

File # 6-E-21-UA



# BOARD OF ZONING APPEALS APPLICATION

Click on **Meeting Schedule, Deadlines and Fees** for information on submitting an application to be heard at a monthly Board meeting.

APPLICANT INFORMATION	APPLICANT IS:	THIS PROPOSAL PERTAINS TO:
Name: Hudson Materials Company	Owner <input type="checkbox"/>	New Structure <input type="checkbox"/>
Street Address: 1615 Sholar Avenue	Contractor <input type="checkbox"/>	Modification of Existing Structure <input checked="" type="checkbox"/>
City, State, Zip: Chattanooga, TN 37406	Tenant <input checked="" type="checkbox"/>	Off Street Parking <input type="checkbox"/>
Phone Number: 423-624-2631	Other <input type="checkbox"/>	Signage <input type="checkbox"/>
Email: GarrettG@hudsoncc.com		Other: <input type="checkbox"/>

### THIS IS A REQUEST FOR:

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

### PROPERTY INFORMATION

Street Address : 405 West Oldham Avenue  
 See KGIS.org for Parcel #: 081NB034  
 City, State, Zip: Knoxville, TN 37917  
 and Zoning District: I-MU/F

### 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.

The work associated with this variance would involve the removal and replacement of 17 tanks. We would also remove but not replace 2 tanks. We would add 5 new tanks. We would also remove and replace all tank foundations, piping, gauges, and insulation for all tanks. This work would also involve reconstructing the secondary containment (concrete curb) on the north side of the plant to surround all tanks. We would also be installing a hot oil heating system that would replace the old electrical heating system that is currently in place. Hot oil heating is much safer and more efficient heating system. The work associated with this variance in comparison from the very original site plan would add a net overall gain of one tank. The scope of work with this variance is very similar to our previous variance request. Our main objective is to upgrade our plant equipment with the latest technology and equipment available. This will reduce our energy consumption and make our facility safer and more efficient. Our business operations would be the same.

**REVISED**

5-24-21

Describe hardship conditions that apply to this variance.

We are unable to upgrade our facility due to being classified as non-conforming use. We are not changing our business operations and the type of work that is done but are simply trying to upgrade the facility.

