

File #

5-H-19-VA



# BOARD OF ZONING APPEALS APPLICATION

## APPLICANT INFORMATION

## APPLICANT IS:

## THIS PROPOSAL PERTAINS TO:

Name TRACEY DIEHL

Street Address 6487 HILLIARD DRIVE

City, State, Zip CANAL WINCHESTER OH

Phone Number 614-828-8215

Email TRACEY@ETD.WEBSITE

Owner ☐Contractor ☐Tenant ☐Other ☒New Structure ☐Modification of Existing Structure ☐Off Street Parking ☐Signage ☒Other ☐

## THIS IS A REQUEST FOR:

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

## PROPERTY INFORMATION

Street Address 6745 CLINTON HIGHWAY

City, State, Zip KNOXVILLE TN

Parcel # (see KGIS.org) 067 27319

Zoning District (see KGIS.org) C4

## VARIANCE REQUIREMENTS

### City of Knoxville Zoning Ordinance Article 7, Section 2

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.

Proposal includes a sign on the north wall with letters that measure 113 sq. ft. on a backer panel that is 7' x 31' therefore the overall sign area is 217 sq. ft. and a sign on the west elevation with letters that measure 63.63 sq. ft. on a backer panel that is 5' x 25' therefore the overall sign area is 125 sq. ft. Total sign area proposed is 342 sq. ft.

The request is for a variance from the commercial allowances for a property in C-4 that states attached signs with a total allowed sign area equal to 10% of the wall area of the primary building elevation(s) and such sign area may be used on any elevation. The primary elevation is that which houses the primary entrance. Therefore the overall allowance for this property is 182 sq. ft.

Request a variance from the City of Knoxville Zoning Regulations Article VIII Section 11.6.a.2 This variance requested of for relief from the area restrictions to allow for an additional 160 sq. ft. of sign area

### Describe hardship conditions that apply to this variance.

This property has two frontages, the west elevation is visible from Pleasant Ridge Road where there is an entrance to the shopping center and the north elevation is visible from The parking lot and Highway 25 (Clinton Highway). The primary elevation is smaller than the secondary elevation. See attached hardship description.

## 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

4/10/19

File #

5-H-19-VA



CITY OF KNOXVILLE

**BOARD OF ZONING APPEALS APPLICATION**

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

Is a plat required? Yes ☐ No ☒

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

1. Increase the maximum square footage of wall signs in a C-4 zone from (10%) 182 sq ft to 346 sq ft. (19%) per Article 8, Section 11.6.a.2.

