



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) Mike Gray o/b/o Tacala TN Corp	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address 3750 Corporate Woods Drive	Contractor <input type="checkbox"/>	Modification of Existing Structure <input checked="" type="checkbox"/>
City, State, Zip Vestavia Hills, AL 35242	Tenant <input checked="" type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number 205.283.7413	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Applicant Email mike.gray@tacala.com		Other Build To Zone/Corner Clearance <input checked="" type="checkbox"/>

THIS IS A REQUEST FOR:

<input checked="" type="checkbox"/> Zoning Variance (Building Permit Denied)	<input type="checkbox"/> Extension of Non-Conforming Use/or Structure
<input type="checkbox"/> Appeal of Administrative Official's Decision	<input type="checkbox"/> Map Interpretation

PROPERTY INFORMATION

Street Address 1900 W Cumberland Ave City, State, Zip Knoxville, TN 37916

See KGIS.org for Parcel # 108CH007 City Council District # 1 and Zoning District CU-2

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.

This project is a scrape and rebuild of the existing Taco Bell. An existing drive thru lane exit has existed in the same location to Nineteenth Street for as long as the restaurant has been there due to topography on the lot, grades of Nineteenth Street, and existing street parking along Nineteenth Street. This exit of the drive thru lane is not in conformance with corner clearance for driveways as it is approximately 38' from the intersection versus the required 100'.

Engineering comment: Corner Clearance should meet Article 11.7 Access and Driveway Design. If the required distance cannot be met due to lot size or other constraint as verified by the Department of Engineering, the driveway must be located as far as possible from the intersecting street.

The Build-to-Zone requirements for the Cumberland Ave building facade do not make this project feasible. The 100 foot wide lot would require an 80 foot wide building. This width requirement would restrict site access along Cumberland Ave., preventing City required parking mandates, limiting vehicular maneuverability within the site for the restaurant to function properly, as well as limit the ability to provide adequate City required landscaping, amenities, and utility/service areas.

Describe hardship conditions that apply to this variance.

The corner clearance hardship is based on topography and slope of Nineteenth Street. This small corner lot has numerous challenges, including this exit of the drive thru lane. There is no other location for this drive thru lane to exit and in order to continue to operate our business with a new building to adhere to the additional zoning requirements, we are asking for this variance.

The width of the property is 100 ft along Cumberland Ave. The building is 45'-8" wide in the build-to zone. The proposed percentage is 45.7%. A variance is requested to reduce the requirement from 80% to 45.7%.

The 80' wide building requirement is not a possible design option from an operations perspective. By following the requirements of the corner lot needing two street facade treatments, the building location and parking/drive aisle maneuverability are limited to the entry and exit points as currently designed. The existing sloping grade limits access at 19th St.

