



# BOARD OF ZONING APPEALS APPLICATION

Click on **Meeting Schedule, Deadlines and Fees** for information on submitting an application to be heard at a monthly Board meeting.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name Mark A. Bialik, GBS Engineering	Owner <input type="checkbox"/>	New Structure <input checked="" type="checkbox"/>
Street Address 1313 Kalmia Road	Contractor <input type="checkbox"/>	Modification of Existing Structure <input type="checkbox"/>
City, State, Zip Knoxville, TN 37909	Tenant <input type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 865-566-0185	Other <input checked="" type="checkbox"/>	Signage <input type="checkbox"/>
Email mark@gbs-eng.net		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 4919 N Broadway      City, State, Zip Knoxville, TN 37918  
 See KGIS.org for Parcel # 058NB017      and Zoning District C-G-2

**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.**

The project is to construct a drive-thru coffee shop. There will be no interior seating. This will require the removal of the existing structure located onsite. In order to provide access to our site, we are requesting a variance to curbcut separation from the corner of Highland Drive from 150' to 129.84'. Also, we cannot create the throat depth required by City Engineering and Planning Staff for the vehicles leaving the Drive Thru and meet the required "Build-to" line of 20 feet. We are requesting a variance to 50.86'

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

The Curbcut Variance cannot be met and have drive thru on this site. We cannot meet the require throat depth and have only curbcut on this site and meet the Build to requirements.

**REVISED**  
5-28-21

### 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.



**BOARD OF ZONING APPEALS APPLICATION**

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

Is a plat required? Yes  No

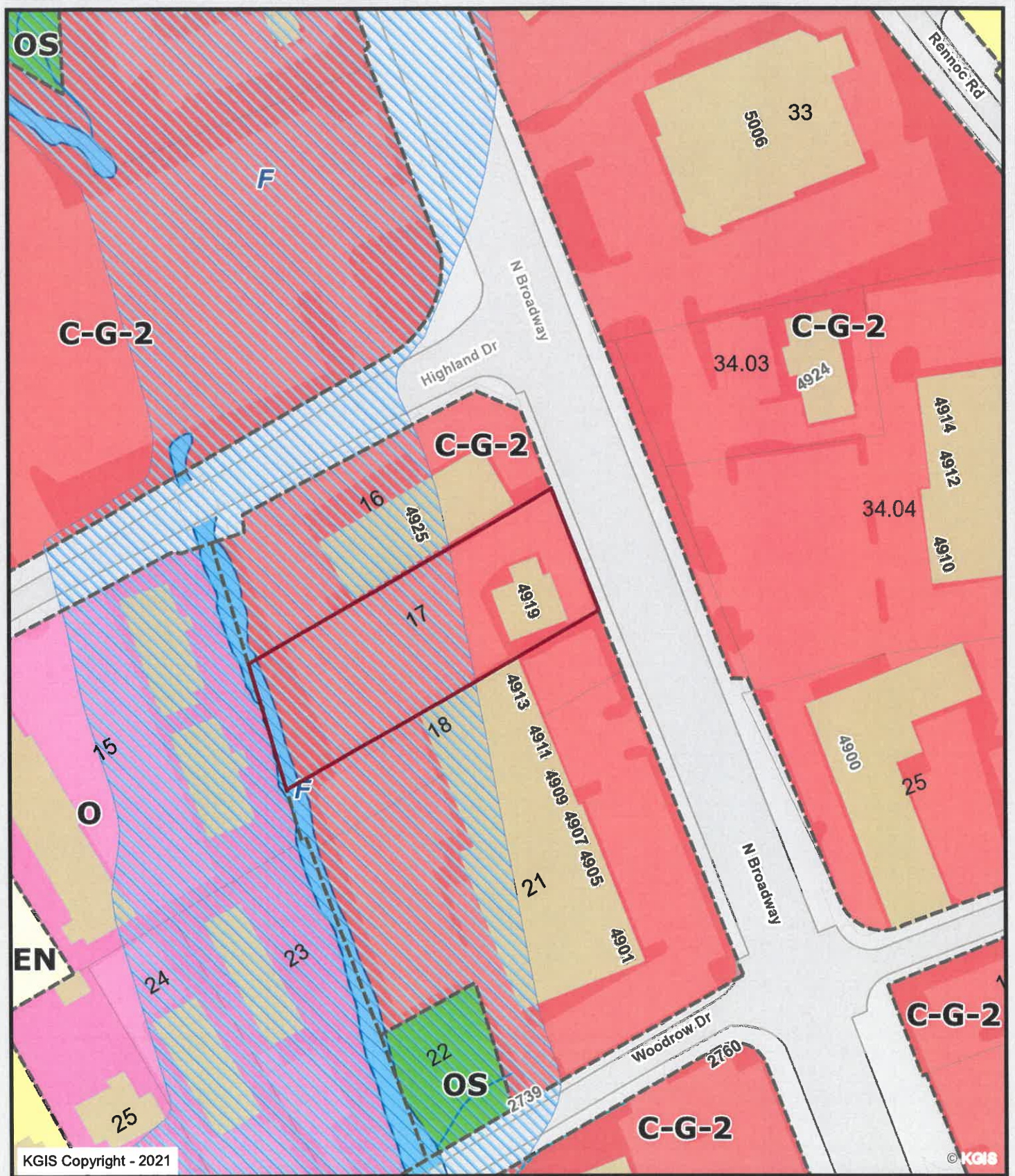
Small Lot of record?