**PROJECT INFORMATION**

Date Filed 4-15-19

Fee Amount \$250

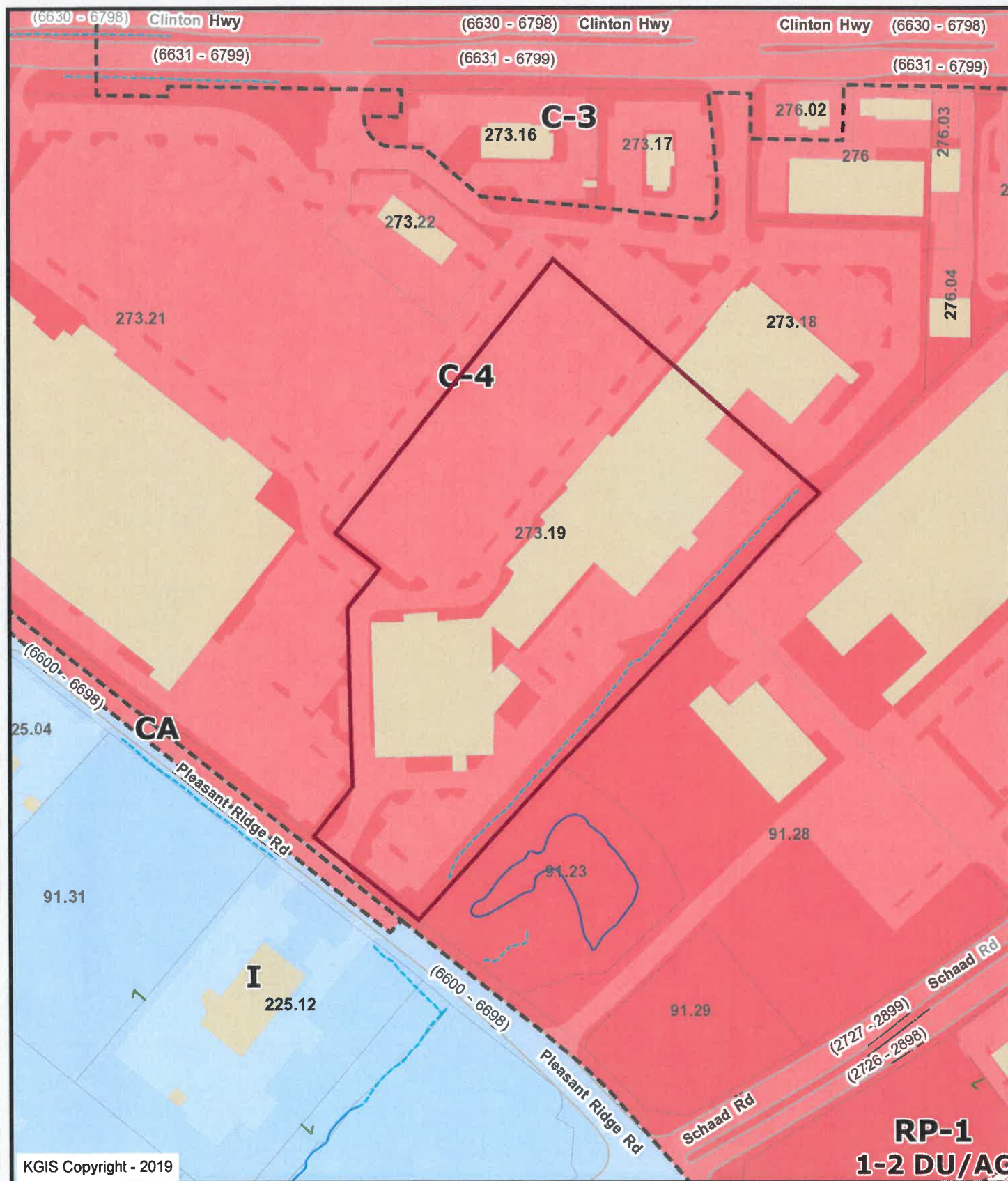
Council District 3

BZA Meeting Date 5-16-19

**PLANS REVIEWER** Rebecca Johnson

**DATE** 4-15-19

REVISED



6745 Clinton Hwy

Tracey Diehl  
5-H-19-VA

Knoxville - Knox County - KUB Geographic Information System

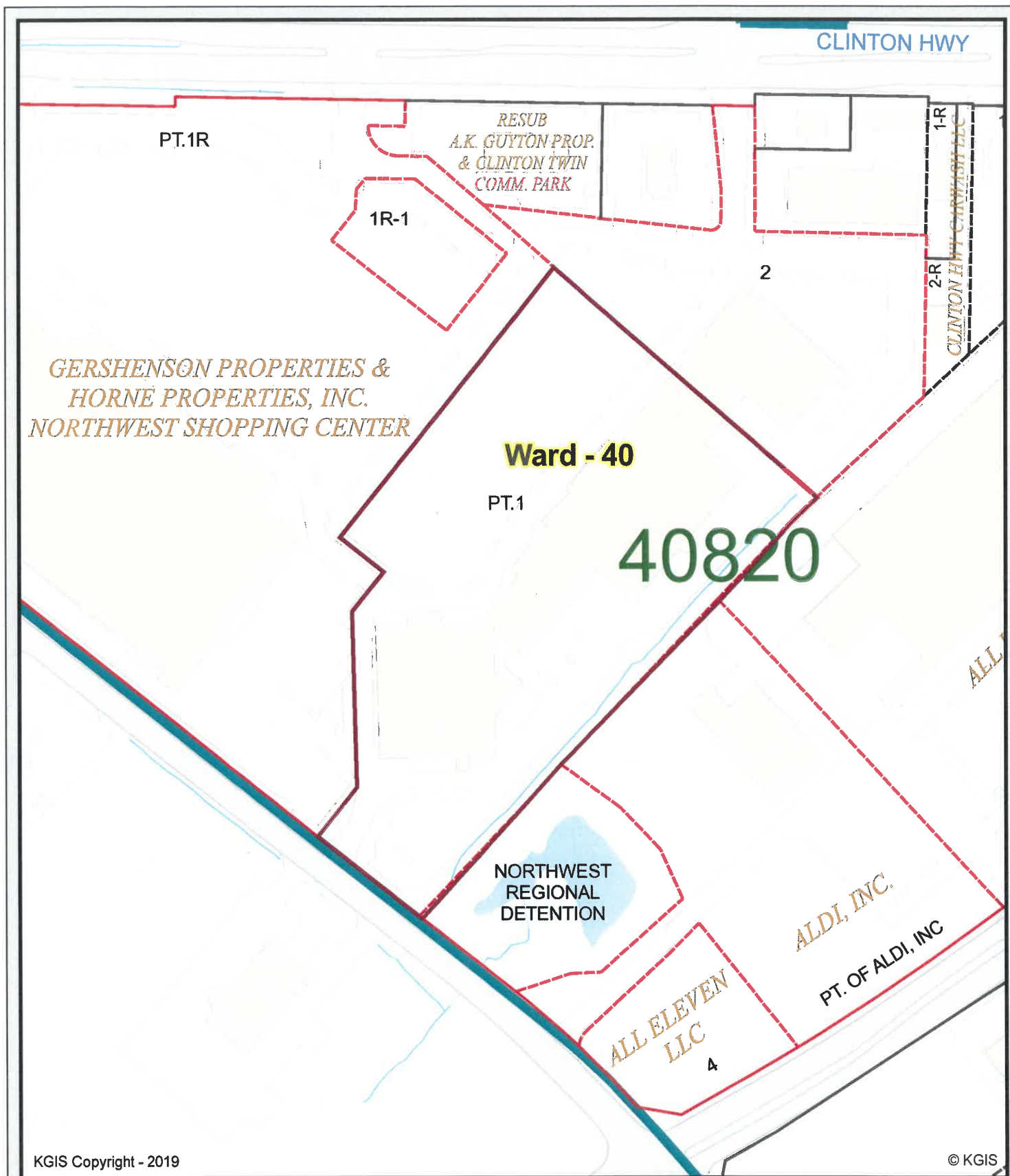


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6745 Clinton Hwy

Tracey Diehl  
5-H-19-VA

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**6745 Clinton Hwy**

Tracey Diehl  
5-H-19-VA

**Knoxville - Knox County - KUB Geographic Information System**

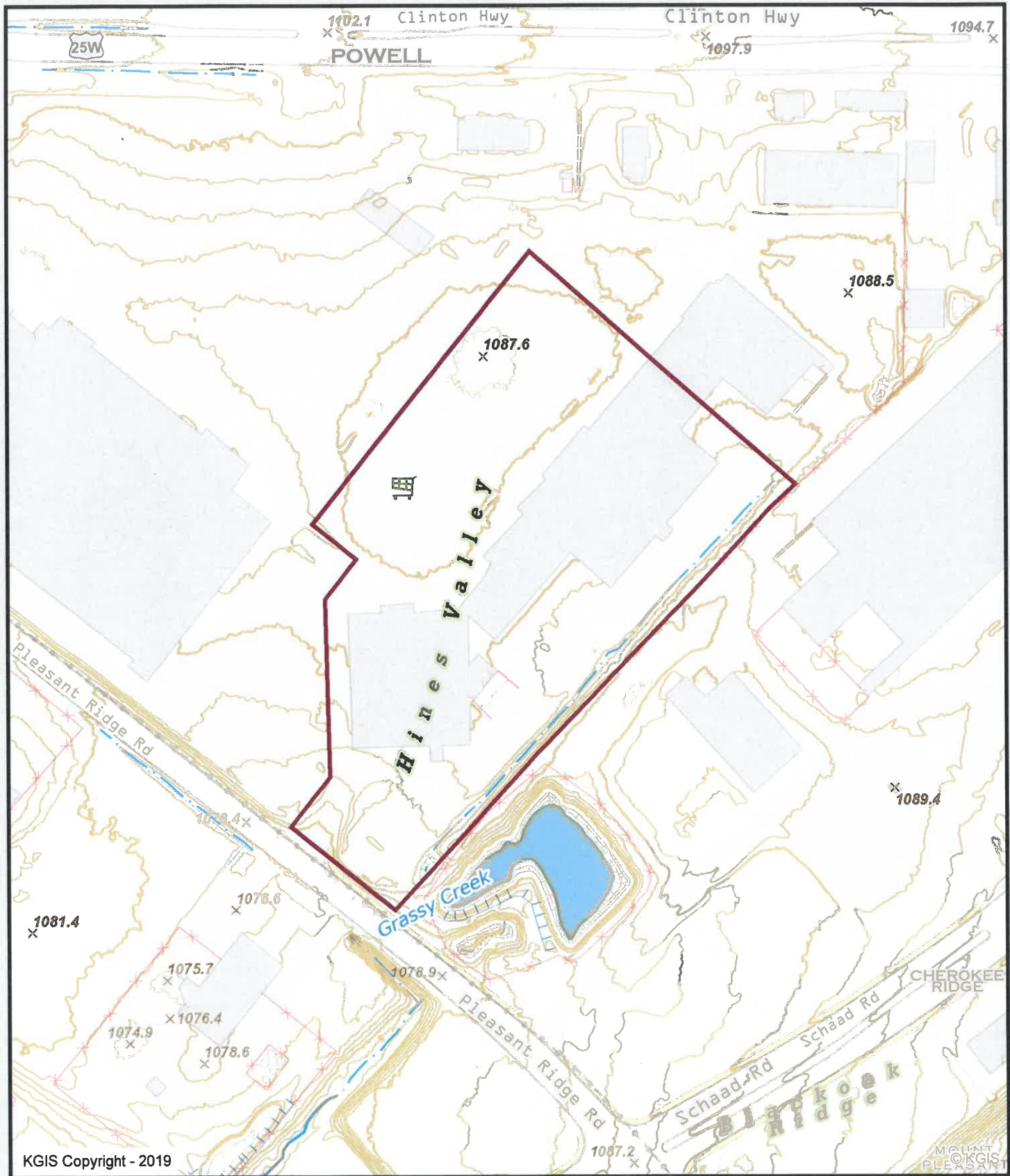


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6745 Clinton Hwy

Tracey Diehl  
5-H-19-VA

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The request is to install a sign that will require a variance from Sec. 11.6.a.2 to allow for additional sign area the proposal includes two wall signs where measured in absence of the blue background they would not exceed the ordinance for allowed sign area. Both signs are necessary for the safety of motorists when entering the shopping center in search of this destination from two different street frontages into the shopping center.

