



USE ON REVIEW REPORT

▶ **FILE #:** 1-C-22-UR **AGENDA ITEM #:** 39
 POSTPONEMENT(S): 1/13/2022, 2/10/2022, 3/10/2022 **AGENDA DATE:** 4/14/2022
 ▶ **APPLICANT:** BENJAMIN C. MULLINS
 OWNER(S): David Eubanks

TAX ID NUMBER: 0 MULTIPLE PARCELS [View map on KGIS](#)
 JURISDICTION: County Commission District 6
 STREET ADDRESS: Multiple parcels (see list filed with application)
 ▶ **LOCATION:** East side of Lovell Rd, north of High Meadow Dr and south of Bob Gray Rd
 ▶ **APPX. SIZE OF TRACT:** 7.77 acres
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via Lovell Road, a 5-lane minor arterial with a 58-ft pavement width inside a 95-ft right-of-way.
 UTILITIES: Water Source: First Knox Utility District
 Sewer Source: First Knox Utility District
 WATERSHED: Hickory Creek

▶ **ZONING:** PC (Planned Commercial), RA (Low Density Residential), and TO (Technology Overlay)
 ▶ **EXISTING LAND USE:** Single family residences and vacant land
 ▶ **PROPOSED USE:** Self-storage facility

HISTORY OF ZONING: Rezoned from A (Agricultural) and RA (Low Density Residential) to OB (Office, Medical and Related Services) retaining the HP designation (Case # 11-F-04-RZ); rezoned from A, OB, RA, and RB (Low Density Residential), to PC in 2021 (Case # 8-A-21-RZ)

SURROUNDING LAND USE AND ZONING:
 North: Vacant land - A (Agricultural) / TO (Technology)
 South: Vacant land - RA (Low Density Residential) / TO (Technology Overlay)
 East: Vacant land and single family residences - RB (General Residential) / TO (Technology Overlay) and RA (Low Density Residential) / TO (Technology Overlay)
 West: Car repair facility and office building - PC (Planned Commercial) / TO (Technology Overlay) and CA (General Business) / TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: This area of Lovell Road is within a half-mile of Pellissippi Parkway and is part of the Tennessee Technology Corridor area. It is a mix of single-family and multi-family neighborhoods, and some office and commercial uses along Lovell Road.

STAFF RECOMMENDATION:

► **Approve the request for an office-warehouse development in the PC (Planned Commercial) zone, subject to eight conditions.**

- 1) Approval of a final plat combining the properties prior to applying for permits.
- 2) Any mechanical equipment installed shall be screened to meet the requirements of the TTCDA. No mechanical equipment is currently shown on the plans.
- 3) Meeting all criteria of the Knox County Zoning Ordinance, Article 4.93, pertaining to enclosed and outdoor self-storage facilities.
- 4) Meeting all other applicable conditions of the Knox County Zoning Ordinance.
- 5) Installation of all landscaping as shown on the development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 6) Meeting the requirements of the Knox County Department of Engineering and Public Works.
- 7) Meeting all requirements and conditions of the TTCDA approval.
- 8) Obtaining approval of signage in a separate application if signage is desired in the future.

With the conditions noted, this plan meets the requirements for approval in the PC zone, the requirements for an indoor storage facility (Article 4.93), and the criteria for approval of a Use on Review.

COMMENTS:

The applicant is requesting approval of an indoor self-storage facility consisting of approximately 62,000 sq ft of floor area. The site is located in the PC (Planned Commercial) / TO (Technology Overlay) zones. This item has been postponed since the January meeting as staff has attempted to help the applicant bring the plans into compliance with both the TTCDA Design Guidelines and the Knox County Zoning Ordinance.

Per Section 5.33.13 of the Knox County Zoning Ordinance, applications in the PC zone require approval through the use on review process. Applications in the TO zone require approval by the TTCDA (Section 5.90.01). The request was heard at the TTCDA meeting on April 11, 2022 (Case 1-A-22-TOB), where the applicant received TTCDA approval of all 12 of the requested waivers, some of which staff did not support. The TTCDA also added a condition for additional screen trees along the shared property line with the RB zoned property to the east.

According to KGIS, the site is 6.41 acres, and the slope analysis and all calculations are based on that acreage. The application states that there are 7.77 acres, so there is a discrepancy between the two measurements, though this does not affect the overall recommendation.

The site consists of several properties on the east side of Lovell Road south of Bob Gray Road. The properties would need to be platted and combined into one property since some of the proposed structures cross over property lines. The applicant has stated that a plat would be forthcoming; this would be required prior to permitting so that the setbacks would be met.

The proposed plans include four buildings spread out over the property with drive lanes and parking placed along the perimeter and between the buildings. Buildings 1 and 2 are a combination of interior and exterior storage, while Buildings 3 and 4 are entirely exterior. Building 1 also houses the office. No floor plans have been provided for the building, so the size of the office is unknown. The size and number of storage units are also unknown at this time. Section 4.93 of the Knox County Zoning Ordinance allows a 600 square footage maximum for storage units, so compliance can be determined during permitting.

Access is off of Lovell Road directly across from the access for the European Auto Garage facility. There is an existing driveway at this location, and the plans propose to utilize this access point.

A variance reducing the peripheral boundary along the Lovell Road frontage was approved by the Knox County Board of Zoning Appeals, and the 50-ft peripheral boundary at Lovell Road was reduced to 35-ft. The TTCDA's front setback is 20 feet when there is no parking proposed between the building and the street, so in this case, the 35-ft peripheral setback is larger, making it the applicable front setback requirement for the site.

Once the properties are combined, the proposal would meet all building setback requirements. The adjacent lots to the south and east are single-family residential, so a 100-ft setback is required along those property lines. The property to the north is zoned A (Agricultural) but is a vacant lot. For setback purposes, the County does not consider A zoned properties to be residential unless they contain a residential structure, so the standard 20-ft side setback applies here.

The Knox County zoning ordinance requires a 10-ft parking lot setback when a parking lot abuts residential properties. This standard applies to The applicant is requesting approval of an indoor self-storage facility consisting of approximately 62,000 sq ft of floor area. The site is located in the PC (Planned Commercial) / TO (Technology Overlay) zones. This item has been postponed since the January meeting as staff has attempted to help the applicant bring the plans into compliance with both the TTCDA Design Guidelines and the Knox County Zoning Ordinance.

Per Section 5.33.13 of the Knox County Zoning Ordinance, applications in the PC zone require approval through the use on review process. Additionally, applications in the TO zone require approval by the TTCDA (Section 5.90.01). The request was heard at the TTCDA meeting on April 11, 2022 (Case 1-A-22-TOB), where the applicant received TTCDA approval of all 12 of the requested waivers, some of which staff did not support.

According to KGIS, the site is 6.41 acres, and the slope analysis and all calculations are based on that acreage. The application states that there are 7.77 acres, so there is a discrepancy between the two measurements, though this does not affect the overall recommendation.

The site consists of several properties on the east side of Lovell Road south of Bob Gray Road. The properties would need to be platted and combined into one property since some of the proposed structures cross over property lines. The applicant has stated that a plat would be forthcoming; this would be required prior to permitting so that the setbacks would be met.

The proposed plans include four buildings spread out over the property with drive lanes and parking placed along the perimeter and between the buildings. Buildings 1 and 2 are a combination of interior and exterior storage, while Buildings 3 and 4 are entirely exterior. Building 1 also houses the office. No floor plans have been provided for the building, so the size of the office is unknown. The size and number of storage units are also unknown at this time. Section 4.93 of the Knox County Zoning Ordinance allows a 600 square footage maximum for storage units, so compliance can be determined during permitting.

Access is off of Lovell Road directly across from the access for the European Auto Garage facility. There is an existing driveway at this location, and the plans propose to utilize this access point.

A variance reducing the peripheral boundary along the Lovell Road frontage was approved by the Knox County Board of Zoning Appeals, and the 50-ft peripheral boundary at Lovell Road was reduced to 35-ft. The TTCDA's front setback is 20 feet when there is no parking proposed between the building and the street, so in this case, the 35-ft peripheral setback is larger, making it the applicable front setback requirement for the site.

Once the properties are combined, the proposal would meet all building setback requirements. The adjacent lots to the south and east are single-family residential, so a 100-ft setback is required along those property lines. The property to the north is zoned A (Agricultural) but is a vacant lot. For setback purposes, the County does not consider A zoned properties to be residential unless they contain a residential structure, so the standard 20-ft side setback applies here.

The Knox County zoning ordinance requires a 10-ft parking lot setback when a parking lot abuts residential properties. This standard applies to the southern and eastern property lines.

The proposed new buildings have a combined footprint of 31,000 sq ft in area. All buildings are two-story structures with a combined floor area of 62,000. In most cases, the buildings are built into the hills so that the second story is only accessible from one side of the building.

The TTCDA granted a waiver to reduce the number of spaces required to 78 spaces. Staff supported this waiver since the TTCDA Guidelines do not address self-storage facilities with regard to the number of spaces required, and using the closest classification would have resulted in an overabundance of parking spaces. Staff still finds the number to be overabundant but supports the overall reduction in parking spaces.

The Knox County Zoning Ordinance requires a minimum 6-ft tall opaque fence setback a minimum of 5 feet from residential properties (Section 4.93.01.F). This would apply to the southern and eastern lot lines. The applicant is proposing an 8-ft high wooden stockade fence as shown in the fence detail on Sheet LP500, though the site plans themselves do not show the location of the fence line. Condition 3 requires site plans to meet the requirements of Section 4.93 of the Knox County Zoning Ordinance pertaining to self-storage facilities, so the fence location can be finalized during the permitting phase.

The landscaping plans meet the TTCDA Guidelines. Staff requested supplementing the originally proposed

landscape screening at the ROW with evergreen trees to screen the metal buildings and loading doors from the ROW during the winter months. The current proposal utilizes 20 deciduous trees and 5 evergreen trees along the 883-ft frontage. Staff recommends additional evergreen trees to provide more screening.

The proposed light fixtures meet the TTCDA Guidelines. The applicant was granted waivers to increase lighting levels along shared property lines with residential uses and other zones, and staff supported those waivers since the photometric plans did not account for the tree buffer or 8-ft high opaque fence and lighting would be lower than what is shown on the plans.

The site is in the Hillside and Ridgetop Protection Area (HP) and contains slopes within the 25%-40% range and slopes over 40%. The TTCDA has a set of guidelines for properties within the HP area that are more stringent than the standard TTCDA requirements, and the applicant requested several waivers from these requirements. With regard to the waivers from the TTCDA's HP requirements, staff believes that waivers of a relatively modest increase or decrease are more in keeping with the Guidelines and allow for flexibility in development. Waivers should not provide a means to bypass entire sections of the Guidelines unless there is a hardship present, the site has been previously graded, or unless the site is flat and not indicative of an HP area. Staff does not find that any of these conditions have been met. There is no hardship present. In a sense, the site plan proposes a sprawling complex of buildings, thereby creating a situation in which the HP Guidelines are difficult to meet. It is possible to develop the site for this use with the number of storage units proposed and still meet the Guidelines. With regard to previous grading, a sliver of the site along Lovell Road was previously graded as part of the road widening project, but the bulk of the site was not touched and the slopes are naturally occurring.

