



# PLAN AMENDMENT REPORT

▶ **FILE #:** 4-M-22-SP

**AGENDA ITEM #:** 31

**AGENDA DATE:** 4/14/2022

▶ **APPLICANT:** TENNESSEE AUTO SALVAGE & RECYCLING INC.  
**OWNER(S):** 4912 Rutledge Pike

**TAX ID NUMBER:** 71 H B 003 [View map on KGIS](#)

**JURISDICTION:** Council District 4

**STREET ADDRESS:** 4912 Rutledge Pk.

▶ **LOCATION:** South side of Rutledge Pike, due east of N. Burns Road

▶ **APPX. SIZE OF TRACT:** 4.48 acres

**SECTOR PLAN:** East City

**GROWTH POLICY PLAN:** Urban Growth Area (Inside City Limits)

**ACCESSIBILITY:** Access is via Rutledge Pike, a major arterial, with a pavement width of 43-ft within a right-of-way of 112-ft.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Love Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LI (Light Industrial) & HP (Hillside Protection) /

▶ **PROPOSED PLAN DESIGNATION:** HI (Heavy Industrial) & HP (Hillside Protection)

▶ **EXISTING LAND USE:** Rural residential

**EXTENSION OF PLAN DESIGNATION:** No

**HISTORY OF REQUESTS:** None noted.

**SURROUNDING LAND USE AND PLAN DESIGNATION:** North: Commercial / LI (Light Industrial) & HP (Hillside Protection)

South: Right-of-Way / ROW (Right-of-Way)

East: Commercial / LI (Light Industrial) & HP (Hillside Protection)

West: Transportation/communications/utilities, Single family residential / LI (Light Industrial) & HP (Hillside Protection)

**NEIGHBORHOOD CONTEXT** This is an older industrial area adjacent to the I-640 and I-40 right-of-way along Rutledge Pike.

## STAFF RECOMMENDATION:

▶ **Approve the sector plan amendment to HI (Heavy Industrial) and HP (Hillside Protection) for the area shown in the Exhibit C map because it is consistent with the surrounding development.**

**COMMENTS:**

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Though there have been no significant changes in this area, the subject property is adjacent to older existing industrial areas and the interstate right-of-way, and an existing salvage yard.
2. Existing single family residential homes are adjacent to the southeastern portion of the property, therefore, staff is limiting the recommended area for plan amendment.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

- 1) Adequate roads and utilities are available to make development of the site feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

- 1) There is no obvious or significant error or omission in the sector plan related to the subject property, however, this area also meets the location criteria for HI land use classification, when limited to the portion of the property not abutting single family residential uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

- 1) There are no new trends in development that warrant reconsideration of the original plan proposal.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2022 and 5/31/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-X-22-RZ **AGENDA ITEM #:** 31  
4-E-22-PA **AGENDA DATE:** 4/14/2022

▶ **APPLICANT:** TENNESSEE AUTO SALVAGE & RECYCLING INC.  
**OWNER(S):** 4912 Rutledge Pike

**TAX ID NUMBER:** 71 H B 003 [View map on KGIS](#)

**JURISDICTION:** Council District 4

**STREET ADDRESS:** 4912 Rutledge Pk.

▶ **LOCATION:** South side of Rutledge Pike, due east of N. Burns Road

▶ **TRACT INFORMATION:** 4.48 acres.

**SECTOR PLAN:** East City

**GROWTH POLICY PLAN:** Urban Growth Area (Inside City Limits)

**ACCESSIBILITY:** Access is via Rutledge Pike, a major arterial, with a pavement width of 43-ft within a right-of-way of 112-ft.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Love Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial) & HP (Hillside Protection) / I-G (General Industrial) / HP (Hillside Protection Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** HI (Heavy Industrial) & HP (Hillside Protection) / I-H (Heavy Industrial) / HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Rural residential

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted.

**SURROUNDING LAND USE, PLAN DESIGNATION,** North: Commercial / LI (Light Industrial) & HP (Hillside Protection) / I-G (General Industrial) & HP (Hillside Protection)

**ZONING** South: Right-of-Way / ROW (Right-of-Way) / ROW (Right-of-Way)

East: Commercial / LI (Light Industrial) & HP (Hillside Protection) / I-G (General Industrial) & HP (Hillside Protection)

West: Transportation/communications/utilities, Single family residential / LI (Light Industrial) & HP (Hillside Protection) / I-G (General Industrial) & HP (Hillside Protection)

**NEIGHBORHOOD CONTEXT:** This is an older industrial area adjacent to the I-640 and I-40 right-of-way along Rutledge Pike.

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**STAFF RECOMMENDATION:**

- ▶ **Approve the One Year Plan amendment to HI (Heavy Industrial) and HP (Hillside Protection) for the area shown in the Exhibit C map because it is consistent with the surrounding development.**
  
- ▶ **Approve I-H (Heavy Industrial) and HP (Hillside Protection Overlay) zoning for the area shown in the Exhibit C map because it is consistent with the surrounding development.**

**COMMENTS:**

ONE YEAR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

**AN ERROR IN THE PLAN:**

1. There does not appear to be an error in the plan, however, this location also meets the criteria for the Heavy Industrial land use classification.
2. When the 2020 zoning map was adopted the rear portion of the property adjacent to existing single family residential homes had a more intensive zone district. This staff recommended area for rezoning to I-H limits it to the portion of the property not abutting existing single family residential to provide additional protection to the adjacent properties.

