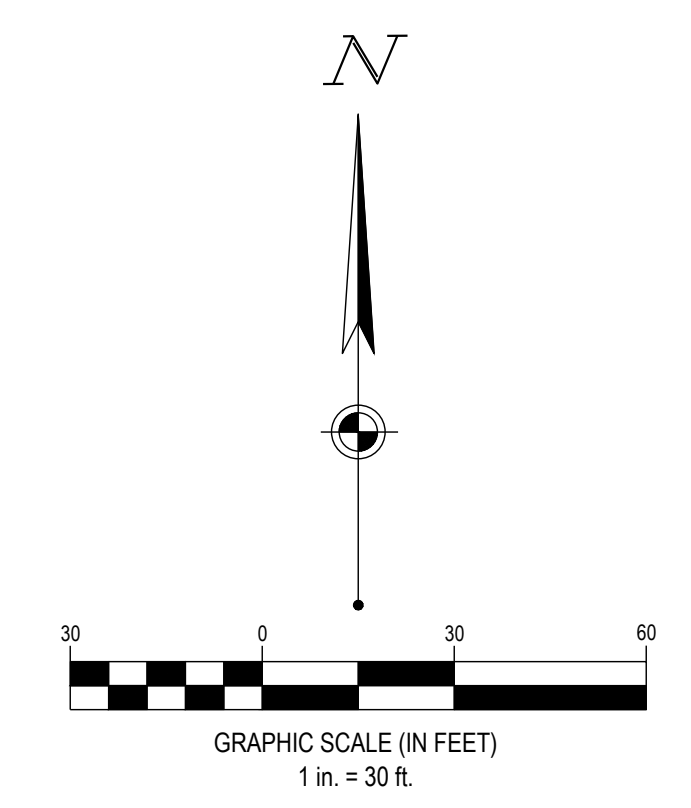


CASEY'S #4318
KNOXVILLE, TN
(3RD CREEK)
 4810 NORTH MIDDLEBROOK PIKE
 KNOXVILLE, TN 37921

Revisions / Submissions

ID	Description	Date

Project Number: 760756
 Scale: 1" = 30'
 Drawn By: BTB
 Checked By: RAP
 Date: 03/13/2023
 Issue: FOR PERMIT



BENCHMARKS

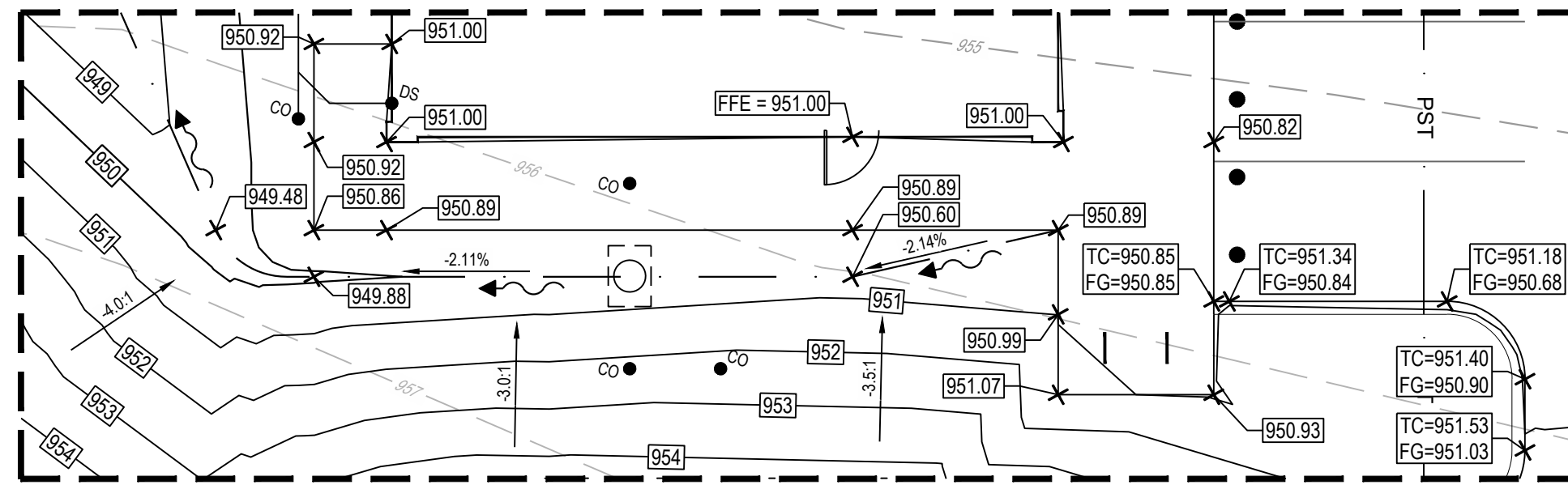
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BM-100	944.69	2562561.438	598709.066	CONTROL STATION 0969 - CITY OF KNOXVILLE
BM-5	955.96	2562674.739	598503.387	IRON PIN WITH CAP

