



SPECIAL USE REPORT

► **FILE #:** 10-A-24-SU

AGENDA ITEM #: 44

AGENDA DATE: 10/3/2024

► **APPLICANT:** WILLIAM CARITHERS

OWNER(S): William Carithers Willy's Butcher Shop

TAX ID NUMBER: 109 F K 029

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 3336 SEVIER AVE

► **LOCATION:** Northeast corner of the intersection of Sevier Ave and Trotter Ave

► **APPX. SIZE OF TRACT:** 7228 square feet

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Sevier Avenue, a major collector with a pavement width of 22 ft within a 42-ft right-of-way. Access is also via Trotter Avenue, a local street with a pavement width of 19 ft within a 42-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Baker Creek

► **ZONING:** C-N (Neighborhood Commercial)

► **EXISTING LAND USE:** Commercial

► **PROPOSED USE:** Eating and Drinking Establishment

HISTORY OF ZONING: In 1987, the property was rezoned from R-2 (General Residential) to C-1 (Neighborhood Commercial) (11-E-87-RZ).

SURROUNDING LAND USE AND ZONING:

| | |
|--------|---|
| North: | Single family residential - RN-2 (Single-Family Residential Neighborhood) |
| South: | Public/quasi-public land (church) - RN-2 (Single-Family Residential Neighborhood) |
| East: | Single family residential - RN-2 (Single-Family Residential Neighborhood) |
| West: | Multifamily residential - RN-4 (General Residential Neighborhood) |

NEIGHBORHOOD CONTEXT: The South Haven neighborhood is comprised mostly of single family houses on small lots, though there are some multifamily uses mixed in. The neighborhood has streets in a grid pattern and is served by Knoxville Area Transit (KAT).

STAFF RECOMMENDATION:

► **Approve the request for an eating and drinking establishment in the CN (Neighborhood Commercial)**

district, subject to 3 conditions.

- 1) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
- 2) Meeting all applicable requirements of the City of Knoxville Engineering Department and Plans Review and Inspections Department.
- 3) No outdoor cooking appliances shall be placed along the two boundaries that abut residential properties.

COMMENTS:

The proposal is to renovate the existing building to use as a restaurant with a retail section for groceries and a butcher shop. The restaurant, which includes 38 indoor and patio seats along with a bar with 6 seats, requires special use approval as an eating and drinking establishment in the C-N district. This proposal includes a 309-sq ft expansion to the 3,286-sq ft building, as indicated on the floor plan. The proposed business owner is currently seeking a façade improvement grant and the front elevation of the building would depend on obtaining the grant (Exhibit B shows an alternative preliminary elevation).

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2) 1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The General Plan's Development Policy 8.2 recommends locating neighborhood commercial uses in a way so that it will enhance, rather than hinder, the stability of residential areas. The property's location at the intersection of a major collector and a local street with a church and multifamily developments across the streets and within an established residential neighborhood is consistent with the policy.

B. The proposed use at this property is also consistent with the South City Sector Plan and One Year Plan's NC (Neighborhood Commercial) land use classification, which recommends day-to-day retail and service-oriented uses located within a walking or short driving distance of neighborhoods on properties generally less than 5 acres.

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

A. The C-N district is intended to provide for an environment of integrated residential development and small-scale commercial and service uses, predominantly serving nearby residential neighborhoods. The proposed restaurant on this property as located meets the district's intent.

B. The building additions to this nonconforming structure that currently encroaches into all setbacks are permitted per Article 17.1.A.2.a, which states that nonconforming structures may be enlarged along existing building lines, providing they do not extend into any other required yard. Further, since the expansion area is less than 30% of the existing building, foundation landscape (Article 12.7), buffer yard (Article 12.8), and design standards of the C-N district (Article 5.4) are not applicable for the proposed additions.

C. Two Board of Zoning Appeals (BZA) variances were granted for this property last month to reduce the required number of parking spaces to five and to reduce the width of the parking spaces to 8.5 ft (BZA-24-0057). With this, the site plan appears to meet all requirements of the zoning ordinance.

