



USE ON REVIEW REPORT

► **FILE #:** 7-A-19-UR **AGENDA ITEM #:** 24
POSTPONEMENT(S): 7/11/2019 - 10/10/2019 **AGENDA DATE:** 11/14/2019
► **APPLICANT:** JBCH PROPERTIES
OWNER(S): Thomas Hensley / JBCH Properties

TAX ID NUMBER: 58 C D 002 [View map on KGIS](#)
JURISDICTION: City Council District 4
STREET ADDRESS: 5506 Colonial Cir
► **LOCATION:** South side of Colonial Circle, East of intersection of Colonial Circle and Oak Road, East of Montbell Drive
► **APPX. SIZE OF TRACT:** 18000 square feet
SECTOR PLAN: North City
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ACCESSIBILITY: Access is via Colonial Circle, a local street with an 18' pavement width within a 30' right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
WATERSHED: First Creek

► **ZONING:** R-1 (Low Density Residential)
► **EXISTING LAND USE:** Vacant
► **PROPOSED USE:** Duplex
5 du/ac
HISTORY OF ZONING: None noted
SURROUNDING LAND USE AND ZONING: North: Residences - R-1A (Low Density Residential)
South: Residences - R-1 (Low Density Residential)
East: Residences - R-1 (Low Density Residential) & R-2 (General Residential)
West: Residence and school - R-1 (Low Density Residential)
NEIGHBORHOOD CONTEXT: The site is located in an established residential neighborhood on the west side of N Broadway in Fountain City.

STAFF RECOMMENDATION:

► **DENY the use on review request for a duplex.**

In early October prior to the Planning Commission's October 10, 2019 meeting, staff had discussed with the applicant the status of the use on review application for the proposed duplex. At that time, the applicant had indicated that he was not going to move forward with the request and we had discussed withdrawing the application. Since we did not receive a written request to withdraw the use on review application at that time, the Planning Commission postponed action on the request until the November 14, 2019 meeting.

Staff has emailed the applicant again regarding his intent to withdraw the application, and he was informed that if he did not respond back by 4:30 pm on Tuesday, November 5, 2019, Planning staff would be recommending denial of the application to the Planning Commission for their November 14, 2019 meeting. Since we have not received a request for withdrawal, staff is recommending the denial.

COMMENTS:

The applicant is proposing to build a duplex on this 18,000 square foot lot that is located on the south side of Colonial Circle just east of Fountain City Elementary School.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