* VERTICAL DATUM: (NAVD 88)
 ** HORIZONTAL DATUM: (NAD 83) TN GRID NORTH
 NOTE: REFER TO ALTA SURVEY, SHEET C-003, FOR BENCHMARK LOCATIONS

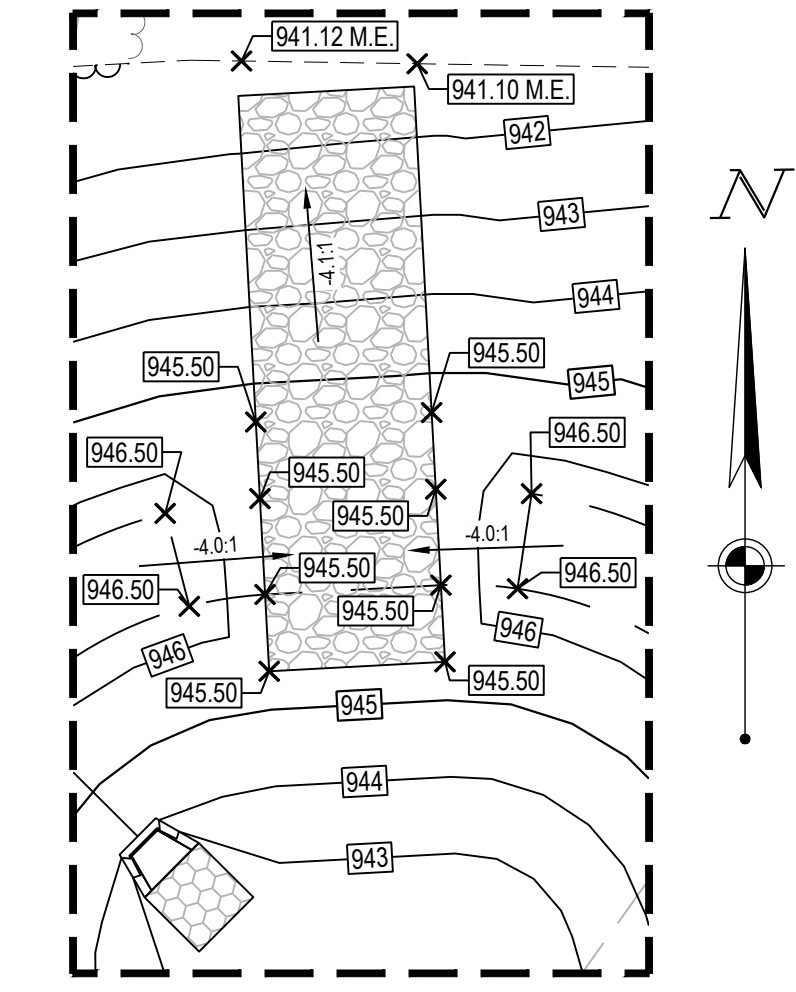
SEVENTY-TWO (72) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: TENNESSEE UTILITIES PROTECTION SERVICE AT 811 OR 800-351-1111 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF STATE UTILITIES PROTECTION SERVICE

Drawing Title:
SITE PLAN
C-101

W:\PROJECTS\CASEY\5176758_Knoxville TN (3rd Creek)\03-CIVIL\PLAN_CONSTRUCTION\76758_C-201-GRAD.dwg - 3/13/2023 - Brandon Dantilo



ENLARGED PLAN
SCALE: 1" = 10'



ENLARGED PLAN: EMERGENCY SPILLWAY
SCALE: 1" = 10'