Waivers Requested:

1. Waiver to allow a high number of retaining walls measuring over 900 linear feet (1.12.1.B).
2. Waiver to allow a retaining wall between the building and the street (1.12.1.B).
3. Waiver to allow an alternative retaining wall design without meeting the HP requirements (1.12.1.B).
4. Waiver to allow new development on slopes in excess of 25% (1.12.4.1).
5. Waiver to allow disturbance of slopes of 25% or greater (1.5.4 and 1.12.4.B), and to allow parking lot grading to occur on land with slopes of 25% or greater (1.12.C).
6. Waiver to increase the maximum allowed GAC within HP areas from 17,000 square feet to 31,000 sq ft (1.12.2.B).
7. Waiver to increase the allowed FAR within HP areas to 33.89% or waive the HP requirement (1.12.2.C).
8. Waiver to allow the standard IAR in lieu of the IAR requirement in HP areas (1.12.2.D).
9. Waiver to increase the allowable amount of area devoted to roadways and driveways from 50% to 71.82% (1.12.5.B).
10. Waiver to increase the allowable footcandles to 1.8 fc within 20 ft of a residential zone (1.8.5.E).
11. Waiver to increase the allowable footcandles to 1.9 fc within 20 ft of non-residential zoning other than PC (1.8.5.F).
12. Waiver to reduce the number of parking spaces required to 92 spaces. This was revised during the TTCDA meeting to include 78 spaces instead.

Staff supported some of the waivers listed above, most of which are consistent with waivers the Board considers fairly regularly. The supported waivers included those requested in items 2, 7, 10, 11, and 12, though for item 12, staff recommended an even lower number than that proposed in the site plans.

Staff did not support waivers 1, 3, 4, 5, 6, 8, or 9.

The TTCDA approved all waivers, revising the parking space reduction to allow 78 spaces. The TTCDA also added a condition requiring the extension of the double-row of evergreen trees along the property line shared with the RB zoned property to the east so that it spans the entire property line.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The property is designated MU-SD, NWCO-4 (Mixed Use-Special District, Saddlebrook) on the Northwest County Sector Plan. The MU-SD, NWCO-4 land use recommends a variety of uses in this section of the mixed use special district: Technology Park (TP), Office (O), Medium Density Residential/Office (MDR/O), and

Community Mixed Use Center (MU-CC). The MU-CC land use allows commercial uses, which covers the self-storage facility.

B. For this Use on Review application to be approved in the MU-SD, NWCO-4 land use classification, the Planning Commission must find that the proposed use is "consistent with, and not in conflict with" the sector plan.

C. The proposed self-storage facility is consistent with the TP land use classification recommended by the broader, MU-SD, NWCO-4 land use classification; therefore, it is consistent with the sector plan.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The Knox County Zoning Ordinance describes the PC (Planned Commercial) zone as, "intended to provide for a unified grouping of commercial buildings which do not require or desire a central business district location...It is not the intent of this zone to restrict potential development by limiting uses. In general, uses permitted shall include office, commercial services and light distribution centers."

B. Since the indoor storage facility is considered a commercial use, it is permitted in the PC zone, though development plans require approval by the Planning Commission through the use on review process.

C. There are a number of criteria for both indoor and outdoor storage facilities in the supplemental regulations of the zoning ordinance (Article 4.93), including lot size, unit size, lighting, installation of a fence, and other such considerations. The proposed plans do not list the size of the storage units, so staff cannot determine compliance with all of the requirements in this section. However, the plans do meet the other requirements for self-storage facilities, so the interior floor plans and the size of the units will have to be determined during permitting.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. This area consists predominantly of single-family residential uses, though there is an auto repair facility across the street. Lovell Road is a minor arterial and will likely be developed with other commercial uses.

B. The buildings are to be one and two stories in height. The loading dock doors and long, metal paneled facades are not in character with the area. There will be landscape screening along the right-of-way, though most of the trees are deciduous. Staff recommends additional evergreen landscaping to buffer the buildings from the road during the winter months.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed indoor self-storage facility is not expected to significantly injure the value of adjacent property. No outdoor storage of materials is permitted, and Section 4.93 regulates the types of activities that can occur on the site. These facilities do not generate a lot of noise or traffic.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. No traffic through residential subdivisions or side streets is required to access this property, since Lovell Road is an arterial road with high amounts of traffic.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

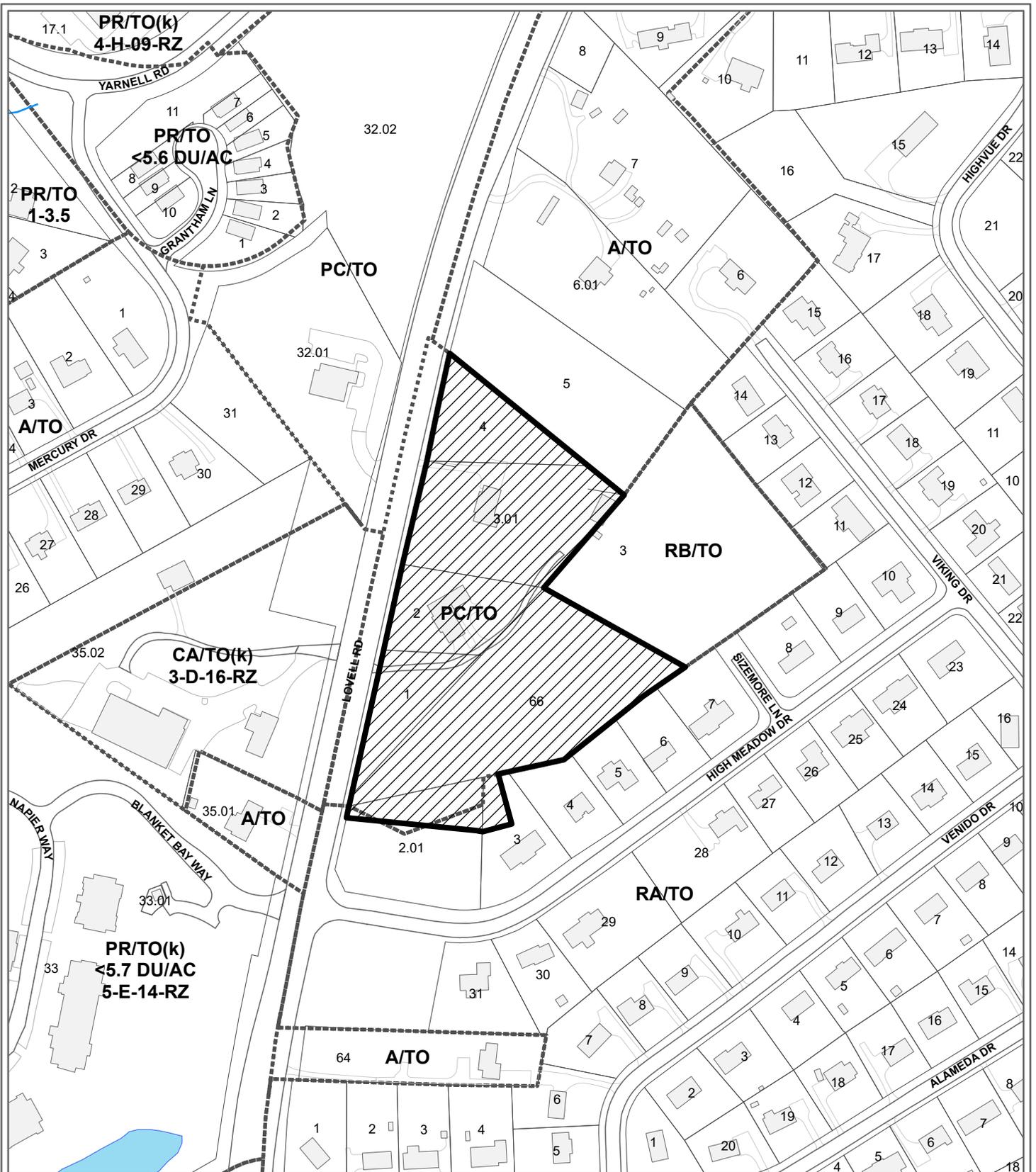
A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed development.

ESTIMATED TRAFFIC IMPACT: 144 (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: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**1-C-22-UR
USE ON REVIEW**

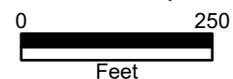


Self-storage facility in PC (Planned Commercial), RA (Low Density Residential), TO (Technology Overlay), and HP (Hillside Protection)

Petitioner: Mullins, Benjamin C.

Map No: 0

Jurisdiction: County



Original Print Date: 12/2/2021

Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



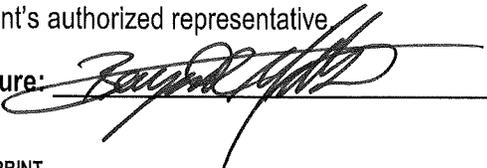
Request to Postpone • Table • Withdraw

Name of Applicant: Benjamin C. Mullins
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 1-C-22-UR

Date Scheduled for Planning Review: February 10, 2022

Date Request Filed: 02/03/2022 Request Accepted by: _____

<p style="text-align: center;">REQUEST</p> <p><input checked="" type="checkbox"/> Postpone Please postpone the above application(s) until: <u>March 10, 2022</u> <small>DATE OF FUTURE PUBLIC MEETING</small></p> <p><input type="checkbox"/> Table Please table the above application(s).</p> <p><input type="checkbox"/> Withdraw Please withdraw the above application(s).</p> <hr/> <p>State reason for request: Continue to work with Planning Staff and neighbors regarding development and guidelines in the Technology Overlay Corridor.</p> <hr/> <p>Eligible for Fee Refund? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount: _____ Approved by: _____ Date: _____</p> <hr/> <p style="text-align: center;">APPLICATION AUTHORIZATION</p> <p>I hereby certify that I am the property owner, applicant, or applicant's authorized representative</p> <p>Signature: <u></u></p> <p><small>PLEASE PRINT</small> Name: <u>Benjamin C. Mullins, Esq.</u> Address: <u>550 W. Main Street, Suite 500</u> City: <u>Knoxville</u> State: <u>TN</u> Zip: <u>37902</u> Telephone: <u>(865) 546-9321</u> Fax: <u>(865) 637-5249</u> E-mail: <u>bmullins@fmsllp.com</u></p>	<p style="text-align: center;">PLEASE NOTE</p> <p>Consistent with the guidelines set forth in Planning's <i>Administrative Rules and Procedures</i>:</p> <p>POSTPONEMENTS Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.</p> <p>TABLINGS Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.</p> <p>WITHDRAWALS Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.</p> <p>Any new item withdrawn may be eligible for a fee refund according to the following: Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.</p>
---	--



Michelle Portier <michelle.portier@knoxplanning.org>

Self-storage facility on Lovell Rd (cases 1-C-22-UR and 1-A-22-TOB)

2 messages

Michelle Portier <michelle.portier@knoxplanning.org>
To: "Benjamin C. Mullins" <bnullins@fmsllp.com>
Cc: "Brooks, Amy" <amy.brooks@knoxplanning.org>

Wed, Mar 2, 2022 at 12:30 PM

Ben,

We are going to recommend another 30-day postponement of the self-storage facility to both the TTCDA and Planning Commission this month since we haven't yet received the revisions and therefore have not been able to finalize the staff reports and recommendations, which would put it on the April agenda for both boards.

