

# 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

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 5-F-11-UR                      **Related File Number:**  
**Application Filed:** 4/4/2011              **Date of Revision:**  
**Applicant:** OPTIMA TOWERS IV, LLC KEITH POWELL

## PROPERTY INFORMATION

**General Location:** North side of Dave Smith Rd., east of Smith School Rd. along the Sevier County line.  
**Other Parcel Info.:**  
**Tax ID Number:** 100 010                      **Jurisdiction:** County  
**Size of Tract:** 48.97 acres  
**Accessibility:** Access is via Dave Smith Rd., a local street with a 16' pavement width within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture  
**Surrounding Land Use:**  
**Proposed Use:** 270' Commercial Telecommunications Lattice Tower                      **Density:**  
**Sector Plan:** East County                      **Sector Plan Designation:** AG/RR, STPA  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** The proposed site is located in an agricultural/rural residential area of eastern Knox County.

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

**Street:** 2404 Dave Smith 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 270' telecommunications lattice tower in the A zoning district subject to 6 conditions .

**Staff Recomm. (Full):**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. The access drive for the tower site shall be paved to a width of 16 feet meeting the utility access driveway standards (copy attached) of the Knox County Fire Prevention Bureau. A revised plan for the access drive and turnaround area shall be submitted to the Knox County Fire Marshal and the Knox County Department of Engineering and Public Works for review and approval prior to any permits being issued.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Installing an evergreen landscaping screen around the fenced enclosure, as required by the Zoning Ordinance, within six months of the tower becoming operational.
5. Meeting FAA requirements for required lighting for 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 270 foot lattice telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 48.97 acre tract. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district.

The proposed tower site will have access to Dave Smith Road by a driveway that currently serves a couple of barns. The driveway will have to be upgraded to meet utility access driveway standards of the Knox County Fire Prevention Bureau which requires at a minimum a 16' wide paved driveway. The vertical driveway transition from Dave Smith Rd. will have to be corrected and documentation will be required on compliance with all turning radii.

The proposed tower is required to be located 297 feet (110% of the tower height) from the nearest residence. The proposed tower far exceeds that minimum standard since the nearest residence is 618' from the proposed tower. The applicant is proposing an 8' high security fence around the tower and equipment area. Due to the height of the tower, FAA does require lighting for the tower.

The applicant states that there are no existing structures in the area that can be used for antenna placement to obtain the required coverage. The tower will support up to 4 telecommunication carrier antenna arrays. AT&T will be the principal client for the tower. An agreement has been submitted stating that Optima Towers agrees to make all of its facilities available to other wireless providers.

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 270' lattice 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 site, being located in an area made up of primarily large tracts should have minimal impact on nearby residences.

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

1. With the recommended conditions, the proposed commercial telecommunications tower at this location meets the standards required in the A (Agricultural) 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, East County Sector Plan and Wireless Communications Facility Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. Since this site is in a rural 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 East County Sector Plan proposes agricultural and rural residential uses on this property. With the minimal site alteration required for the proposed tower (access drive also serves as a driveway for existing barns), the proposed development is consistent with this land designation.
2. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed tower falls within the "Opportunity Area". The proposed tower site is located on the edge of a rural/heavily wooded area and is adjacent to pasture. The plan considers both rural/heavily wooded areas and pasture areas to be "Opportunity Areas" for the location of telecommunication towers. The Plan takes a neutral position on lattice towers located in a rural/heavily wooded area but discourages lattice towers that are located in pasture areas. Moving the tower further into the wooded area would require more site alteration and move the tower closer to a stream protection area, therefore, staff supports the proposed location. While located on a small hill, the site is not located in any slope protection area.
3. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 5/12/2011

**Details of Action:**

**Summary of Action:** APPROVE the request for a 270' telecommunications lattice tower in the A zoning district subject to 6 conditions .

**Date of Approval:** 5/12/2011 **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:**