Basin Spillway Calculations

(Q100) Estimated 100-yr Flow = 11.45 cfs

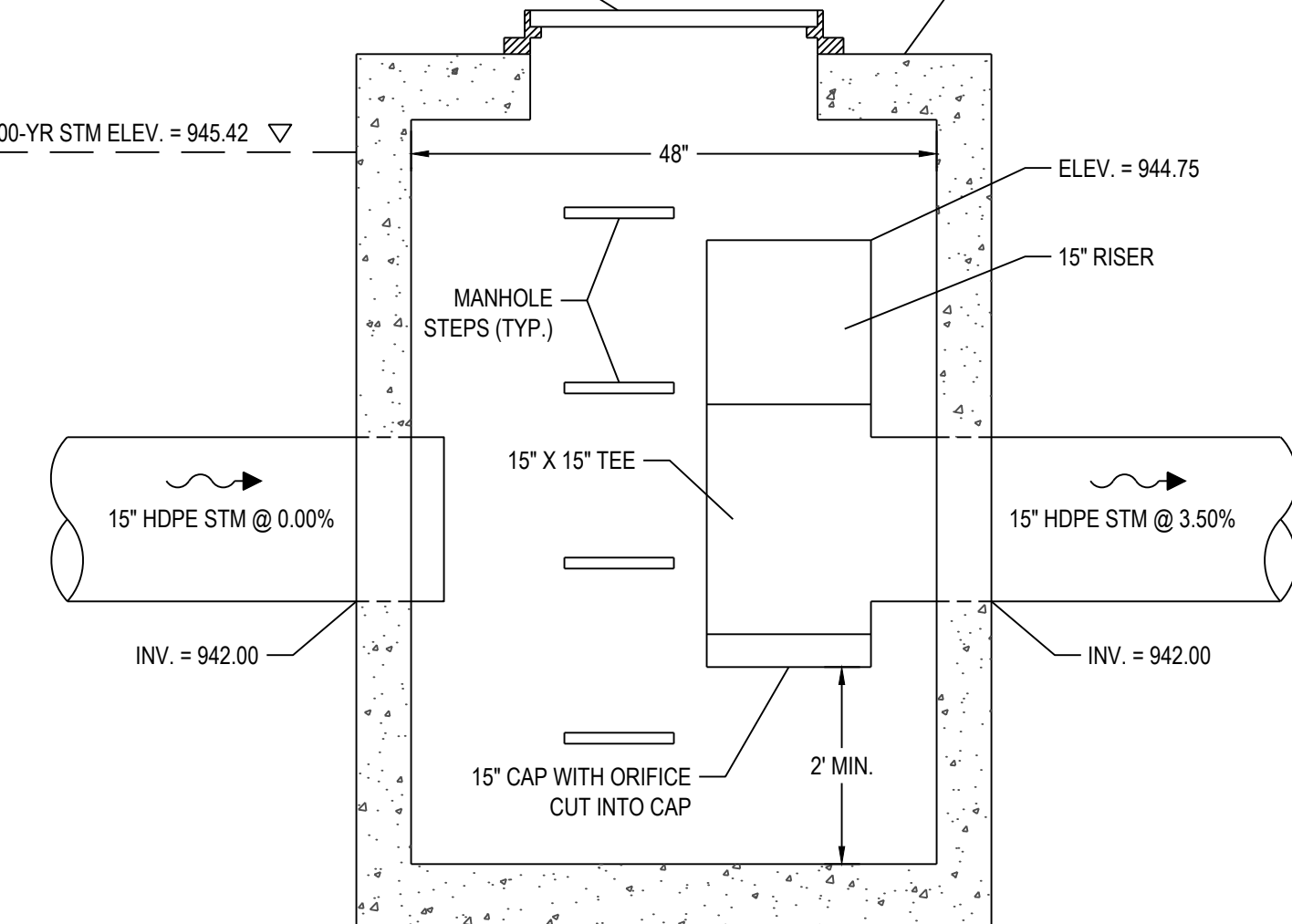
