

File #

8-D-19-VA

**BOARD OF ZONING APPEALS APPLICATION****APPLICANT INFORMATION**

Name ION Media Networks
Street Address 14444 66th St. North
City, State, Zip Clearwater, FL 33764
Phone Number 727-509-2893
Email karlyocher@ionmedia.com

APPLICANT IS:

Owner ☐
Contractor ☐
Tenant ☒
Other ☐

THIS PROPOSAL PERTAINS TO:

New Structure ☐
Modification of Existing Structure ☐
Off Street Parking ☐
Signage ☐
Other addition to comm prop ☒

THIS IS A REQUEST FOR:

- ☒ Zoning Variance (Building Permit Denied) ☐ Extension of Non-Conforming Use/or Structure
☐ Appeal of Administrative Official's Decision ☐ Map Interpretation

PROPERTY INFORMATION

Street Address 601 Sharps Ridge Memorial Park Drive
City, State, Zip Knoxville, TN 37917
Parcel # (see KGIS.org) 0690A028 (1690A028)
Zoning District (see KGIS.org) 18

VARIANCE REQUIREMENTS**City of Knoxville Zoning Ordinance Article 7, Section 2**

The City of Knoxville Board of Zoning Appeals shall have the power and authority to grant variances from terms of this ordinance according to the procedure and under the restrictions set out in this section.

The purpose of the variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the zoning ordinance intended.

DESCRIPTION OF APPEAL**Describe your project and why you need variances.**

Original plans submitted by applicant(R19-0673)showed two satellite dishes, the southern most satellite dish foundation being 15ft from the property line. Applicant was advised by the city planning department that a satellite dish foundation was in violation of a set back requirement and must be 25' from property line. The west part of the property where satellite dish placement is proposed is the only part of the property with the sufficient space to accommodate two dishes. To offset the proposed placement by 10ft to satisfy the set back requirement would hinder the operational ability of the satellite dishes due to interference issues of dishes being placed to close together. If it may serve as a possible justification that the setback variance be granted; the existing radio tower and electrical building in the same vicinity is less than 25' from the property line and shown in the site plans. The applicant would like to suggest, if this is an issue of aesthetics, that a privacy fence be installed in place of the existing chain link fence.

Describe hardship conditions that apply to this variance.

ION Media's Knoxville station, WPXK, has been mandated by the Federal Communications Commission to re-channel the station, resulting in ION Media leasing property at 601 Sharps Ridge to facilitate the new channel's operation. The two satellite dishes are vital to WPXK's operational integrity in delivering ION's programming to the Knoxville market.

APPLICANT AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request and that all owners have been notified of this request in writing.

APPLICANT'S SIGNATURE

DATE

22 July 2019

File # 8-D-19-VA



CITY OF KNOXVILLE

BOARD OF ZONING APPEALS APPLICATION

*******OFFICE USE ONLY*******

Is a plat required? Yes ☐ No ☒

VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):

Reduce the required minimum periphery boundary setback in the RP-1 zone from 25' to 15' for two (2) new satellite dishes.

Per Article 4, Section 3.1.D.2.