Thank you,

--

Michelle Portier, AICP
Principal Planner
865.215.3821

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

Benjamin C. Mullins <bnullins@fmsllp.com>

Thu, Mar 3, 2022 at 7:08 AM

To: Michelle Portier <michelle.portier@knoxplanning.org>

Cc: "Brooks, Amy" <amy.brooks@knoxplanning.org>, Steve Bethel <sbethel.bethel@gmail.com>, Randy Corlew <corlewcr@icloud.com>

Michelle,

I acknowledge receipt of the email below and staff's recommendations for a postponement. I'm remain hopeful that we can address the remaining comments and provide the necessary revisions today, and that a postponement but I understand staff's position on this matter.

Ben Mullins

From: Michelle Portier <michelle.portier@knoxplanning.org>
Sent: Wednesday, March 2, 2022 12:31 PM
To: Benjamin C. Mullins <bnullins@fmsllp.com>
Cc: Brooks, Amy <amy.brooks@knoxplanning.org>
Subject: Self-storage facility on Lovell Rd (cases 1-C-22-UR and 1-A-22-TOB)

Ben,

We are going to recommend another 30-day postponement of the self-storage facility to both the TTCDA and Planning Commission this month since we haven't yet received the revisions and therefore have not been able to finalize the staff reports and recommendations, which would put it on the April agenda for both boards.

Thank you,

--

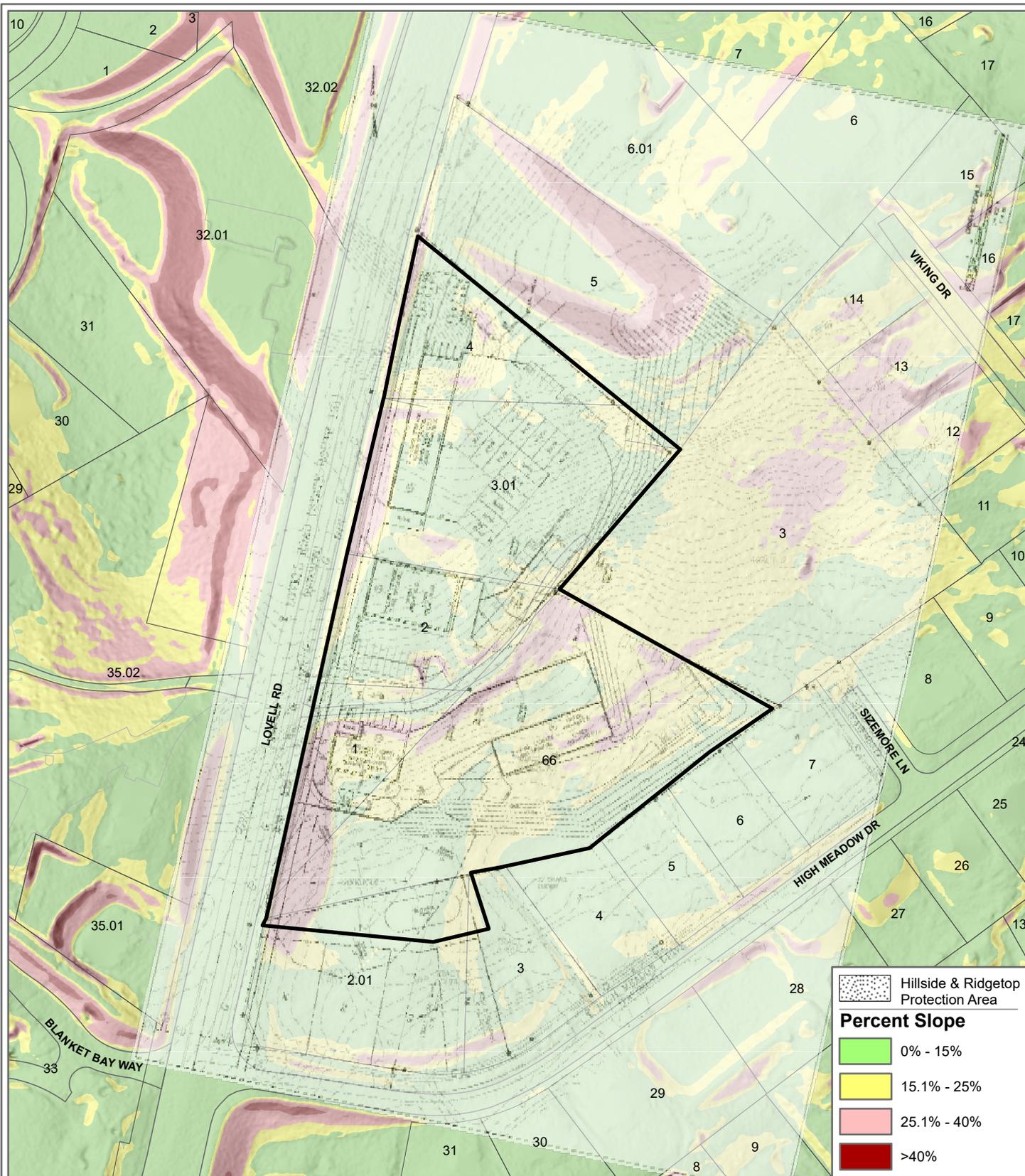
Michelle Portier, AICP

Principal Planner

865.215.3821

Knoxville-Knox County Planning

400 Main Street, Suite 403 | Knoxville, TN 37902



1-C-22-UR/1-A-22-TOB

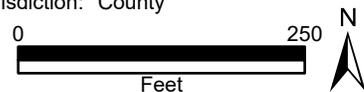
Petitioner: Mullins, Benjamin C.

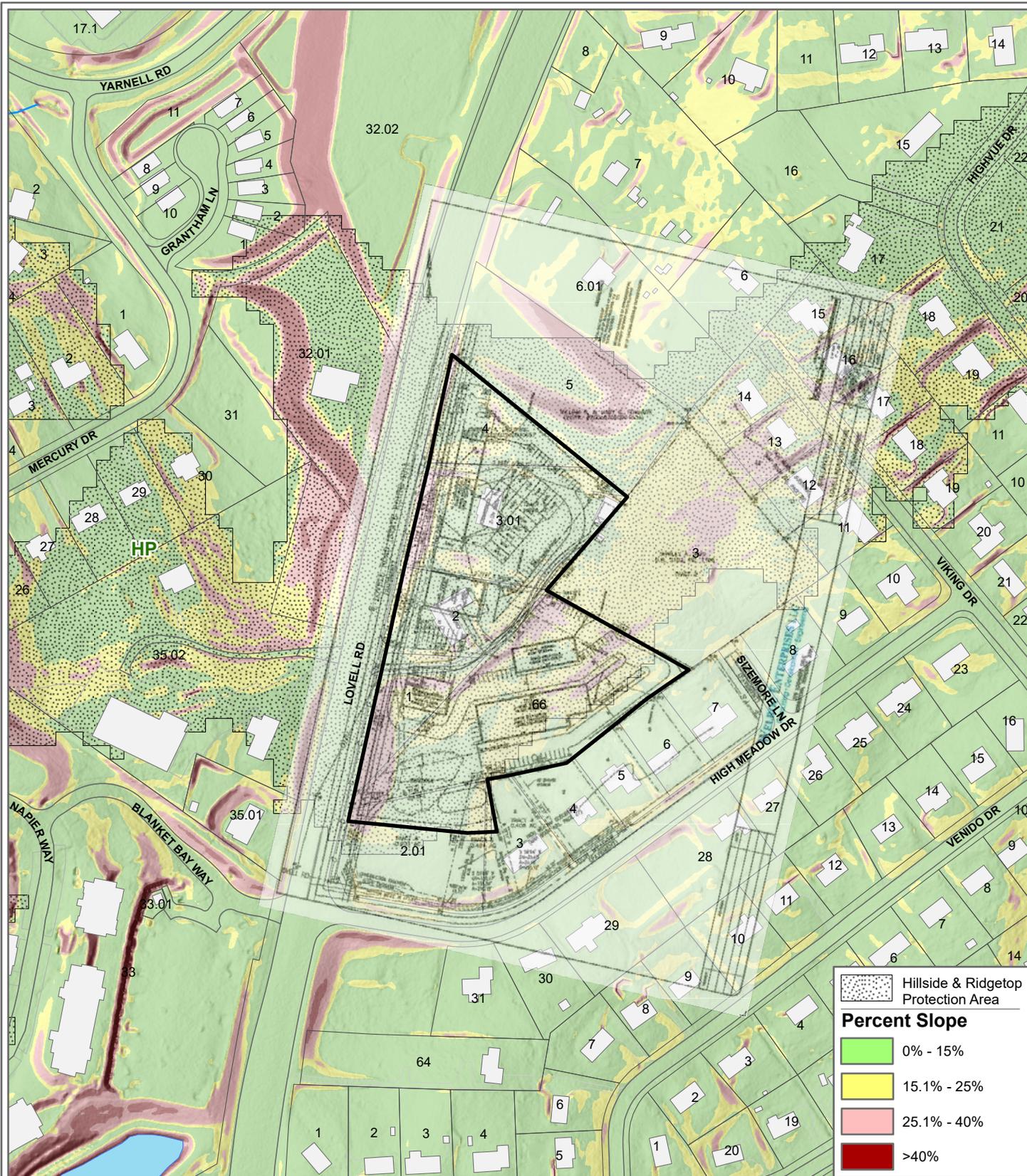


From: PC (Planned Commercial), RA (Low Density Residential), TO (Technology Overlay), and HP (Hillside Protection)
 To:

Map No: 0
 Jurisdiction: County

Original Print Date: 12/22/2021 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





**1-C-22-UR/1-A-22-TOB
SLOPE ANALYSIS**

From: PC (Planned Commercial) / TO (Technology Overlay) & HP (Hillside Protection) & RA (Low Density Residential) / TO
To:



Original Print Date: 12/6/2021
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Mullins, Benjamin C.