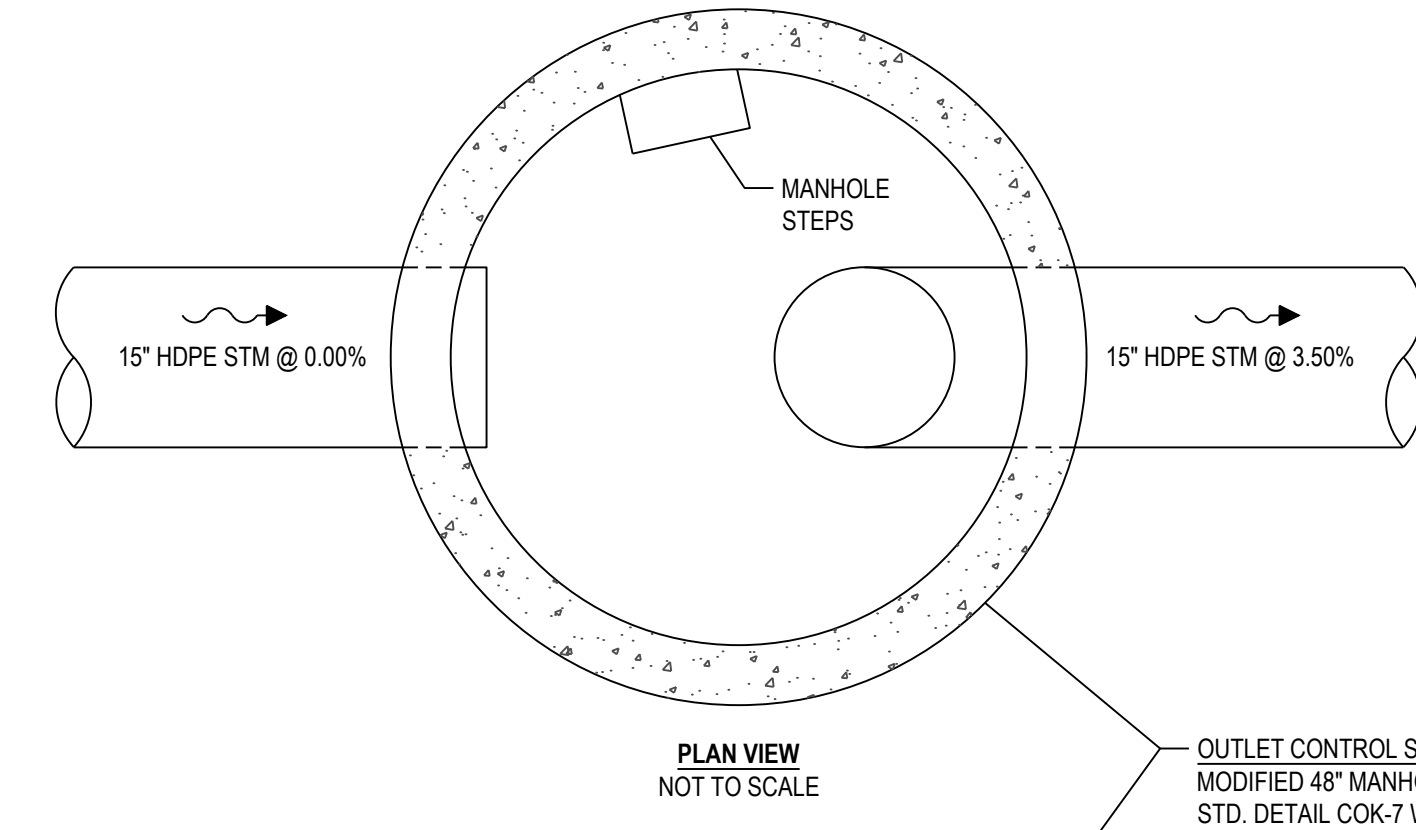
(Qs) Spillway Capacity = $C_w \cdot L \cdot (h^{3/2})$