### 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

5-21-21

File #



**BOARD OF ZONING APPEALS APPLICATION**

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

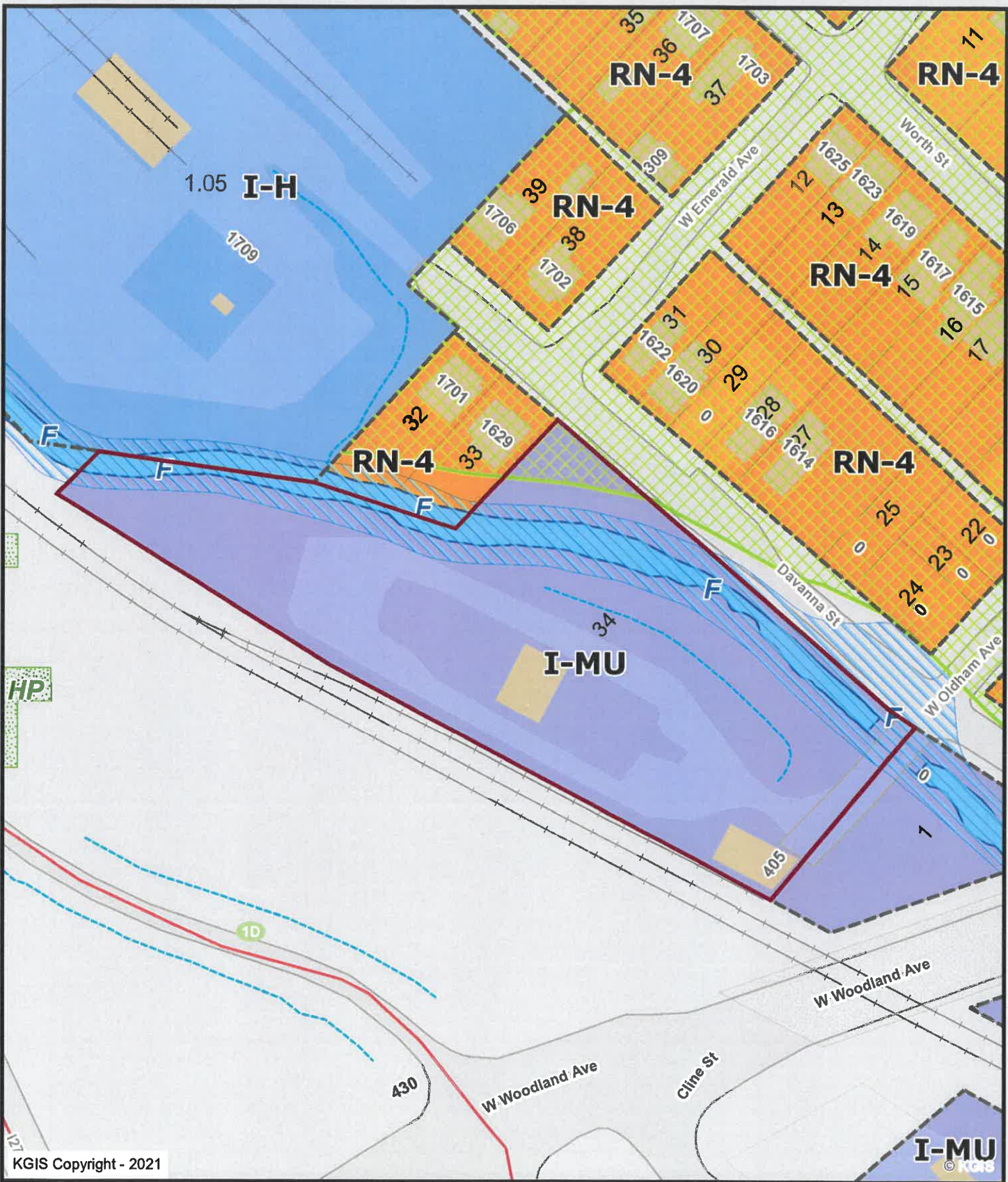
Is a plat required?    Yes     No

Small Lot of record?

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

**PROJECT INFORMATION**

Date Filed	Fee Amount
Council District	BZA Meeting Date
<b>PLANS REVIEWER</b>	<b>DATE</b>



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405 West Oldham Ave.

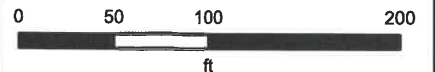
6-E-21-VA

Hudson Materials Company

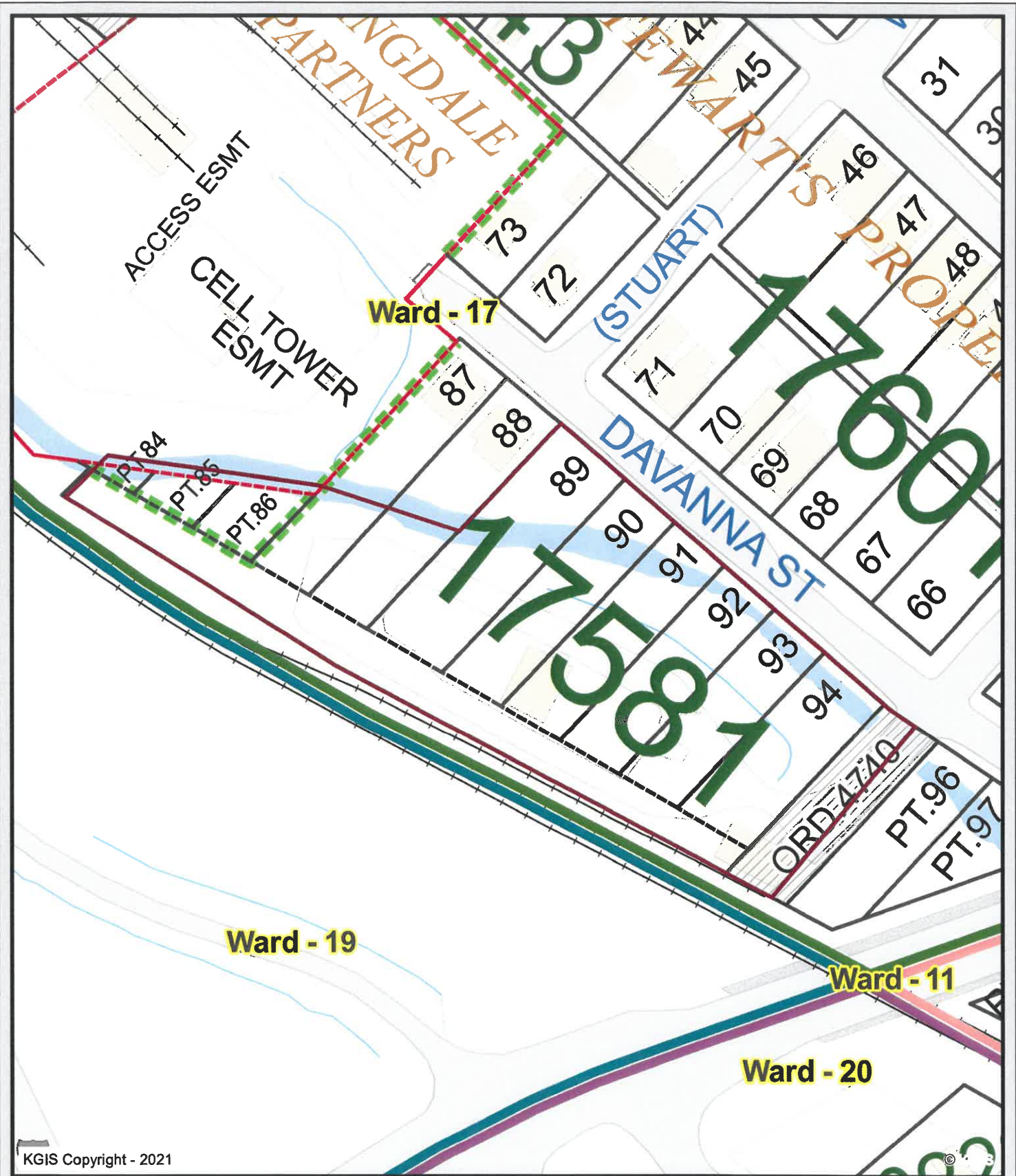
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405 West Oldham Ave.

