



USE ON REVIEW REPORT

► **FILE #:** 4-B-24-UR

AGENDA ITEM #: 31

AGENDA DATE: 4/11/2024

► **APPLICANT:** PREMIER FENCE, LLC

OWNER(S): Matthew Wessell

TAX ID NUMBER: 38 N A 002

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 3629 NEAL DR

► **LOCATION:** Northside of Neal Dr, west of Maynardville Pk

► **APPX. SIZE OF TRACT:** 1.2 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Neal Drive, a local road with a 23-ft pavement width within a 52-ft right-of-way

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

► **ZONING:** CA (General Business)

► **EXISTING LAND USE:** Office

► **PROPOSED USE:** Contractor's storage yard

HISTORY OF ZONING: The property was rezoned from PC to CA in 1991 (3-I-91-RZ)

SURROUNDING LAND USE AND ZONING: North: Single family residential, rural residential - PR (Planned Residential) up to 12 du/ac & 19 du/ac

South: Office, single family residential - CA (General Business), PC (Planned Commercial)

East: Office - PC (Planned Commercial)

West: Office - PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: Neal Drive is in the Halls community and is lined with businesses, including many small contractors' offices. There are industrial uses to the south and new residential subdivisions to the north. Maynardville Pike is just to the east, which is a major commercial corridor.

STAFF RECOMMENDATION:

► **Approve the request for a contractor's storage yard with approximately 12,000 sq ft of outdoor storage area, subject to 5 conditions.**

1. Meeting all requirements of Article 4, Section 4.102 (Standards for the use-on-review approval of contractor's storage yards) in the Knox County Zoning Ordinance.

2. The required fencing around the storage yard must be located near the edge of the storage area, or some

other barrier approved by Planning staff before permits are issued, to ensure the storage area does not expand beyond the boundary of this approval.

3. Provide the required landscape screening, per Article 4, Section 4.10.11. for business uses adjacent to a residential use. A detailed landscape plan must be provided for review and approval by Planning staff during permitting. Existing landscaping that is to be maintained can count toward this requirement.

4. Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.

5. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a contractor's storage yard in the CA district and the criteria for approval of a use on review.

COMMENTS:

This request is for a contractor's storage yard in the CA (General Business) zone, which is a use permitted on review and which must meet the standards for this use listed in Article 4, Section 4.102. The site was previously a veterinary clinic and will be converted to the contractor's business office. There are several contractors' offices on Neal Drive.

The proposed storage yard is approximately 8,000 sqft. The storage yard cannot exceed 40 percent of the site. The property is 51,400 sqft, so the storage yard can be up to 20,500 sqft. There are residential uses to the rear of this property. The supplemental regulations for all zone districts (Article 4.10.11) requires a 15 ft wide Type A landscape screen (see Appendix B). In this location, it is appropriate to ensure the adjacent residential is adequately protected.

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 North County Sector Plan recommends O (Office) uses for this site. The O (Office) land use has the following description: "This land use includes business and professional offices and office parks."

B. For this Use on Review application to be approved in the Office 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 proposal is to renovate the existing office building and add a storage yard to the rear yard. The proposed use is of a similar nature to other uses on Neal Drive.

D. The large setback of the storage yard to the rear lot line and the required landscape screening align with General Plan Policy 8.12 to provide buffers between commercial and residential uses.

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

A. The CA (General Business) zone is intended for general retail business and services but not for manufacturing or for processing materials other than farm products. With the recommended conditions, the contractor's storage yard meets the zoning standards and the standards of the CA zoning.

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. The existing one-story office building will be renovated for the contractor's business office.

B. If approved as recommended, a 15-ft wide landscape screen will be located along the north property boundary since it abuts residential properties. This will help mitigate potential adverse impacts on these properties. Landscape screening on the east and west sides is not required.

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

A. The proposed use should have little impact on the adjacent property because of the limited traffic the facility generates, and the required landscape screening and fencing will buffer the storage yard.