Spillway Coefficient, $C_w = 2.90$

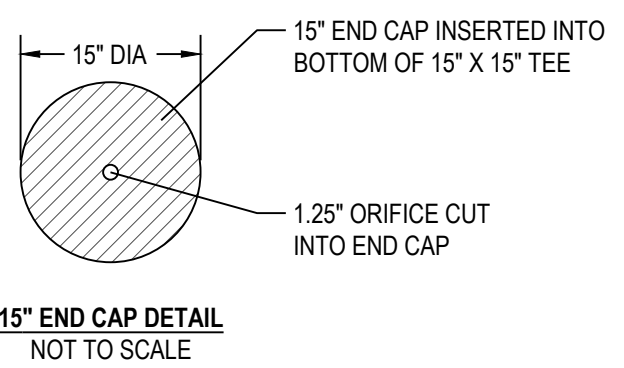
Bottom Width, $L = 9.00$ ft

Height, $h = 1.00$ ft

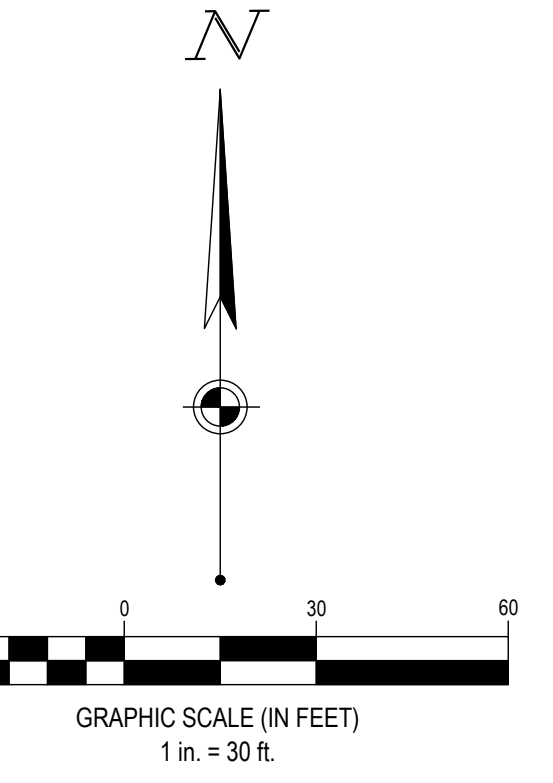
$Q_s = 26.10$ cfs



OUTLET CONTROL STRUCTURE (#2)
NOT TO SCALE



15\"/>



GRAPHIC SCALE (IN FEET)
1 in. = 30 ft.

GRADING LEGEND

- EXISTING
REFER TO C-001 FOR EXISTING FEATURES LEGEND
- PROPOSED
- BUILDING
 - CANOPY
 - SEE ENLARGED PLAN, THIS SHEET
 - MAJOR CONTOUR
 - MINOR CONTOUR
 - GRADE BREAK
 - FLOW LINE
 - STRUCTURE NUMBER
 - STORM MANHOLE
 - CURB INLET
 - CLEANOUT
 - DOWNSPOUT
 - FINISHED GRADE ELEVATION
 - RIM ELEVATION
 - TOP OF CURB ELEVATION
 - FINISHED GRADE ELEVATION
 - TOP OF WALL ELEVATION
 - BOTTOM OF WALL ELEVATION
 - TOP OF PAVEMENT ELEVATION
 - TOP OF FOOTING ELEVATION
 - M.E.
 - SLOPE ARROW
 - FLOOD ROUTE

GEOTECHNICAL NOTE:

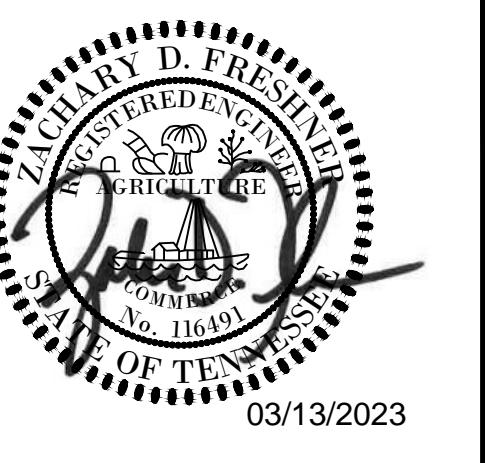
A MINIMUM OF THE UPPER 36 INCHES OF SUBGRADE SOILS BELOW THE FLOOR AND CANOPY SLABS SHALL BE AN APPROVED LOW VOLUME CHANGE (LVC) MATERIAL CONSISTING OF LEAN CLAYS OR CLAYEY SAND. REFER TO THE GEOTECHNICAL ENGINEERING REPORT PROVIDED BY TERRACON FOR FULL DETAILS.