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 proposed use is compatible with the character of the South Haven neighborhood, which includes a mix of single-family and multifamily developments with several nonresidential uses on street intersections.

B. The existing structure and the proposed second-story addition would be consistent with the size and scale of other structures in the surrounding area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed restaurant along with the community-serving retail section is a small-scale commercial use that would be compatible with other residential and nonresidential uses in the vicinity. The applicant team has indicated that the restaurant would be closed at 8 pm except for special events (Exhibit C), so the impact on the adjacent houses should be mitigated.

B. The proposed exterior smoker with the lean-on roof in the rear yard may cause odor issues for the adjacent residential property to the east. However, as stipulated by condition 3, the smoker shall either be removed or relocated to a different place within the subject property so that it is not abutting any residential parcels.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. A restaurant with up to 44 seats at its maximum capacity, as shown on the site plan, is not expected to significantly impact traffic on surrounding streets. Traffic should primarily be directed to Sevier Avenue, a major collector 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 immediately surrounding the subject property that would pose a potential hazard or 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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



SPECIAL USE

10-A-24-SU

Petitioner: William Carithers



Eating and Drinking Establishment in C-N (Neighborhood Commercial)

Original Print Date: 8/26/2024

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

Map No: 109

Jurisdiction: City

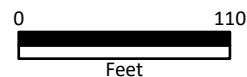
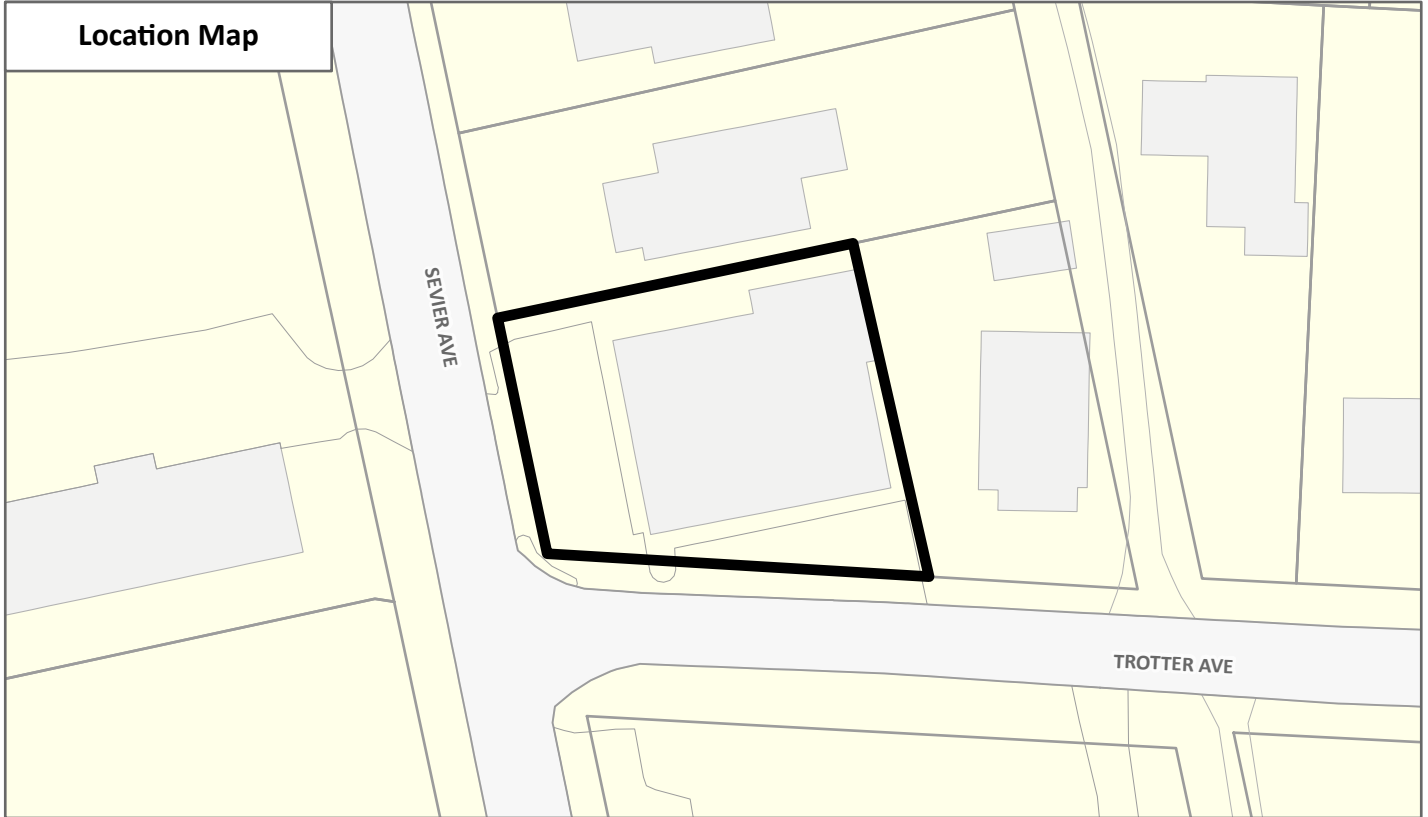