6-E-21-VA

Hudson Materials Company

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**405 West Oldham Ave.**

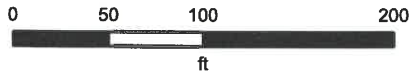
6-E-21-VA

Hudson Materials Company

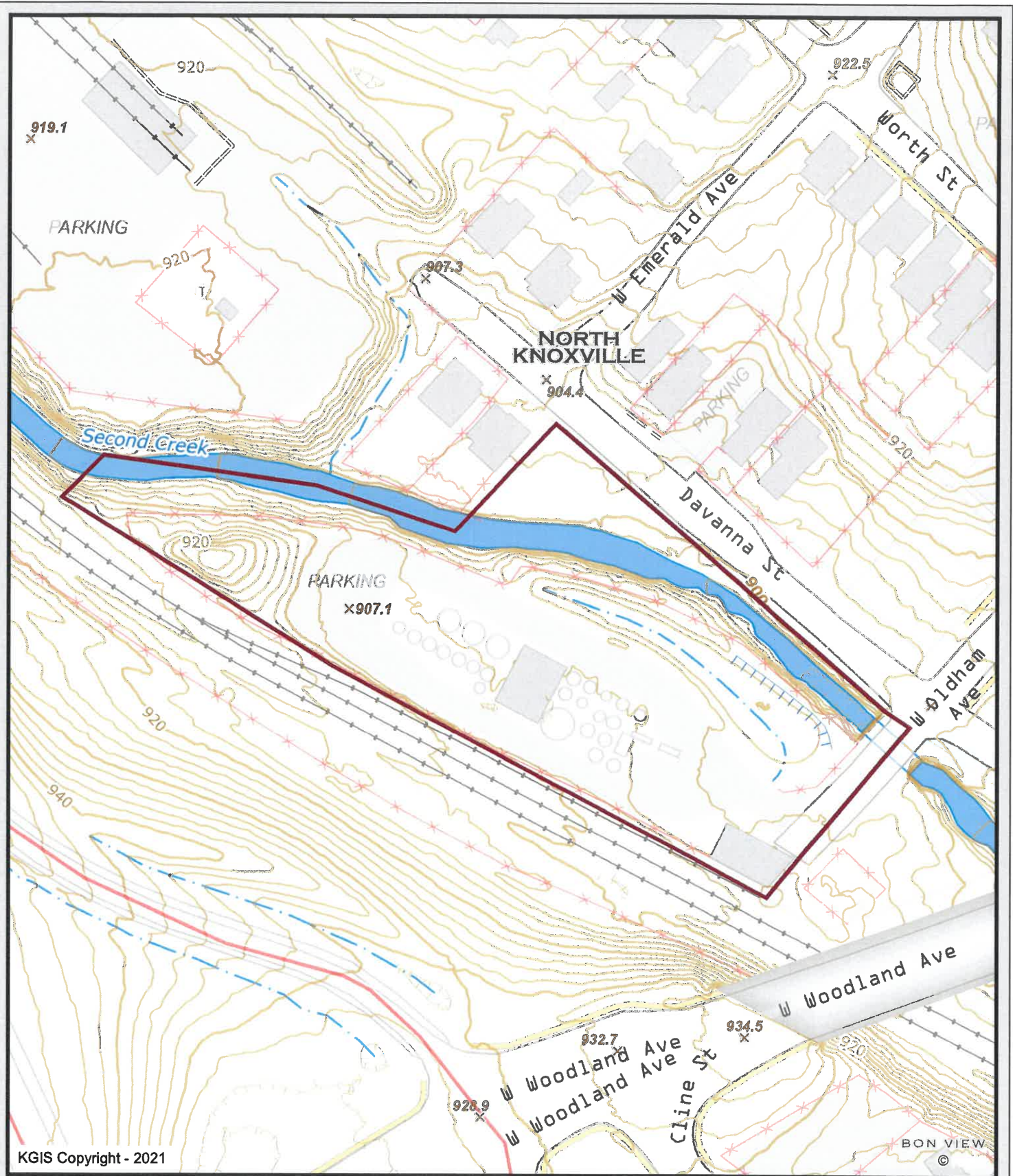
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**405 West Oldham Ave.**