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

A. The property accesses Neal Drive, which is not a residential street.

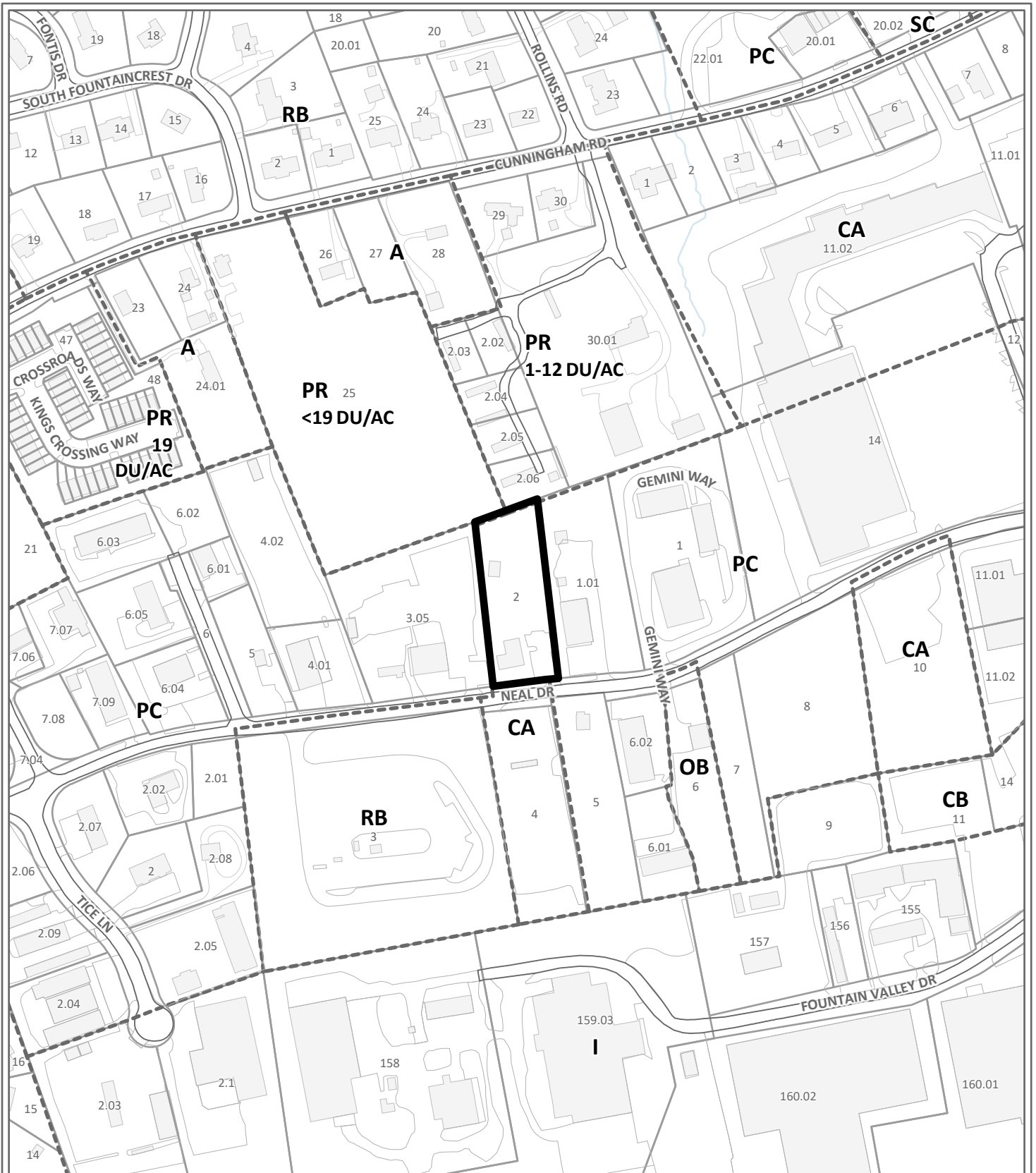
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

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

ESTIMATED TRAFFIC IMPACT: Not required.

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.



USE ON REVIEW

4-B-24-UR

Petitioner: Premier Fence, LLC



Contractor's storage yard in CA (General Business)