PROJECT INFORMATION

Date Filed 7-22-19

Fee Amount \$500

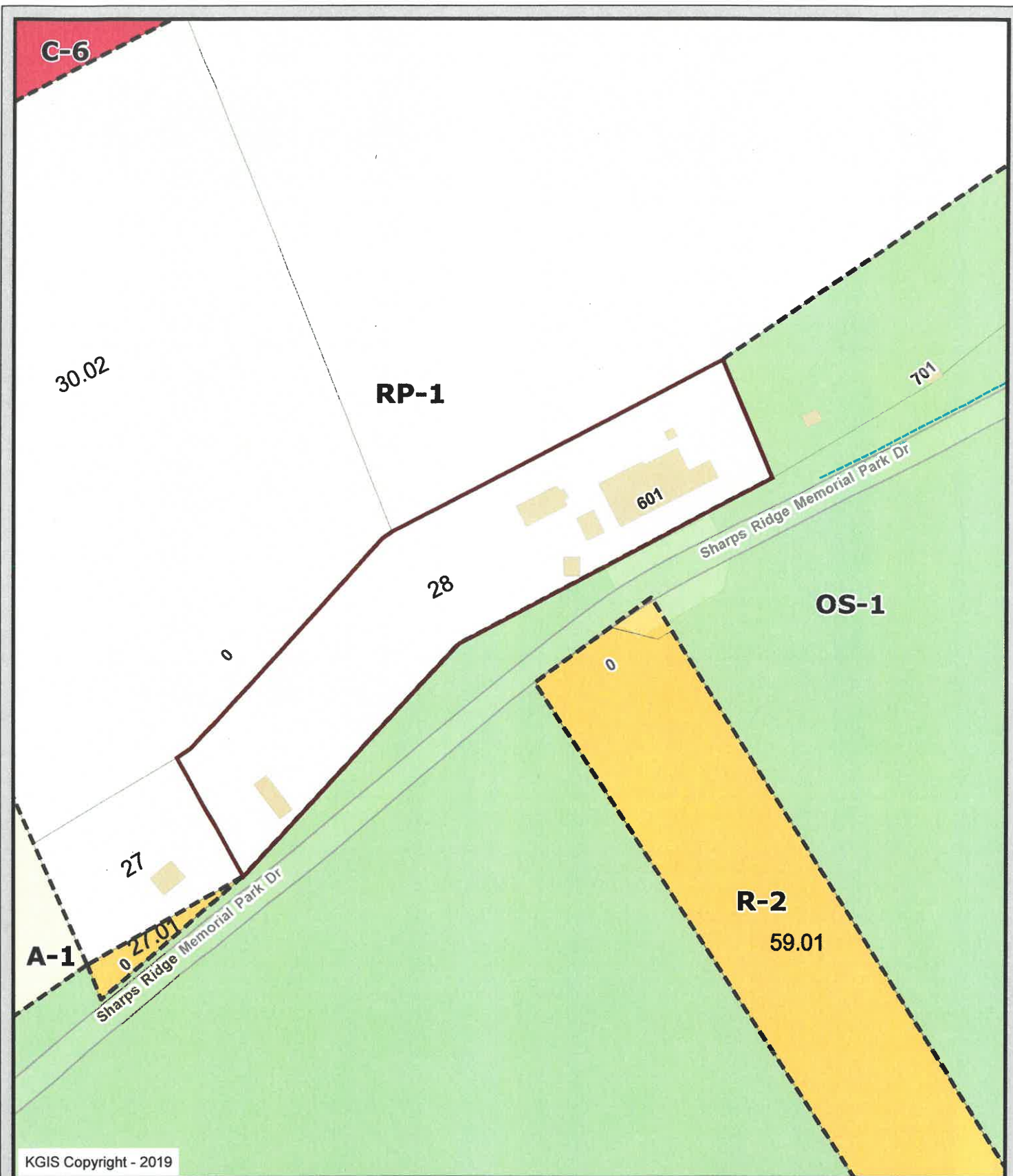
pd CC 7/23/19-rl

Council District 5

BZA Meeting Date 8-15-19

PLANS REVIEWER Rebecca Johnson

DATE 8-22-19



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8-D-19-VA

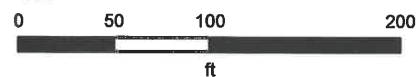
601 Sharps Ridge Memorial Park Dr.