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

- 1. Reduce the minimum required distance between a driveway and an intersecting street from 150 feet to 129.84 feet. Per Article 11, Section 11.7.B. Table 11-5.
- 2. Increase the maximum front build-to-zone distance from 20 feet to 50.86 feet. Per Article 5, Section 5.3. Table 5-1.

**PROJECT INFORMATION**

Date Filed 5-18-21	Fee Amount \$250.00
Council District 5th	BZA Meeting Date 6-20-21
<b>PLANS REVIEWER</b> Scott Elder	<b>DATE</b> 5-26-21



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### 4919 N Broadway

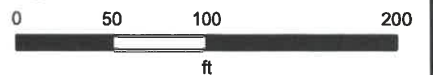
6-L-21-VA

Mark A. Bialik, GBS Engineering

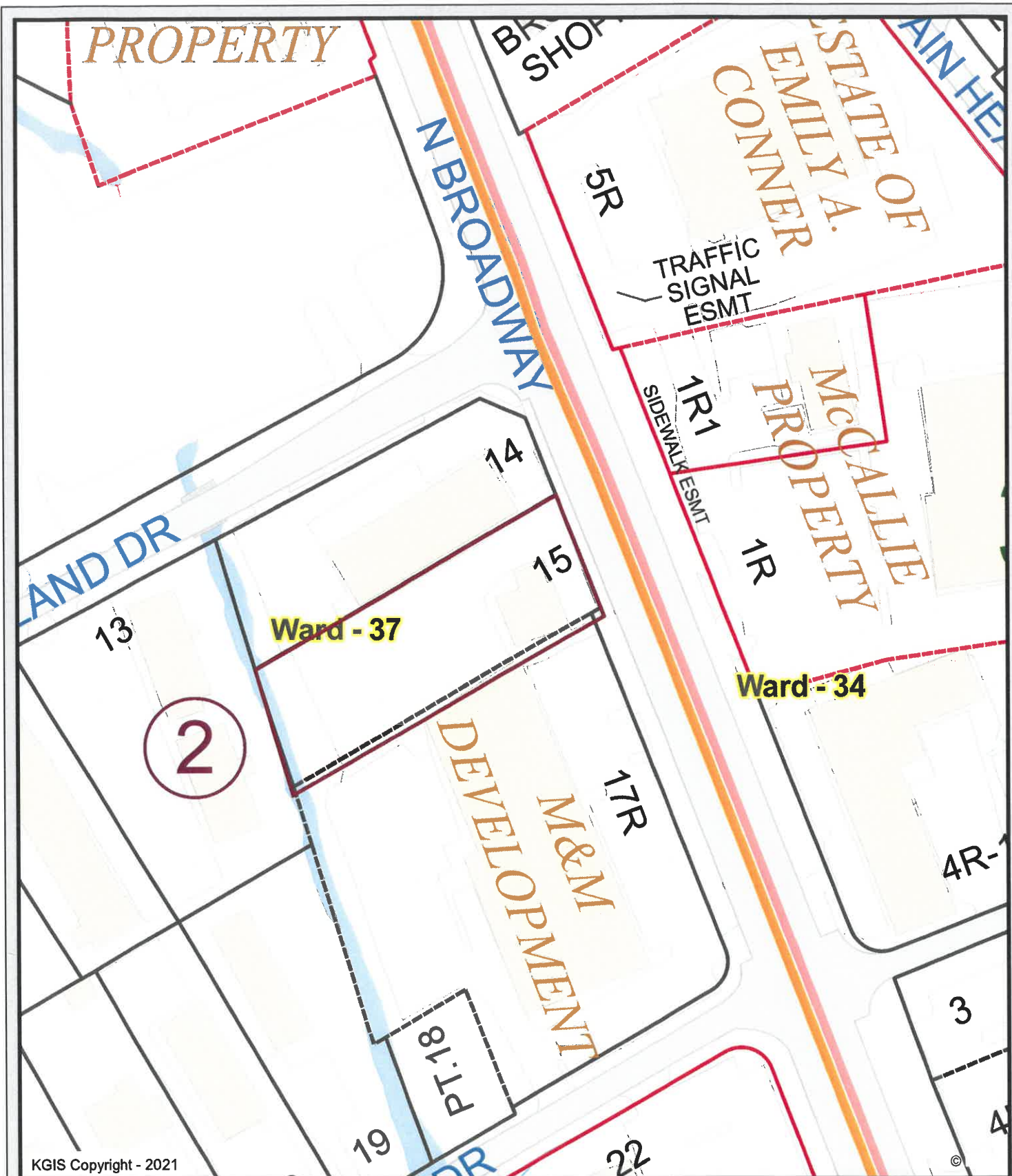
### Knoxville - Knox County - KUB Geographic Information System