**A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:**

1. Though there have been no significant infrastructure changes in this area, the subject property is adjacent to older existing industrial areas and the interstate right-of-way.

**A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:**

1. There has been no change in public policy that would trigger the need for a plan amendment, however, HI land use classifications are generally located in older industrial areas, such as this area of Rutledge Pike.

**NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:**

1. No new information has become available to reveal the need for a plan amendment, however, this location meets the criteria for the HI land use classification, when limited to the portion of the property not abutting single family residential uses.

**PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:**

**THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:**

1. This area along Rutledge Pike adjacent to the interstate right-of-way continues to be a mix of heavy and industrial uses.
2. The subject property is adjacent to an existing salvage yard operation and surrounded by industrial uses and zoning, however, the southern portion of the property abuts single family residential uses on the west side.

**THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:**

1. The I-H zone district permits uses and special uses that typically include outdoor storage and related outdoor activities.
2. The I-H zone limited to the portion of the property not adjacent to single family residential homes provides additional buffering from heavy industrial activities.

**THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.**

1. This is an older industrial area with existing outdoor storage on many of the properties along Rutledge Pike adjacent to the interstate right-of-way.
2. This area is already an industrial area and surrounded by industrial zoned properties, however, single family residential is located on the rear portion of the property, so staff recommends a reduced area for the I-H zone

district.

3. No adverse effects are expected from this rezoning to I-H, particularly as the expansion of a salvage yard at this location is required to go through the special use approval process and will be required to meet the principal use standards, requiring screening of the operation.

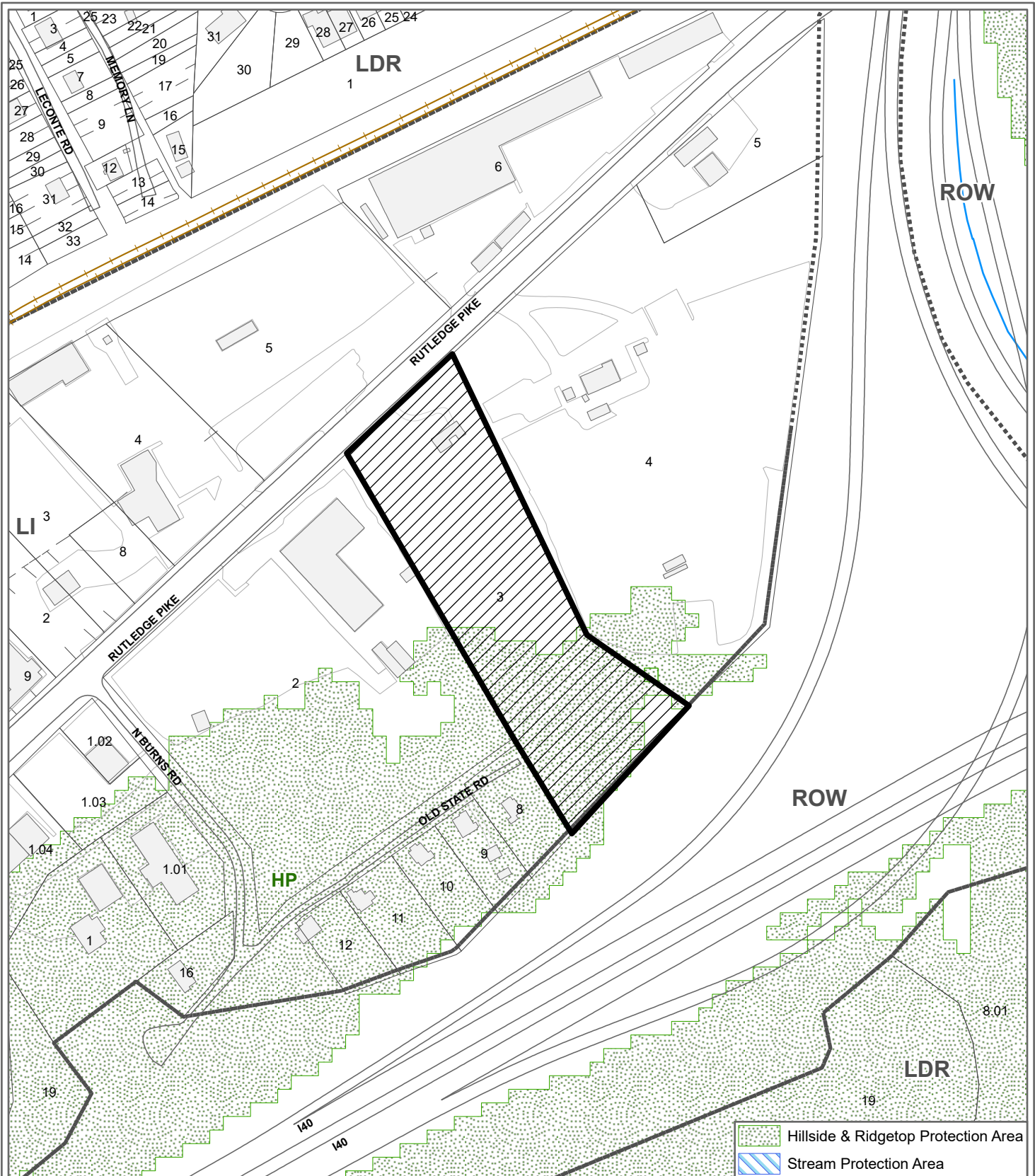
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed rezoning is compatible with the recommended One Year Plan amendment to HI (Heavy Industrial) & HP (Hillside Protection) & Sector Plan amendment to HI (Heavy Industrial) & HP (Hillside Protection) and is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2022 and 5/31/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**4-M-22-SP  
EAST CITY SECTOR PLAN AMENDMENT**