ION Media Network

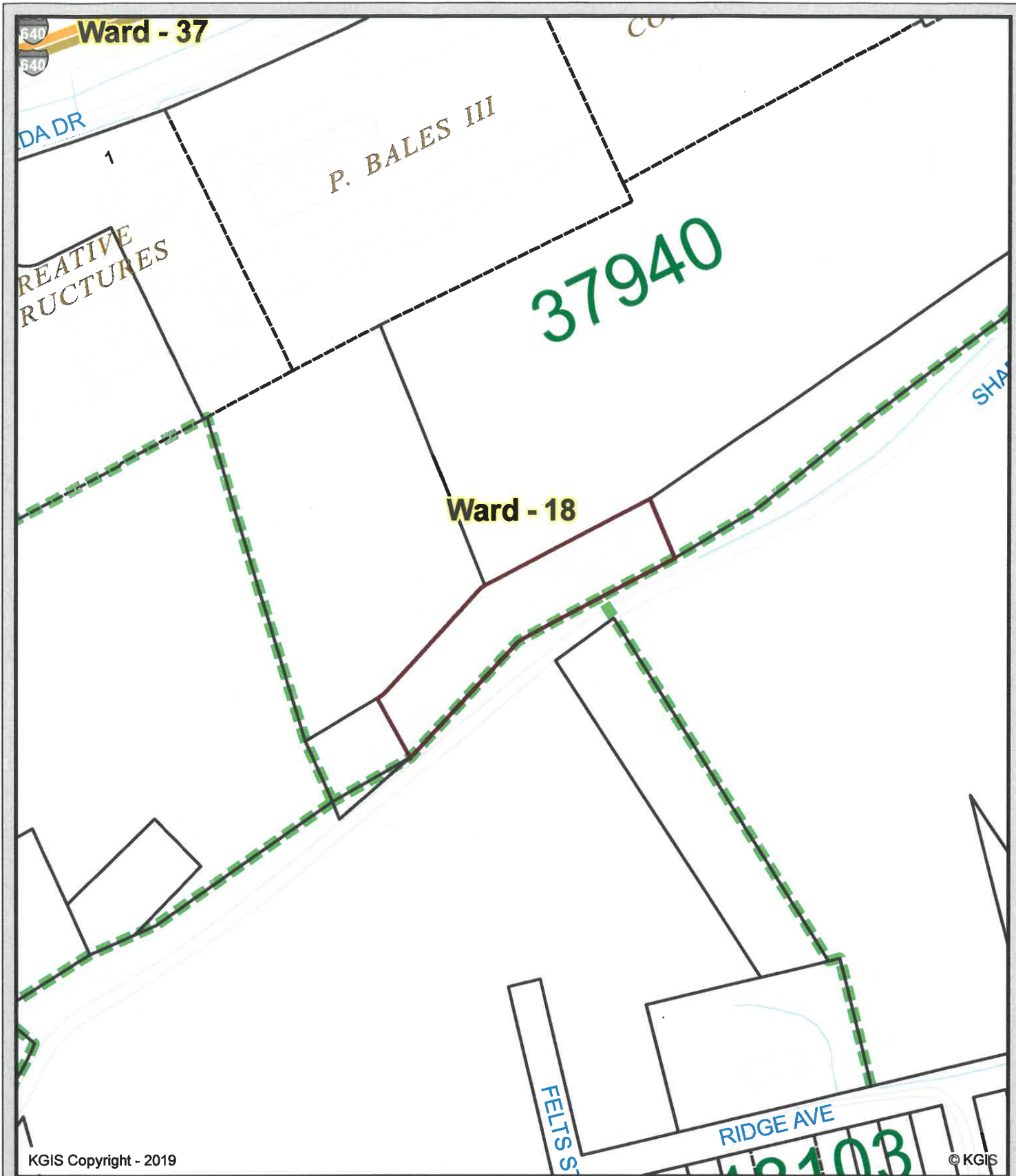
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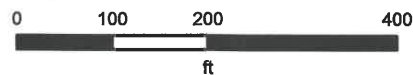
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601 Sharps Ridge Memorial Park Dr.
ION Media Network

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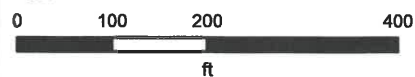
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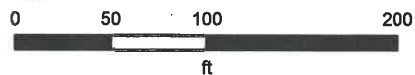
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ION Media Network

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Please see the responses from District 18 Operations below to this month's BZA applications:

8A19VA: No Comment

8B19VA: No Comment

8C19VA: There shall be no encroachment onto State Owned Rights of Way without proper permits.