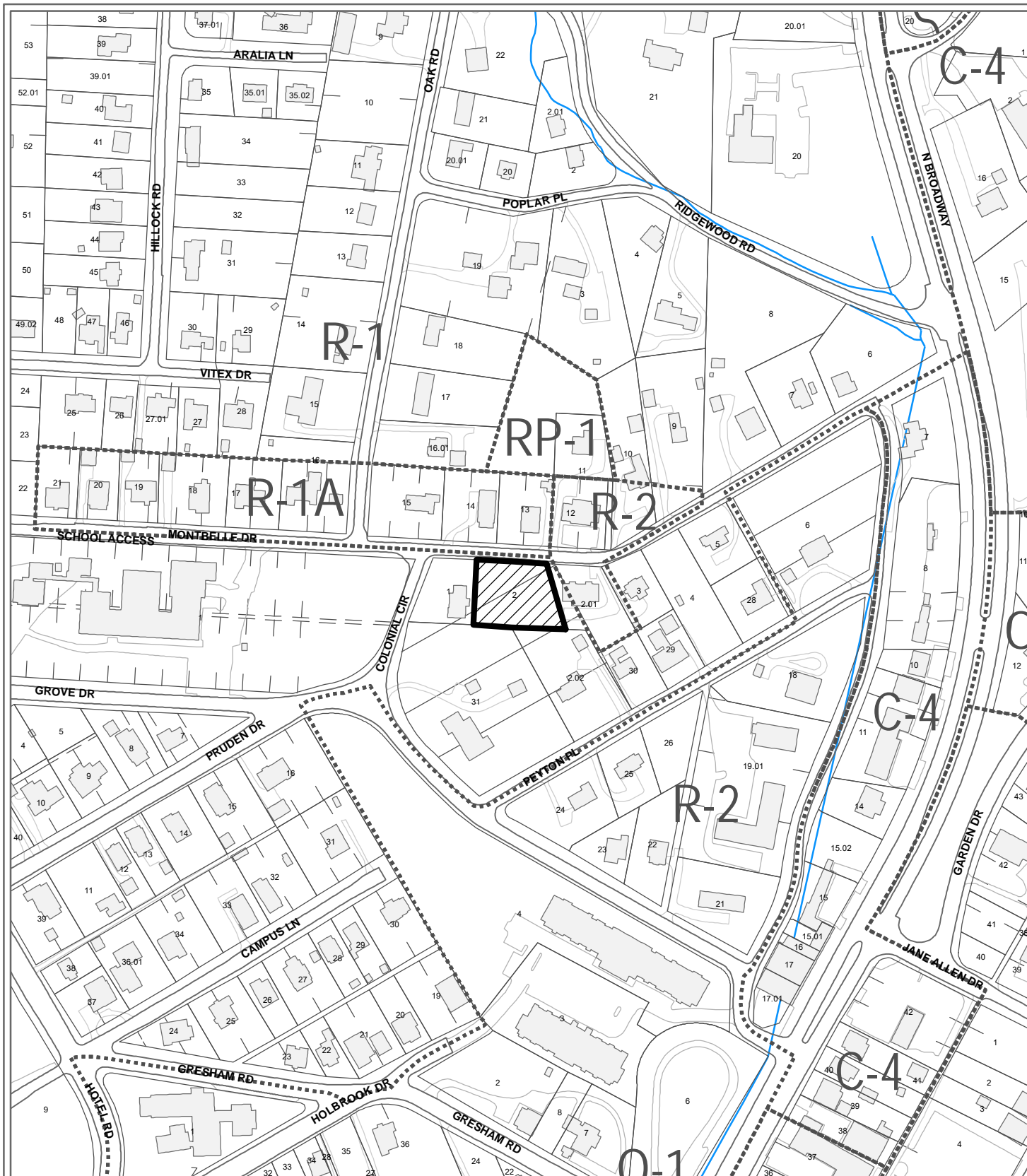
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 0 (public school children, grades K-12)

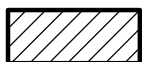
Schools affected by this proposal: Fountain City Elementary, Gresham Middle, and Central High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**7-A-19-UR
USE ON REVIEW**



Duplex in R-1 (Low Density Residential)

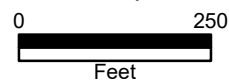
Original Print Date: 6/18/2019
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: JBCH Properties

Map No: 58

Jurisdiction: City



9/4/2019

7-A-19-UR-PP-9-12-19



Sherry Michienzi <sherry.michienzi@knoxplanning.org>

Re: Duplex

2 messages

request 30
- days -

RECEIVED

SEP 04 2019

Knoxville-Knox County
Planning

Wed, Sep 4, 2019 at 12:30 PM

Tom Brechko <tom.brechko@knoxplanning.org>
To: Thomas Hensley <cookloft99@gmail.com>
Bcc: sherry.michienzi@knoxplanning.org

Thomas,

As we had discussed by phone the other day, the postponement request needs to reference the case file number and date of the Planning Commission meeting.

For the record, you are requesting that the Use-on-Review application for JBCH Properties (proposed duplex), file number 7-A-19-UR, be postponed until the Planning Commission's October 10, 2019 meeting.

Please confirm if this is correct.

Thank you.

Tom

On Wed, Aug 21, 2019 at 8:05 AM Thomas Hensley <cookloft99@gmail.com> wrote:

As per our meeting, it looks like I have a little work to do for yet another requirement. It will take some time to find an engineer and schedule an appointment for the line of site. I would like to postpone the meeting to next month.