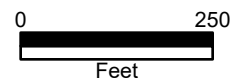
From: LI (Light Industrial)  
To: HI (Heavy Industrial)

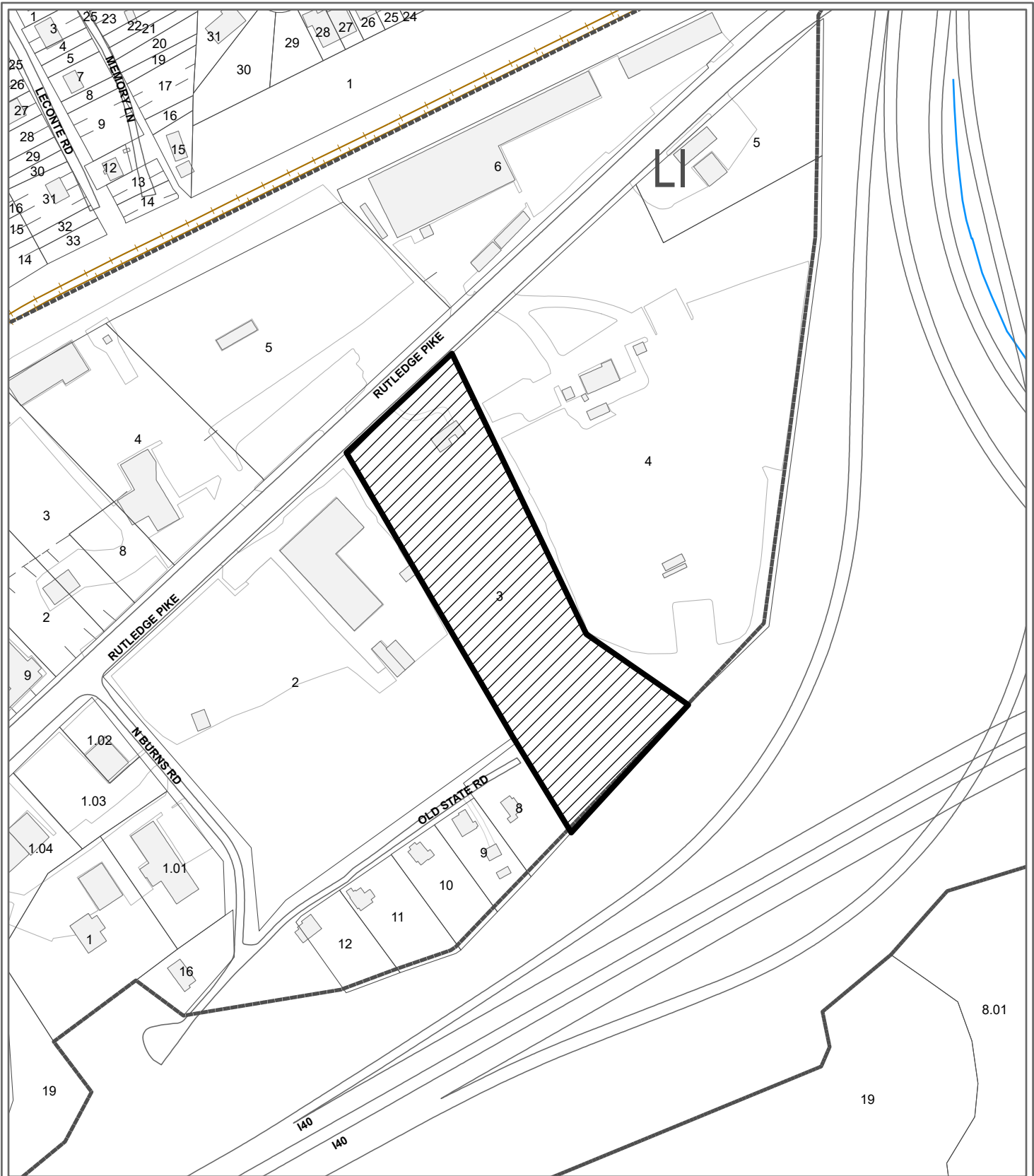


Petitioner: Tennessee Auto Salvage & Recycling Inc.

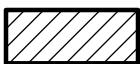
Map No: 71  
Jurisdiction: City

Original Print Date: 3/7/2022      Revised:  
Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902





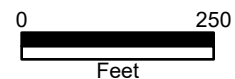
**4-E-22-PA / 4-X-22-RZ  
PLAN AMENDMENT**



From: LI (Light Industrial)  
To: HI (Heavy Industrial)

Petitioner: Tennessee Auto Salvage & Recycling Inc.

Map No: 71  
Jurisdiction: City

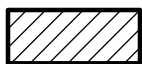


Original Print Date: 3/7/2022      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



**4-X-22-RZ/4-E-22-PA/4-M-22-SP  
REZONING**

Petitioner: Tennessee Auto Salvage & Recycling Inc.