8D19VA: No Comment



Steven M. Borden, P.E. | Director/Assistant Chief Engineer

TDOT – Region 1

7345 Region Lane

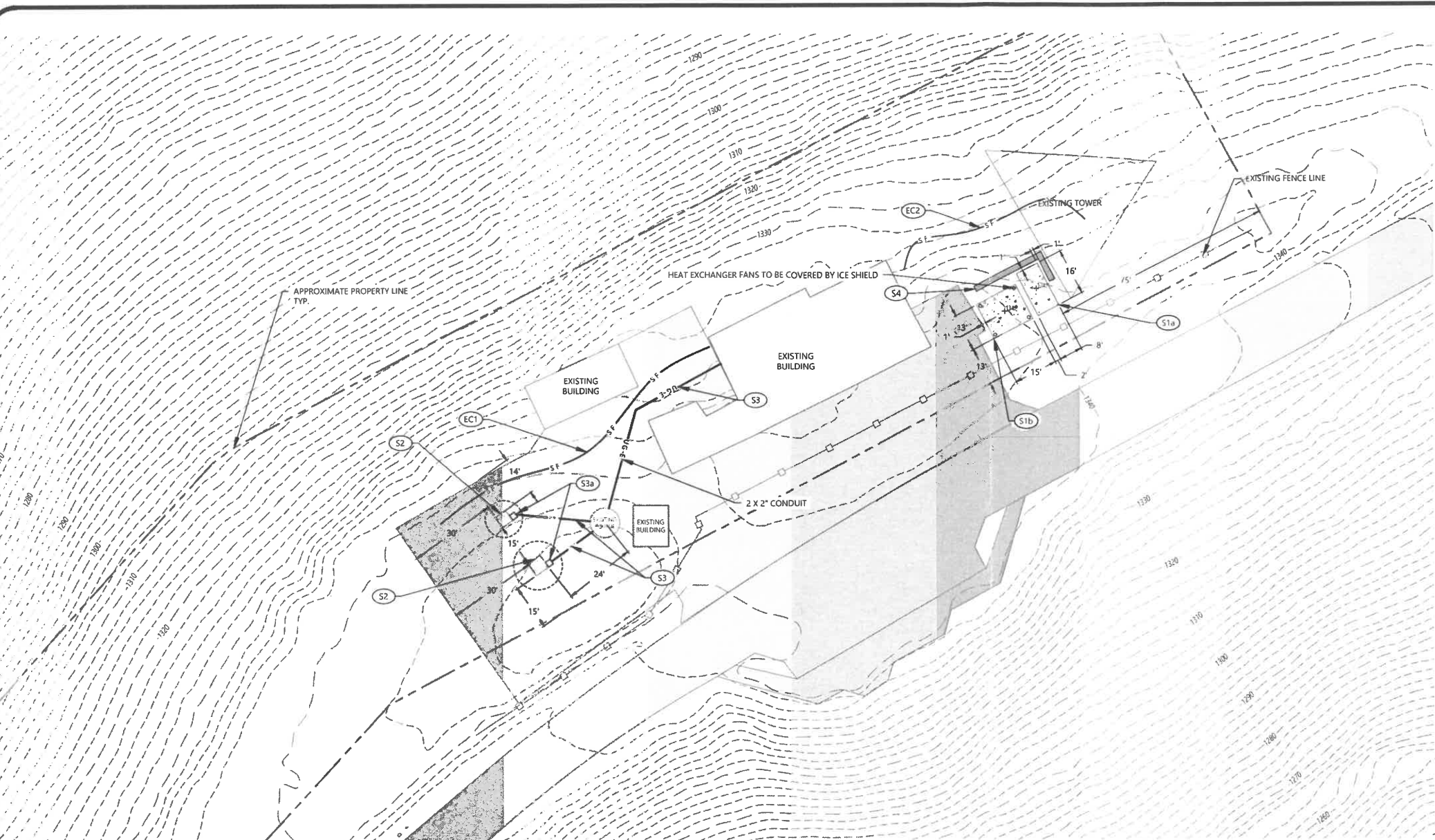
Knoxville, TN 37914

(865) 594-2400

Steve.Borden@tn.gov

tn.gov/tdot

DRAWING PATH: s:\projects\2019\19-010_wbi_lowe_s\1c_improvements\CAD\construction\19-010-19-010_C_GRA.dwg