BENCHMARKS

	ELEVATION*	EASTING**	NORTHING**	DESCRIPTION
BM-100	944.69	2562561.438	598709.066	CONTROL STATION 0969 - CITY OF KNOXVILLE
BM-5	955.96	2562674.739	598503.387	IRON PIN WITH CAP

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CASEY'S #4318
KNOXVILLE, TN
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Revisions / Submissions

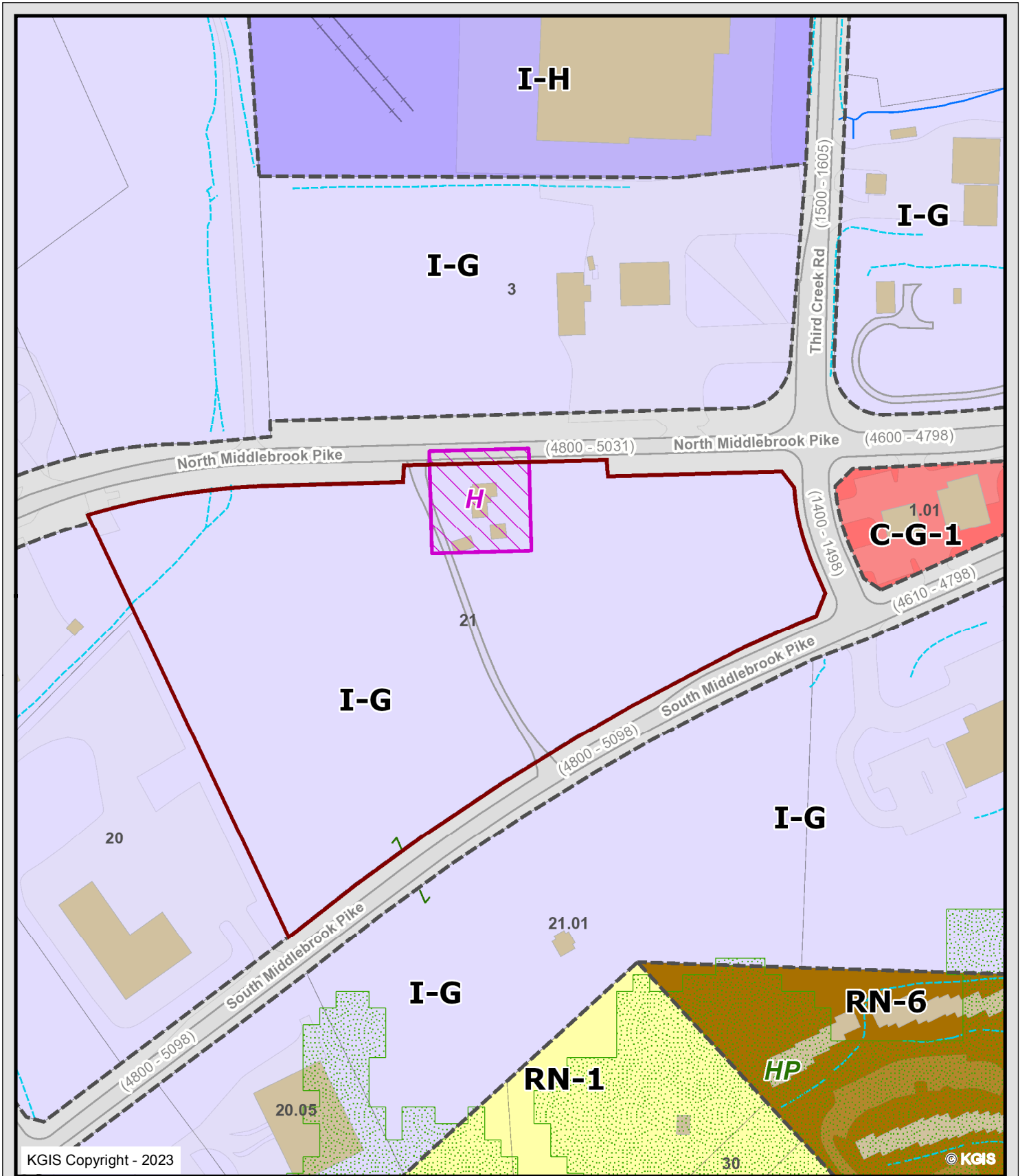
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Drawn By: BTD
Checked By: RAP
Date: 03/13/2023
Issue: FOR PERMIT