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4919 N Broadway

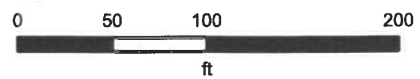
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Mark A. Bialik, GBS Engineering

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## 4919 N Broadway

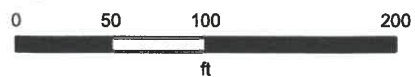
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Mark A. Bialik, GBS Engineering

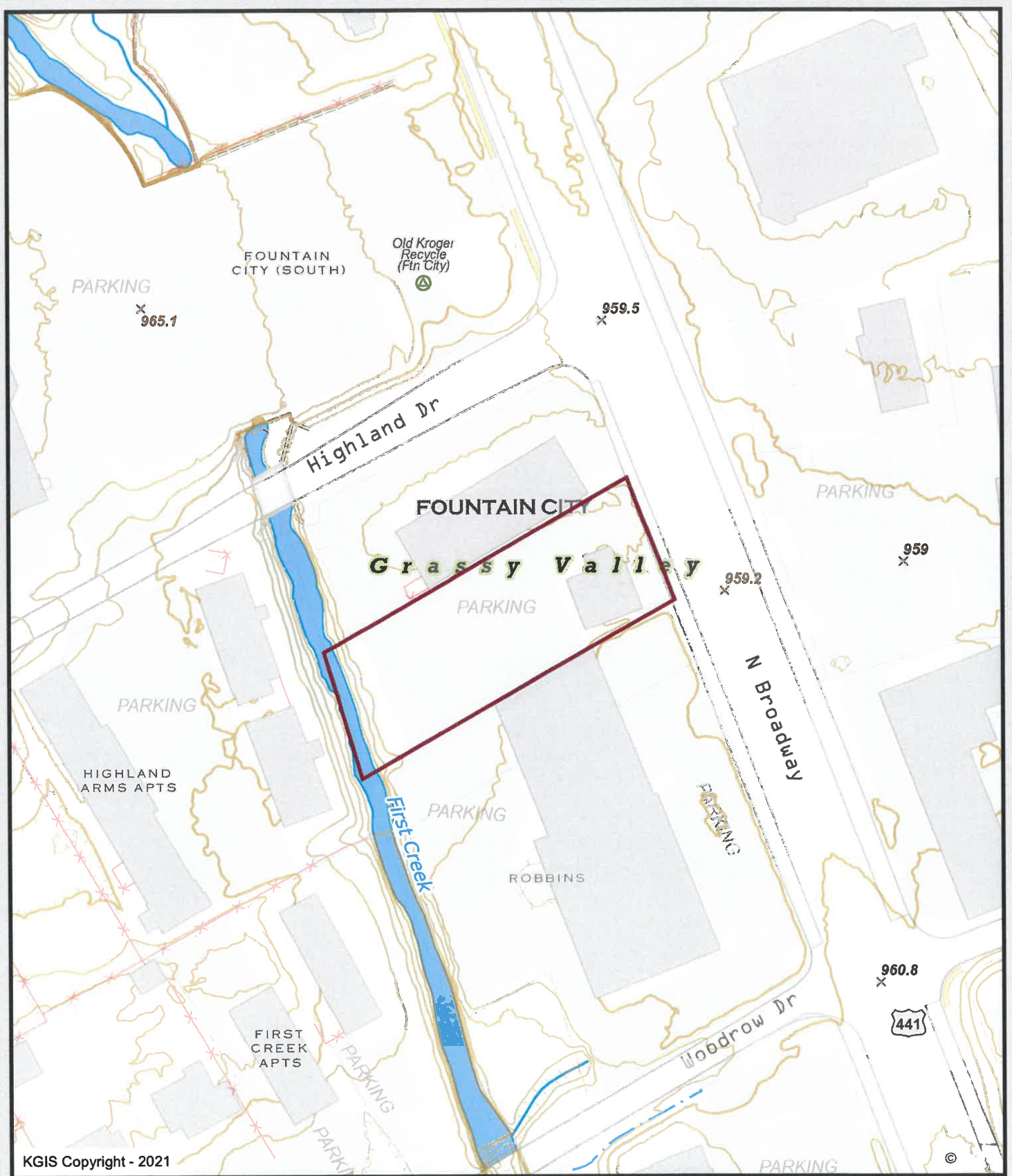
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### 4919 N Broadway