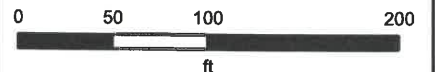
6-E-21-VA

Hudson Materials Company

**Knoxville - Knox County - KUB Geographic Information System**



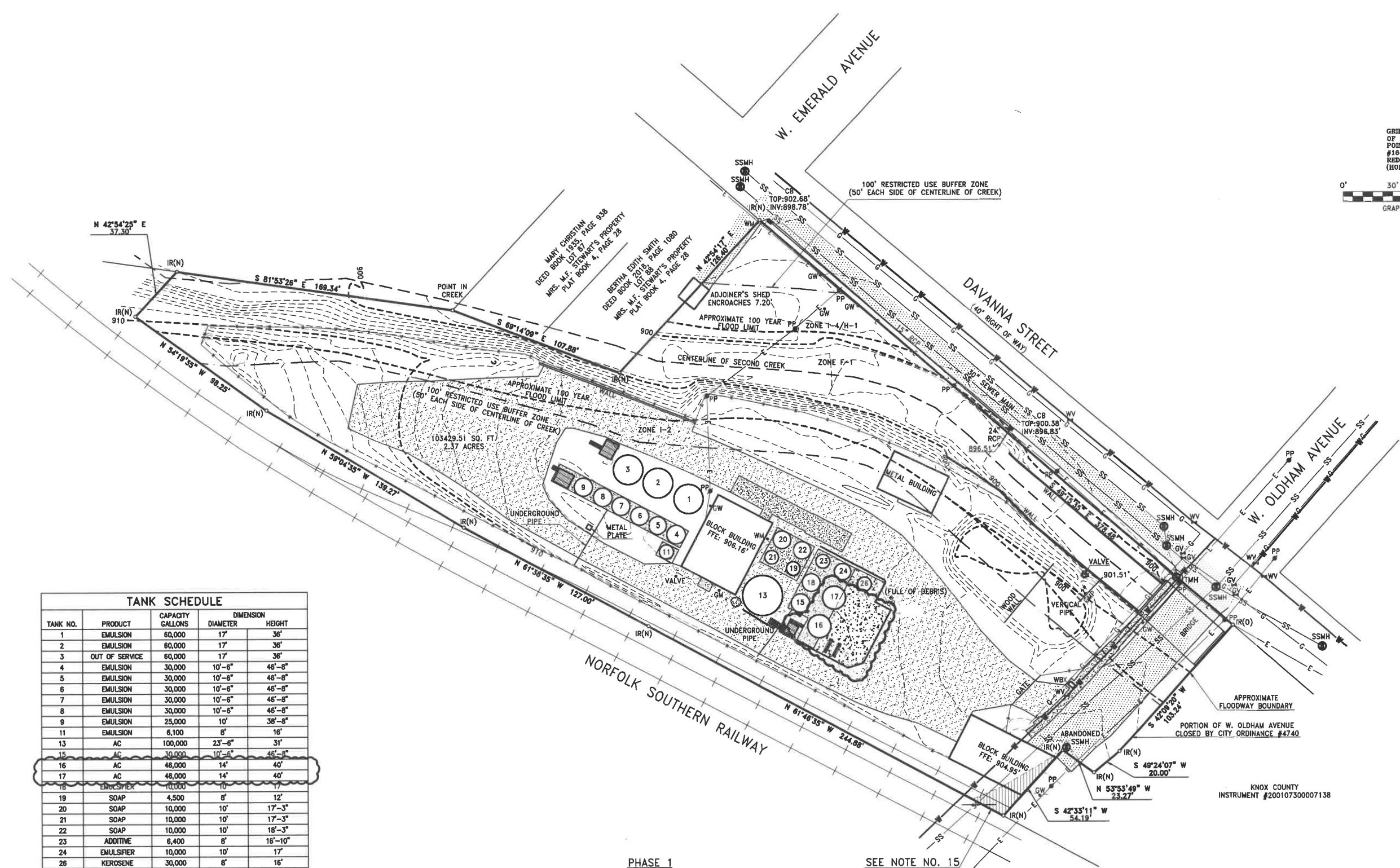
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GRID NORTH IS BASED ON A BEARING OF S 42°41'21" E FROM CITY CONTROL POINT #1699 TO CITY CONTROL POINT #1640. DISTANCES HAVE NOT BEEN REDUCED TO GRID. (HORIZONTAL DATUM NAD83(NSRS2007))