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 3-28-24

File #

4-D-24-VA



BOARD OF ZONING APPEALS APPLICATION

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

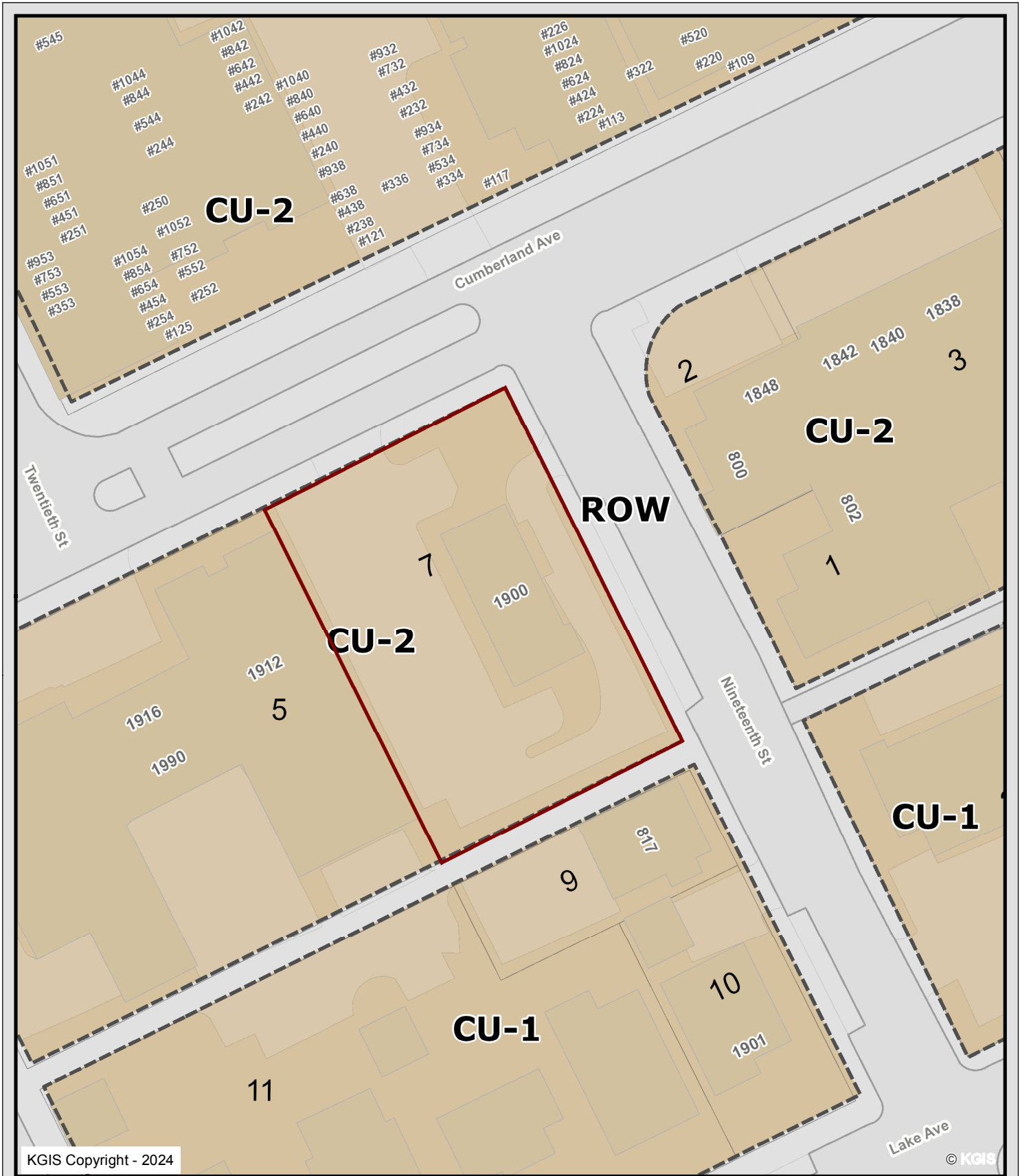
Is a plat required? Yes No

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

(This area is currently blank for variance request details.)

PROJECT INFORMATION

Date Filed	Fee Amount
Council District 1	BZA Meeting Date
PLANS REVIEWER	DATE



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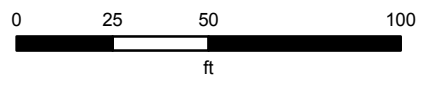
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4-D-24-VA
MIKE GRAY