The west elevation is approximately 300 feet from motorist visibility when traveling south east on Pleasant Ridge Road. There is an entrance to the shopping center from Pleasant Ridge road which makes this sign necessary. Additionally, the north elevation is nearly 850 feet from the primary shopping center entrance at Clinton Highway (Hwy 25). The north elevation is the primary entrance. The sign is uniquely designed for and the ornamental blue background is part of the façade. The letters are independent of the background. The sign ordinance does not specifically identify backer panels; however, the interpretation is that this blue background is part of the sign area.

The variance request takes into considering the following criterion:

- (1) The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to adjoining property.

The signs identify the destination for motorists and are necessary for informational purposes. The variance is for the position of the sign and will not be detrimental to public safety.

- (2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.

This property is an existing retail structure that has a primary façade that is smaller than the secondary façade. It has two street frontages from which the facades are separately visible, and those street entrances provide points of entrance to the shopping center.

- (3) Because of the physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of this chapter is carried out.

The layout of the tenant space is what has caused the result of this variance the west elevation has a road that is below shopping center grade. The shopping center layout is existing, and the position of the structures is existing.

- (4) The variances will not in any manner vary the provisions of the zoning ordinance.

The variance sought is the minimum necessary for sign to be visible from distances to roadways and at posted speed limits. The letters are the minimum necessary for them to be visible from the motorist's vantage points of entry when preparing for turns into the shopping center.

- (5) The basis for the request is not the result of more inconvenience or financial disadvantage to the property owner.

The basis for the request is not the result of the of inconvenience or related to financial disadvantage. This request is not related to financial gain, the signs proposed are necessary for the business to function at this location and they are the minimum letter height necessary for the current distance of the façade from the roadways.

5-H-19-VA

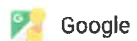


Knoxville, Tennessee

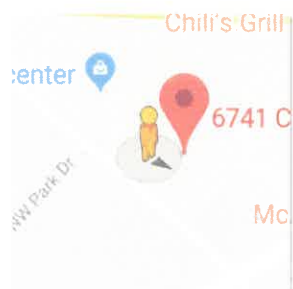
VIEW FROM THE WEST SIDE OF THE PARKING LOT



Image capture: Apr 2016 © 2019 Google



Street View - Apr 2016



5-H-19-VA



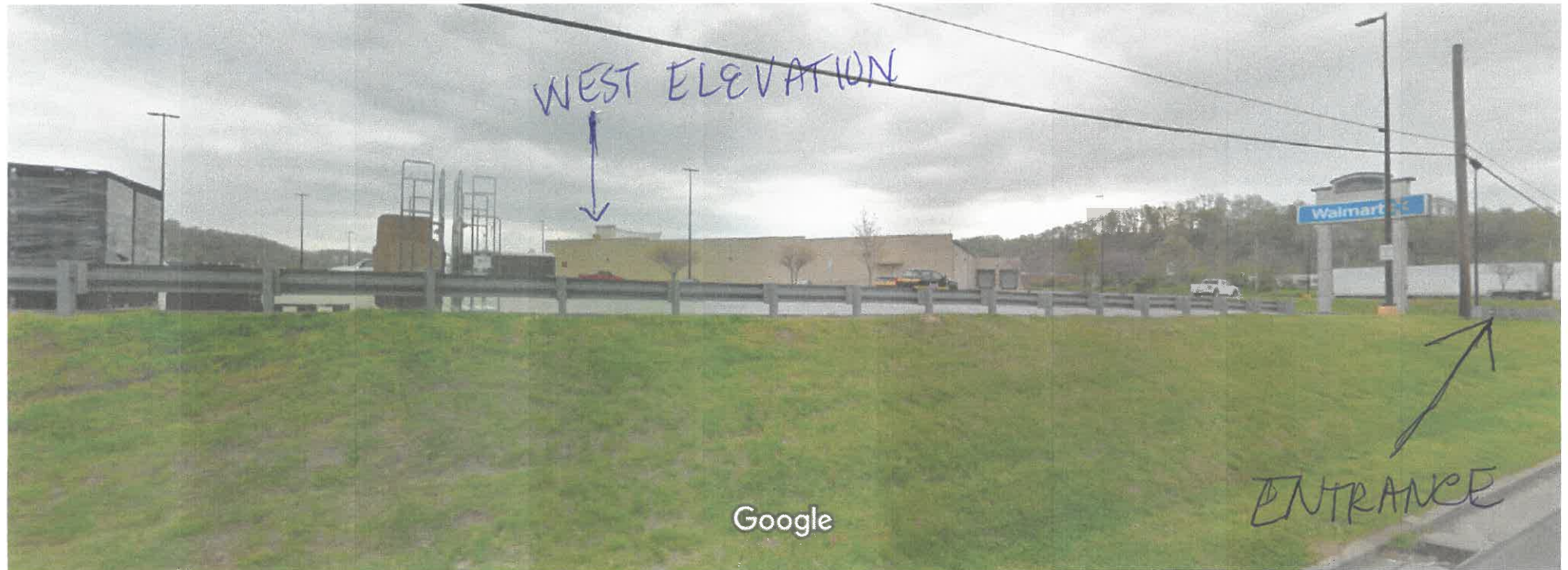
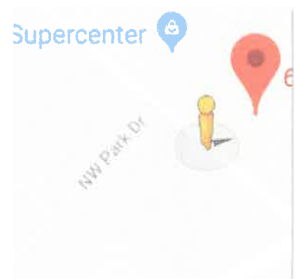