TANK SCHEDULE				
TANK NO.	PRODUCT	CAPACITY GALLONS	DIMENSION	
			DIAMETER	HEIGHT
1	EMULSION	60,000	17'	36'
2	EMULSION	60,000	17'	36'
3	OUT OF SERVICE	60,000	17'	36'
4	EMULSION	30,000	10'-6"	46'-8"
5	EMULSION	30,000	10'-6"	46'-8"
6	EMULSION	30,000	10'-6"	46'-8"
7	EMULSION	30,000	10'-6"	46'-8"
8	EMULSION	30,000	10'-6"	46'-8"
9	EMULSION	25,000	10'	38'-8"
11	EMULSION	6,100	8'	16'
13	AC	100,000	23'-6"	31'
15	AC	30,000	10'-6"	46'-8"
16	AC	46,000	14'	40'
17	AC	46,000	14'	40'
18	EMULSION	10,000	10'	17'
19	SOAP	4,500	8'	12'
20	SOAP	10,000	10'	17'-3"
21	SOAP	10,000	10'	17'-3"
22	SOAP	10,000	10'	18'-3"
23	ADDITIVE	6,400	8'	16'-10"
24	EMULSIFIER	10,000	10'	17'
26	KEROSENE	30,000	8'	16'

LEGEND	
	WOOD
	ASPHALT
	GRAVEL
	CONCRETE
	IRON ROD OLD
	IRON ROD NEW
	IRON PIPE OLD
	UNMONUMENTED POINT
	POWER POLE
	LIGHT POLE
	SERVICE POLE
	REINFORCED CONCRETE PIPE
	CORRUGATED METAL PIPE
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	CATCH BASIN
	GUY WIRE
	WATER METER
	WATER VALVE
	GAS METER
	GAS VALVE
	ELECTRIC METER
	CLEAN OUT
	TELEPHONE PEDESTAL
	WATER BOX
	SHUT OFF VALVE
	FIRE HYDRANT
	TELEPHONE MANHOLE

LINE LEGEND	
	PROPERTY LINE
	SANITARY SEWER LINE
	ELECTRIC LINE
	GAS LINE
	WATER LINE
	TELEPHONE LINE
	FENCE LINE

PHASE 1

SEE NOTE NO. 15

SCALE : AS NOTED

NOTICE	NOTES	REFERENCE DRAWINGS	REVISIONS	COMPANY	PROJECT																																
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	NO.	DESCRIPTION	BY	DATE	CHK.	DATE	APPR.	DATE																													
0	ISSUED FOR PERMIT	LWL	11/20/20																																		
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2	GENERAL UPDATE	LWL	3/4/21																																		
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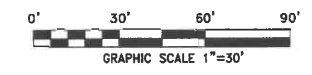