Map No: 0
Jurisdiction: County





400 Main Street
Suite 403
Knoxville, TN 37902
P: 865.215.2507
F: 865.215.2237

Addressing Department Review and Comments

File #: 1-C-22-UR
Tax Parcel ID: 118 066 et al
Subdivision: N/A
Owner: David Eubanks
Applicant: Benjamin C Mullins
Company: Frantz, McConnell & Seymour
Email: bmullins@fmsllp.com

Date Submitted: 11/29/21
Review Type: UR
Unit or Phase:
Phone: 865.363.9323
Office: 865.546.9321
Cell:
Fax:

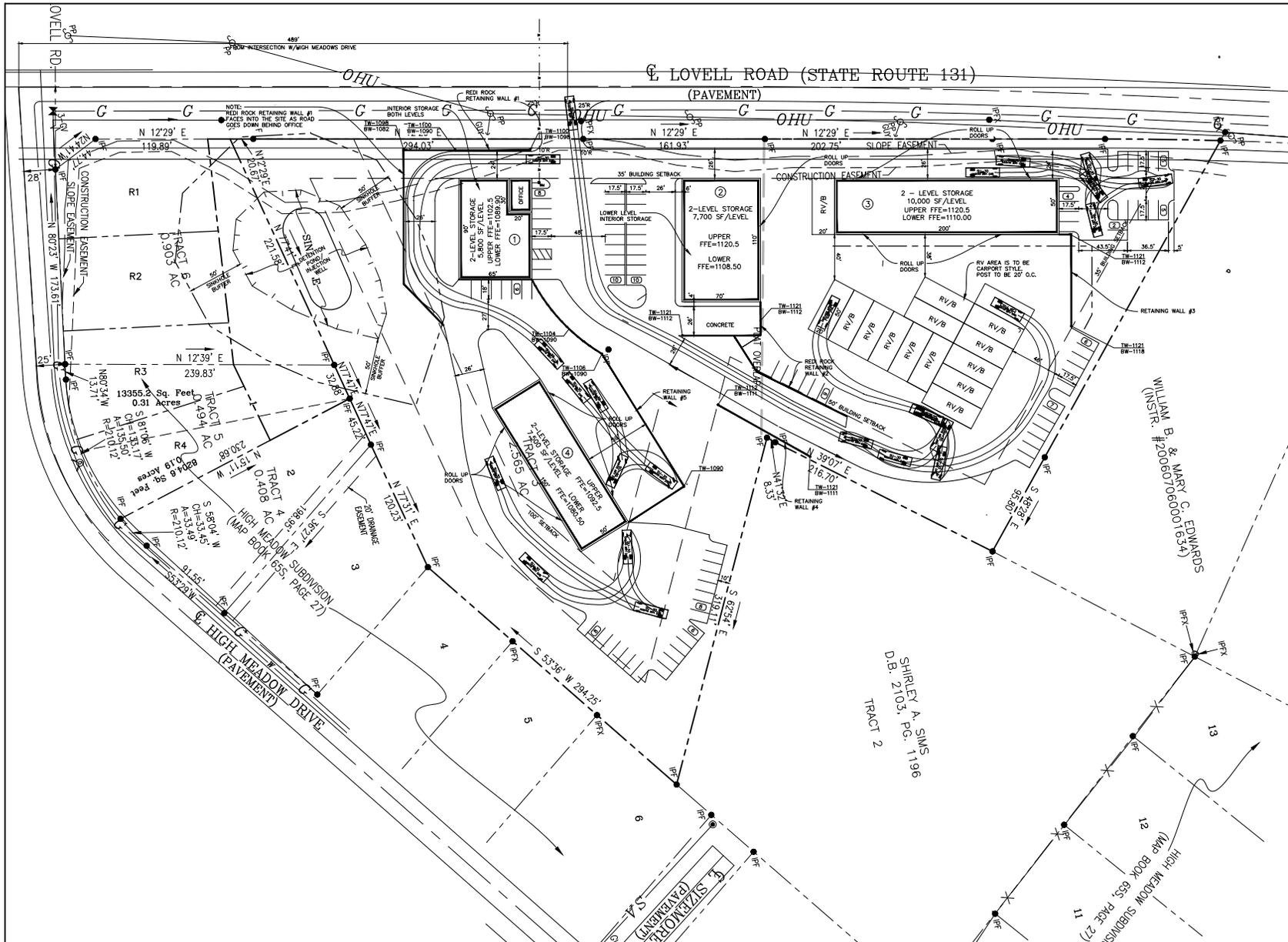
Visit our website: <http://www.knoxplanning.org/addressing> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Pending, Denied, Revise, Note
	If use is approved by Planning Commission, a new address will be assigned for the storage facility.	Note
	Each building will receive separate address for permitting.	Note
	Unresolved addressing issues may delay building permits.	Note
	Approved site plan required for addressing purposes.	Note
	Applicable addressing fee will apply to 5 or more address assignments.	Note
	Contact the Post Office to establish mail service at 865.925.0155	Note

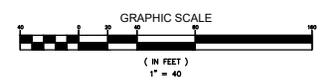
Comments may be modified based on new information from updated plans, field reviews or other agencies.

Andrea Kupfer (865.215.3797) andrea.kupfer@knoxplanning.org	1st Review	Donna Hill (865.215.3872) donna.hill@knoxplanning.org	2nd Review
	12/6/2021		Dec 30, 2021



MAX ALLOWED
FLOOR AREA RATIO (FAR) MAX ALLOWED
IMPERVIOUS AREA RATIO MAX ALLOWED

GENERAL NOTES
 TOTAL SF OF BUILDINGS 62,000 SF
 THE TENNESSEE TECHNOLOGY CORRIDOR PARKING REQUIREMENTS
 2 SPACES/1000 SF MIN TO 3 SPACES/ 1,000 SF MAX
 TOTAL PARKING REQUIRED 124
 TOTAL PROVIDED 127
 SETBACK VARIANCE 50' OFF RESIDENTIAL 35' FRONT SETBACK ON LOVELL ROAD
 30' OF LOADING ACCESS @ OUTSIDE DOORS
 DISTURBED AREA = 182,400 SF



NUMBER	DESCRIPTION OF REVISION	DATE
4	REVISED PER REVIEW COMMENTS	3-31-22
3	REVISED PER REVIEW COMMENTS	2-18-22
2	REVISED PER REVIEW COMMENTS	1-12-22
1	REVISED PER REVIEW COMMENTS	12-20-21
0	ORIGINAL DRAWING RELEASE	10-29-21

WELROC ENTERPRISES LLC
 Consulting • Development • Engineering

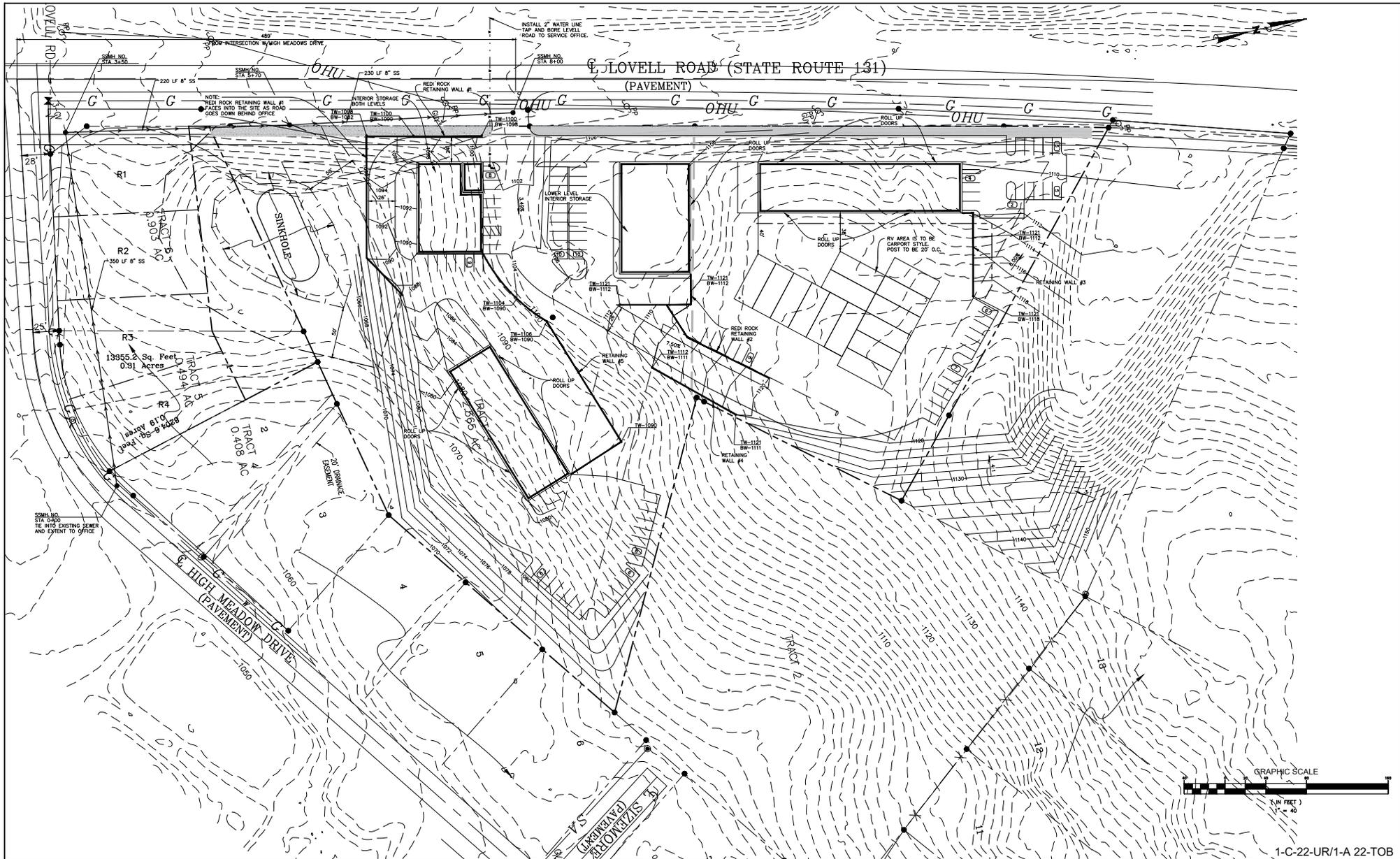
376 LOCHMERE DRIVE
 MORRISTOWN, TENNESSEE, 37814