--
Thank You,
Thomas Hensley
thomas@cookloft.com
865-310-2216
<http://www.cookloft.com>
Like us on Facebook
Reviews

--
Thomas Brechko, AICP
Principle Planner
865-215-3794



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

Tom Brechko <tom.brechko@knoxplanning.org>

Wed, Sep 4, 2019 at 2:45 PM

To: Sherry Michienzi <sherry.michienzi@knoxplanning.org>, Dori Caron <dori.caron@knoxplanning.org>

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

From: **Thomas Hensley** <cookloft99@gmail.com>

Date: Wed, Sep 4, 2019 at 1:30 PM

Subject: Re: Duplex

To: Tom Brechko <tom.brechko@knoxplanning.org>

* Yes sir.. thank you

[Quoted text hidden]

[Quoted text hidden]

7/31/2019

7-A-19-UR-PP-8-8-19



Tom Brechko <tom.brechko@knoxplanning.org>

JBCH Properties (7-A-19-UR)

2 messages

Tom Brechko <tom.brechko@knoxplanning.org>
To: Thomas Hensley <cookloft99@gmail.com>



- request 30 days -

Mon, Jul 29, 2019 at 12:08 PM

Thomas,

Since I have not received any site plan for the above referenced Use on Review application for the proposed duplex, you need to decide if you want to proceed with this application. If you need additional time to prepare and submit the site plan and documentation requested by staff you will need to submit another official request for postponement of the application. If you are requesting a 30 day postponement, the next meeting of the Planning Commission is September 12, 2019.

Tom

--

Thomas Brechko, AICP
Principle Planner
865-215-3794



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

Thomas Hensley <cookloft99@gmail.com>
To: Tom Brechko <tom.brechko@knoxplanning.org>

Tue, Jul 30, 2019 at 11:15 AM

Please postpone it for another month thank you

[Quoted text hidden]

7/1/2019

Knoxville - Knox County Planning Mail - 7-A-19-UR



7-A-19-UR-PP-7-11-19

Tom Brechko <tom.brechko@knoxplanning.org>

7-A-19-UR

3 messages

automatic

Thomas Hensley <cookloft99@gmail.com>

Mon, Jul 1, 2019 at 7:41 AM

To: Tom Brechko <tom.brechko@knoxplanning.org>

I would formally like to request a postponement of the 7-A-19-UR request for the July meeting .
I need to gather more information for the group.

Thank You,
Thomas Hensley
thomas@cookloft.com
865-310-2216
<http://www.cookloft.com>
Like us on FaceBook
Reviews



Tom Brechko <tom.brechko@knoxplanning.org>

Mon, Jul 1, 2019 at 11:15 AM

To: Thomas Hensley <cookloft99@gmail.com>

Thomas,

It is my understanding that you are requesting postponement until the Planning Commission's August 8, 2019 meeting.
[Quoted text hidden]

Thomas Brechko, AICP
Principle Planner
865-215-3794



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

Thomas Hensley <cookloft99@gmail.com>

Mon, Jul 1, 2019 at 12:23 PM

To: Tom Brechko <tom.brechko@knoxplanning.org>

Yes, that is correct.
[Quoted text hidden]

M P C

METROPOLITAN
PLANNING
COMMISSION
TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

☐ Use on Review ☐ Development Plan

Name of Applicant: JBCH Properties / Tom HensleyDate Filed: 5-6-19 Meeting Date: 7/11/19Application Accepted by: M. PayneFee Amount: 7 File Number: Development Plan 7Fee Amount: \$450.00 File Number: Use on Review 7-A-19-LR

RECEIVED

MAY 06 2019

Knoxville-Knox County
Planning

PROPERTY INFORMATION

Address: 5506 Colonial Cir.General Location: 3/8 Colonial Cir.
@ Montbelle DrTract Size: 18,000 sqft +/- No. of Units: 1Zoning District: R-1Existing Land Use: VacantPlanning Sector: North CitySector Plan Proposed Land Use Classification:
LDRGrowth Policy Plan Designation: UrbanCensus Tract: 50Traffic Zone: 202Parcel ID Number(s): 058CD002Jurisdiction: ☒ City Council 4 District☐ County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: JBCH Properties Tom HensleyCompany: JBCH PropertiesAddress: 6015 Ridgewood Rd.City: Knox State: TN Zip: 37918Telephone: 865-310-2216

Fax: _____

E-mail: thomns@cook10ft.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Tom HensleyCompany: JBCH PropertiesAddress: 6015 Ridgewood RdCity: Knox State: TN Zip: 37918Telephone: 865-310-2216

Fax: _____

E-mail: thomns@cook10ft.com

APPROVAL REQUESTED

☐ Development Plan: Residential Non-Residential☐ Home Occupation (Specify Occupation)☒ Other (Be Specific)Duplex in an R-1 zone