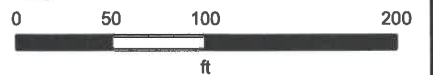
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Mark A. Bialik, GBS Engineering

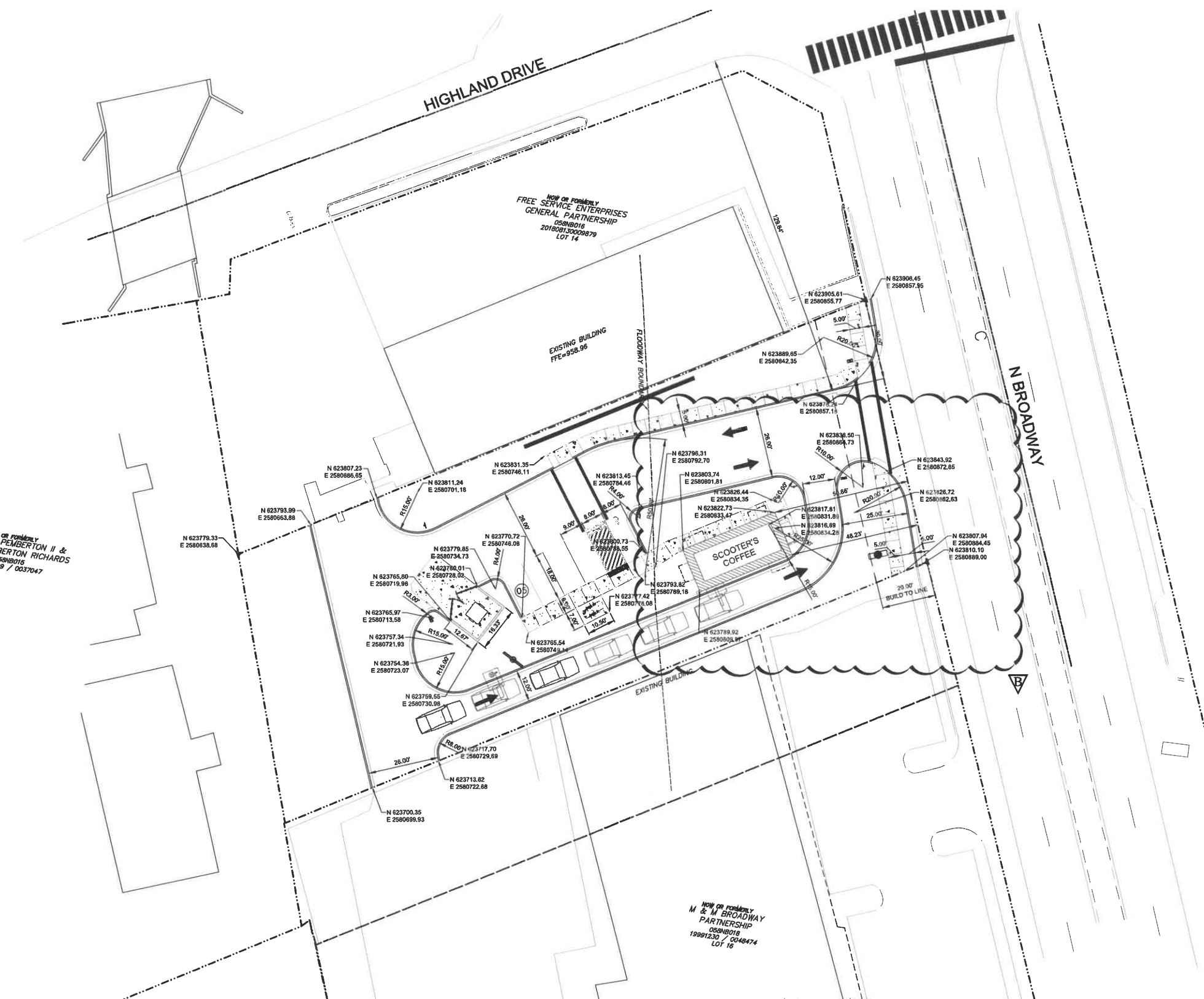
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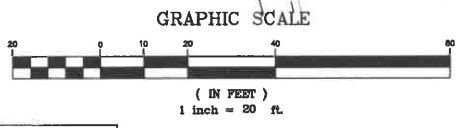
now on property  
 CHARLES M PEMBERTON II &  
 KATHY PEMBERTON RICHARDS  
 05818015  
 20160108 / 0337047

now on property  
 FREE SERVICE ENTERPRISES  
 GENERAL PARTNERSHIP  
 05818016  
 20160101/0009879  
 LOT 14

now on property  
 M & M BROADWAY  
 PARTNERSHIP  
 05818018  
 19881230 / 0348474  
 LOT 16

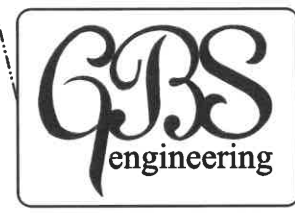


**SITE LAYOUT PLAN**  
 Scale: 1" = 20'-0"



SEE COVER SHEET FOR LEGEND.