SITE LAYOUT PLAN
 1-A 22-TOB-STORAGE LOVELL ROAD
 KNOXVILLE, TENNESSEE



SCALE:	1"=40'
DATE:	3/31/22
DRAWN BY:	SH
CHECKED BY:	RC
SHEET:	1 OF 4

1-C-22-UR/1-A 22-TOB



NUMBER	DESCRIPTION OF REVISION	DATE
4	REVISED PER REVIEW COMMENTS	3-31-22
3	REVISED PER REVIEW COMMENTS	2-18-22
2	REVISED PER REVIEW COMMENTS	1-12-22
1	REVISED PER REVIEW COMMENTS	12-20-21
0	ORIGINAL DRAWING RELEASE	10-29-21

WELROC ENTERPRISES LLC
 Consulting • Development • Engineering

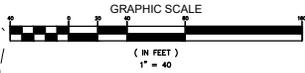
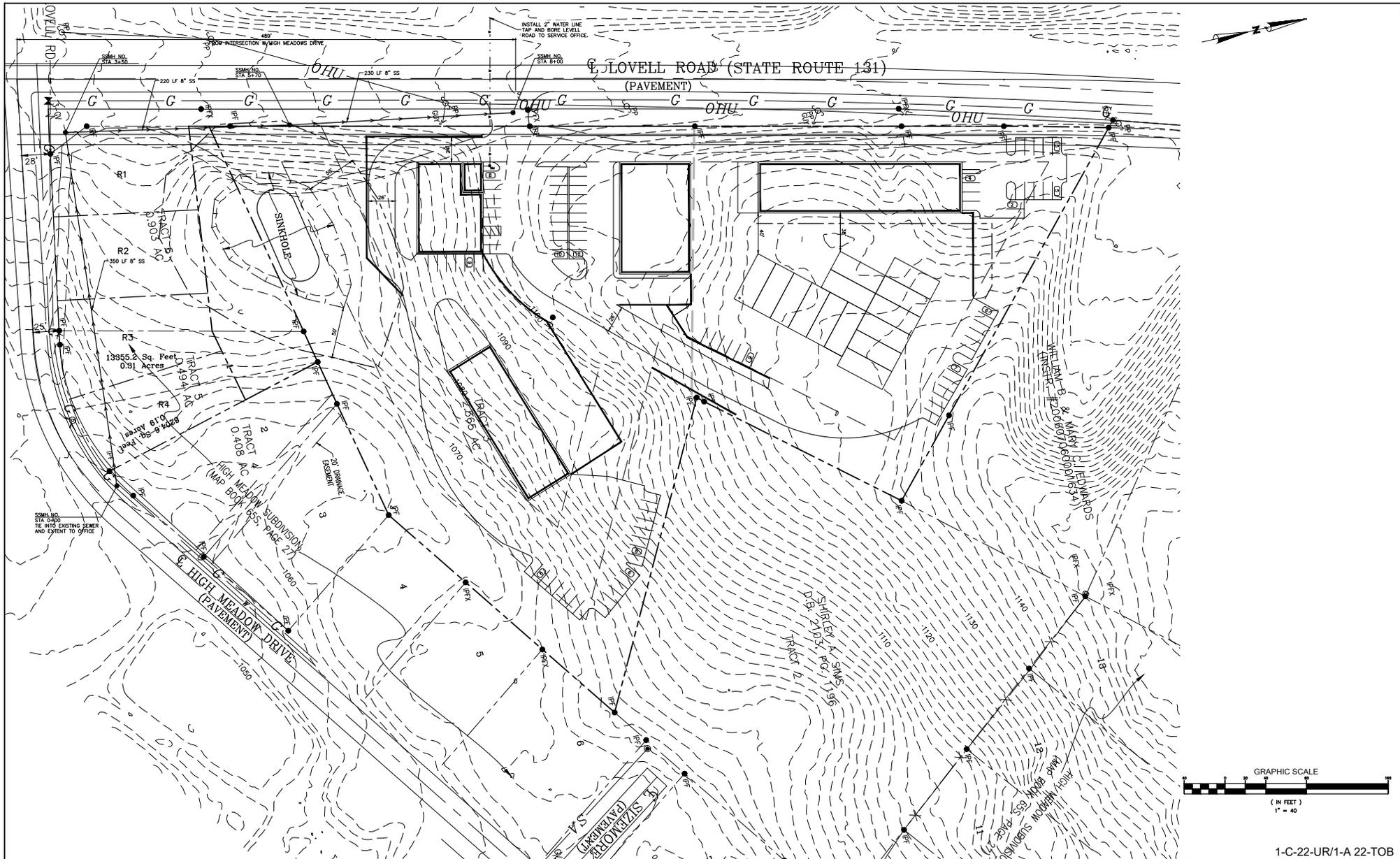
376 LOCHMERE DRIVE
 MORRISTOWN, TENNESSEE, 37814

SITE GRADING PLAN
1-A 22-TOB-STORAGE LOVELL ROAD
KNOXVILLE, TENNESSEE



1-C-22-UR/1-A 22-TOB

SCALE:	1"=40'
DATE:	3/31/22
DRAWN BY:	SH
CHECKED BY:	RC
SHEET:	3 OF 4



NUMBER	DESCRIPTION OF REVISION	DATE
3	REVISED PER REVIEW COMMENTS	2-18-22
2	REVISED PER REVIEW COMMENTS	1-12-22
1	REVISED PER REVIEW COMMENTS	12-20-21
0	ORIGINAL DRAWING RELEASE	10-29-21

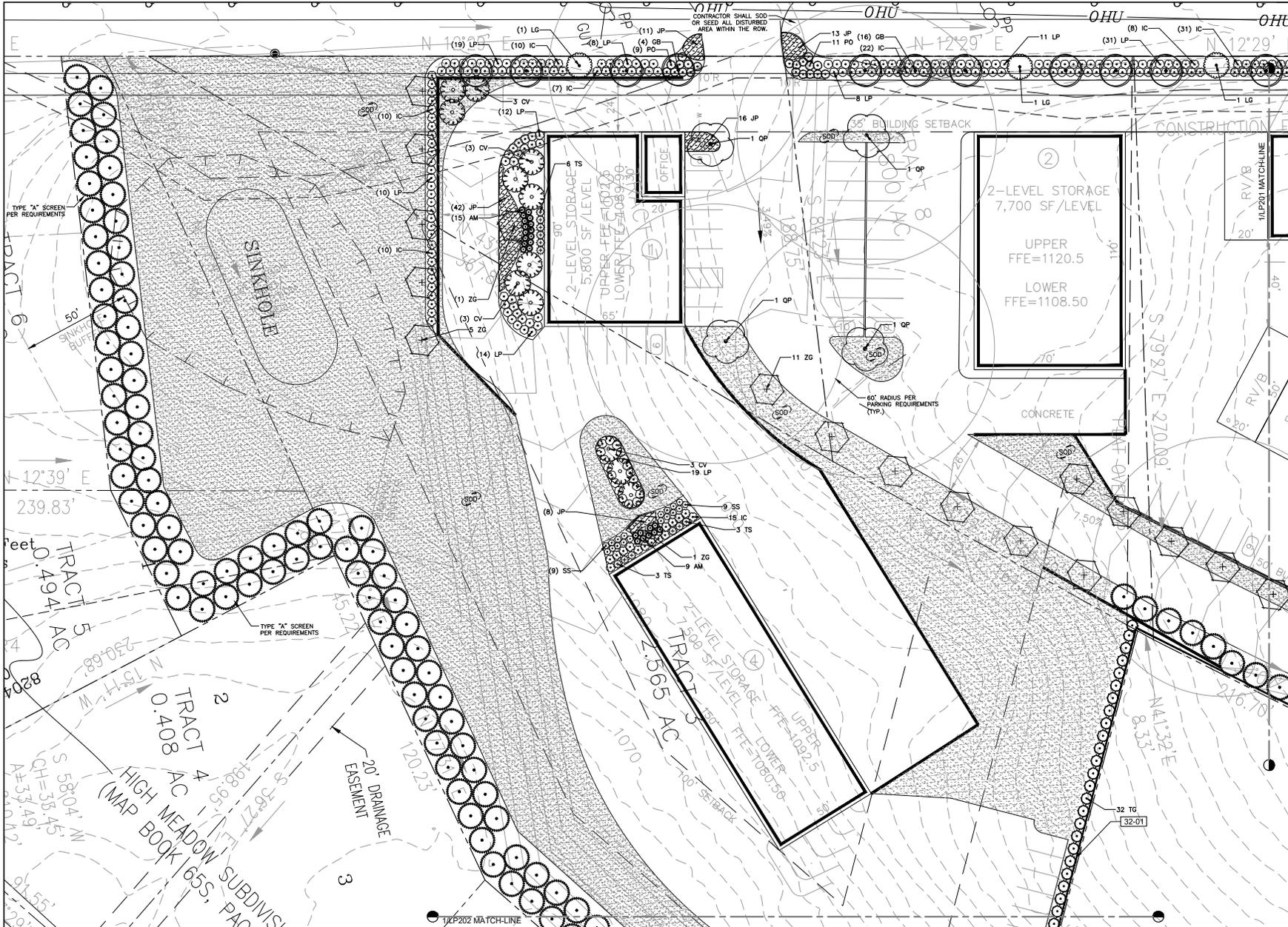
WELROC ENTERPRISES LLC
Consulting • Development • Engineering

376 LOCHMERE DRIVE
MORRISTOWN, TENNESSEE, 37814

SITE UTILITY PLAN
1-A 22-TOB-STORAGE LOVELL ROAD
KNOXVILLE, TENNESSEE



1-C-22-UR/1-A-22-TOB
SCALE: 1"=40'
DATE: 3/31/22
DRAWN BY: SH
CHECKED BY: RC
SHEET: 4 OF 4



1 PLANTING PLAN ENLARGEMENT
Scale: 1" = 20'



NOT
FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN
APPROVED AND ARE SUBJECT
TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Harlin Valley, Tennessee

Revisions	No.	Date	Revisions / Submissions
	01.21.22		REVISED PER CITY COMMENTS
	02.10.22		REVISED PER CITY COMMENTS
	03.03.22		REVISED PER CITY COMMENTS
	03.31.22		REVISED: SITE DATA CALC.; FENCE

© Copyright 2021 WAS Design Inc. These documents and their contents are the property of WAS Design. Any reproductions, revisions, modifications or use of these documents without the express written consent of WAS Design is prohibited by law.