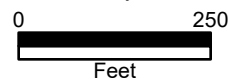


Subject Area

Original Print Date: 4/5/2022  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Map No: 71  
 Jurisdiction: City





***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE EAST CITY SECTOR PLAN***

*WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

*WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East City Sector Plan, consistent with the requirements of the General Plan; and*

*WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

*WHEREAS, Tennessee Auto Salvage & Recycling Inc. has submitted an application for an amendment to the East City Sector Plan for property described in the application; and*

*WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Light Industrial & Hillside Protection to Heavy Industrial and Hillside Protection for part of 4912 Rutledge Pike consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

*WHEREAS, the Planning Commission, at its regularly scheduled public hearing on April 14, 2022, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

***NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:***

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the East City Sector Plan, with its accompanying staff report and map, file #4-M-22-SP.*

*SECTION 2: This Resolution shall take effect upon its approval.*

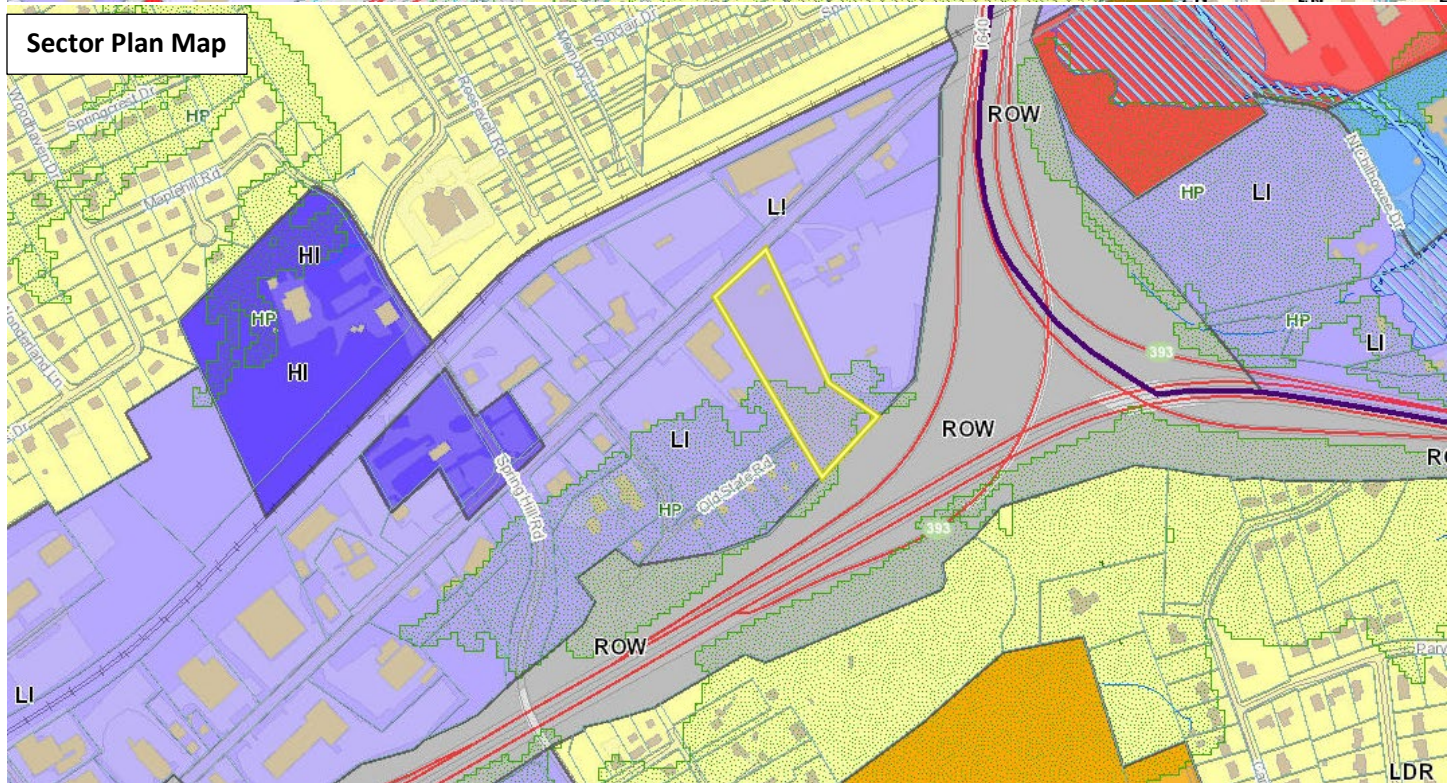
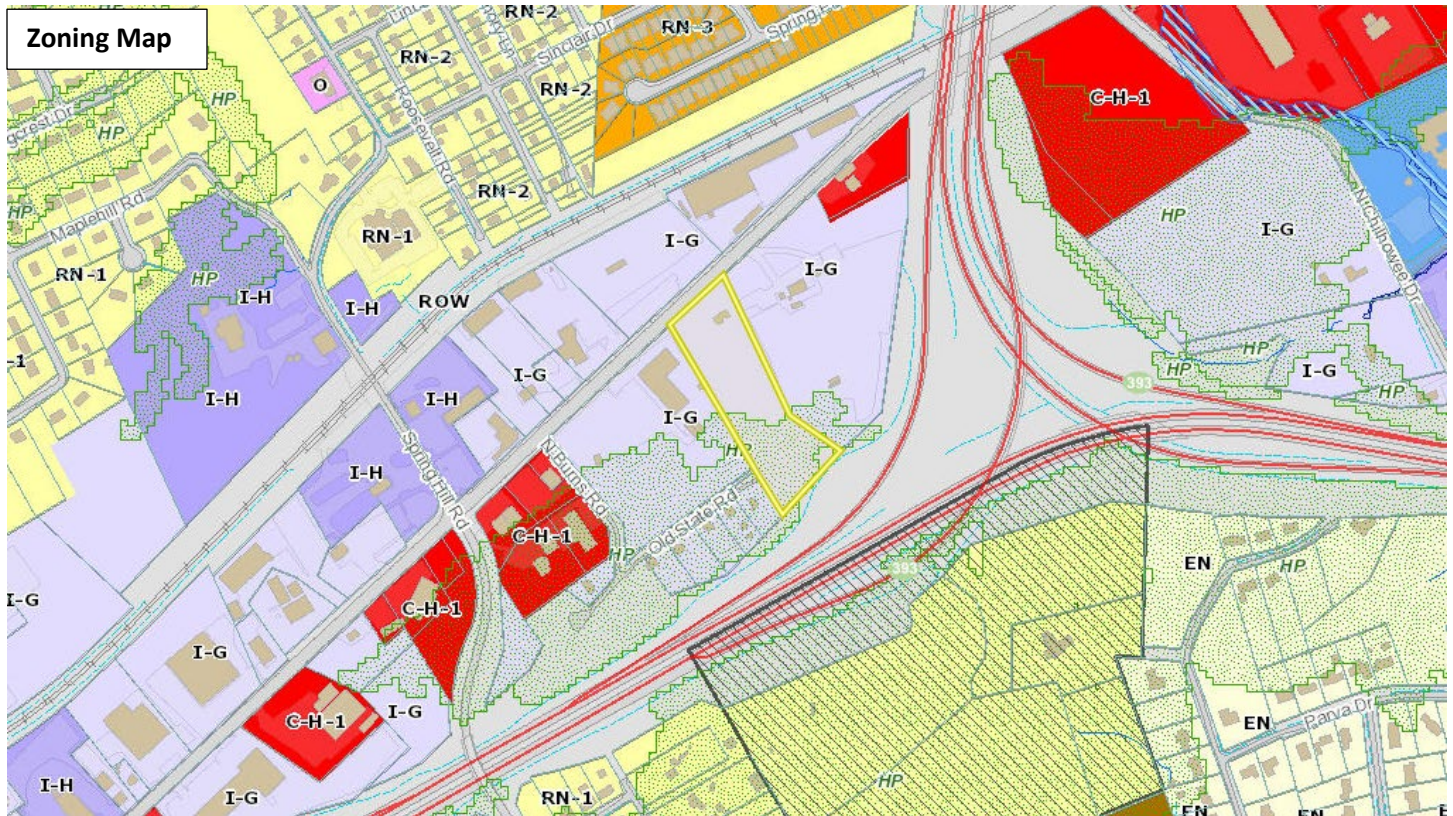
*SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
*Date*