**REVISED**  
 5-26-21 @ 12:19 PM



1313 Kalmia Road  
 Knoxville, TN 37909  
 Phn: 865.566.0185  
 Fax: 888.485.7005



REV.	DESCRIPTION	BY	DATE
A	Revised per City Comments	THF	04/26/2021
B	Revised per City Comments	THF	05/26/2021
-	-	-	-
-	-	-	-
-	-	-	-

PROJECT NAME:	Scooters Coffee	DRAWN BY:	THF	SHEET NO:
DRAWING TITLE:	Site Layout Plan	CHECKED BY:	MAB	<b>C3.1</b>
LOCATION:	4919 N BROADWAY Knoxville, TN 37918 CLT Map 58, Parcel NO.17, City Block 37520	FILE NAME:	2172- C3.0	
Owner:	C&E Businesses LLC/dba Scooter's Coffee	JOB NUMBER:	2172	
		ISSUE DATE:	03/29/2021	



KEYNOTES

- HARDIE PLANK HZ10 LAP SIDING CEDARMILL 6-1/4", SEE HARDIE DETAIL SHEET A6.5 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGGHELL FINISH
- HARDIE REVEAL PANEL SYSTEM WZ10 - SMOOTH FINISH, SEE HARDIE DETAIL SHEET A6.5 - COLOR: SW 1015 SKYLINE STEEL
- 3 1/2" HARDIE TRIM, SEE HARDIE DETAIL SHEET A6.5 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGGHELL FINISH
- 20 GAUGE METAL ACCENTS AND SOFFITS - COLOR: BLACK
- INSULATED DARK BRONZE ALUMINUM WINDOWS WITH DUAL PANE TEMPERED GLASS
- QUICKSERVE 48X48 WINDOW - COLOR: DARK BRONZE
- AWNING BY OTHERS - COLOR: RED
- DARK BRONZE ALUMINUM STOREFRONT DOOR
- PEEP HOLE, NOT USED
- DOOR BELL
- 20 GAUGE METAL PARAPET CAP
- LINE OF ROOF BEYOND
- ROOF TOP UNIT BEYOND, SEE MECHANICAL DRAWINGS
- ROOF SCUPPER AND DOWNSPOUT, SEE DETAIL 8/A6.3
- MAILBOX BY OWNER
- WALL MOUNTED LIGHT FIXTURE, SEE ELECTRICAL DRAWINGS
- LED LIGHT BAND, SEE ELECTRICAL DRAWINGS
- SES PANEL, SEE ELECTRICAL DRAWINGS
- ELECTRICAL OUTLETS, SEE ELECTRICAL DRAWINGS
- HOSE BIBB, SEE PLUMBING DRAWINGS
- SIGNAGE BY OTHERS, UNDER A SEPARATE PERMIT
- SPANDREL GLASS
- 5 1/2" POURED IN PLACE CONCRETE WING WALL
- ALUMINUM WIPER WALL FOR PEDESTRIAN FLOOD GATE



Architecture / Development  
 14801 Quorum Drive  
 Suite 800  
 Dallas Texas 75284  
 Ph: (972) 239-6664  
 Fax: (972) 239-0064



PROJECT ADDRESS:  
 4919 N. BROADWAY  
 KNOXVILLE, TN 37918

REVISIONS:

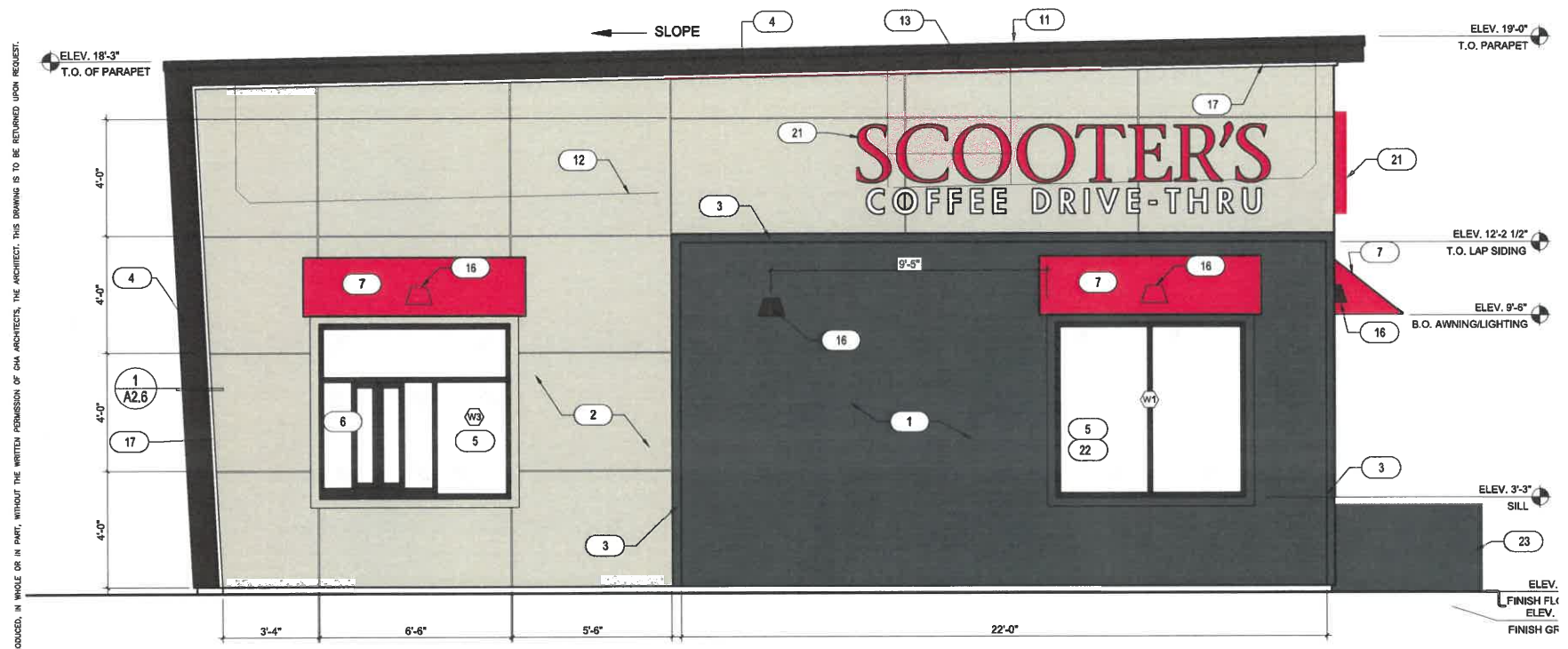
TITLE:  
 EXTERIOR ELEVATIONS

DATE:  
 05/28/2021  
 PROJECT NO.  
 210310

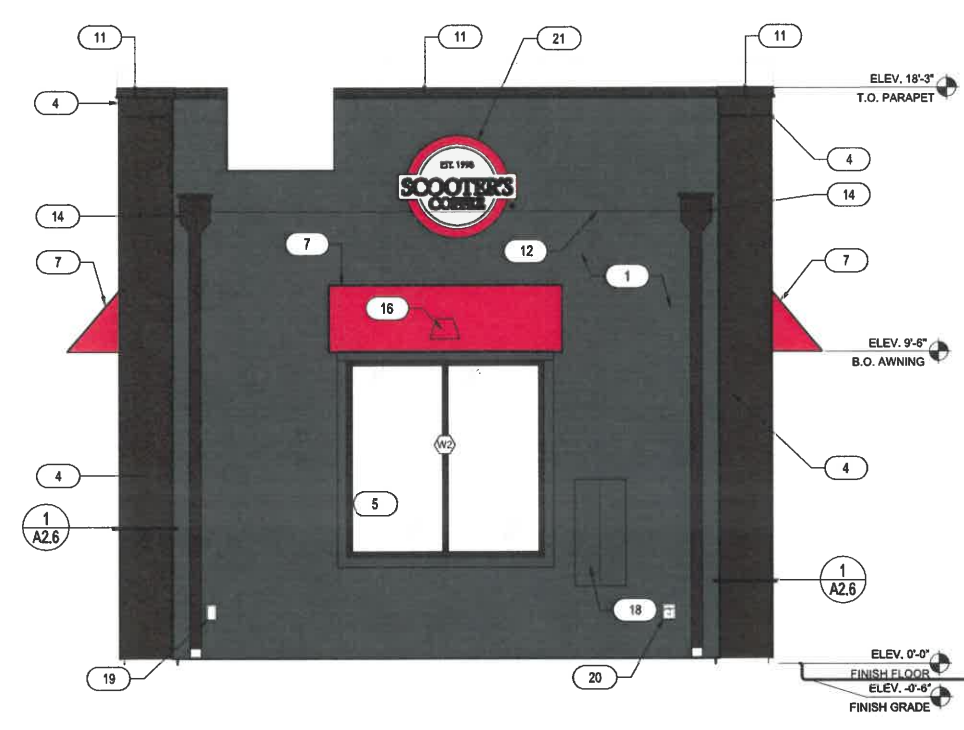
- DESIGN DEVELOPMENT
- PERMIT SUBMITTAL
- BID PACKAGE
- CONSTRUCTION ISSUE

SHEET NO.