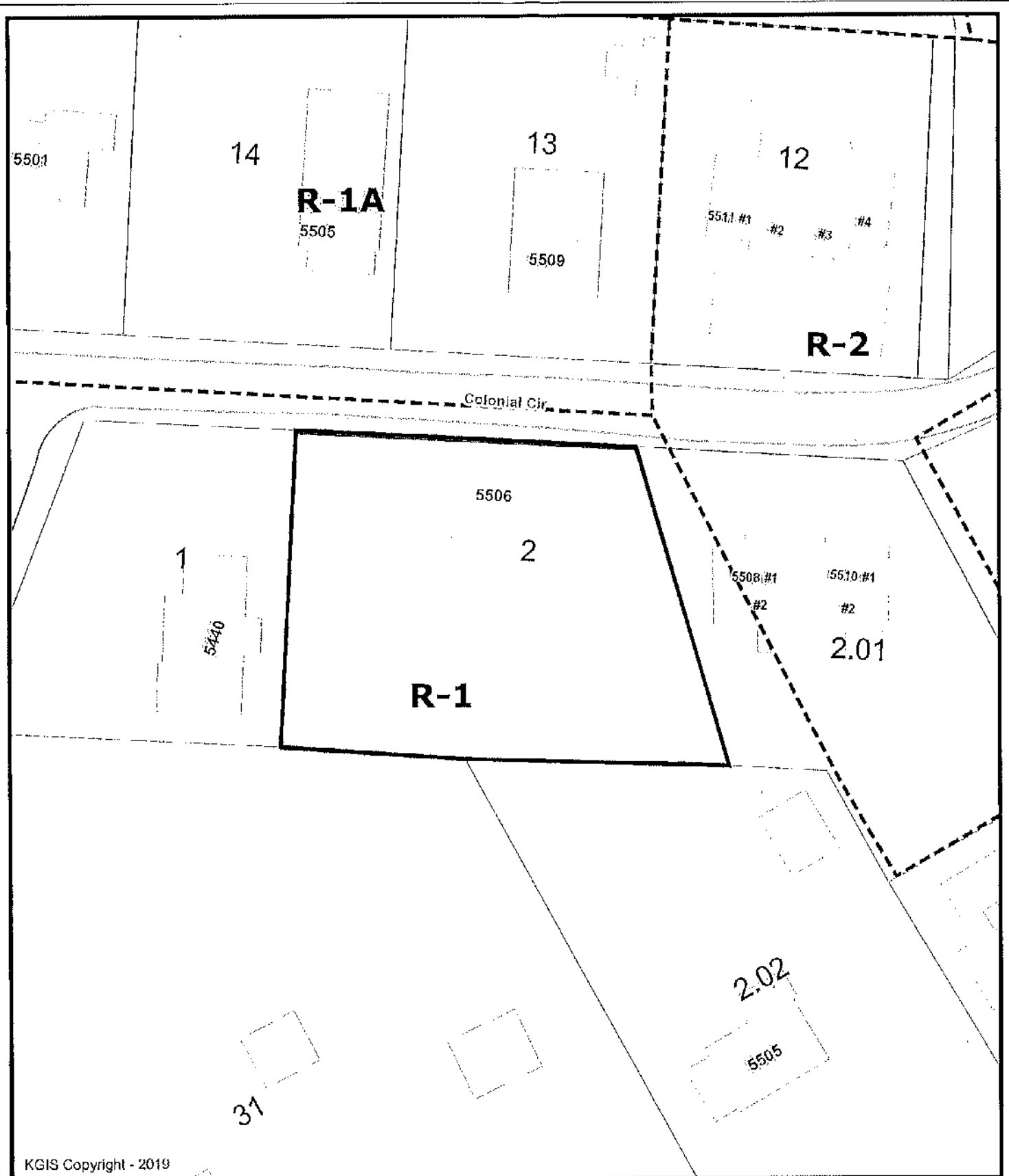
APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Thomas Hensley

PLEASE PRINT

Name: Thomas HensleyCompany: JBCH PropertiesAddress: 6015 Ridgewood Rd.City: KNOX State: TN Zip: 37918Telephone: 865-310-2216E-mail: thomns@cook10ft.com