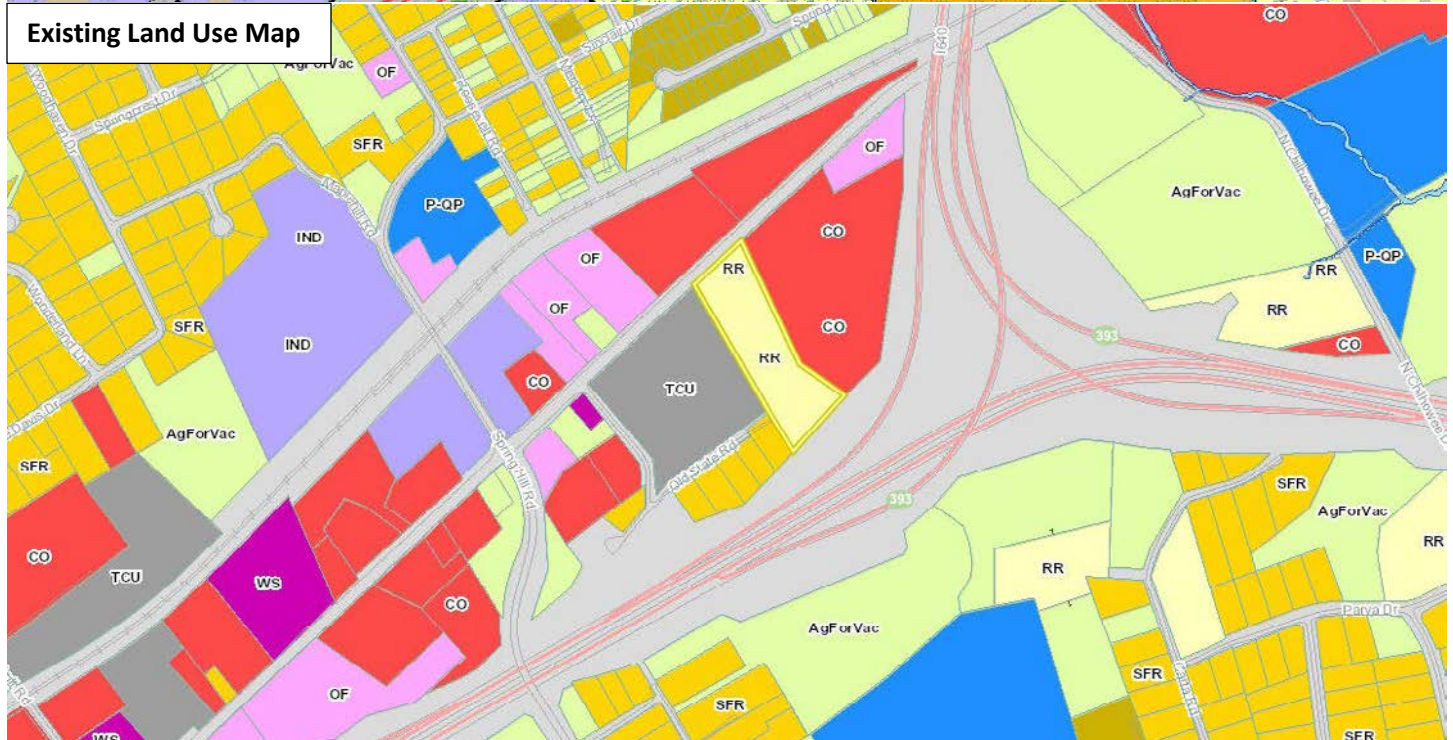
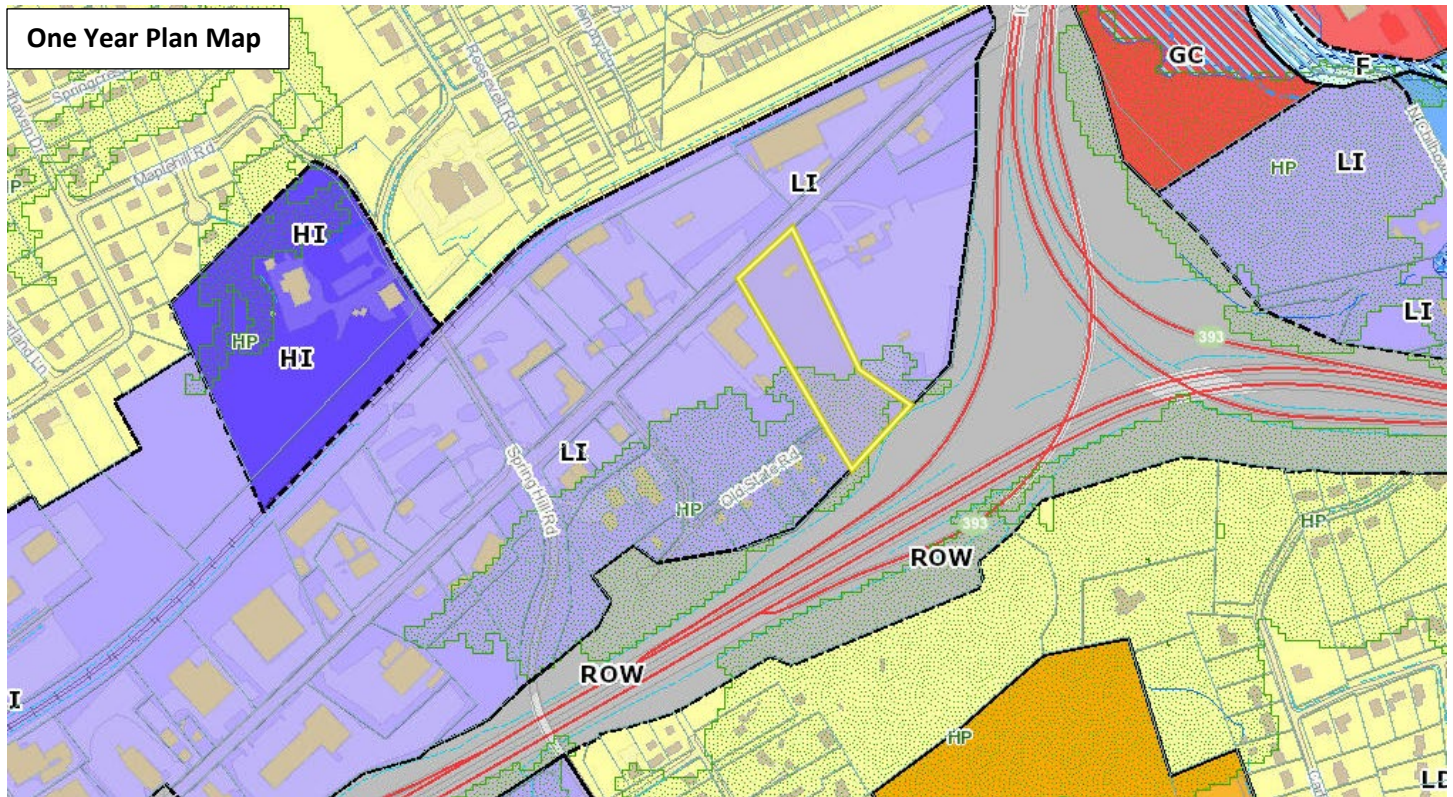
\_\_\_\_\_  
*Chairman*