Original Print Date: 3/6/2024

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

Map No: 38

Jurisdiction: County

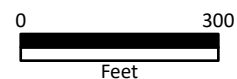


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

4-B-24-UR

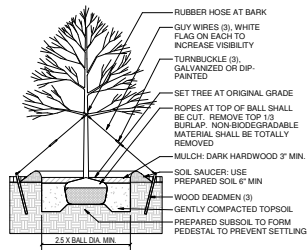


Case boundary

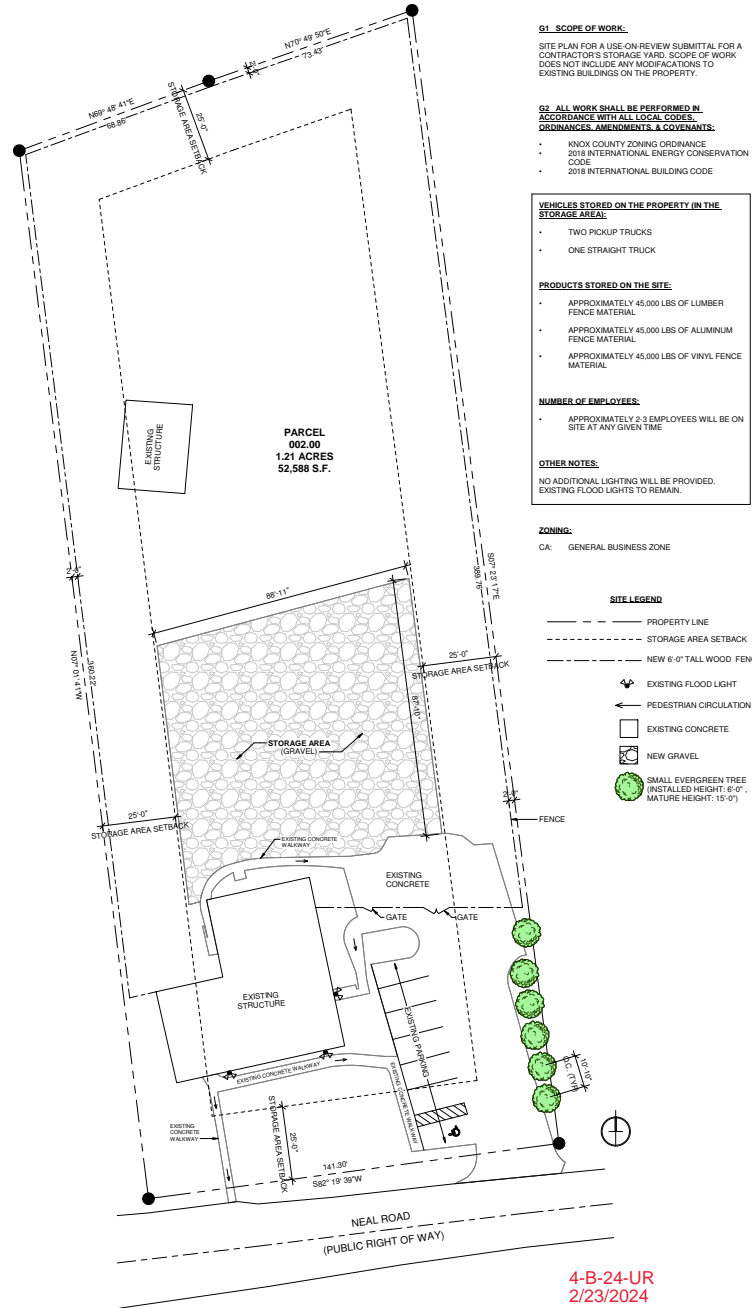
0 275
Feet



2 DECIDUOUS TREE PLANTING DETAIL
A100 N.T.S.



1 ARCHITECTURAL SITE/LANDSCAPE PLAN
A100 1" = 20'-0"



G1 SCOPE OF WORK:

SITE PLAN FOR A USE-ON-REVIEW SUBMITTAL FOR A CONTRACTOR'S STORAGE YARD. SCOPE OF WORK DOES NOT INCLUDE ANY MODIFICATIONS TO EXISTING BUILDINGS ON THE PROPERTY.

G2 ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL LOCAL CODES, ORDINANCES, AMENDMENTS, & COVENANTS:

- KNOX COUNTY ZONING ORDINANCE
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE
- 2018 INTERNATIONAL BUILDING CODE

VEHICLES STORED ON THE PROPERTY (IN THE STORAGE AREA):

- TWO PICKUP TRUCKS
- ONE STRAIGHT TRUCK

PRODUCTS STORED ON THE SITE:

- APPROXIMATELY 45,000 LBS OF LUMBER FENCE MATERIAL
- APPROXIMATELY 45,000 LBS OF ALUMINUM FENCE MATERIAL
- APPROXIMATELY 45,000 LBS OF VINYL FENCE MATERIAL

NUMBER OF EMPLOYEES:

- APPROXIMATELY 2-3 EMPLOYEES WILL BE ON SITE AT ANY GIVEN TIME

OTHER NOTES:

NO ADDITIONAL LIGHTING WILL BE PROVIDED. EXISTING FLOOD LIGHTS TO REMAIN.