Drawn JS Project Manager LCW Principal 212031-009 Project No. 12.10.21 Date	Registration
---	------------------

Sheet Title

**PLANTING PLAN
ENLARGEMENT**

Sheet No.
LP200



NOT
FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN
APPROVED AND ARE SUBJECT
TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Harlin Valley, Tennessee

No.	Date	Revisions / Submissions
01.21.22		REVISED PER CITY COMMENTS
02.10.22		REVISED PER CITY COMMENTS
03.03.22		REVISED PER CITY COMMENTS
03.31.22		REVISED: SITE DATA CALCS; FENCE

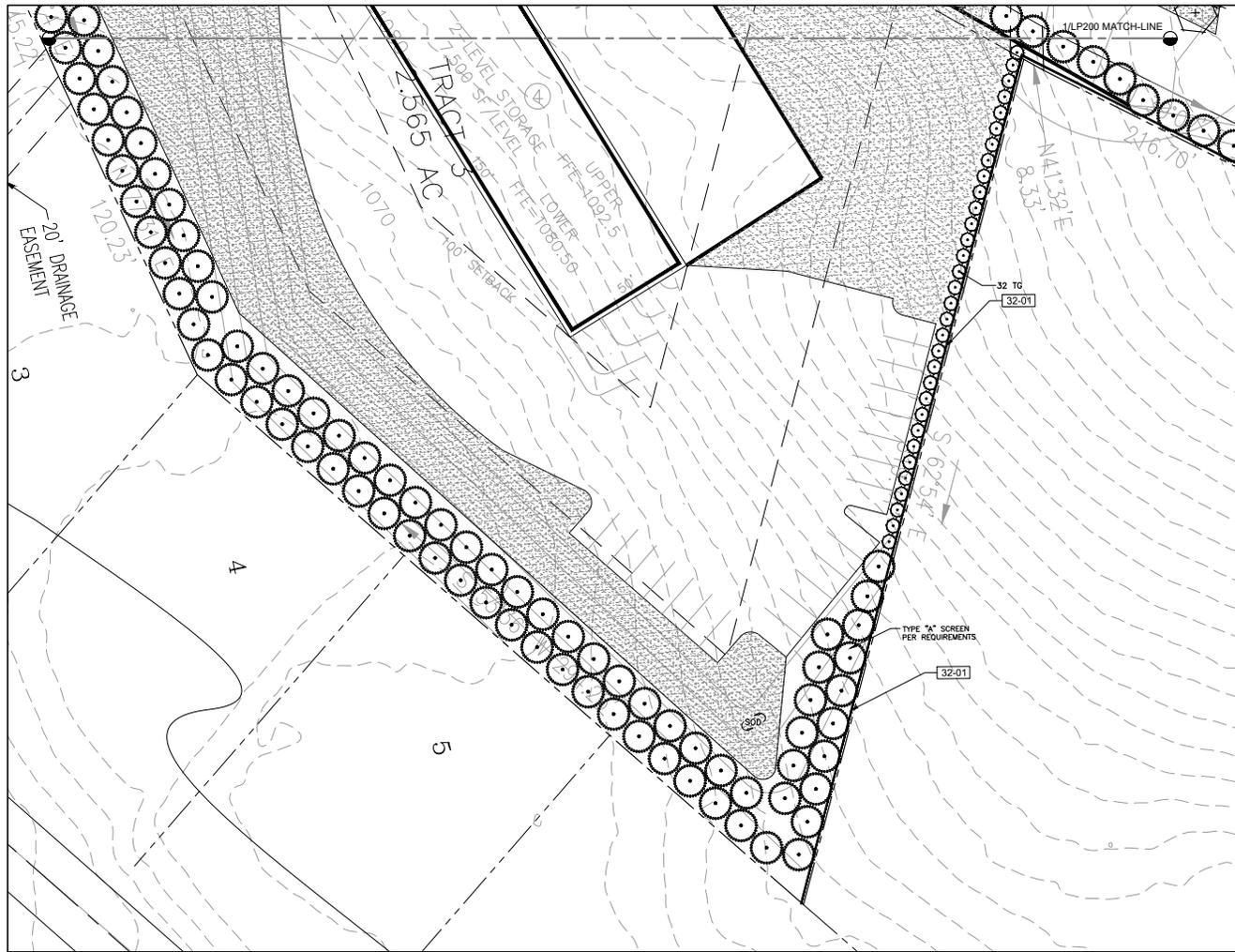
© Copyright 2021 WAS Design Inc. These documents and their contents are the property of WAS Design. Any reproductions, revisions, modifications or use of these documents without the express written consent of WAS Design is prohibited by law.

Registration
JAMES L. ACY
 REGISTERED
 PROFESSIONAL LANDSCAPE ARCHITECT
 2920031-009
 10440/04
 Date

Sheet Title

**PLANTING PLAN
ENLARGEMENT**

Sheet No.
LP202



1 PLANTING PLAN ENLARGEMENT
Scale: 1" = 20'

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	HT	
	CV	18	CHIONANTHUS VIRGINICUS FULL FORM AND SPECIMAN QUALITY	WHITE FRINGETREE	B&B OR CONT		6'	
	CW	201	MAGNOLIA GRANDIFLORA 'CLAUDIA WANNAMAKER' FULL TO GROUND	CLAUDIA W. MAGNOLIA	B&B OR CONT		8'	
	LG	5	MAGNOLIA GRANDIFLORA 'LITTLE GEM' FULL TO GROUND, AND SPECIMAN QUALITY	LITTLE GEM SOUTHERN MAGNOLIA	B&B OR CONT		6'-10"	
	GB	20	MALE GINKGO BILOBA SINGLE STRAIGHT TRUNK AND SPECIMAN QUALITY.	MAIDENHAIR TREE	B&B OR CONT	2"CAL	10'-12" HT	
	QP	10	QUERCUS PHELLOS SPECIMAN QUALITY	WILLOW OAK	B&B OR CONT	2"CAL	10'-12" HT	
	TG	54	THUJA STANDISHII X PLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	15 GAL		8'	
	ZG	21	ZELKOVA SERRATA 'GREEN VASE' SINGLE STRAIGHT TRUNK, SPECIMAN QUALITY AND FULL FORM	GREEN VASE SAWLEAF ZELKOVA	B&B OR CONT	2"CAL	10'-12" HT	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT	W	SPACING
	IC	161	ILEX CORNUTA 'CARISSA' FULL FORM	CARISSA CHINESE HOLLY	3 GAL			48" o.c.
	SS	18	ITEA VIRGINICA 'HENRY'S GARNET' FULL FORM	HENRY'S GARNET SWEETSPICE	3 GAL			36" o.c.
	LP	214	LOROPETALUM CHINENSE 'PURPLE DIAMOND' FULL FORM	PURPLE DIAMOND LOROPETALUM	3 GAL			48" o.c.
	AM	44	MISCANTHUS SINENSIS 'ADAGIO' FULL FORM	ADAGIO MISCANTHUS	3 GAL			36" o.c.
	PO	20	PRUNUS LAUROCERASUS 'OTTO LUYKEN' FULL FORM	LUYKENS LAUREL	3 GAL			48" o.c.
	TS	12	THUJA OCCIDENTALIS 'SMARAGO' FULL FORM AND SPECIMAN QUALITY	EMERALD GREEN ARBORVITAE	7 GAL			48" o.c.
SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT	W	SPACING
	JP	90	JUNIPERUS CHINENSIS 'PARSONI' FULL FORM	PARSONI JUNIPER	3 GAL			36" o.c.
SOD/SEED	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HT		
	SOD	70,901 SF	CYNODON DACTYLON 'TIFWAY 419'	TIFWAY 419 BERMUDA GRASS	SOD			

QUANTITY TAKEOFF DISCLAIMER:
QUANTITIES NOTED ON PLANS ARE OFFERED AS A CONVENIENCE TO THE CONTRACTOR FOR BID PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.

REFERENCE NOTES SCHEDULE

SYMBOL	32 EXTERIOR IMPROVEMENTS DESCRIPTION	QTY	DETAIL
	8' WOODEN FENCE	963 LF	7/LP500

Knox County Landscape Requirements

SITE INFORMATION:

TOTAL SITE AREA:
289,763 SF or 6.65 AC
Parking Spaces: 58 Spaces

Site Requirements:

10 Large Trees per 1 AC of yard space
Total Yard Space: 125,064 SF or 2.87 AC
Large Trees Required: 29 Trees
Large Trees Proposed: 29 Trees

Parking Requirements

5% of parking area shall be plant beds
Total Parking Area: 47,432 SF
Required Plant Bed Area: 2372 SF
Proposed Plant Bed Area: 7,583 SF

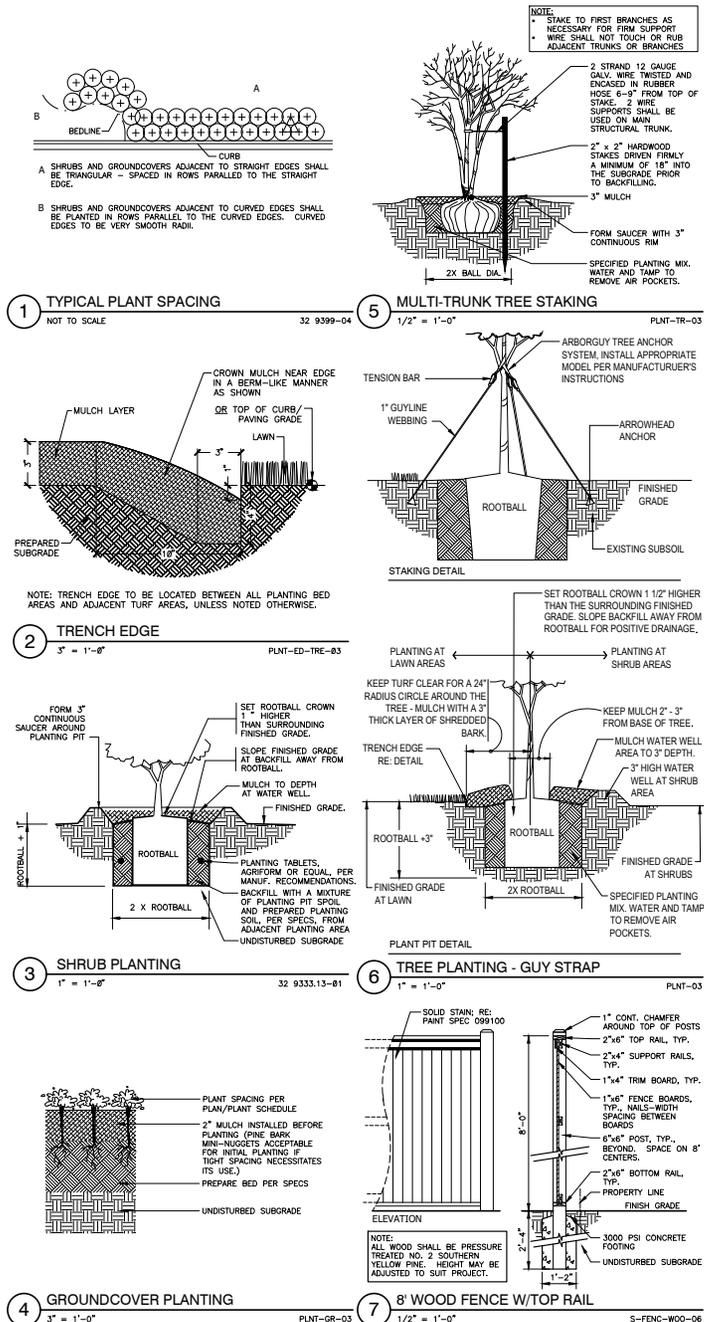
1 Large Tree per 10 Spaces
Parking Lot Trees Req.: 6 Trees
Proposed Parking Lot Trees: 9 Trees

25% of new trees shall be evergreen

Total Trees: 322 Trees
Total Evergreens: 254 Trees or 79%

Shall be approximately equal numbers of Large, Small and Medium Trees

Total Large Trees: 29 Trees
Total Med. Trees: 21 Trees
Total Small Trees: 18 Trees



NOT FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN APPROVED AND ARE SUBJECT TO CHANGE.