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

10-A-24-SU



Case boundary



ZONING: C-N
EXISTING SF: 3,286 SF
PROPOSED SF: 3,595 SF

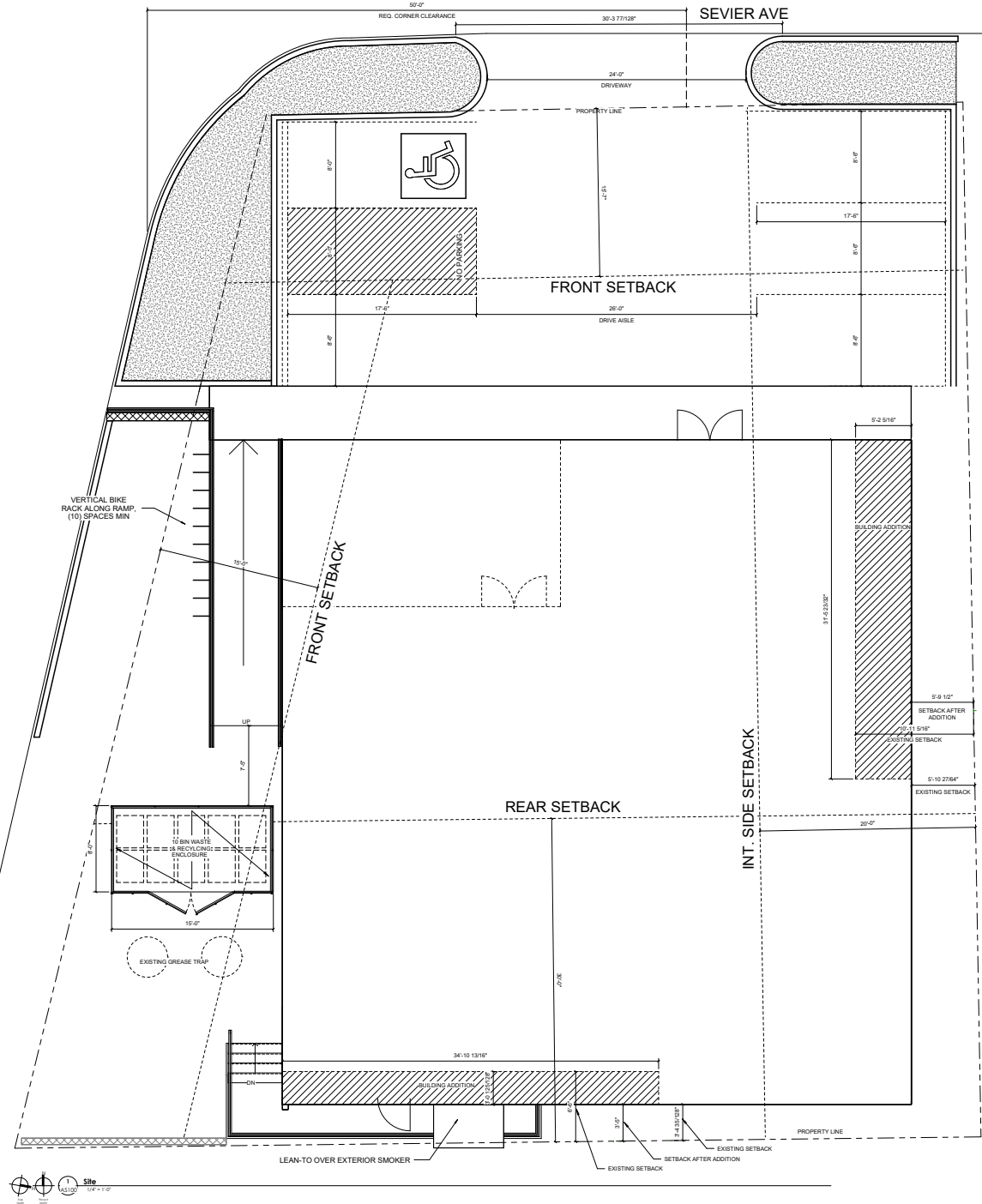
PARKING CALCULATIONS:
EAT/DRINK ESTABLISHMENT:
8 / 1,000 GFA (NO DRIVE-THRU)