Drawing Title:
GRADING PLAN

C-201





1415 THIRD CREEK RD

7-B-23-VA

ROBERT SWEET

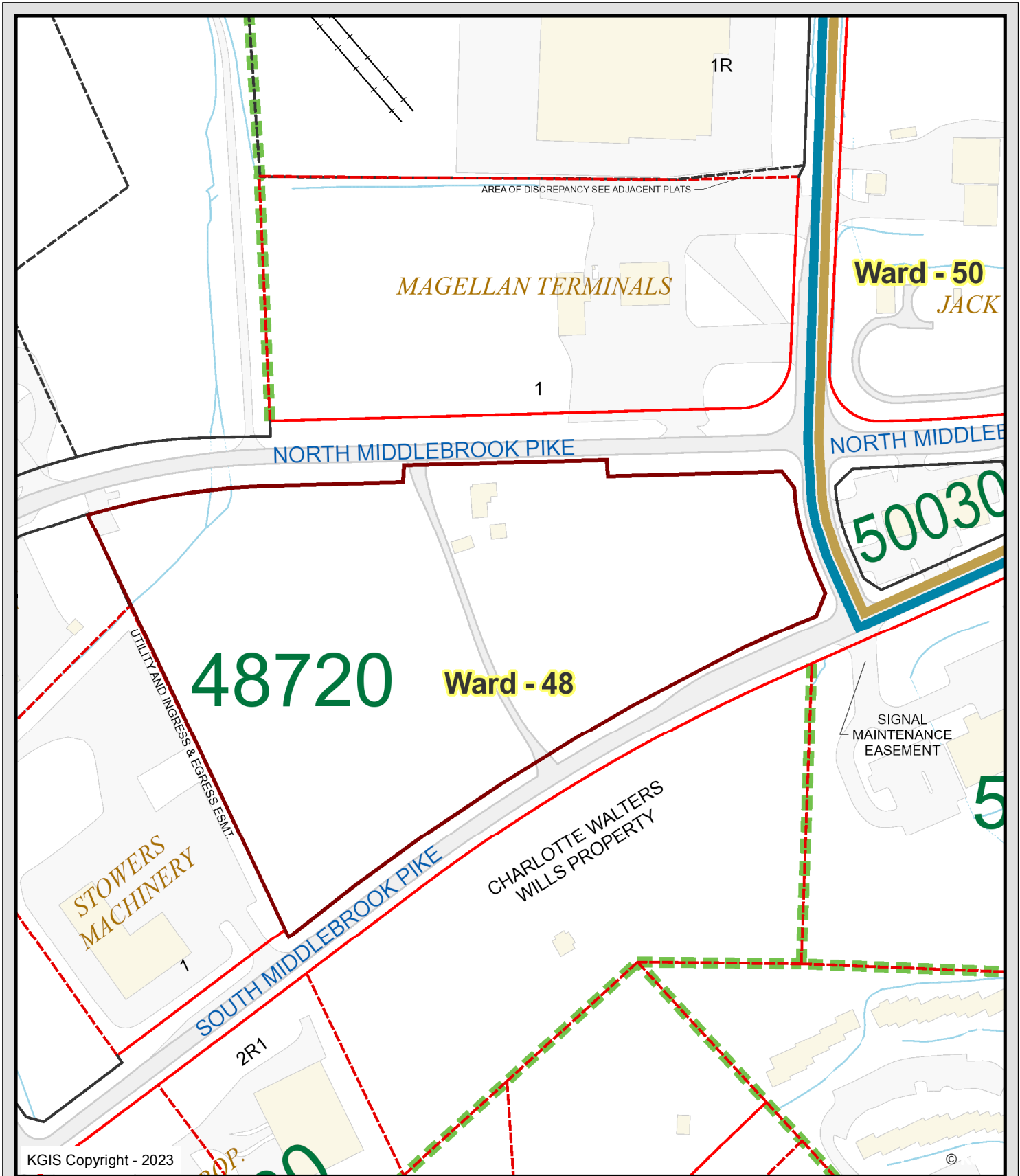
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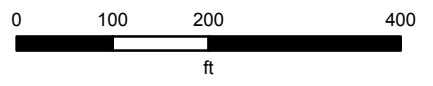
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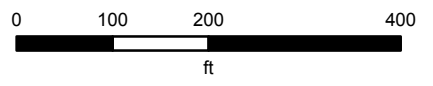
1415 THIRD CREEK RD