GENERAL NOTES

1. SITE LAYOUT IS BASED OFF OF AERIAL IMAGERY, AND PUBLICLY AVAILABLE SOURCES, S&ME INC. DOES NOT ACCEPT ANY RESPONSIBILITY FOR INCONSISTENCIES OR INACCURACIES. CONTRACTOR TO VERIFY ALL DIMENSIONS IN THE FIELD AND CONTACT ENGINEER IF SIGNIFICANT INCONSISTENCIES ARE FOUND.
2. ALL DIMENSIONS ARE APPROXIMATE.
3. PROPERTY LINES ARE SCALED FROM KGIS AND WBIR TV TRANSMITTER TOWER BUILDING PLANS DATED 2/10/1956
4. THE CONTRACTOR SHALL CHECK ALL EXISTING CONDITIONS, (I.E. INVERTS, UTILITY ROUTINGS, UTILITY CROSSINGS, AND DIMENSIONS) IN THE FIELD PRIOR TO COMMENCEMENT OF WORK. REPORT ANY DISCREPANCIES TO THE ENGINEER.
5. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN. REPAIR ANY DAMAGE ACCORDING TO LOCAL STANDARDS AND AT THE CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY. THE CONTRACTOR SHALL CALL NATIONAL ONE CALL (811) 72 HOURS PRIOR TO PROCEEDING WITH ANY EXCAVATION.
6. THE CONTRACTOR SHALL CONFORM TO ALL LOCAL CODES AND RECEIVE APPROVAL WHERE NECESSARY BEFORE CONSTRUCTION.
4. PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING PAVEMENT AND NEW PAVEMENT. SLIGHT FIELD ADJUSTMENT OF FINAL GRADES MAY BE NECESSARY.
6. DIMENSIONS ARE TO FACE OF CURB AND/OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
7. ANY WORK UNACCEPTABLE TO THE OWNER'S REPRESENTATIVE OR TO THE LOCAL GOVERNING AUTHORITY SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.
8. THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE MANUAL OF ACCIDENT PREVENTION AND CONSTRUCTION ISSUED BY AGC OF AMERICA, INC. AND THE SAFETY AND HEALTH REGULATIONS OF CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.
9. ALL CONSTRUCTION MATERIALS AND INSTALLATION SHALL CONFORM TO LOCAL GOVERNING AGENCY AND STATE DOT REGULATIONS AND SPECIFICATIONS.

SITE GRADING NOTES

1. MULCH AND SEED ALL DISTURBED AREAS AS SOON AS POSSIBLE AFTER FINAL GRADING IS COMPLETED, UNLESS OTHERWISE INDICATED. CONTRACTOR SHALL TAKE WHATEVER MEANS NECESSARY TO ESTABLISH PERMANENT SOIL STABILIZATION.
2. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
3. THE CONTRACTOR SHALL CHECK ALL EXISTING GRADES AND DIMENSIONS IN THE FIELD PRIOR TO BEGINNING WORK AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
4. THE CONTRACTOR SHALL ADJUST THE CASTINGS OF ALL NEW AND EXISTING STRUCTURES TO MATCH PROPOSED FINISH GRADES.

SITE GRADING NOTES CONT.