3,595 SF = 3,595 X 8 = 31.672
C-N ZONE REDUCTION @ 40%
31.672 * 0.60 = 19 SPOTS

BZA APPEAL: BZA-24-0057
09/17/2024

APPROVED:
MIN PARKING SPACES: 5 SPOTS
STALL WIDTH MIN: 8.5'

TROTTER AVE



| | | |
|-----------------|---------------|------|
| Project Number: | 24021 | |
| Date: | 09/19/2024 | |
| Drawn By: | GMM | |
| Principal: | GRS | |
| # | REVISION NAME | DATE |
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ARCHITECTURAL SITE PLAN

AS100

10-A-24-SU
Rev 09/19/2024

NOT FOR
CONSTRUCTION

PRELIMINARY DESIGN
WILLY'S BUTCHER SHOP
3336 SEVIER AVE.

| | | |
|-----------------|---------------|------|
| Project Number: | 24021 | |
| Date: | 09/19/2024 | |
| Drawn By: | GMM | |
| Principal: | GRS | |
| # | REVISION NAME | DATE |
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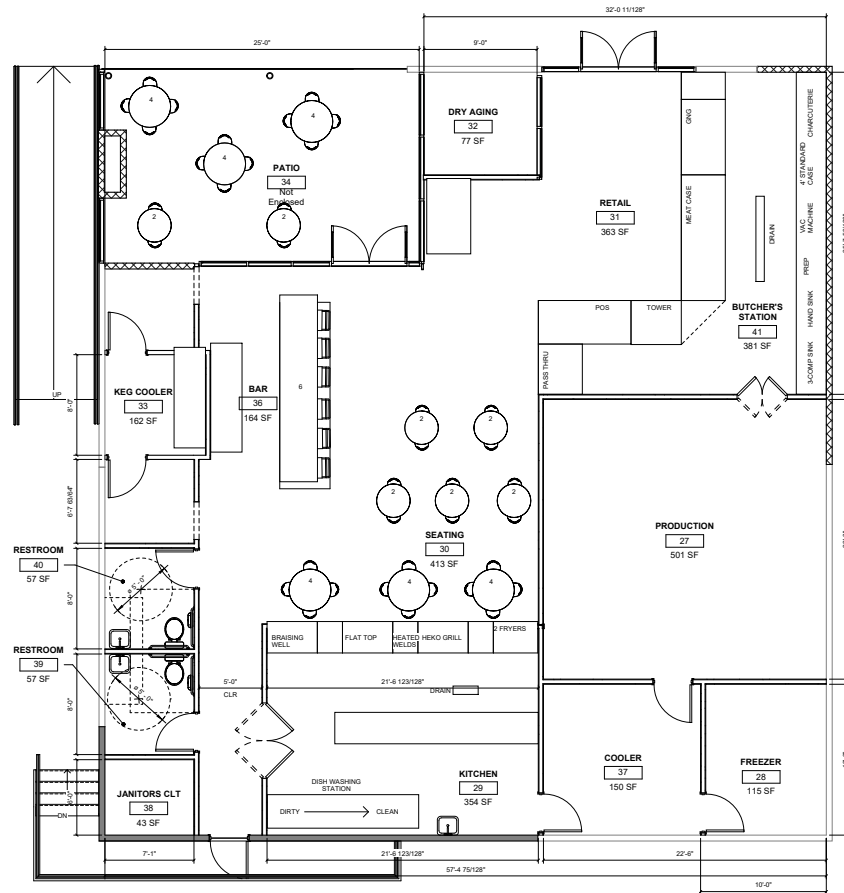
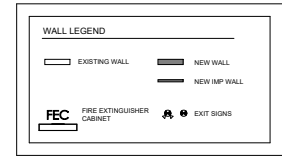
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FLOOR PLANS