Image capture: Apr 2018 © 2019 Google

Knoxville, Tennessee

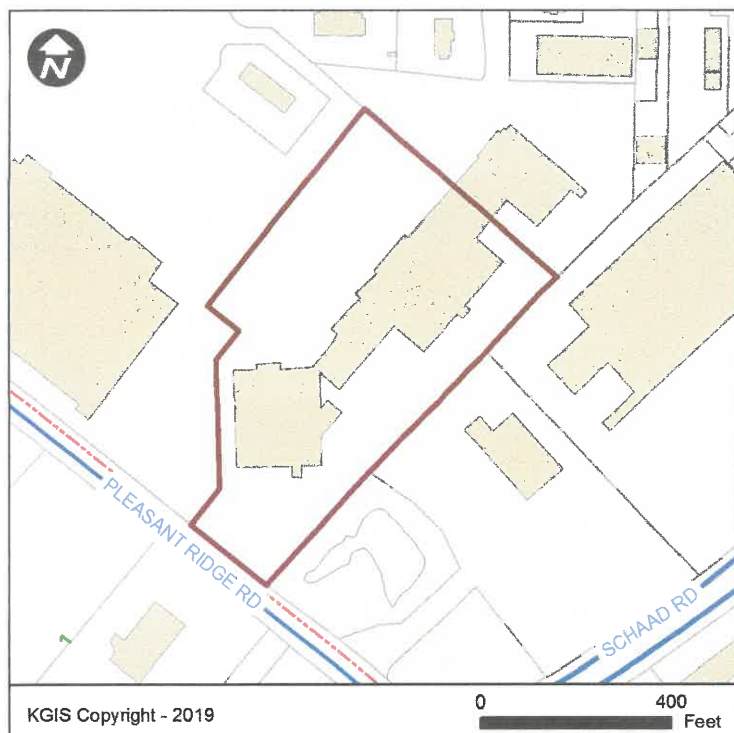


Street View - Apr 2018



5-H79-VA

## Parcel 067 27319 - Property Map and Details Report



### Property Information

Parcel ID:	067 27319
Location Address:	6741 CLINTON HWY
CLT Map:	67
Insert:	
Group:	
Condo Letter:	
Parcel:	273.19
Parcel Type:	
District:	40
Ward:	
City Block:	40820
Subdivision:	GERSHENSON & HORNE PROP RESUB
Rec. Acreage:	
Calc. Acreage:	8.47
Recorded Plat:	20030709 - 0003830
Recorded Deed:	20141105 - 0025441
Deed Type:	Deed:Full Coven
Deed Date:	11/5/2014

### Address Information

Site Address:	6741 CLINTON HWY KNOXVILLE - 37912
Address Type:	BUSINESS
Site Name:	VACANT

### Owner Information

DFG-KNOXVILLE LLC  
10100 WATERVILLE ST  
%MICHAEL DENMAN  
WHITEHOUSE, OH 43571

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

### Jurisdiction Information

County:	KNOX COUNTY
City / Township:	Knoxville

### MPC Information

Census Tract:	48
Planning Sector:	Northwest City

Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

### Political Districts

Voting Precinct:	72
Voting Location:	Crown College 2307 W BEAVER CREEK DR
TN State House:	16 Bill Dunn
TN State Senate:	5 Randy McNally
County Commission:	7 Charles Busler

### School Zones

Elementary:	KARNS ELEMENTARY
Intermediate:	
Middle:	KARNS MIDDLE
High:	KARNS HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

City Council:	3 Seema Singh-Perez
School Board:	7 Patti Bounds

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

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5-H-19-VA





Northwest Crossing  
6741 Clinton Hwy, Knoxville, TN 37912

<b>SIGN A</b>	48" Five Below
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	113.08
<b>SIGN B</b>	36" Five Below
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	63.63
<b>SIGN C</b>	Five Below
Type:	D/F Under canopy sign
Illumination:	Non-illuminated
Square Footage:	4.38
<b>SIGN D</b>	Five Below
Sign Type:	Applied vinyl on 3/16" white lexan
Actual Size:	TBD
Viewable Size:	TBD
Square Footage:	TBD
<b>SIGN E</b>	Five Below
Sign Type:	Applied vinyl on 3/16" white lexan
Actual Size:	TBD
Viewable Size:	TBD
Square Footage:	TBD



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**Five Below**  
Northwest Crossing  
6741 Clinton Hwy  
Knoxville, TN 37912

Project ID#: **115575**  
Project Mgr: Robert Young  
Designer: Emily Hardy  
Created on: 03/05/2019

REVISION  
R1 03/08/19 EH Revised allowable sf to show its aggregate  
R2 03/13/19 KF - Adjusted indication of building height on Front Elevation