5. PROPOSED CONTOUR LINES AND SPOT ELEVATIONS ARE THE RESULT OF AN ENGINEERED GRADING DESIGN AND REFLECT A PLANNED INTENT WITH REGARD TO DRAINAGE AND MOVEMENT OF MATERIALS. SHOULD THE CONTRACTOR HAVE ANY QUESTION OF THE INTENT OR ANY PROBLEM WITH THE CONTINUITY OF GRADES, THE ENGINEER SHALL BE CONTACTED IMMEDIATELY.
6. ALL CUT AND FILL SLOPES SHALL BE 3 HORIZONTAL TO 1 VERTICAL OR FLATTER UNLESS OTHERWISE INDICATED ON THE PLANS.
7. ALL PIPES UNDER EXISTING PAVED AREAS SHALL BE BACKFILLED TO THE TOP OF SUBGRADE WITH CRUSHED STONE.
8. MINIMUM GRADE ON ASPHALT OR CONCRETE PAVING SHALL BE 1.0%. THE MAXIMUM GRADES WITHIN ACCESSIBLE SPACES SHALL BE 2% IN ANY DIRECTION.
9. CONTRACTOR SHALL CONFORM TO ALL APPLICABLE CODES AND OBTAIN APPROVAL AS NECESSARY BEFORE BEGINNING CONSTRUCTION.
10. IF ANY SPRINGS OR UNDERGROUND STREAMS ARE EXPOSED DURING CONSTRUCTION PERMANENT FRENCH DRAINS MAY BE REQUIRED. THE DRAINS SHALL BE SPECIFIED AND LOCATED DURING CONSTRUCTION AS REQUIRED BY THE CONDITIONS WHICH ARE ENCOUNTERED, AND SHALL BE APPROVED BY THE ENGINEER.
11. THIS GRADING & DRAINAGE PLAN IS NOT A DETERMINATION OR GUARANTEE OF THE SUITABILITY OF THE SUBSURFACE CONDITIONS FOR THE WORK INDICATED. DETERMINATION OF THE SUBSURFACE CONDITIONS FOR THE WORK INDICATED IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.
12. THE CONTRACTOR SHALL TAKE SPECIAL CARE TO COMPACT FILL SUFFICIENTLY AROUND AND OVER ALL PIPES, STRUCTURES, VALVE STEMS, ETC. INSIDE THE PROPOSED PAVED AREAS TO AVOID SETTLEMENT. ANY SETTLEMENT DURING THE WARRANTY PERIOD SHALL BE RESTORED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
13. IN NO CASE SHALL SLOPE, HEIGHT, SLOPE INCLINATION, OR EXCAVATION DEPTH, INCLUDING TRENCH CONSTRUCTION, EXCEED THOSE SPECIFIED IN LOCAL, STATE AND FEDERAL REGULATIONS. SPECIFICALLY THE CURRENT OSHA HEALTH AND SAFETY STANDARDS FOR EXCAVATIONS (29 CFR PART 1926) SHALL BE FOLLOWED.
14. DO NOT DISTURB VEGETATION OR REMOVE TREES EXCEPT WHEN NECESSARY FOR GRADING PURPOSES.
15. ANY SITE USED FOR DISPOSAL AND/OR STOCKPILE OF ANY MATERIAL SHALL BE PROPERLY PERMITTED FOR SUCH ACTIVITY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SEE THAT ALL REQUIRED PERMITS ARE SECURED FOR EACH PROPERTY UTILIZED. A COPY OF THE APPROVED PERMIT MUST BE PROVIDED TO THE INSPECTOR PRIOR TO COMMENCEMENT OF WORK ON ANY PROPERTY. FAILURE TO DO SO MAY RESULT IN THE CONTRACTOR REMOVING ANY ILLEGALLY PLACED MATERIAL AT HIS OWN EXPENSE.
16. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO WASTE EXCESS EARTH MATERIAL OFF SITE AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR SHALL FIRST OFFER THE EXCESS MATERIAL TO THE OWNER. IF NOT ACCEPTED BY THE OWNER, THE CONTRACTOR SHALL DISPOSE OF EARTH MATERIAL OFF SITE. IT SHALL ALSO BE THE CONTRACTOR'S RESPONSIBILITY TO IMPORT SUITABLE MATERIAL (AT NO ADDITIONAL COST TO THE OWNER) FOR EARTHWORK OPERATIONS IF SUFFICIENT AMOUNTS OF EARTH MATERIAL ARE NOT AVAILABLE ON SITE.

SITE GRADING NOTES CONT.

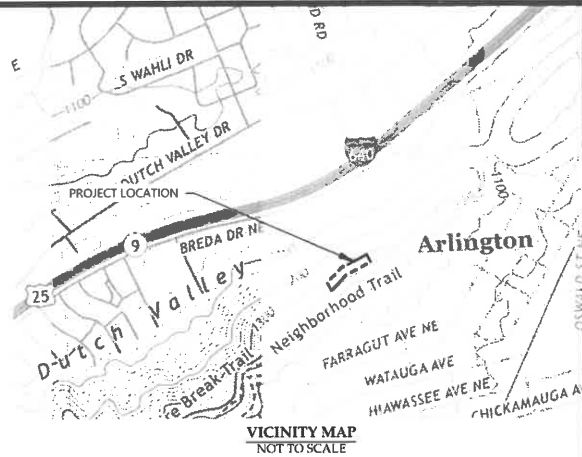
17. SEGMENTAL WALLS SHALL BE PROVIDED BY THE CONTRACTOR AS A DESIGN BUILD. WALL DESIGN PLANS STAMPED BY A REGISTERED ENGINEER IN THE STATE OF THE PROJECT SHALL BE SUBMITTED TO THE ENGINEER AS A SHOP DRAWING. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY GEOTECHNICAL INFORMATION NECESSARY TO PROPERLY DESIGN THE WALL.