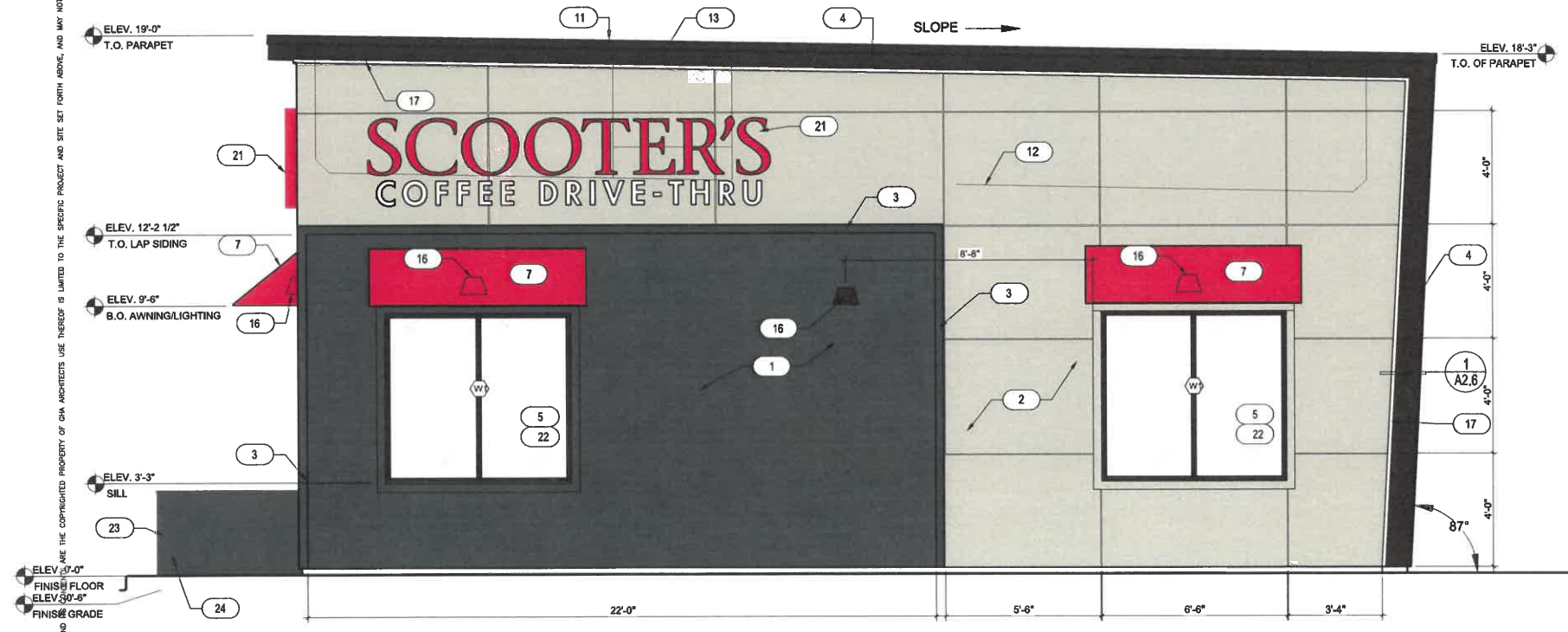
A3.0



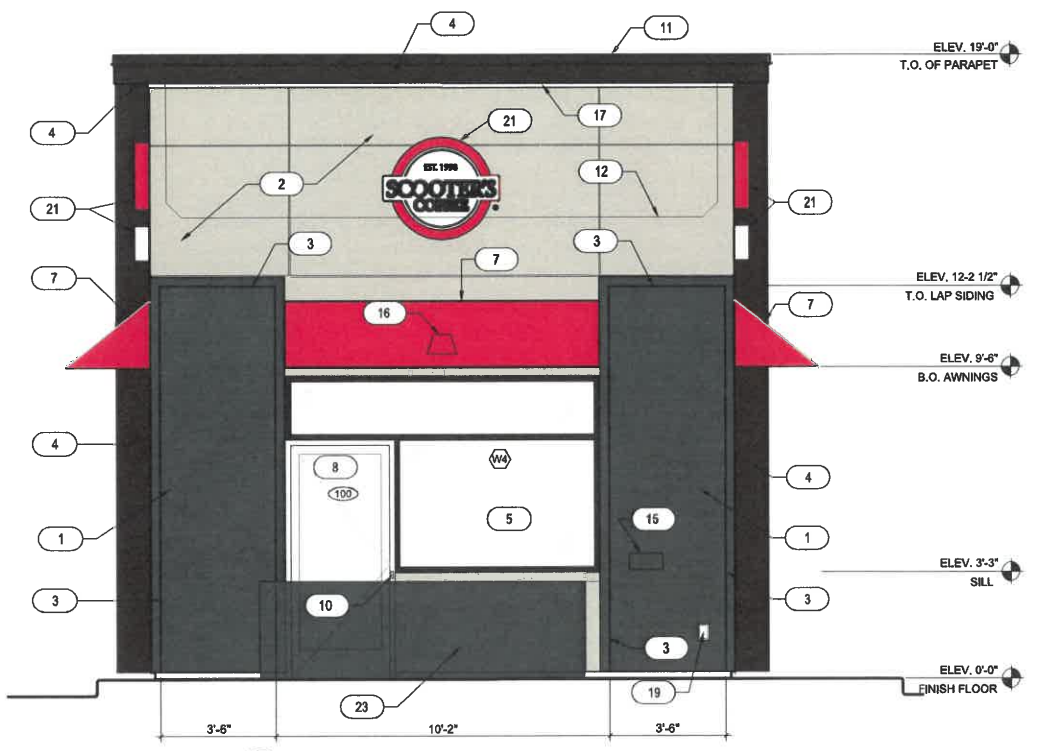
4 DRIVE-THRU EXTERIOR ELEVATIONS  
 SCALE: 3/8" = 1'-0"



2 REAR EXTERIOR ELEVATIONS  
 SCALE: 3/8" = 1'-0"



3 ENTRANCE EXTERIOR ELEVATIONS  
 SCALE: 3/8" = 1'-0"



1 FRONT DRIVE-THRU EXTERIOR ELEVATIONS  
 SCALE: 3/8" = 1'-0"

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**FW: 2172 - Scooter's Coffee - BZA Application**

Juliana LeClair &lt;JLeClair@knoxvilletn.gov&gt;

Thu 5/20/2021 9:32 AM

To: Cheri Burke &lt;cmburke@knoxvilletn.gov&gt;

📎 2 attachments (2 MB)

BZA Application - 4919 N Broadway 05-18-2021.pdf; 07 2172 - C3.1 Rev A 04-26-2021.pdf;

**From:** Mike Reynolds <mike.reynolds@knoxplanning.org>**Sent:** Tuesday, May 18, 2021 11:28 AM**To:** Scott Elder <selder@knoxvilletn.gov>; Juliana LeClair <JLeClair@knoxvilletn.gov>**Subject:** Fwd: 2172 - Scooter's Coffee - BZA Application

FYI -- The Special Use for the drive-through facility was approved by the Planning Commission contingent upon obtaining the necessary zoning variances.

-----  
Mike Reynolds, AICP  
Senior Planner  
865.215.3827

Knoxville-Knox County Planning | [KnoxPlanning.org](http://KnoxPlanning.org)  
400 Main Street, Suite 403 | Knoxville, TN 37902