NOT FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN APPROVED AND ARE SUBJECT TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Hardin Valley, Tennessee

Revisions

No.	Date	Revisions / Submissions
01.21.22		REVISED PER CITY COMMENTS
02.10.22		REVISED PER CITY COMMENTS
03.03.22		REVISED PER CITY COMMENTS
03.31.22		REVISED: SITE DATA CALC'S, FENCE

Copyright 2021 WAS Design Inc. These documents and their contents are the property of WAS Design. Any reproduction, revision, modification or use of these documents without the express written consent of WAS Design is prohibited by law.

Registration

2020
2020-1 Manager
2020-1-009
2020-01

Date

Sheet Title

LANDSCAPE PLANTING DETAILS

Sheet No.
LP500

LUMINAIRE SCHEDULE

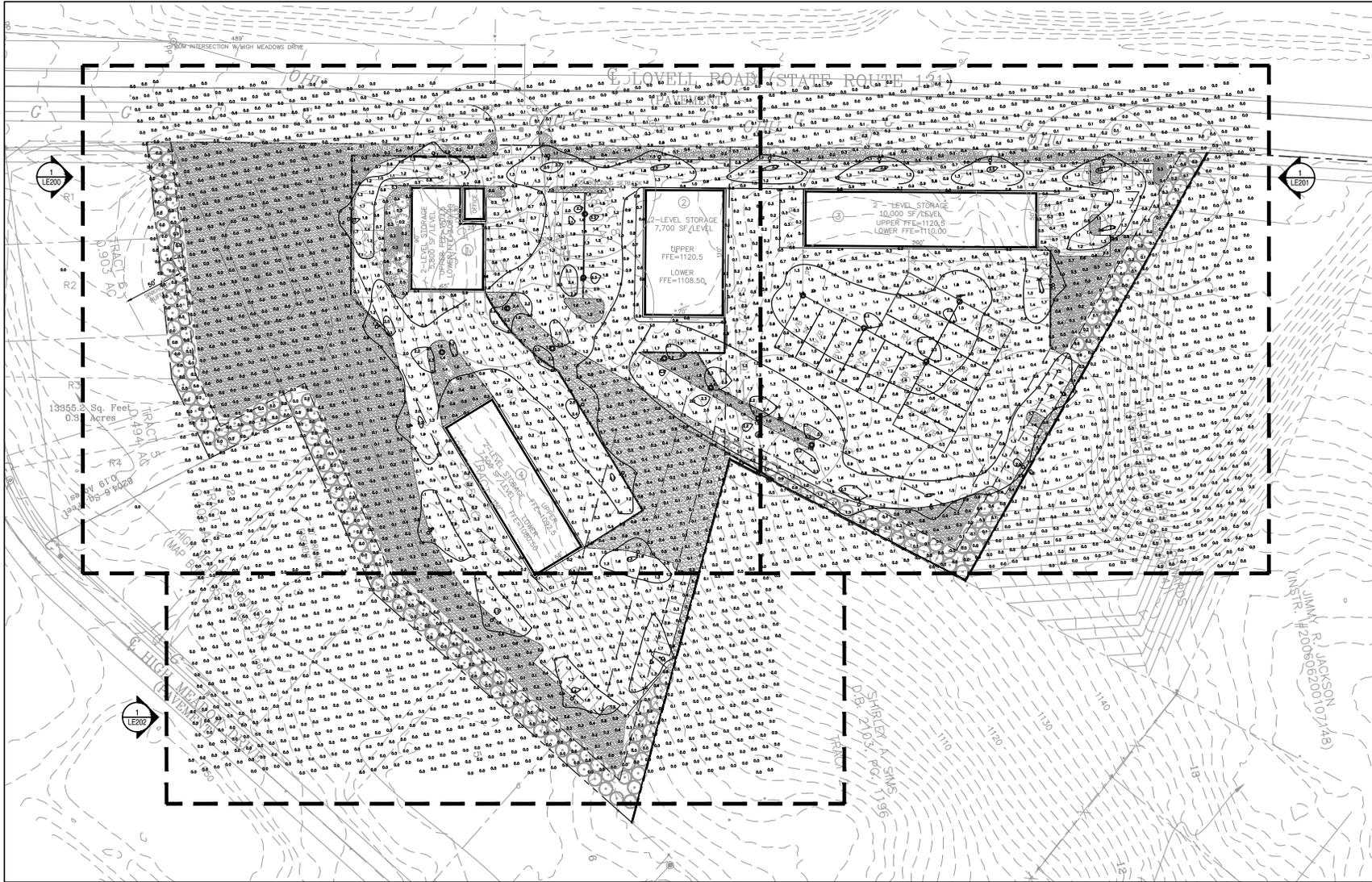
CALLOUT	SYMBOL	LAMP	DESCRIPTION	BALLAST	MOUNTING	MODEL	VOLTS	NOTE 3	QUANTITY	DEFAULT ELEVATION
P1	⊙*	(1)	LSO-M-T3-5L-3K-PTD-CLS	ELECTRONIC	POLE	Visionaire Lighting LLC	120V 1P 2W	Visionaire Lighting Photometric Laboratory, 08/28/2020, 06/17/20, 5058, 120 VAC, 52W, 81-U3-52	24	20'
P2	⊙	(1)	LSO-M-T5-10L-3K-PTD	ELECTRONIC	POLE	Visionaire Lighting LLC	120V 1P 2W	Visionaire Lighting Photometric Laboratory, 10/28/2020, 06/25/20, 8821, 120 VAC, 67.28W, 83-U0-63	13	20'

STRUCTURAL ENGINEERING NOTE

STRUCTURAL ENGINEERING DESIGN IS NEITHER EXPRESSED NOR IMPLIED IN THIS DRAWING. STRUCTURAL ENGINEERING DESIGN RESPONSIBILITY IS DELEGATED TO THE CONTRACTOR, AND SHALL BE DONE BY A PROFESSIONAL ENGINEER OR OTHER QUALIFIED PROFESSIONAL AS REQUIRED FOR CODE COMPLIANCE, PERMITTING, ETC.

LIGHTING NOTE:

ALL LIGHT FIXTURES NEAR PROPERTY LINE TO HAVE CUTOFF LOUVER SHIELD TO MINIMIZE LIGHT SPILLAGE ONTO ADJACENT PROPERTIES.



1 SITE LIGHTING PLAN
Scale: 1" = 40'



NOT FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN APPROVED AND ARE SUBJECT TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Harbin Valley, Tennessee

Revisions

No.	Date	Revisions / Submissions
01.21.22		REVISED PER CITY COMMENTS
02.10.22		REVISED PER CITY COMMENTS
03.03.22		REVISED PER CITY COMMENTS
03.31.22		REVISED: SITE DATA CALC.; FENCE

© Copyright 2021 WAS Design Inc. These documents and their contents are the property of WAS Design. Any reproductions, revisions, modifications or use of these documents without the express written consent of WAS Design is prohibited by law.

BH
Drawn
DCT
Project Manager
JA
Principal
212031-009
Project No.
12.10.21
Date

Registration
JAMES L. JACKSON
REGISTERED
LANDSCAPE ARCHITECT
STATE OF TENNESSEE
LICENSE NO. 20060200107468

Sheet Title

SITE LIGHTING PLAN

Sheet No.
LE100



NOT
FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN
APPROVED AND ARE SUBJECT
TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Harbin Valley, Tennessee

No.	Date	Revisions / Submissions
01.21.22		REVISED PER CITY COMMENTS
02.10.22		REVISED PER CITY COMMENTS
03.03.22		REVISED PER CITY COMMENTS
03.31.22		REVISED: SITE DATA CALC'S; FENCE

© Copyright 2021 WAS Design Inc. These documents and their contents are the property of WAS Design. Any reproductions, revisions, modifications or use of these documents without the express written consent of WAS Design is prohibited by law.

EH Drawn DCT Project Manager JA Principal 212031-009 Project No. 12.10.21 Date	Registration 
---	---