STRUCTURAL AND GEOTECHNICAL NOTES:

1. NO GEOTECHNICAL INVESTIGATION WAS PERFORMED FOR THIS SITE AS A PART OF THIS DESIGN. S&ME INC. AND ANY OF THEIR CONSULTANTS SHALL NOT BE HELD RESPONSIBLE FOR ANY COMPLICATIONS DUE TO SUB-SURFACE CONDITIONS.
2. NO STRUCTURAL DESIGN WAS PERFORMED. ALL STRUCTURAL ELEMENTS (EQUIPMENT PADS, ETC) AND DETAILS SHALL BE DESIGNED OR APPROVED BY A STRUCTURAL ENGINEER LICENSED IN THE STATE OF TENNESSEE. S&ME INC. SHALL NOT BE HELD RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF STRUCTURAL ELEMENTS.

EROSION CONTROL NOTES:

1. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES MUST BE IN PLACE AND FUNCTIONAL BEFORE EARTH MOVING OPERATION BEGINS AND MUST BE CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. TEMPORARY MEASURES MAY BE REMOVED AT THE BEGINNING OF THE WORKDAY BUT MUST BE REPLACED AT THE END OF THE WORKDAY.
2. PRE-CONSTRUCTION VEGETATIVE GROUND COVER SHALL NOT BE DESTROYED, REMOVED OR DISTURBED MORE THAN 10 DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY COVER IS INSTALLED.
3. SEDIMENT SHOULD BE REMOVED FROM SEDIMENT TRAPS, SILT FENCES, SEDIMENTATION PONDS AND OTHER SEDIMENT CONTROLS AS NECESSARY AND MUST BE REMOVED WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50% OR AS DIRECTED BY OWNERS REPRESENTATIVE.
4. THE CONTRACTOR SHALL REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN IN THE OPINION OF THE OWNER'S REPRESENTATIVE, THEY ARE NO LONGER NEEDED.

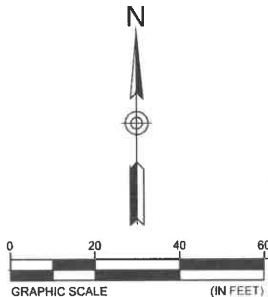
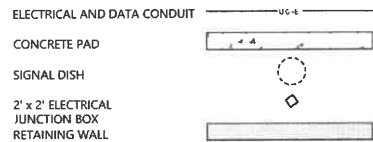


SITE LAYOUT KEYNOTES		
CODE	DESCRIPTION	DET #/SHT #
EC1	EROSION EEL	1/C2.0
EC2	SILT FENCE	2/C2.0
S1a	GENERATOR PAD	3/C2.0
S1b	HEAT EXCHANGER PAD	4/C2.0
S2	SIGNAL DISH PAD	6/C2.0
S3	ELECTRICAL CONDUIT	5/C2.0
S3a	2' x 2' ELECTRICAL JUNCTION BOX	
S4	RETAINING WALL (DESIGN BY CONTRACTOR)	
S5	ANTENNA REPLACEMENT	7-C2.0

SITE DATA

COUNCIL DISTRICT: 5
COUNCIL MEMBER: MARK CAMPEN
PARCEL ID: 16904028
SITE ADDRESS: 601 SHARPS RIDGE MEMORIAL KNOXVILLE, TN 37917
SITE ACREAGE: 1.70 AC.
EXISTING ZONING: RP-1
OWNER: WMRC INC
ADDRESS: 1513 HUTCHINSON AVE KNOXVILLE, TN 37917
PHONE NO: 727-509-2893
CONTACT NAME: KARL YOCHER
CONTACT E-MAIL ADDRESS: client e-mail
ENGINEER NAME: BRAD SALSURY
ENGINEER E-MAIL ADDRESS: bsalsbury@smeinc.com
RECORDED DOCUMENTS: DEED BOOK 1162 PAGE 301

PROPOSED FEATURES LEGEND



6515 NIGHTINGALE LANE
KNOXVILLE, TN 37909
(865) 934-6023



NO.	DATE	DESCRIPTION
	5/17/2019	ORIGINAL
		BY
		CHK
		BRS
		BRS
		APV

SITE LAYOUT PLAN

PERMIT SET
WBIR TOWER SITE IMPROVEMENTS
KNOXVILLE, KNOX, TENNESSEE

PROJECT NUMBER:
5143-19-010
DRAWING NUMBER

C1.0

8-D-19-VA