\_\_\_\_\_  
*Secretary*

# Exhibit B. 4-X-22-RZ / 4-M-22-SP / 4-E-22-PA Contextual Images

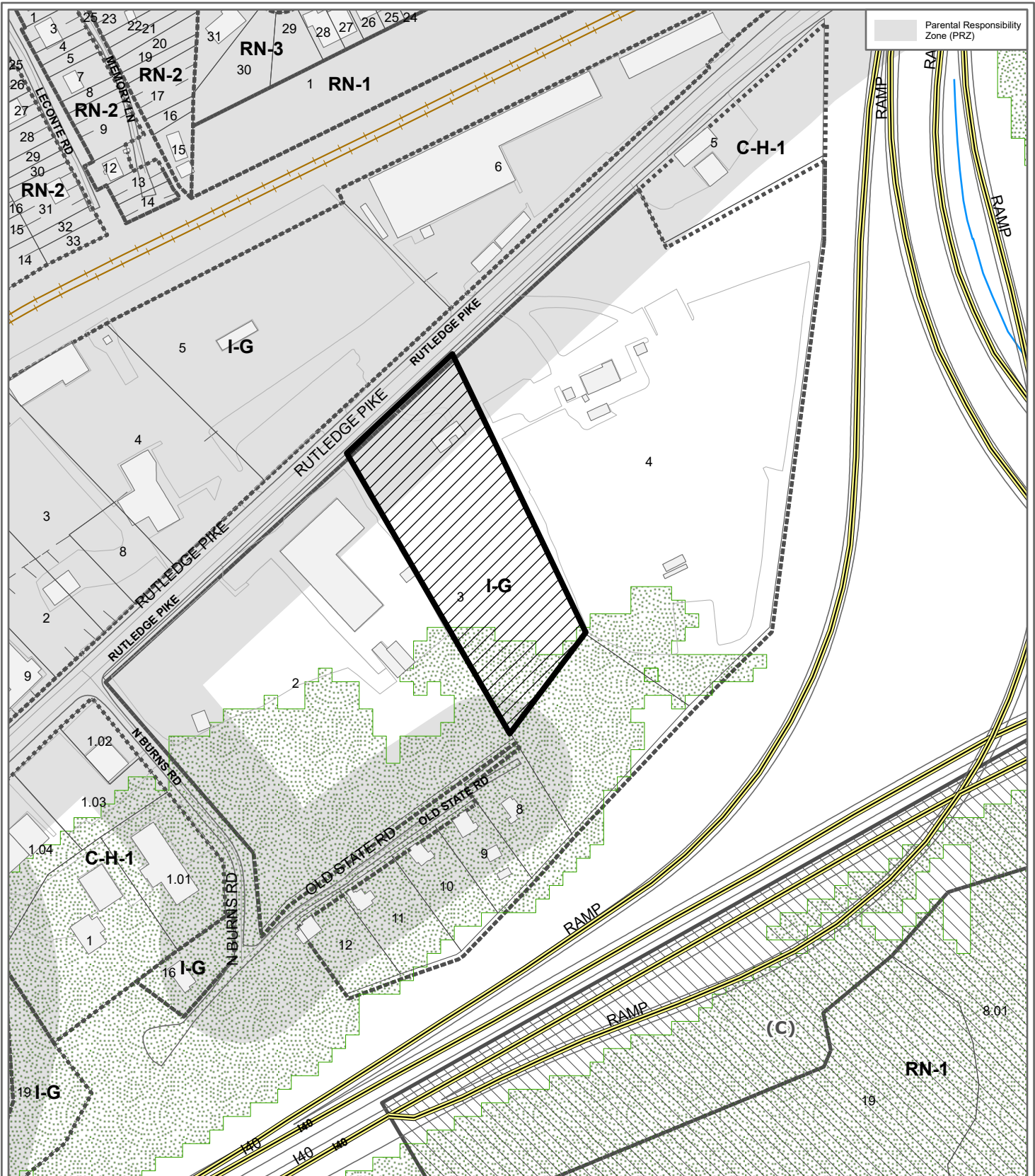


# Exhibit B. 4-X-22-RZ / 4-M-22-SP / 4-E-22-PA Contextual Images



**Exhibit B. 4-X-22-RZ / 4-M-22-SP / 4-E-22-PA Contextual Images**





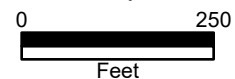
**4-X-22-RZ/4-E-22-PA/4-M-22-SP**  
**Exhibit C - Staff recommendation**

Petitioner: Tennessee Auto Salvage & Recycling Inc.



Subject Area

Map No: 71  
 Jurisdiction: City



Original Print Date: 4/5/2022  
 Revised:  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902



# 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

TENNESSEE AUTO SALVAGE & RECYCLING INC

Applicant Name

Affiliation

3.2.22

Date Filed

Meeting Date (if applicable)

4-X-22-RZ  
4-M-22-SP  
4-E-22-PA

File Number(s)

### 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

DAVID HARBIN

Name

BATSON HIMES NOEVELL & POE

Company

4334 PAPERMILL DR

Address

KNOXVILLE

City

TN

State

37909

ZIP

865-588-6472

Phone

harbin@bhn-p.com

Email

### CURRENT PROPERTY INFO

4912 RUTLEDGE PIKE  
KNOXVILLE, TN 37914

Property Owner Name (if different)

Property Owner Address

786-499-9476

Property Owner Phone

4912 RUTLEDGE PIKE

Property Address

071HB003

Parcel ID

KUB

Sewer Provider

KWB

Water Provider

NO

Septic (Y/N)

### STAFF USE ONLY

South side of Rutledge Pike, due East of N Burns Rd

General Location

4.48 ac +/-

Tract Size

City  County

4th

District

I-G / HP

Zoning District

RR

Existing Land Use

East City

Planning Sector

LI / HP

Sector Plan Land Use Classification

City

Growth Policy Plan Designation

**DEVELOPMENT REQUEST**

Related City Permit Number(s)