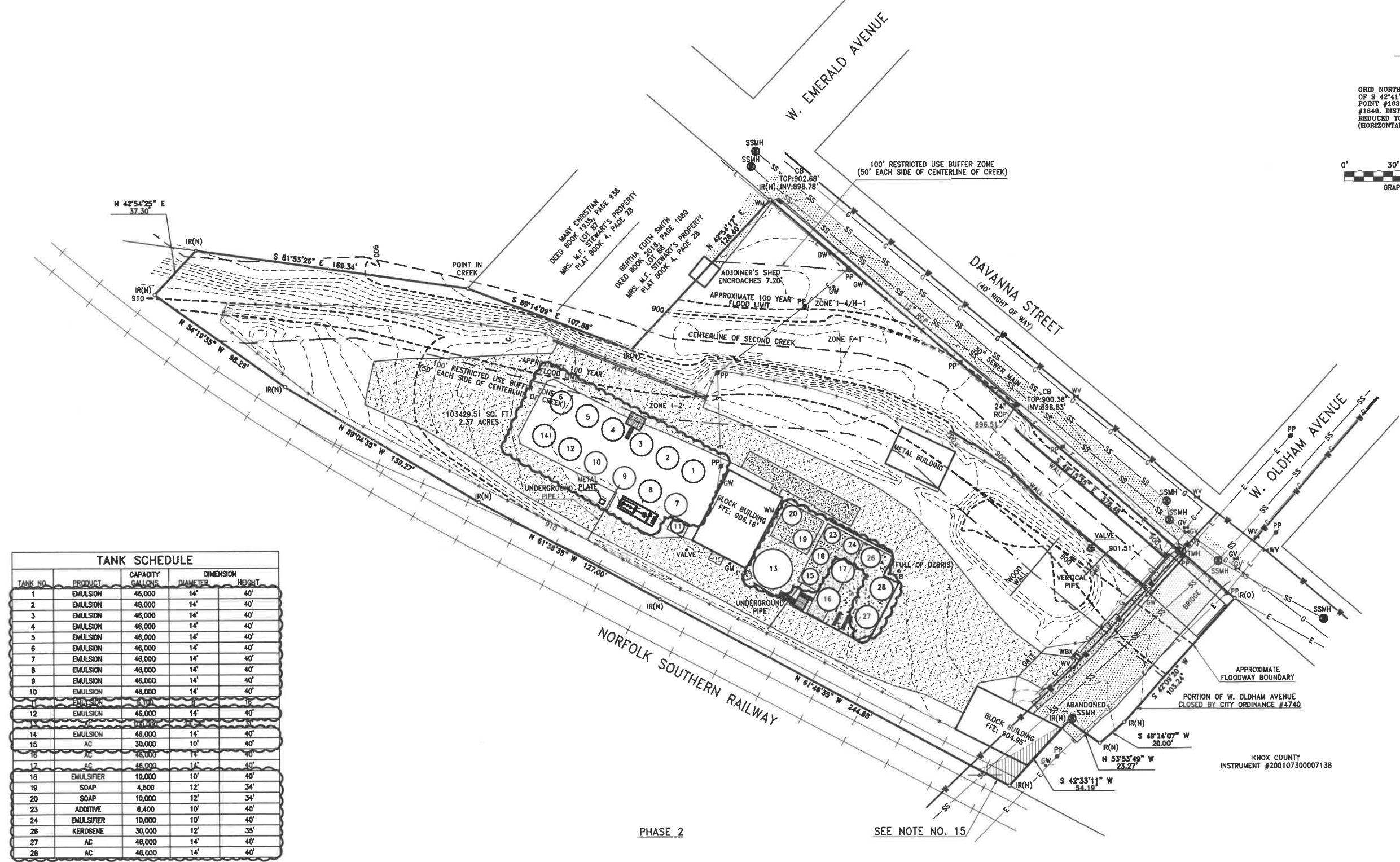




GRID NORTH IS BASED ON A BEARING OF S 42°41'21" E FROM CITY CONTROL POINT #1659 TO CITY CONTROL POINT #1840. DISTANCES HAVE NOT BEEN REDUCED TO GRID. (HORIZONTAL DATUM NAD83(NSRS2007))



TANK SCHEDULE				
TANK NO.	PRODUCT	CAPACITY GALLONS	DIMENSION	HEIGHT
1	EMULSION	46,000	14' x 40'	40'
2	EMULSION	46,000	14' x 40'	40'
3	EMULSION	46,000	14' x 40'	40'
4	EMULSION	46,000	14' x 40'	40'
5	EMULSION	46,000	14' x 40'	40'
6	EMULSION	46,000	14' x 40'	40'
7	EMULSION	46,000	14' x 40'	40'
8	EMULSION	46,000	14' x 40'	40'
9	EMULSION	46,000	14' x 40'	40'
10	EMULSION	46,000	14' x 40'	40'
11	EMULSION	46,000	14' x 40'	40'
12	EMULSION	46,000	14' x 40'	40'
13	EMULSION	46,000	14' x 40'	40'
14	EMULSION	46,000	14' x 40'	40'
15	AC	30,000	10' x 40'	40'
16	AC	46,000	14' x 40'	40'
17	AC	46,000	14' x 40'	40'
18	EMULSIFIER	10,000	10' x 40'	40'
19	SOAP	4,500	12' x 34'	34'
20	SOAP	10,000	12' x 34'	34'
23	ADDITIVE	6,400	10' x 40'	40'
24	EMULSIFIER	10,000	10' x 40'	40'
26	KEROSENE	30,000	12' x 35'	35'
27	AC	46,000	14' x 40'	40'
28	AC	46,000	14' x 40'	40'