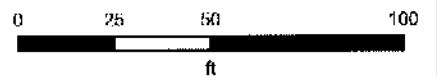
KGIS Copyright - 2019

Letter Portrait

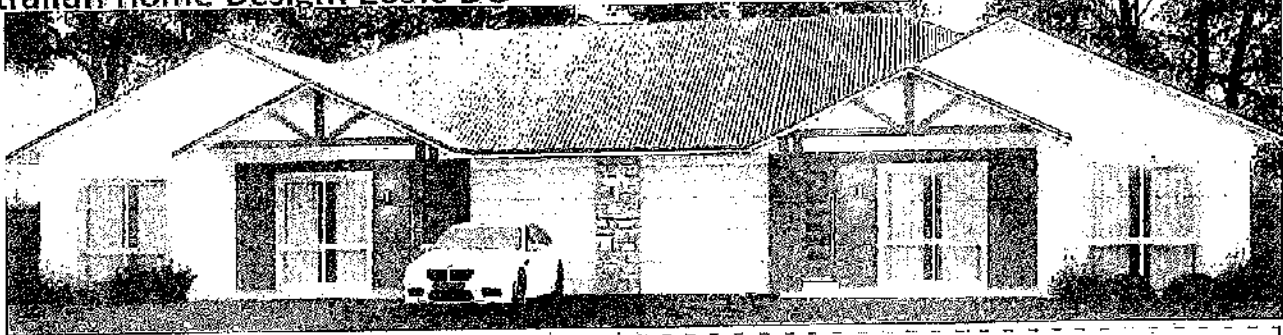
Knoxville - Knox County - KUB Geographic Information System



Printed: 5/6/2019 at 9:04:06 AM



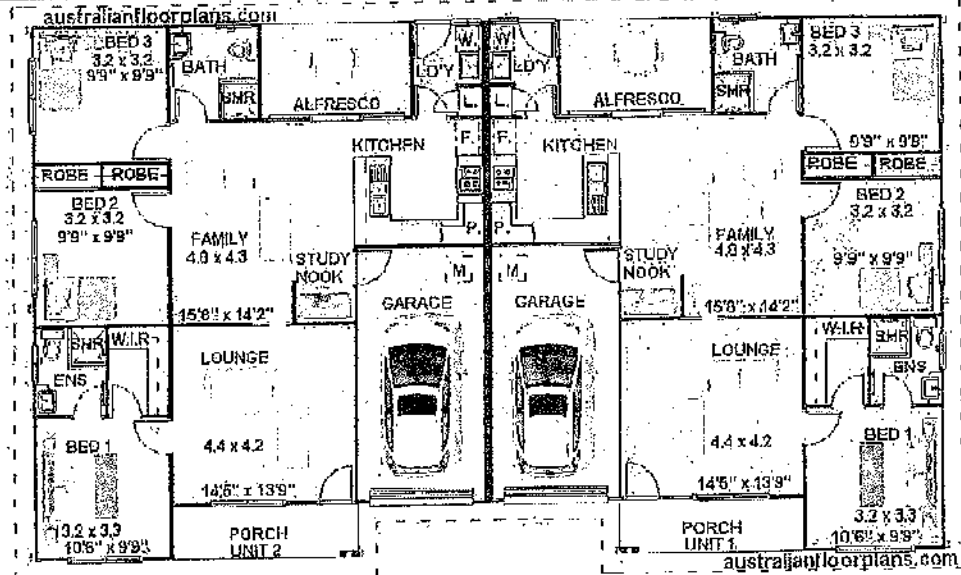
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Australian Home Design: 269.6 DU**6 Bed + 4 Bath + 2 Car****FEATURES**

- 6 Bedroom + Study Nook
- 4 Bathroom
- 2 Living Areas
- Alfresco

Metric SizesTotal Area: 269.6 m²**Feet & Inches**

Total Build: 2901 Sq Ft

**PRELIMINARY SET OF PLANS**

www.australianfloorplans.com

 Australian Design Services
 A Design World Of Difference


Plan Number 59928 | Order Code TF05WEB | Rear Elevation

FamilyHomePlans.com

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Click Here to Mirror Reverse



