

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 12-H-07-UR                      **Related File Number:**  
**Application Filed:** 11/5/2007              **Date of Revision:**  
**Applicant:** U.S. CELLULAR CORPORATION

## PROPERTY INFORMATION

**General Location:** North side of Sam Lee Rd., northeast of Steele Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 103 064                      **Jurisdiction:** County  
**Size of Tract:** 10000 square feet  
**Accessibility:** Access is via Sam Lee Rd., a major collector street with an 18' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** 195' monopole telecommunication tower                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This site is located in a rural residential area developed under A (Agricultural) zoning. The proposed tower site is just south of the recommended alignment of proposed SR-475.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 11301 Sam Lee Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

## **SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

## **OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

## **MPC ACTION AND DISPOSITION**

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the request for a 195' monopole telecommunications tower in the A zoning district, subject to the following 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation for the driveway crossing the sinkhole.
3. Installation of landscaping as shown on the development plan within six months of the tower becoming operational.
4. Meeting all applicable requirements of the Knox County Department of Engineering & Public Works.
5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
6. At the time of the request for a building permit, posting a bond or other approved financial surety that would ensure the removal of the tower if it is abandoned.

With the conditions noted above, this request meets all criteria for a use-on-review in the A zoning district.

Comments:

This is a request for a new 195' monopole telecommunications tower to be located within a 10,000 square foot lease area located on a 8.8 acre parcel. The majority of the site is wooded. The proposed tower site will have access to Sam Lee Rd. by a 30' wide access easement. The proposed driveway that will serve the site will cross a closed contour/sinkhole. The applicant will be required to obtain all applicable approvals from the Tennessee Department of Environment and Conservation for the crossing of the sinkhole. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district.

The proposed tower is required to be located 214.5' (110% of the tower height) from the nearest residence. The nearest residence is located approximately 270' to the east of the proposed tower.

According to the Knoxville-Knox County Wireless Communications Facility Plan, rural/heavily wooded areas are considered "Opportunity Areas" for telecommunication towers. Since the proposed site is located within 500' of a residence it is also considered to be within a "Sensitive Area". At a proposed height of 195', the Plan discourages tall towers near residences. Since the adoption of the Facility Plan, the Knox County Zoning Ordinance has been amended to increase setback from residences to 110% of the towers height. The proposed telecommunication tower far exceeds that requirement.

The visual impact on nearby residences will be minimal due to the fact that the proposed site is heavily wooded. This vegetation will provide a natural buffer between the tower and adjacent residences. The applicant will be required to install a 6' high security fence prior to the tower becoming operational. A landscape screen is also being provided around the site.

The tower is designed so it will collapse upon itself in case of a natural disaster or other failure. FAA does not require any lighting for the tower. The tower will support up to 5 telecommunication carrier antenna arrays. U. S. Cellular Corporation will be the principal client for the tower. A letter has been submitted stating that U. S. Cellular Corporation agrees to make this facility available to other wireless providers for co-location. There are no other towers within one mile of the proposed tower that could provide the coverage needed by the applicant.

Attached to the staff report are several support documents, including a report from MPC's tower consultant, Mr. Larry E. Perry. Mr. Perry's report describes the proposal and highlights his findings. Mr. Perry concludes that the 195' tower is technically justified by the materials submitted by the applicant (see attached report).

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND

THE COMMUNITY AS A WHOLE

- 1. The proposed development will have minimal impact on local services since utilities are available to serve this site.
- 2. The tower, being located within a low density residential area, is required to be screened. Since this 8.8 acre parcel is heavily wooded and a landscaped screen will be provided around the tower site, the impact on nearby residences will be minimal.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

- 1. The proposed commercial telecommunications tower at this location meets the standards required in the A zoning district.
- 2. The proposed tower is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Northeast County Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. Since this is a heavily wooded area, the use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northwest County Sector Plan proposes low density residential uses for this area. The proposed development is consistent with this land designation.
- 2. The Wireless Communications Facility Plan identifies the proposed 195' monopole as a "tall" monopole. Under the guidelines in the Tower Placement section of the Facility Plan, the proposed tower falls within both the "Opportunity Area" and "Sensitive Area" categories. The Plan takes a neutral position on tall monopoles located in "Opportunity Areas" While tall towers are discouraged in residential areas, the required setbacks reduce the impact to nearby residences. (see attached matrix).

**MPC Action:** Approved **MPC Meeting Date:** 12/13/2007

- Details of MPC action:**
- 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  - 2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation for the driveway crossing the sinkhole.
  - 3. Installation of landscaping as shown on the development plan within six months of the tower becoming operational.
  - 4. Meeting all applicable requirements of the Knox County Department of Engineering & Public Works.
  - 5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
  - 6. At the time of the request for a building permit, posting a bond or other approved financial surety that would ensure the removal of the tower if it is abandoned.

With the conditions noted above, this request meets all criteria for a use-on-review in the A zoning district.

**Summary of MPC action:** APPROVE the request for a 195' monopole telecommunications tower in the A zoning district, subject to the following 6 conditions:

**Date of MPC Approval:** 12/13/2007 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Board of Zoning Appeals

**Date of Legislative Action:** **Date of Legislative Action, Second Reading:**

**Ordinance Number:** **Other Ordinance Number References:**

**Disposition of Case:** **Disposition of Case, Second Reading:**

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**