A101
10-A-24-SU

GENERAL NOTES

- COORDINATE WITH APPLICABLE DIMENSIONS AND DETAILS ON OTHER SHEETS.
- COORDINATE WITH REQUIREMENTS OF OWNER SUPPLIED EQUIPMENT AS REQUIRED.
- DIMENSIONS ARE TO FACE OF STUD OR OUTSIDE EDGE STRUCTURE.
- THE CONTRACTOR SHALL LAYOUT ALL PARTITIONS AND VERIFY ACCEPTABILITY OF LAYOUT WITH ARCHITECT PRIOR TO START OF THIS WORK.
- DO NOT SCALE DRAWINGS. IF DIMENSIONS ARE IN QUESTION, THE CONTRACTOR SHALL OBTAIN WRITTEN CLARIFICATION FROM ARCHITECT BEFORE CONTINUING WITH CONSTRUCTION.
- PROVIDE SOLID WOOD BLOCKING FOR MOUNTING OF CABINETS AND TOILET ACCESSORIES. ALL GRAB BAR MOUNTING TO SUPPORT 250 LB. MIN. LOAD.



1 PROPOSED FLOOR PLAN
1/4\"/>

NOT FOR
CONSTRUCTION

PRELIMINARY DESIGN
WILLY'S BUTCHER SHOP
 3336 SEVIER AVE.

Project Number: 24021

Date: 09/19/2024

Drawn By: Author

Principal: Approver

| # | REVISION NAME | DATE |
|---|---------------|------|
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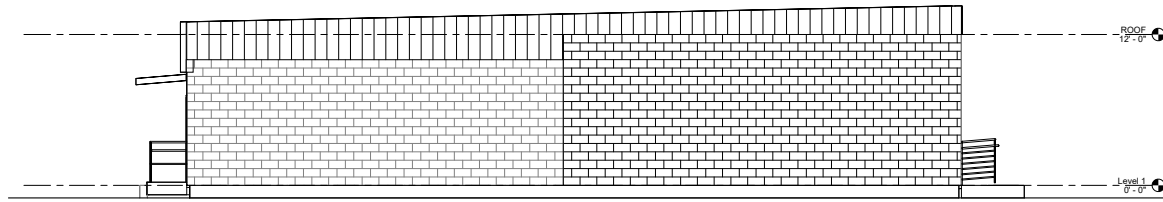
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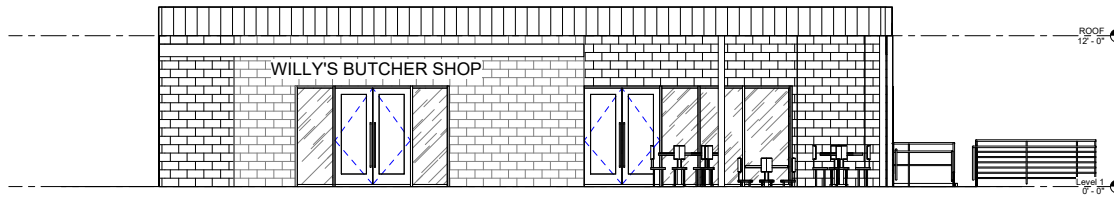
EXTERIOR
ELEVATIONS