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

- Residential
- Non-Residential

Home Occupation (specify)

Other (specify)

**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

IH / HP

Proposed Zoning

Plan Amendment Change

HI / HP

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify)

**STAFF USE ONLY**

**PLAT TYPE**

- Staff Review
- Planning Commission

Fee 1

Total

**ATTACHMENTS**

- Property Owners / Option Holders
- Variance Request

Fee 2

**ADDITIONAL REQUIREMENTS**

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

Fee 3

\$2660.00

taken by Levin, Payment by Marc 3/2/2022

Applicant Signature

DAVID HARBIN

Please Print

3.2.22

Date

865-588-6472

Phone Number

harbin@bhm-p.com

Email

Harry Hernandez

Please Print

3.2.22

Date

Property Owner Signature

**Parcel 071HB003 - Property Map and Details Report**



**Property Information**

Parcel ID: 071HB003  
 Location Address: 4912 RUTLEDGE PIKE  
 CLT Map: 71  
 Insert: H  
 Group: B  
 Condo Letter:  
 Parcel: 3  
 Parcel Type: NORMAL  
 District:  
 Ward: 31  
 City Block: 31110  
 Subdivision: KENNEDY PROPERTY  
 Rec. Acreage: 4.48  
 Calc. Acreage: 0  
 Recorded Plat:  
 Recorded Deed: 20210511 - 0092979  
 Deed Type: Deed:Deed  
 Deed Date: 5/11/2021

**Address Information**

Site Address: 4912 RUTLEDGE PIKE  
 KNOXVILLE - 37914  
 Address Type: DWELLING, SINGLE-FAMILY  
 Site Name:  
 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

**Jurisdiction Information**

County: KNOX COUNTY  
 City / Township: Knoxville

**Political Districts**

Voting Precinct: 31  
 Voting Location: Chilweiss School  
 5005 ASHEVILLE HWY  
 TN State House: 15  
 TN State Senate: 6  
 County Commission: 8  
 (at large seat 10)  
 (at large seat 11)  
 Richie Beeler  
 Larsen Jay  
 Justin Biggs  
 City Council: 4  
 (at large seat A)  
 (at large seat B)  
 (at large seat C)  
 Lauren Rider  
 Lynne Fugate  
 Janet Testerman  
 Amalia Parker  
 School Board: 8  
 MIKE McMillan  
 Please contact Knox County Election Commission at (865) 213-2480 if you have questions.

**Owner Information**

TENNESSEE AUTO SALVAGE & RECYCLING INC  
 4912 RUTLEDGE PIKE  
 KNOXVILLE TN 37914

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

**Other Information**

Census Tract: 31  
 Planning Sector: East City  
 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

**School Zones**

Elementary: RITTA ELEMENTARY  
 Intermediate:  
 Middle: HOLSTON MIDDLE  
 High: AUSTIN EAST HIGH MAGNET

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

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**PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE**  
**MAP DEPARTMENT - OWNERSHIP CARD**

Source: KGIS

ACTIVE      NORMAL

03/02/2022

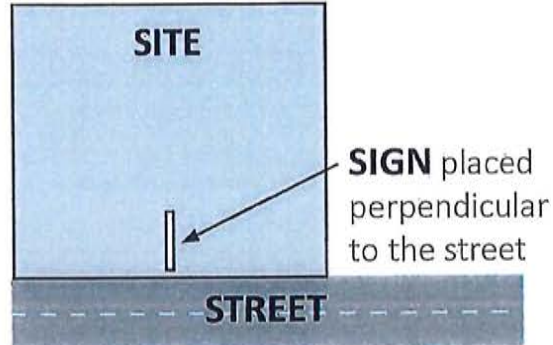
District	Map	Insert	Group	Parcel	Ward	Property Location		
	71	H	B	3	31	4912 RUTLEDGE PIKE		
Subdivision				Block	Lot	Plat	Dimensions ( shown in ft. )	Acreage
KENNEDY PROPERTY				-	1-	-	266.59 X 573.16 X IRR	4.48 - A.C. Deeded
						201903280056568		0.00 - A.C. Calculated
Owner		Sale Date	Book	Page	Sale Price	Mailing Address		
LOVE CAROL ANNE TR		11/8/1927	<u>456</u>	503		4417 BUFFAT MILL RD KNOXVILLE TN 37914		
		6/26/1941	<u>635</u>	495				
		8/19/2005	<u>20050819</u>	0016392				
KENNEDY LORETTA & KENNEDY ANDREW		7/15/2015	<u>20150722</u>	0004942	\$ 72,600	139 WHITAKER RD STRAWBERRY PLAINS TN 37871		
TENNESSEE AUTO SALVAGE & RECYCLING INC		5/10/2021	<u>20210511</u>	0092979	\$ 440,000	4912 RUTLEDGE PIKE KNOXVILLE TN 37914		

**Remarks**

L/A

Parent Parcel	Parent Instrument Number
Previous Parcel ( Split From )	Next Parcel ( Merged Into )

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:*

March 30, 2022 and April 15, 2022  
(applicant or staff to post sign) (BHP) (applicant to remove sign)

Applicant Name: Becca Riggins

Date: 3/2/22

File Number: 4-X-22-R2  
4-M-22-SP  
4-E-22-PA

- Sign posted by Staff
- Sign posted by Applicant