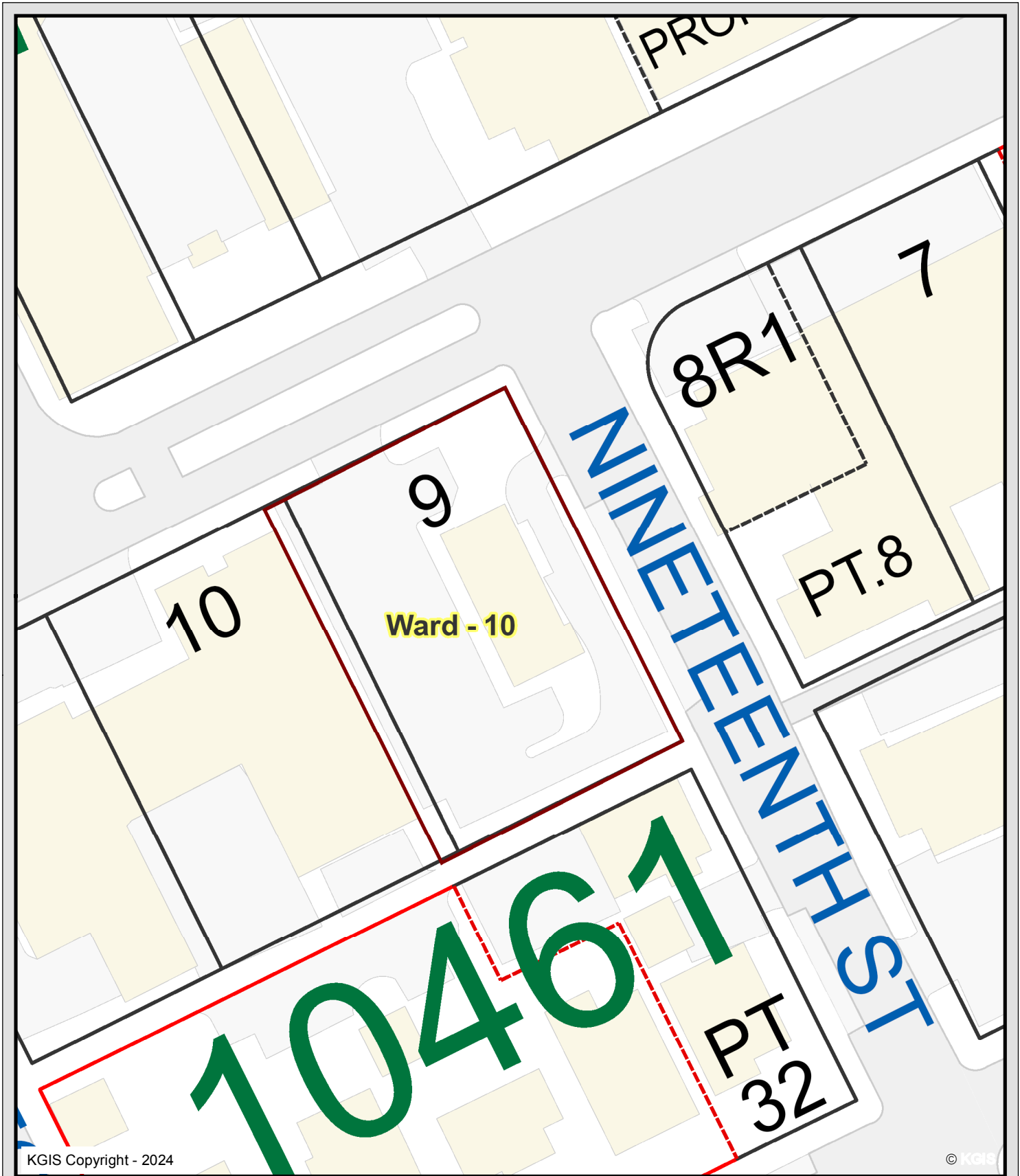
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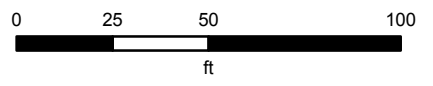
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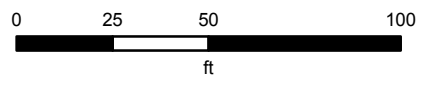