ZONING:

CA: GENERAL BUSINESS ZONE

SITE LEGEND

- PROPERTY LINE
- STORAGE AREA SETBACK
- NEW 6'-0" TALL WOOD FENCE
- EXISTING FLOOD LIGHT
- PEDESTRIAN CIRCULATION
- EXISTING CONCRETE
- NEW GRAVEL
- SMALL EVERGREEN TREE (INSTALLED HEIGHT: 6'-0", MATURE HEIGHT: 15'-0")

STORAGE YARD SITE PLAN FOR:
ADAM DAVIS & WALTER DONNEL
3629 Neal Drive, Knoxville, Tennessee 37918



Drawn by: KG
Checked by: CK

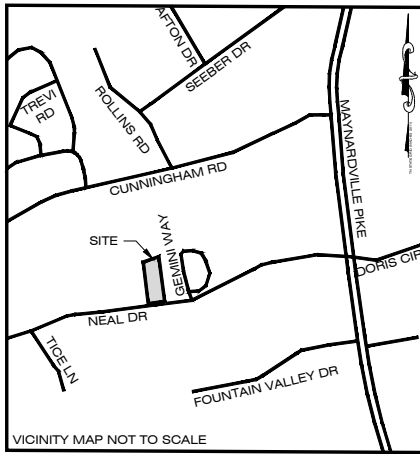
ARCHITECTURAL
SITE/LANDSCAPE
PLAN

A100

DATE : 2/19/2024
PROJECT : 24022

© COPYRIGHT 2024





VICINITY MAP NOT TO SCALE

NOTES

- Property subject to all applicable easements, setbacks, and restrictions of record.
- Verify exact size, depth and location of all underground utilities prior to construction.
- Verify current zoning with appropriate government planning agency prior to any site design and/or construction.
- This survey does not warrant title.
- By graphic plotting, this property lies in Zone X on FEMA Firm Panel #47093001383 which bears an effective date of 8-5-13 and is not in a special flood hazard area.
- Property is zoned CA

ANTHONY & AMIE SUMMERS
TAX MAP 038 N-A PARCEL 003.05
(PLAT INST #201206220072961)

legend

- xx (O) - monument (old)
- xx (N) - monument (new)
- ☆ - light pole
- A/C - air conditioner unit
- EM - electric meter
- utility pole - utility pole
- ou - overhead utility line
- © - clean out
- W - water meter
- fire hydrant - fire hydrant
- sign - sign

BOUNDARY SURVEY OF:

3629 Neal Drive

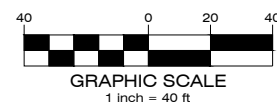
Owner: Wessel Properties LLC
3649 Boyd Walters Ln
Knoxville, TN 37931

Knox County, Tennessee
Civil District: E6
Tax Parcel ID: Tax Map 038 N-A Parcel 002.00

Deed Ref(s): Inst #20200310005961
Plat Ref(s): N/A

Field Date: 2-7-24 Crew Chief: B.S&B.P.
Drawing Date: 2-7-24 Draftsman: L. Phillips
Last Rev. Date: Approved By: Z. Beason

MBI



GRAPHIC SCALE
1 inch = 40 ft

MBI COMPANIES INC.
299 N. WEISGARBER ROAD
KNOXVILLE, TN 37919

PHONE: (865) 584-0999
FAX: (865) 584-5213
WEB: mbicompanies.com

SURVEYOR'S CERTIFICATION

CERTIFICATE OF ACCURACY

I hereby certify that this is a Category 1 survey and the ratio of precision of the unadjusted survey is 1 : 10,000 as shown hereon. No title opinion was furnished to this surveyor and easements shown and/or not apparent in the field may or may not be discovered by a title search by a title attorney.

A portion of the subject property was surveyed with RTK GPS observations using survey grade GPS receivers and conforms to redundancy and accuracy required to comply with rules set forth by Tennessee Board for Land Surveyors and Tennessee Code Annotated chapter 62.