- NOTES:
- 1) IRON RODS WITH CAPS SET AT ALL CORNERS NOT RECOVERED UNLESS OTHER MONUMENTATION IS NOTED ON DRAWING.
 - 2) C.T. TAX MAP 058C, GROUP D, PARCEL 002.
 - 3) DEED REFERENCE: INSTRUMENT #20183717003513.
 - 4) PLAT REFERENCE: MAP BOOK MAP 69-1, PAGE 73.
 - 5) PROPERTY SUBJECT TO EASEMENTS OR RIGHTS OF WAY NOT SHOWN BY THE PUBLIC RECORDS.
 - 6) PROPERTY SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH, NO TITLE REPORT WAS FURNISHED TO SURVEYOR PRIOR TO SURVEY.
 - 7) NO TITLE OPINION IS EXPRESSED OR IMPLIED.
 - 8) THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP AND FOUND THE DESCRIBED NOT TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA.
 - 9) BUILDING SETBACK LINES AND EASEMENTS SHALL CONFORM TO ANY AND ALL CURRENT KNOX COUNTY/ CITY OF KNOXVILLE ZONING STANDARDS.

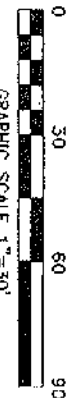
JBOH PROPERTIES, LLC
INSTRUMENT #200304080090428

MAURICE GERARD
INSTRUMENT #201309190019277

JEREMY AND PAMELA HAYERTON
INSTRUMENT #200911180034873
MAP BOOK 69-L, PAGE 20

ERICA HURST AND RYAN HURST
INSTRUMENT #201805170067984

BEARINGS BASED ON
MAP BOOK 69-L, PAGE 20



PROJECT NO. 19-083	
FILENAME: 15-083.DWG	SHEET NO. 1 OF 1
DRAWN BY: GLR	
DATE OF FIELD SURVEY: 4/22/19	
SCALE: 1" = 30'	
DATE: 4/23/19	

THIS SURVEY IS NOT REASSURABLE TO ANY OTHER OWNER OR OWNER'S AGENT, AND MAY NOT BE COPIED OR USED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF GARY L. ROTH, JR., IN RLS #2051.



Surveyor's Certification:

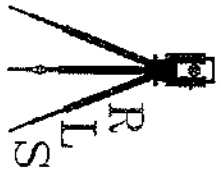
I hereby certify that this is a Category 1 Survey and the ratio of precision of the unadjusted survey exceeds 1:10,000 as shown herein. This survey has been prepared in accordance with the standards of practice of land surveys in the State of Tennessee.

Gary L. Roth, Jr.
GARY L. ROTH, JR.
IN RLS#2051

LEGEND	
	ASPHALT
	IRON ROD OLD
	IRON ROD NEW
	IRON PIPE OLD
LINE LEGEND	
	PROPERTY LINE
	FENCE LINE

FOUNTAIN CITY COMPANY	
PART OF LOTS 2, 3 AND 4, BLOCK 63 CITY BLOCK NO. 55874 5505 COLONIAL CIRCLE	
7TH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE WITHIN THE 38TH WARD OF THE CITY OF KNOXVILLE	
OWNER: THOMAS HENSELEY, ET AL 5115 GLENVIEW DRIVE KNOXVILLE, TN 37919	

ROTH LAND SURVEYING	
Gary L. Roth, Jr., RLS	
6718 Kern Road	
Knoxville, TN, 37918	
PH: (865) 689-8186	
FAX: (865) 687-3231	



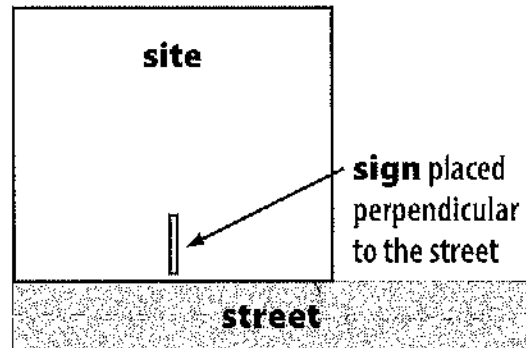
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

6/26/19 and 7/12/19
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Thomas Hensley

Printed Name: Thomas Hensley

Phone: 865-310-2216 Email: thomas@cooklot4.com

Date: 5-6-19

File Number: 7-A-19-UR