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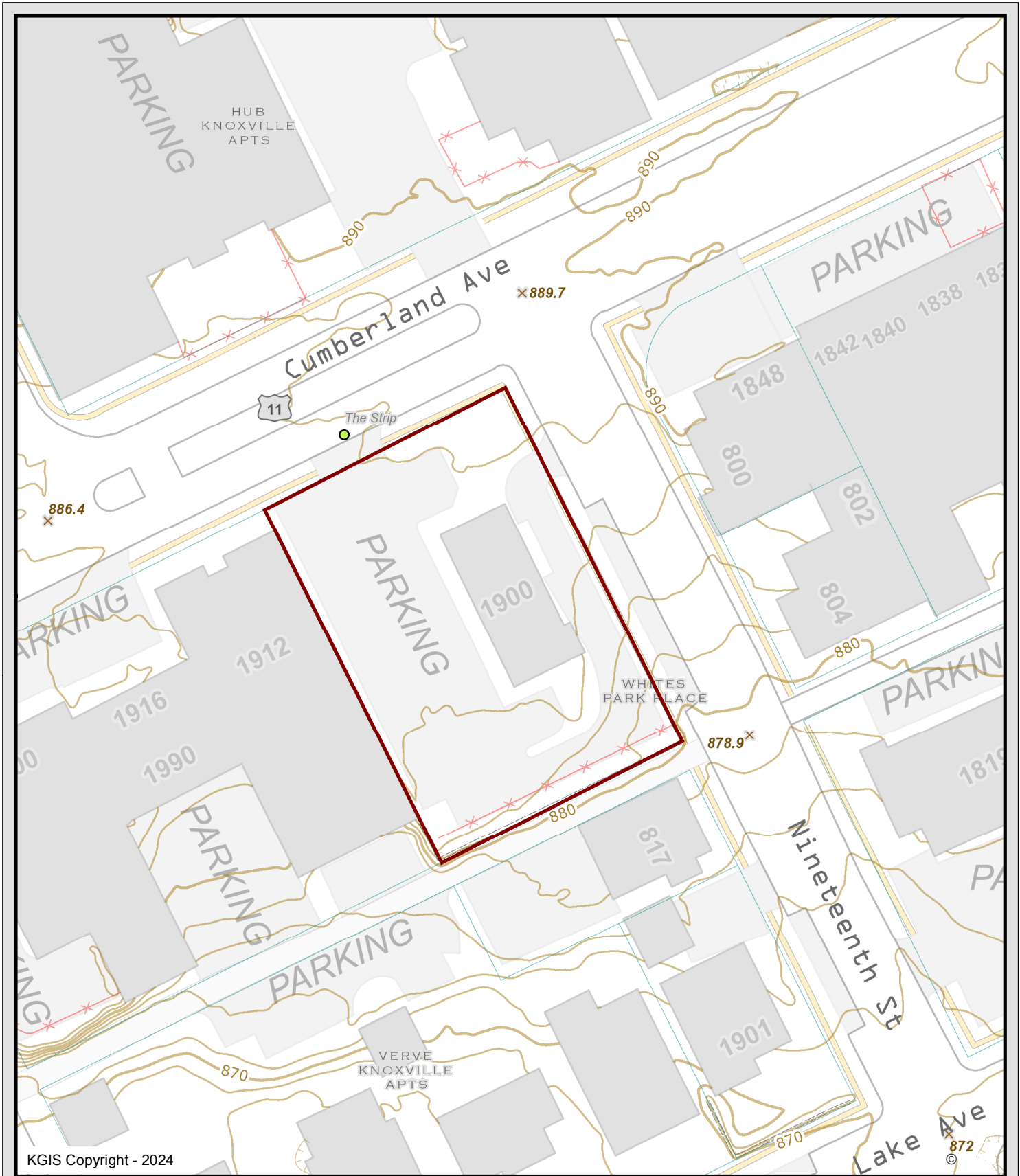
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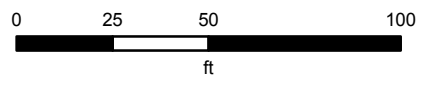