A401

10-A-24-SU



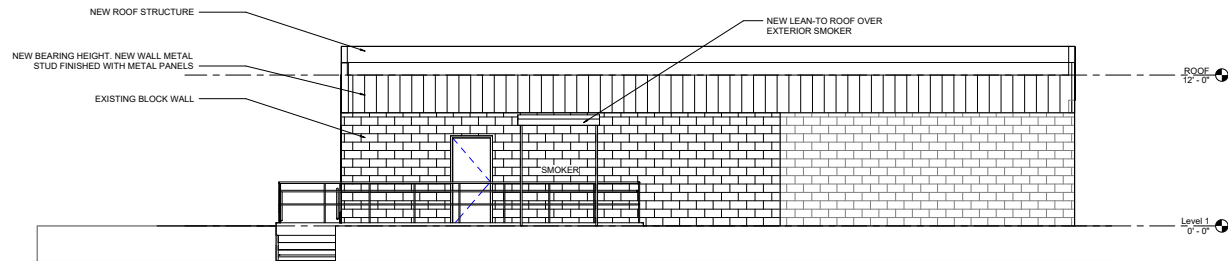
1 INTERIOR SIDE ELEVATION
1/4" = 1'-0"



2 SEVIER AVE. ELEVATION
1/4" = 1'-0"



4 TROTTER AVE. ELEVATION
1/4" = 1'-0"



3 REAR ELEVATION
1/4" = 1'-0"

Exhibit B: Alternative preliminary elevation contingent upon receiving FIP grant



FRONT VIEW
August 2023

DRAFT



1300 N. Broadway
Knoxville, TN 37917
Phone - 865-525-9945
Website - www.communitydc.org



Funding for this project is provided by the City of Knoxville Community Development Department, Community Development Block Grant.

Facade Enhancement 3336 Sevier Ave

3336 Sevier Avenue, Knoxville, TN 37920
Date: November 1, 2023 ETDC Project #2186

This project is in association with the City of Knoxville Facade Enhancement Program, client: William Canithers, 865-771-9769.

Professional Advisor: In-House Staff
ETCDC Coordinator: J. Perry Childress
ETCDC Staff:
ETCDC Executive Director: L. Duane Grieve, FAIA

**Conceptual Presentation Drawings
NOT FOR CONSTRUCTION**

FRONT PROPOSED

1 2 3 4



Samiul Haque <samiul.haque@knoxplanning.org>

Fwd: [Applications] 3336 Sevier Ave - Special Use Development Request

Greta Mehlberg <gmehlberg@smeebusby.com>

Mon, Aug 19, 2024 at 3:21 PM

To: Samiul Haque <samiul.haque@knoxplanning.org>

Cc: Applications <applications@knoxplanning.org>, Shelley Gray <shelley.gray@knoxplanning.org>, "William Carithers (carithers.wp.holdings@gmail.com)" <carithers.wp.holdings@gmail.com>, Robert Marlino <rmarlino@smeebusby.com>

Samiul,

The nature of the retail section is as follows: a butcher shop with a variety of meats, including beef, pork, chicken and lamb (some fresh some frozen), as well as shelf stable items such as spices and grocery packaged goods.

The hours of operation for the retail will be MON - FRI 10a - 6p/SAT 9a-4p/SUN CLOSED.