5-H-19-VA

<b>SIGN A</b>	48" Five Below	<b>SIGN C</b>	Five Below
Sign Type:	Individual Channel Letters	Type:	D/F Under canopy sign
Illumination:	Internally Illuminated LED	Illumination:	Non-illuminated
Square Footage:	113.08	Square Footage:	4.38



- Facade:**
- LL to engineer and build up parapet, height to be 30'-0"
  - LL to engineer new storefront glass, 10'-6" high, 4'-0" min panel width, no upper mullions
  - LL to locate 8' tall storefront doors per tenant's final plans
  - LL to install walkway lighting, 6'-0" min O.C., with additional door light
  - LL to install decorative sconces per Five Below plans
  - LL to install HILTI eyebolts in facade for temporary banners, see A40 for loc.
  - LL to procure and install hard canopy, Mapes baked enamel bronze 5'-0" proj.
  - LL to install curb cut near storefront entry
  - LL to provide unobstructed permanent access to sign mountable/electrical connection area
  - LL to provide electrical to center of all applicable sign mountable areas
- Signage:**
- Primary Sign: 48" internally illuminated channel letters
  - Secondary Sign: 36" internally illuminated channel letters
  - Temp Post and Panel: Construction sign placed near entrance
  - Walkway sign: 15" x 42" UC Sign
  - Pylon Panel: LL to provide tenant with a sign panel on the common pylon sign. If a panel is not available, tenant has the right to take an open panel when available.
- Finishes by LL:**
- Facade: 3" Dryvit 456 Oyster Shell
  - Signage EIFS: 1" Dryvit FIBE011021S (Five Below Blue)
  - Frame EIFS: 4" wide Dryvit 310 China White
  - Cornice EIFS: 1" Dryvit 310 China White
  - Pilasters: 2" Dryvit 113 Amarillo White

DRAWINGS ARE FOR LEASE PURPOSES ONLY. ALL MEASUREMENTS TO BE FIELD VERIFIED PRIOR TO FABRICATION.	Allowable Square Footage this Elevation:	182.00
	Formula: 26' x 70' x .1 = 182sf (Aggregate)	
	Actual Square Footage this Elevation:	113.08

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5-H-19-VA



<b>SIGN B</b>	36" Five Below
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	63.63




**Side (West) Elevation**

Scale: 1/8" = 1'-0"

DRAWINGS ARE FOR LEASE PURPOSES ONLY.  
ALL MEASUREMENTS TO BE FIELD VERIFIED  
PRIOR TO FABRICATION.


Allowable Square Footage this Elevation:	<b>182.00</b>
Formula: 26' x 70' x .1 = 182sf (Aggregate)	
Actual Square Footage this Elevation:	<b>63.63</b>

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5-H-19-YA



**Proposed Front (South) Elevation**  
Scale: N.T.S

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5-H-19-VA



<b>SIGN A</b>	48" Five Below
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	113.08



**Sign Layout Detail**

Scale: 1/4" = 1'-0"

**Electrical Detail:**

White LED's  
(4) 60 W Power Supplies  
Total amps: 4.80  
(1) 120v/ 20 amp circuit required



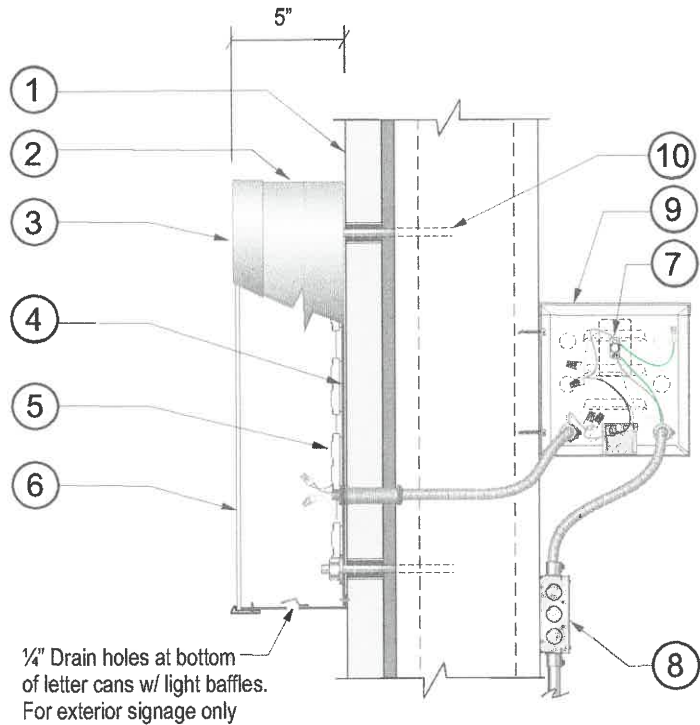
**General Notes:**

This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

- Grounded and bonded per NEC 600.7/NEC 250
- Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- Sign is to be UL listed per NEC 600.3
- UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer. For multiple signs, a disconnect is permitted but not required for each section
- The location of the disconnect switch after installation shall comply with article 600.6 (A) (1) per NEC