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EXHIBIT – SITE PLAN

Project Information

Site: TACO BELL

Address: 1900 W CUMBERLAND AVE

City/State: KNOXVILLE, TN 37916

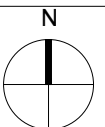
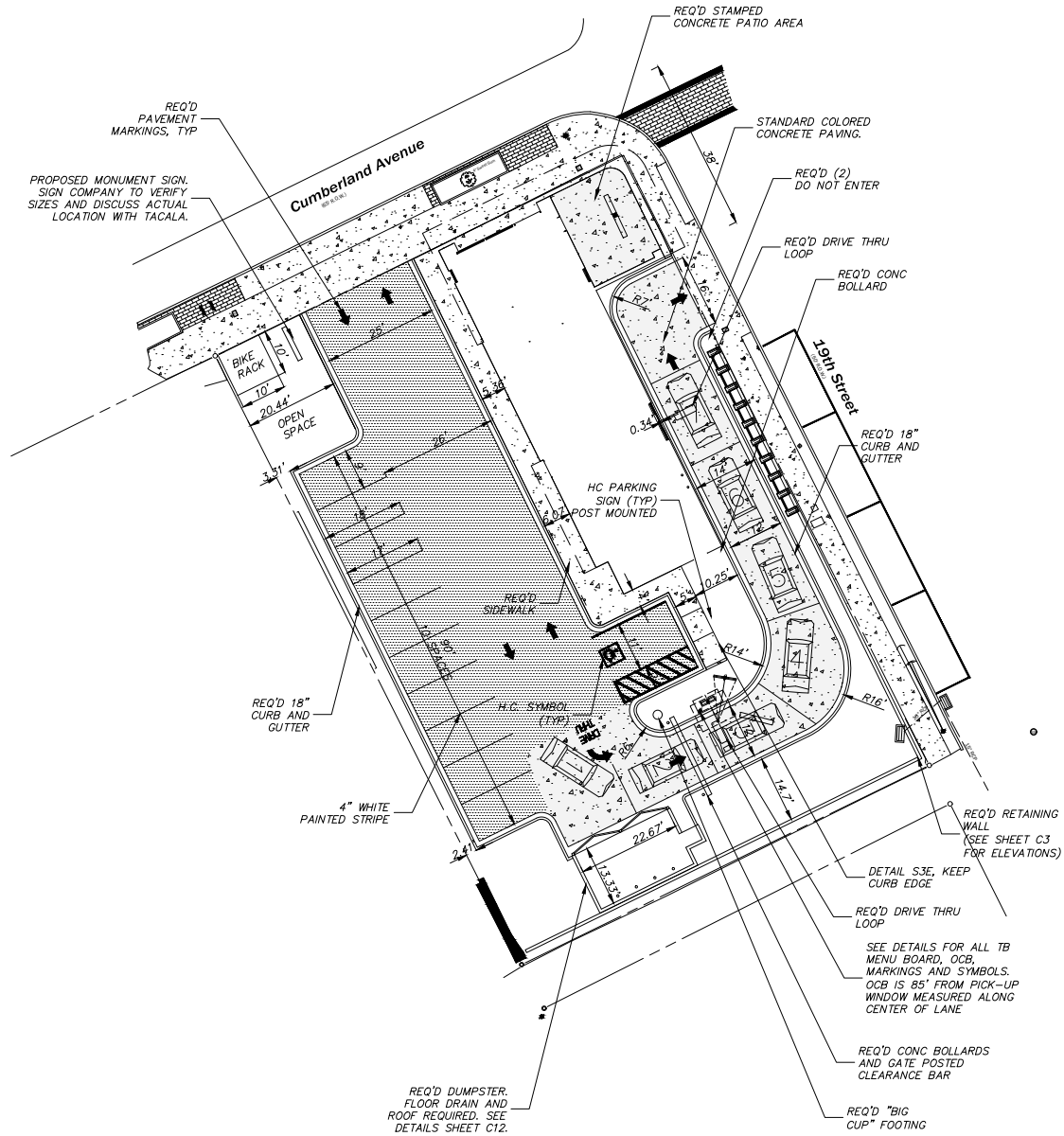