7-B-23-VA
ROBERT SWEET

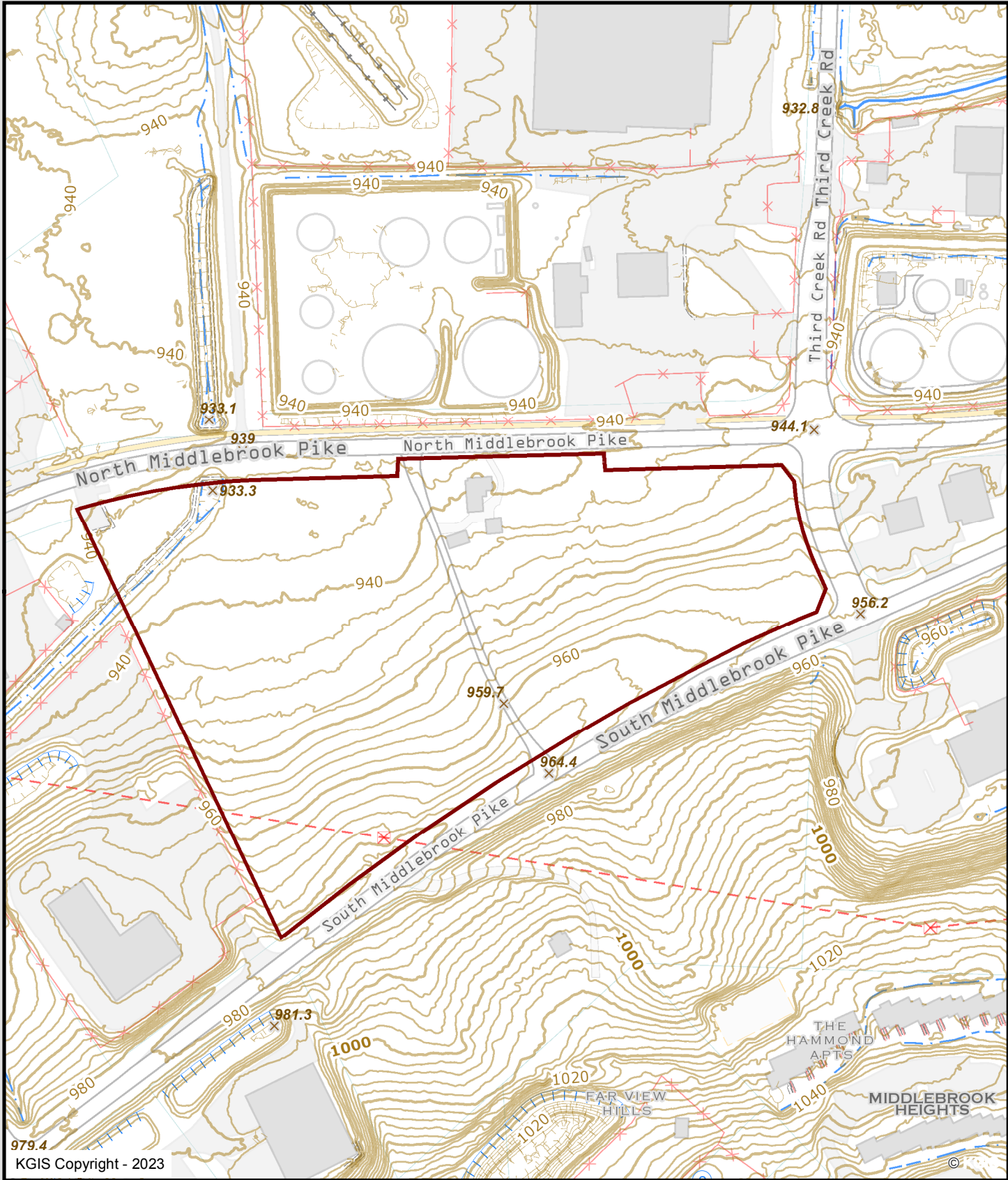
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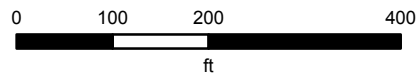
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