**Specifications: Channel Letters**

1. Existing Facade: To be determined
2. .040 Aluminum letter returns painted to match silver
3. 1" trim cap (silver) bonded to face, #8 pan head screws to returns. Note: 2" trimcaps for letters 54" and larger
4. .125" ACM backs (pre-finished white) fastened to returns. Seal w/ VOC compliant 360 white latex caulk to prevent moisture penetration. (interior of sign can ptd white for max illumination)
5. White LEDs
6. 3/16" White Acrylic faces
7. Disconnect switch UL Outdoor rated toggle type w/ neoprene boot per NEC 600-6
8. Primary electrical feed in UL conduit / customer supplied UL junction box
9. Power Supplies within UL enclosure (removable lid), 1/4" x 1" min screws
10. Mounting Hardware to suit



**Section @ LED Channel Letter  
Front-Lit (Remote)**

Scale: N.T.S.



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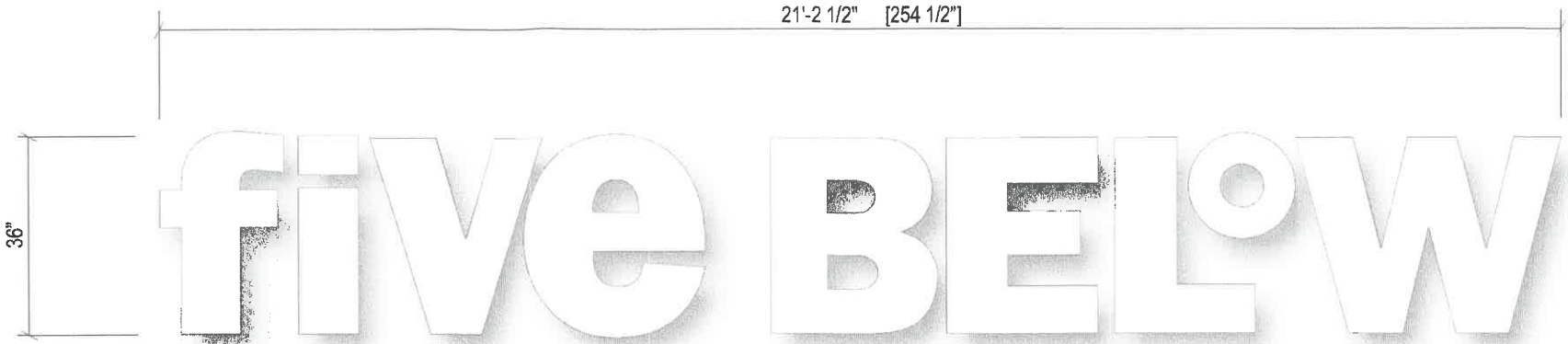
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<b>SIGN B</b>	36" Five Below
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	63.63



**Sign Layout Detail**

Scale: 3/8" = 1'-0"

**Electrical Detail:**

White LED's  
(2) 60 W Power Supplies  
Total amps: 2.40  
(1) 120v/ 20 amp circuit required



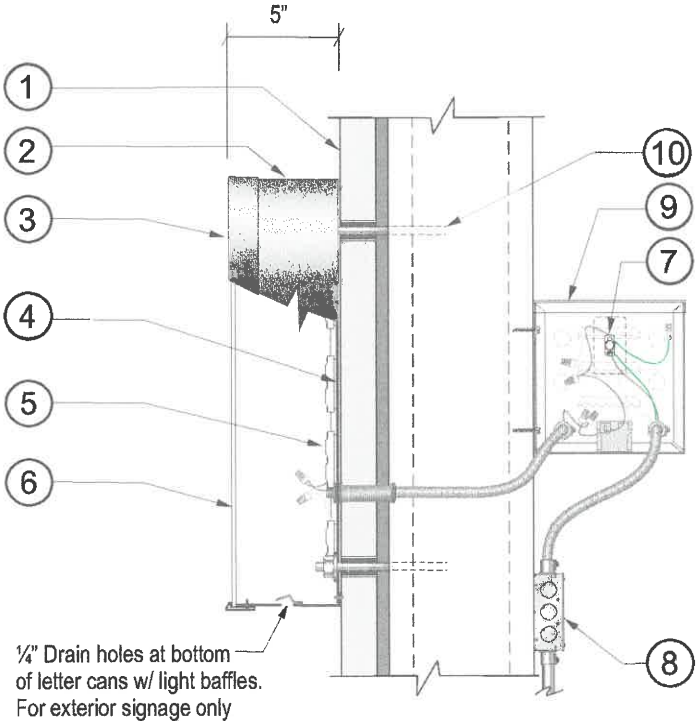
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9. Power Supplies within UL enclosure (removable lid), 1/4" x 1" min screws
10. Mounting Hardware to suit