The hours of operation for the restaurant MON - SAT 11:30a - 8p/ SUN CLOSED. Restaurant could be open until 10p for special events only.

The applicant has paid the application fee. Is there any other information you all need?

Thanks.

All the best,

Greta Mehlberg | Architectural Designer**S M E E + B U S B Y** ARCHITECTS

2554 Sutherland Ave.

Knoxville, TN 37919

865.521.7550

From: Samiul Haque <samiul.haque@knoxplanning.org>**Sent:** Monday, August 19, 2024 2:18 PM**To:** Greta Mehlberg <gmehlberg@smeebusby.com>**Cc:** Applications <applications@knoxplanning.org>; Shelley Gray <shelley.gray@knoxplanning.org>

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Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

William Carithers

Applicant Name

Affiliation

8/19/2024

Date Filed

10/3/2024

Meeting Date (if applicable)

10-A-24-SU

File Number(s)

CORRESPONDENCE

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

William Carithers Willy's Butcher Shop

Name / Company

5208 Catilina Rd Knoxville TN 37918

Address

865-771-9769 / carithers.wp.holdings@gmail.com

Phone / Email

CURRENT PROPERTY INFO

William Carithers Willy's Butcher Shop

Owner Name (if different)

5208 Catilina Rd Knoxville TN 37918

Owner Address

865-771-9769 / carithers.wp.hol

Owner Phone / Email

3336 SEVIER AVE

Property Address

109 F K 029

Parcel ID

Part of Parcel (Y/N)?

7228 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Other (specify) **Eating and Drinking Establishment**

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 Rezoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

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.

William Carithers

8/19/2024

Applicant Signature

Please Print

Date

Phone / Email

William Carithers Willy's Butcher Shop

8/19/2024

Property Owner Signature

Please Print

Date



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
- ☐ Final Plat

ZONING

- ☐ Plan Amendment
 - ☐ SP
 - ☐ PA
- ☐ Rezoning

William Carithers

Owner

| | | |
|----------------|------------------------------|-------------------------------------|
| Applicant Name | | Affiliation |
| 08/15/2024 | 10/03/2024 | File Number(s) 10-A-24-SU |
| Date Filed | Meeting Date (if applicable) | |

CORRESPONDENCE

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

| | | | | | |
|---|--|--|---|-----------------------------------|--|
| <input checked="" type="checkbox"/> Applicant | <input checked="" type="checkbox"/> Property Owner | <input type="checkbox"/> Option Holder | <input type="checkbox"/> Project Surveyor | <input type="checkbox"/> Engineer | <input type="checkbox"/> Architect/Landscape Architect |
| William Carithers | | Willy's Butcher Shop | | | |
| Name | | Company | | | |
| 5208 Catilina Rd | | Knoxville | TN | 37918 | |
| Address | | City | State | ZIP | |
| 8657719769 | | carithers.wp.holdings@gmail.com | | | |
| Phone | | Email | | | |

| | | |
|------------------------------------|------------------------|----------------------|
| CURRENT PROPERTY INFO | | |
| 5208 Catilina Rd | | 8657719769 |
| Property Owner Name (if different) | Property Owner Address | Property Owner Phone |
| 3336 Sevier Ave | 109FK029 | |
| Property Address | Parcel ID | |
| Sewer Provider | Water Provider | Septic (Y/N) |

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

JULY 2024

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Other (specify) **Restaurant**

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
☐ Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1

Fee 2

Fee 3

Total

\$1,600.00

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

William Carithers

Please Print

Date

8/16/2024

Phone Number

Email

Same as the applicant

8/19/2024 SH

Property Owner Signature

Please Print

Date Paid



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

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Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

09/20/2024

Date to be Posted

10/04/2024

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

☒ Yes ☐ No

☐ No, but I plan to prior to the Planning Commission meeting


William Carithers (Aug 16, 2024 15:02 EDT)

Applicant Signature

William Carithers

Applicant Name

8/16/2024

Date

10-A-24-SU
FILE NUMBER