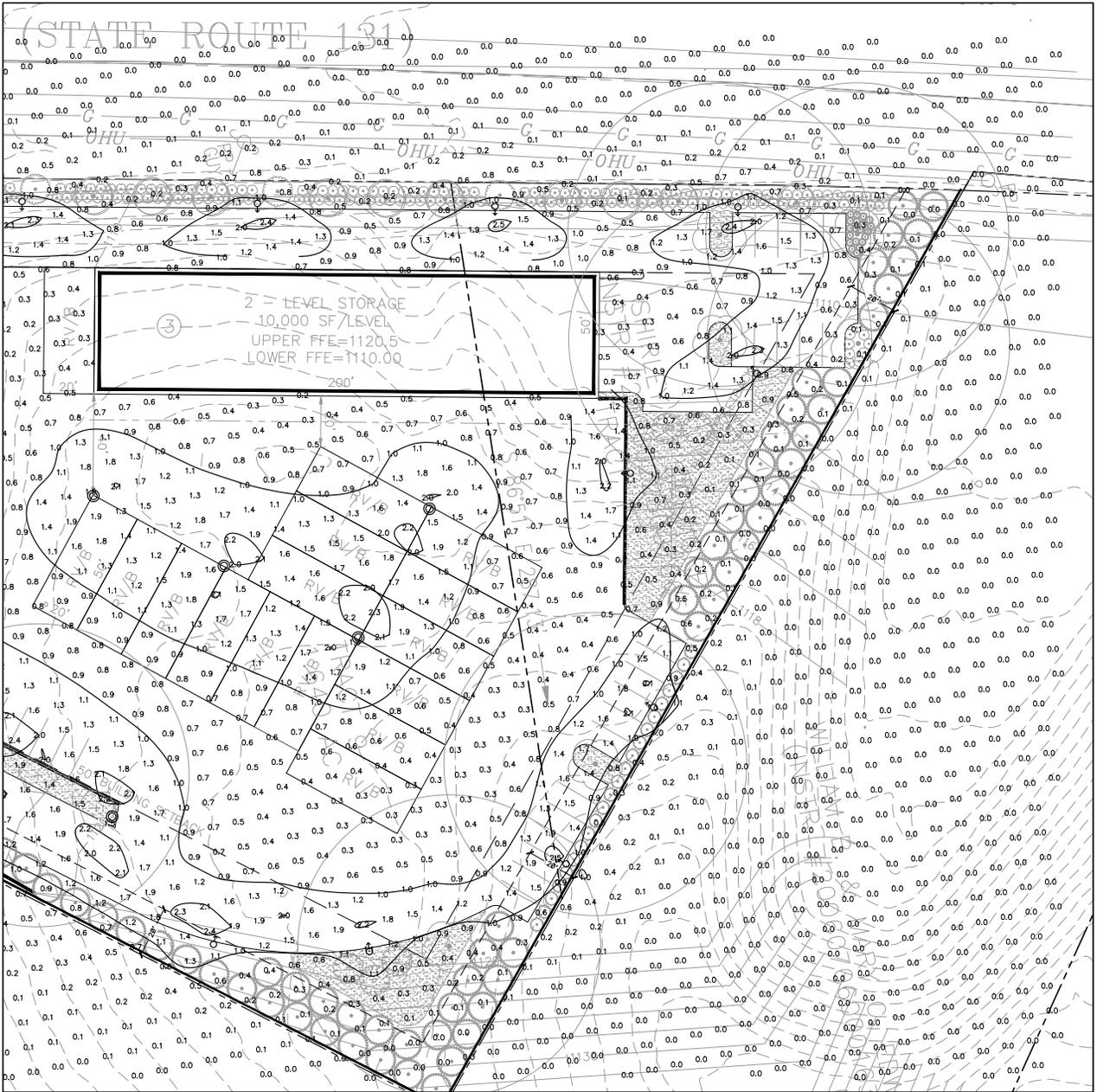
**SITE LIGHTING PLAN
ENLARGEMENT**

Sheet No. **LE200**



1 SITE LIGHTING PLAN ENLARGEMENT
Scale: 1" = 20'





1 SITE LIGHTING PLAN ENLARGEMENT
Scale: 1" = 20'



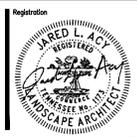
NOT
FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN
APPROVED AND ARE SUBJECT
TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Harbin Valley, Tennessee

Revisions	No.	Date	Revisions / Submissions
	01.21.22		REVISED PER CITY COMMENTS
	02.10.22		REVISED PER CITY COMMENTS
	03.03.22		REVISED PER CITY COMMENTS
	03.31.22		REVISED: SITE DATA CALC'S; FENCE

© Copyright 2021 WAS Design Inc. These documents and their contents are the property of WAS Design. Any reproductions, revisions, modifications or use of these documents without the express written consent of WAS Design is prohibited by law.

BH
Drawn
DCT
Project Manager
JA
Principal
212031-009
Project No.
12.10.21
Date



Sheet Title

**SITE LIGHTING PLAN
ENLARGEMENT**

Sheet No.

LE201



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Benjamin C. Mullins

Applicant

Applicant Name

Affiliation

November 29, 2021

January 13, 2022

File Number(s)

Date Filed

Meeting Date (if applicable)

1-C-22-UR

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street

Knoxville

TN

37902

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

David Eubanks

1049 Bird RD. Lenoir City, TN 37771

865-363-9323

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

Multiple Parcels (see attached info sheet)

Multiple Parcels (see attached info sheet)

Property Address

Parcel ID

FUD

FUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

North of High Meadow Dr., East of Lovell Rd., South of Bob Gray Rd.

+/- 7.77 acres

General Location

Tract Size

6

PC/TO & HP; RA/TO & HP

Agriculture/forestry/Vacant

City County

District

Zoning District

Existing Land Use

Northwest County

MU-SD NWCO-4

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) Self-storage and residential

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number
 Combine Parcels
 Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review
 Planning Commission

ATTACHMENTS

- Property Owners / Option Holders
 Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1	Total
0401 1500.00	
Fee 2	
Fee 3	
	\$1500.00

AUTHORIZATION



Applicant Signature

865-546-9321

Phone Number

Benjamin C. Mullins

Please Print

bmullins@fmsllp.com

Email

11-29-2021

Date

- see next page -

Property Owner Signature

David Eubanks

Please Print

11-29-2021

Date

11/29/2021 MMP sum

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

- Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

Fee 3

AUTHORIZATION

Larry D. Eubanks
Applicant Signature

Larry D. Eubanks
Please Print

Date

865-693-9323
Phone Number

Email

Larry D. Eubanks
Property Owner Signature

Please Print

Date

Benjamin C. Mullins Use on Review and TTCD Application
CURRENT PROPERTY INFO – SUPPLEMENTAL SHEET

I.	<u>1308 Lovell Rd</u>	<u>118HC004</u>	<u>+/- 0.7 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
II.	<u>1304 Lovell Rd</u>	<u>118HC00301</u>	<u>+/- 1.66 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>MF</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
III.	<u>1232 Lovell Rd</u>	<u>118HC002</u>	<u>+/- 0.8 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>SFR</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
IV.	<u>0 Lovell Rd</u>	<u>118HC001</u>	<u>+/- 0.6 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
V.	<u>0 High Meadow Dr.</u>	<u>118IF00201</u>	<u>+/- 1.21 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>RA/TO, PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
VI.	<u>0 Lovell Rd</u>	<u>118 066</u>	<u>+/- 2.8 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use

THIS INSTRUMENT PREPARED BY:	CLT MAP	GROUP	PARCEL NO
Knox County Law Director	118	HC	001
400 Main Street, Ste. 612	118	HC	002
Knoxville, Tennessee 37902	118	HC	00301
	118	HC	004
	118		066
	118	IF	00201

BEFORE THE KNOX COUNTY BOARD OF ZONING APPEALS

IN RE: Applicant: Ben Mullins	<i>5.33.05 PC Planned Commercial/Periphery</i>
County Commission District 6	Request for Variance
1308 Lovell Road	Parcel ID: 118HC001
1304 Lovell Road	Parcel ID: 118HC002
1232 Lovel Road	Parcel ID: 118HC301
0	Parcel ID: 118HC004
0 Lovell Road	Parcel ID: 118 066
0 High Meadow Drive	Parcel ID: 118 IF 00201
Application Date 10/18/2021	Agenda Date: 10/27/2021
Deed References: 202011030036801	Deed References: 200701290061055
Deed References: 201809210018987	Item 4f.

ORDER

This matter came to be heard in a public hearing on October 27, 2021, before the Knox County Board of Zoning Appeals upon application of the Applicant, Ben Mullins respecting property at 1308 Lovell Road, Knoxville, Tennessee 37932, requesting a variance of Knox County Zoning Ordinance *5.33.05 PC Planned Commercial/Periphery boundary* requirement to require buildings to be set back at least fifty (50) feet from any peripheral boundary of the project, or any public street or road existing prior to the Planned Commercial Zone to thirty-five (35) feet.

Based upon the entire record from all of which the Board finds that:

(1) Proper legal and written notice of the public hearing has been complied with as set forth in the Zoning Ordinance for Knox County, Tennessee as Amended through January 23, 1995 (hereafter "Zoning Ordinance").

(2) A portion of this property was recently rezoned to Planned Commercial, and it remains in the Technology Corridor Overlay.

(3) This was a request for a reduction of the peripheral boundary of the project along Lovell Road from fifty (50) feet to thirty-five (35) feet in the Planned Commercial Zone.

(4) The Board found that applicant carried their burden of demonstrating pursuant T.C.A. § 13-7-109(3), and Knox County Ordinance 6.60.03 and .04, by reason of exceptional narrowness, topography or siting and other exceptional physical conditions of his property, that special circumstances or conditions exist whereby strict application would result in practical difficulty or unnecessary hardship which would deprive the owner of the reasonable use of their land.

This request for a variance covers an assemblage of parcels of vacant land of a proposed and possible commercial development fronting Lovell Road. This request only requests a variance on the front of the property along the frontage of Lovell Road. There are a number of exceptional topographic, siting or other exceptional physical conditions of this property. The property slopes significantly of at least 30 feet from the rear to the front. In addition to the steepness, there are sinkholes on the properties. The rear boundary lines of the properties are in a "sawtooth" pattern with neighboring residential area to the rear. By allowing the commercial development within 35 feet of Lovell Road, it not only allows the commercial buildings to avoid being built in the steep and sinkholes portions of the properties, but it also allows the property owner to maintain as much as possible and as may be required a vegetative buffer zone between this commercial development and the neighboring residential homes to the rear of the property.

There was no opposition.

The aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land. This

variance granted of 15 feet from 50 to 35 feet will avoid practical difficulties or unnecessary hardships in carrying out the strict letter of this ordinance. The granting of this variance is in harmony with the general purposes and intent of this ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development. This slight variance is the minimum variance needed, will not be contrary to the public interest and by approving the variances substantial justice will be done.

It is therefore ORDERED that applicant's request for a variance is approved.

Motion by: Ms. Kerr Second by: Mr. Anderson

Ayes: (8) Ms. Patricia Williams, Mr. Corcoran, Mr. Ashley Williams, Mr. Anderson, Ms. Kerr, Mr. Hardin, Ms. Longmire, & Mr. Dykes

Nays: (0)

Absent: (1) Ms. Rowe

ENTERED THIS 17th DAY OF NOVEMBER, 2021.

KNOX COUNTY BOARD OF ZONING APPEALS



Chairman

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been forwarded to counsel for the plaintiff via U.S. mail, postage pre-paid to

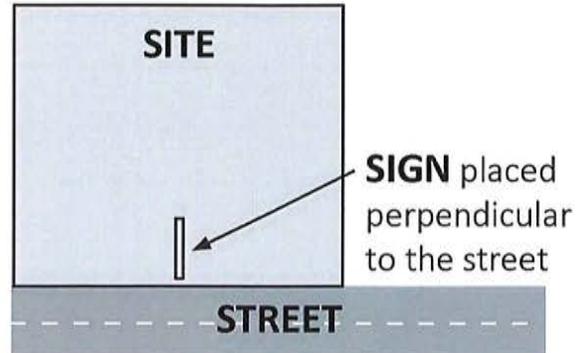
Benjamin C. Mullins
Frantz, McConnell & Seymour, LLP
550 W. Main Street
Knoxville, Tennessee 37902

This 17th day of November, 2021.



J. Myers Morton, Knox County Deputy Law Director

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

12/29/2021 and 1/13/2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ben Mullins

Date: 11/29/2021

File Number: 1-C-22-UR

- Sign posted by Staff
- Sign posted by Applicant