**Section @ LED Channel Letter**  
**Front-Lit (Remote)** Scale: N.T.S.



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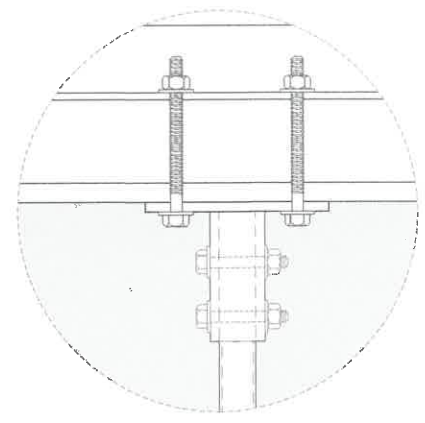
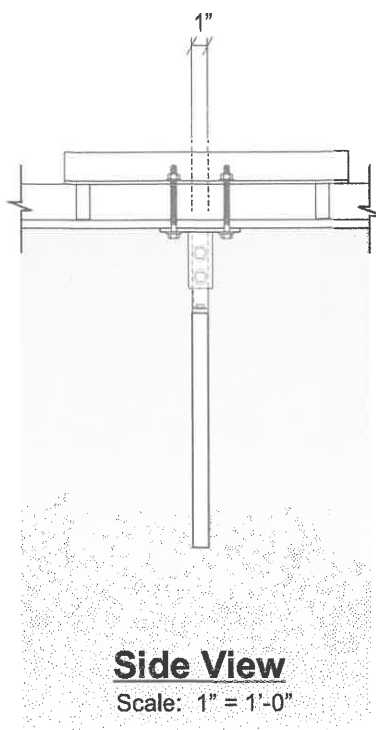
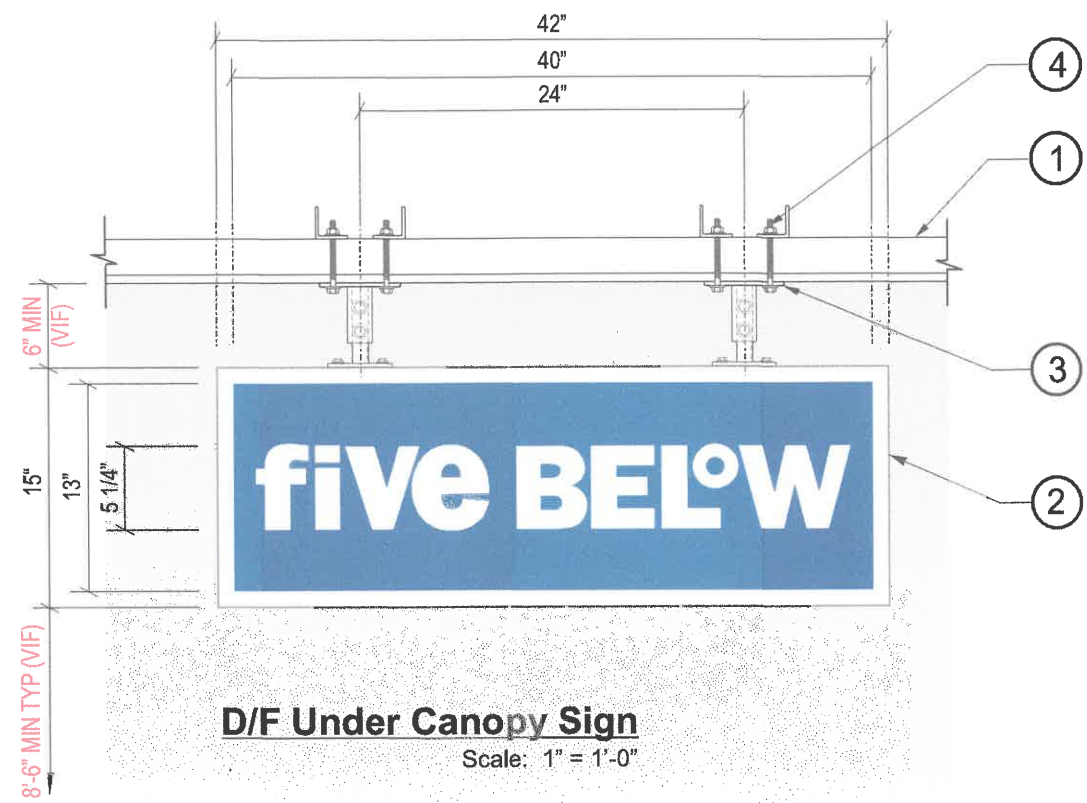
REVISION  
R1 03/08/19 EH Revised allowable sf to show its aggregate

R2 03/13/19 KF - Adjusted indication of building height on Front Elevation

5-H19-YA




<b>SIGN C</b>	Five Below
Type:	D/F Under canopy sign
Illumination:	Non-illuminated
Square Footage:	4.38



**Detail @ Upper Plate/ Sleeve**  
Scale: NTS

- Specifications:**
- 1. Facade; To be determined
  - 2. 1" aluminum cabinet painted white with first surface applied vinyl Arlon Blue #2500-67
  - 3. 5" x 5" x 1/4" aluminum plate w/ welded 1 1/2" x 1 1/2" aluminum sq tube sleeve (4" length) for top mount. 1" x 1" aluminum sq tube supports welded to 1" x 4" x 1/4" aluminum plate at bottom. All painted Matthews White (Satin Finish).
  - 4. Mounting hardware to suit

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