----- Forwarded message -----

**From:** Mark Bialik <[Mark@gbs-eng.net](mailto:Mark@gbs-eng.net)>**Date:** Tue, May 18, 2021 at 9:30 AM**Subject:** 2172 - Scooter's Coffee - BZA Application**To:** Scott Elder <[selder@knoxvilletn.gov](mailto:selder@knoxvilletn.gov)>, Juliana LeClair <[JLeClair@knoxvilletn.gov](mailto:JLeClair@knoxvilletn.gov)>**Cc:** Kimberly Williford, AIA, NCARB <[kim.williford@scooterscoffee.com](mailto:kim.williford@scooterscoffee.com)>, Cole Harris <[coleharris83@gmail.com](mailto:coleharris83@gmail.com)>, Mike Reynolds <[mike.reynolds@knoxplanning.org](mailto:mike.reynolds@knoxplanning.org)>

Scott and Juliana,

Attached is our application to the BZA. We know we have to pay double fees to be on the June Meeting. Please contact me for payment of require fees.

Also, please let me know if you require any additional information or have any questions.

**Mark A. Bialik, PE**

(AL, AR, FL, GA, IN, IA, KY, NC, NJ,  
OK, PA, SC, TN, TX, UT, VA, WI, WV)

## ***GBS Engineering***

Phone: 865.566.0185

Fax: 1.888.485.7005

Direct: 865.607.1246

email: [mark@gsb-eng.net](mailto:mark@gsb-eng.net)

Address: 1313 Kalmia Road,  
Knoxville, TN 37909

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