LEGEND	
[Symbol]	WOOD
[Symbol]	ASPHALT
[Symbol]	GRAVEL
[Symbol]	CONCRETE
IR(O)	IRON ROD OLD
IR(N)	IRON ROD NEW
IP(O)	IRON PIPE OLD
PT	UNMONUMENTED POINT
PP	POWER POLE
LP	LIGHT POLE
SP	SERVICE POLE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER MANHOLE
CB	CATCH BASIN
GW	GUY WIRE
WM	WATER METER
WV	WATER VALVE
GM	GAS METER
GV	GAS VALVE
EM	ELECTRIC METER
CO	CLEAN OUT
TPED	TELEPHONE PEDESTAL
WBX	WATER BOX
SOV	SHUT OFF VALVE
FH	FIRE HYDRANT
TMH	TELEPHONE MANHOLE

LINE LEGEND	
[Symbol]	PROPERTY LINE
[Symbol]	SANITARY SEWER LINE
[Symbol]	ELECTRIC LINE
[Symbol]	GAS LINE
[Symbol]	WATER LINE
[Symbol]	TELEPHONE LINE
[Symbol]	FENCE LINE

PHASE 2

SEE NOTE NO. 15

SCALE : AS NOTED

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	NO.	DESCRIPTION	BY	DATE	CHK.	DATE	APPR.	DATE													
0	ISSUED FOR PERMIT	LWL	5/5/21																		

**FW: Variance Application for 405 West Oldham Avenue Knoxville TN**

Juliana LeClair &lt;JLeClair@knoxvilletn.gov&gt;

Mon 5/24/2021 11:28 AM

**To:** Cheri Burke <cmurke@knoxvilletn.gov> 6 attachments (4 MB)

Revised Variance App #2.pdf; Final Plot Plan.pdf; Original Plot Plan.pdf; Plot Plan Variance 1.pdf; Current Tank Appearance.jpg; Future Tank Appearance.jpg;

**From:** Scott Elder <selder@knoxvilletn.gov>**Sent:** Friday, May 21, 2021 3:30 PM**To:** Juliana LeClair <JLeClair@knoxvilletn.gov>**Subject:** FW: Variance Application for 405 West Oldham Avenue Knoxville TN

Juliana,

Here is the revised application for 6-E-21-VA along with attachments. I think you can just replace the original submittal with this one.

SE

**From:** Garrett Guiles <garrettg@hudsoncc.com>**Sent:** Friday, May 21, 2021 1:27 PM**To:** Scott Elder <selder@knoxvilletn.gov>**Subject:** Re: Variance Application for 405 West Oldham Avenue Knoxville TN

Scott,

Attached is a revised application describing the scope of work specifically for this variance request. I have provided all other attachments (original plot plan, variance 1 plot plan and the final plot plan) as well as current appearance of tanks and the future appearance. The information below regarding tank numbers is specifically for this variance request (#2). I appreciate your guidance and help to make sure we are providing accurate and detailed information for the boards review. Please don't hesitate to reach out if I can help further explain or describe our intentions for this variance.

Thanks!

-Garrett

Knoxville Board of Zoning Appeals,

Please see the attached documents and photographs illustrating our plans for upgrades at our Knoxville facility. A few of the pictures are of our actual tanks that currently exist and as you can see, they are in rough shape. The picture of the black tank(s) and the sample panel of insulation is what the outside of the new tanks will look like. These investments will improve the overall efficiency of our facility regarding energy consumption, air quality, water protection and the safety of our employees and

customers visiting this site. These upgrades will also allow us to create a few more jobs and add additional employment at this location. I have also supplied a current site plan, site plan for variance 1 and the proposed final site plan which illustrates the removal and replacement of the tanks that I have outlined below. In addition, all our proposed construction will be approved through the City of Knoxville Building Permitting Office.

**Removal:**

Tanks 1,2,3,4,5,6,7,8,9,13,15,18,19,20,21,22,23,24,26

**Replacement:**

Tanks 1,2,3,4,5,6,7,8,9,13,15,18,19,20,23,24,26

**Add:**

Tanks 10,12,14,27,28

Existing Tank Height: 47 ft

Replacement Tank Height: 40-45 ft

Added Tank Heights: 40-45 ft

We appreciate the consideration of the BZA of our application and our hopeful we will be granted variances to complete these much-needed upgrades to our facility. Obtaining this variance would allow us to upgrade our facility with the latest technology and equipment available. It would be our intention to complete these upgrades in a timely manner over the next few years and through the proper channels with the City of Knoxville Building Permitting Office. We appreciate your time and review of our application.