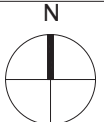
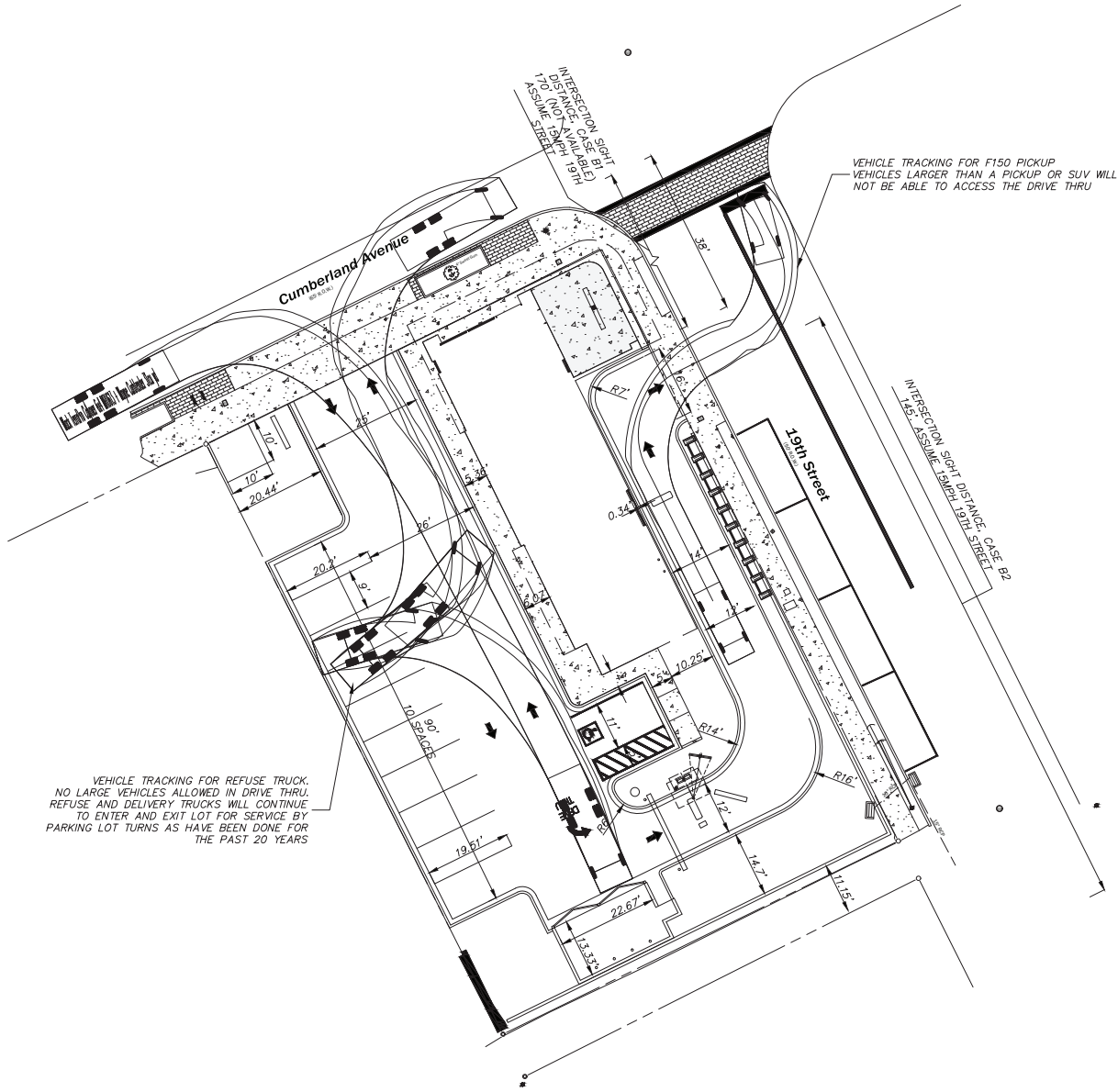
EXHIBIT – VEHICLE TRACKING/ SIGHT DISTANCE

Project Information

Site: TACO BELL

Address: 1900 W CUMBERLAND AVE

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Taco Bell
1900 W Cumberland Ave
Knoxville TN 37916