Zebulon W. Beason, TN RLS #3144

Date



4-B-24-UR
2/23/2024

Design Guidelines Landscape Screening

Type “A” Screen: Dense

APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

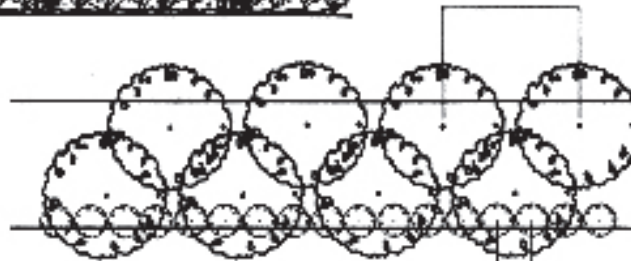
- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm

TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



Maximum 16' Centers



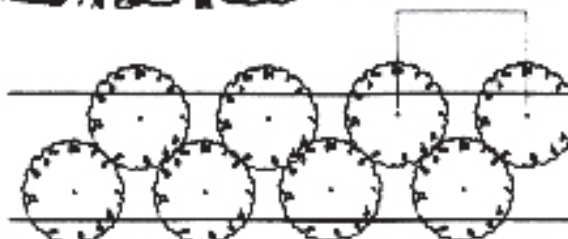
Maximum 4' Centers

- Two offset rows of evergreen trees with branches touching the ground

TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



Maximum 12' Centers



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

Planning uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ Sector Plan
☐ One Year Plan
☐ Rezoning

Premier Fence, LLC

Applicant Name

Affiliation

2/23/2024

Date Filed

4/11/2024

Meeting Date (if applicable)

4-B-24-UR

File Number(s)

CORRESPONDENCE

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

Walter Donnell Premier Fence, LLC

Name / Company

1354 W College St Mufreesboro TN 37129

Address

615-796-4855 / walter@premierfencetn.com

Phone / Email

CURRENT PROPERTY INFO

Matthew Wessell

Owner Name (if different)

3629 Neal Dr Knoxville TN

Owner Address

573-353-6237

Owner Phone / Email

3629 NEAL DR

Property Address

38 N A 002

Parcel ID

1.2 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northside of Neal Dr, west of Maynardville Pk

General Location

☐ City Commission District 7 CA (General Business)

☒ County District Zoning District

Office

Existing Land Use

North County

Planning Sector

O (Office)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☒ Use on Review / Special Use
☐ Hillside Protection COA ☐ Residential ☐ Non-residential

Home Occupation (specify) _____

Other (specify) **Contractor's storage yard**

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☐ Zoning Change

Proposed Zoning

Pending Plat File Number

- ☐ Plan

Amendment

Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Zoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1

\$1,600.00

Total

Fee 2

Fee 3

AUTHORIZATION

- ☐ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Premier Fence, LLC

2/23/2024

Applicant Signature

Please Print

Date

Phone / Email

Matthew Wessell

2/23/2024

Property Owner Signature

Please Print

Date

Download and fill out this form at your convenience.
! Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

PREMIER FENCE, LLC

MANAGING MEMBER

Applicant Name
2/22/2024

4/11/2024

Affiliation

File Number(s)

Date Filed

Meeting Date (if applicable)

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
WALTER DONNELL PREMIER FENCE, LLC

Name
1354 WEST COLLEGE ST

Company
MURFREESBORO TN 37129

Address
615-796-4855

City
walter@premierfencetn.com

State

ZIP

Phone

Email

CURRENT PROPERTY INFO

MATTHEW WESSEL

3629 NEAL DR KNOXVILLE, TN

573-353-6237

Property Owner Name (if different)
3629 NEAL DR KNOXVILLE, TN

Property Owner Address
038NA002 94567

Property Owner Phone

Property Address
KUB

KUB

Parcel ID
NO

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

May 1, 2023

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) _____

Pending Plat File Number

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
Fee 2	
Fee 3	

AUTHORIZATION

☒ I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature

615-796-4855

PREMIER FENCE, LLC

Please Print

walter@premierfencetn.com

2/21/2024

Date

Phone Number

Email

Matthew Wessel

Matthew Wessel

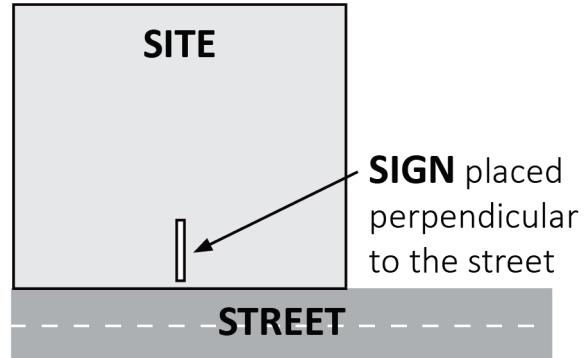
Property Owner Signature

Please Print

Date Paid

02/23/24

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 26, 2024** _____ and _____ **April 12, 2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Premier Fence, LLC _____

Date: 02/26/2024 _____

File Number: 4-B-24-UR _____



Sign posted by Staff



Sign posted by Applicant