Sincerely,

Garrett

---

**From:** Scott Elder <[selder@knoxvilletn.gov](mailto:selder@knoxvilletn.gov)>

**Sent:** Friday, May 21, 2021 12:29 PM

**To:** Garrett Guiles <[garrettg@hudsoncc.com](mailto:garrettg@hudsoncc.com)>

**Subject:** RE: Variance Application for 405 West Oldham Avenue Knoxville TN

Garrett,

As point of clarification, can you explain the work associated only with this variance? In other words, how many tanks are being removed and how many are being replace in this phase only? Also, it appears that the footprint is being expanded on the north end to accommodate the new tanks (concrete slab). The language in your application seems to be exactly the same as the first variance application, however the work is somewhat different. It will be important that the application reflect exactly what's taking place on the site. If the language does not match the plans, this could cause confusion for the board and result in a postponement or even denial.

Please update the "Description of Appeal" section of the application to reflect what is shown on the plans. As a rule, more information is always better.

Let me know if you have questions.

Thank-you,

Scott Elder, Zoning Chief  
City of Knoxville  
Plans Review and Inspections  
865 215 4473 office  
[selder@knoxvilletn.gov](mailto:selder@knoxvilletn.gov)  
[www.knoxvilletn.gov](http://www.knoxvilletn.gov)

**From:** Garrett Guiles <[garrettg@hudsoncc.com](mailto:garrettg@hudsoncc.com)>  
**Sent:** Wednesday, May 19, 2021 8:25 AM  
**To:** Scott Elder <[selder@knoxvilletn.gov](mailto:selder@knoxvilletn.gov)>  
**Subject:** Re: Variance Application for 405 West Oldham Avenue Knoxville TN

Scott,

Thanks for reaching out. Yes, your calculations are correct. Similar to our first variance application our main goal is to remove the old tanks and assets we have and upgrade with new ones. This will make our a more efficient operation in many ways as well as safer and enhance the appearance of our facility.

I am happy to answer any other questions you or the board might have regarding this application.

The three plot plans that I attached originally show the original plan, the plan after we complete the project that we applied for on the first variance and the end result for this new application. We will be conducting the same business as we have in the past 30 some years here but our plant is outdated and needs to be updated with current technology and safety features. Please don't hesitate to reach out if I can explain our intentions in more detail.

Thanks!

Garrett



Garrett Guiles  
Hudson Materials Company  
(c) 423-802-0285  
(o) 423-624-2631

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**From:** Scott Elder <[selder@knoxvilletn.gov](mailto:selder@knoxvilletn.gov)>  
**Sent:** Tuesday, May 18, 2021 11:58 AM  
**To:** Garrett Guiles <[garrettg@hudsoncc.com](mailto:garrettg@hudsoncc.com)>  
**Subject:** FW: Variance Application for 405 West Oldham Avenue Knoxville TN

Good morning Garrett.

I was going over your BZA application this morning and was trying to piece together the number of tanks that were out there originally vs. how many remained after phase I, then finally phase II.

By my count I have:

Originally: 24 tanks

Phase I: 22 tanks

Phase II: 25 tanks

A net overall gain of 1 tank. Is this correct?

I think your explanations are very good and will help the board understand what's happening on the site and why. I'd like to be able to present them with an overall tank count that illustrates what has taken place from start to finish. I think that would be a simple way for them to understand the total change in the site. Is that something you can provide?

Thank-you,

Scott Elder, Zoning Chief  
City of Knoxville  
Plans Review and Inspections  
865 215 4473 office  
[selder@knoxvilletn.gov](mailto:selder@knoxvilletn.gov)  
[www.knoxvilletn.gov](http://www.knoxvilletn.gov)

**From:** Garrett Guiles <[garrettg@hudsoncc.com](mailto:garrettg@hudsoncc.com)>

**Sent:** Tuesday, May 11, 2021 9:09 AM

**To:** Bryan Berry <[BBerry@knoxvilletn.gov](mailto:BBerry@knoxvilletn.gov)>; Juliana LeClair <[JLeClair@knoxvilletn.gov](mailto:JLeClair@knoxvilletn.gov)>

**Subject:** Variance Application for 405 West Oldham Avenue Knoxville TN

Knoxville Board of Zoning Appeals,

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Sincerely,

Garrett



Garrett Guiles

President

Hudson Materials Company

(c) 423-802-0285

(o) 423-624-2631

