

File #

12-M-20-VA



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: mikem@hudsoncc.com		Other: <input type="checkbox"/>

THIS IS A REQUEST FOR:

- | | |
|---|--|
| <input type="checkbox"/> Zoning Variance (Building Permit Denied) | <input checked="" type="checkbox"/> Extension of Non-Conforming Use/or Structure |
| <input type="checkbox"/> Appeal of Administrative Official's Decision | <input type="checkbox"/> Map Interpretation |

PROPERTY INFORMATION

Street Address : 405 West Oldham Avenue City, State, Zip: Knoxville, TN 37917
 See KGIS.org for Parcel #: 081NB034 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.

We need to make some upgrades at our facility. These upgrades are related to piping, steam and heating system, and storage. Our current assets are older and some have reached the end of their useful life. We strive to maintain a safe, clean working environment for our employees and the neighborhood in which we operate. These upgrades would utilize the latest technology and would improve our efficiency, reduce our energy consumption and carbon footprint. We plan to use 40-50% less energy (electric & gas) with these upgrades. It will also be significantly safer for our employees and the environment as it will substantially mitigate the potential for any type of spill or equipment failure. The scope of the work is to remove old existing assets and replace with newer ones. All of the work would be within our current footprint. All of the projects would be completed in accordance and compliance of the City of Knoxville building permitting office, TDEC, OSHA and EPA regulations. We appreciate your consideration of our request for variance.

Describe hardship conditions that apply to this variance.

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 Mike Mitchell

Digitally signed by Mike Mitchell
 DN: cn=Mike Mitchell, ou=Hudson Materials Company, ou=email@mikem@hudsoncc.com,
 c=US
 Date: 2020.11.20 15:03:34 -0500

DATE _____

File # 12-M-20-VA



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):

Permit an existing nonconforming Industrial - Heavy use (liquid asphalt emulsification) to alter existing structures by removing seven existing storage tanks and add two new storage tanks in an Industrial Mixed Use district (Article 17.1.A).

REVISED

PROJECT INFORMATION

Date Filed 11-24-2020

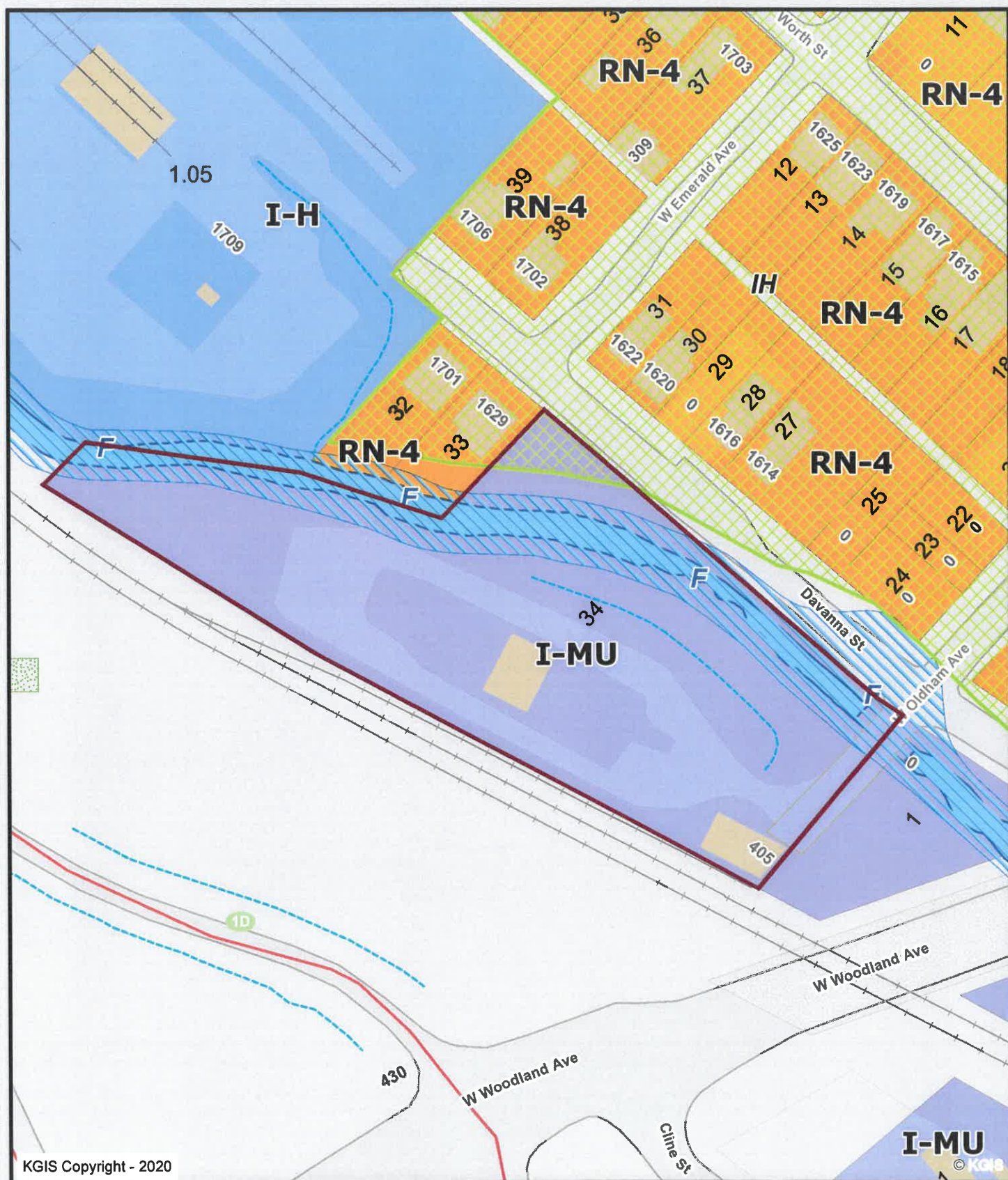
Fee Amount \$500

Council District 5

BZA Meeting Date 12-17-2020

PLANS REVIEWER Bryan Berry

DATE 11-24-2020



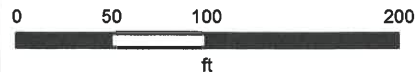
405 West Oldham Ave.

12-M-20-VA
Hudson Materials Company

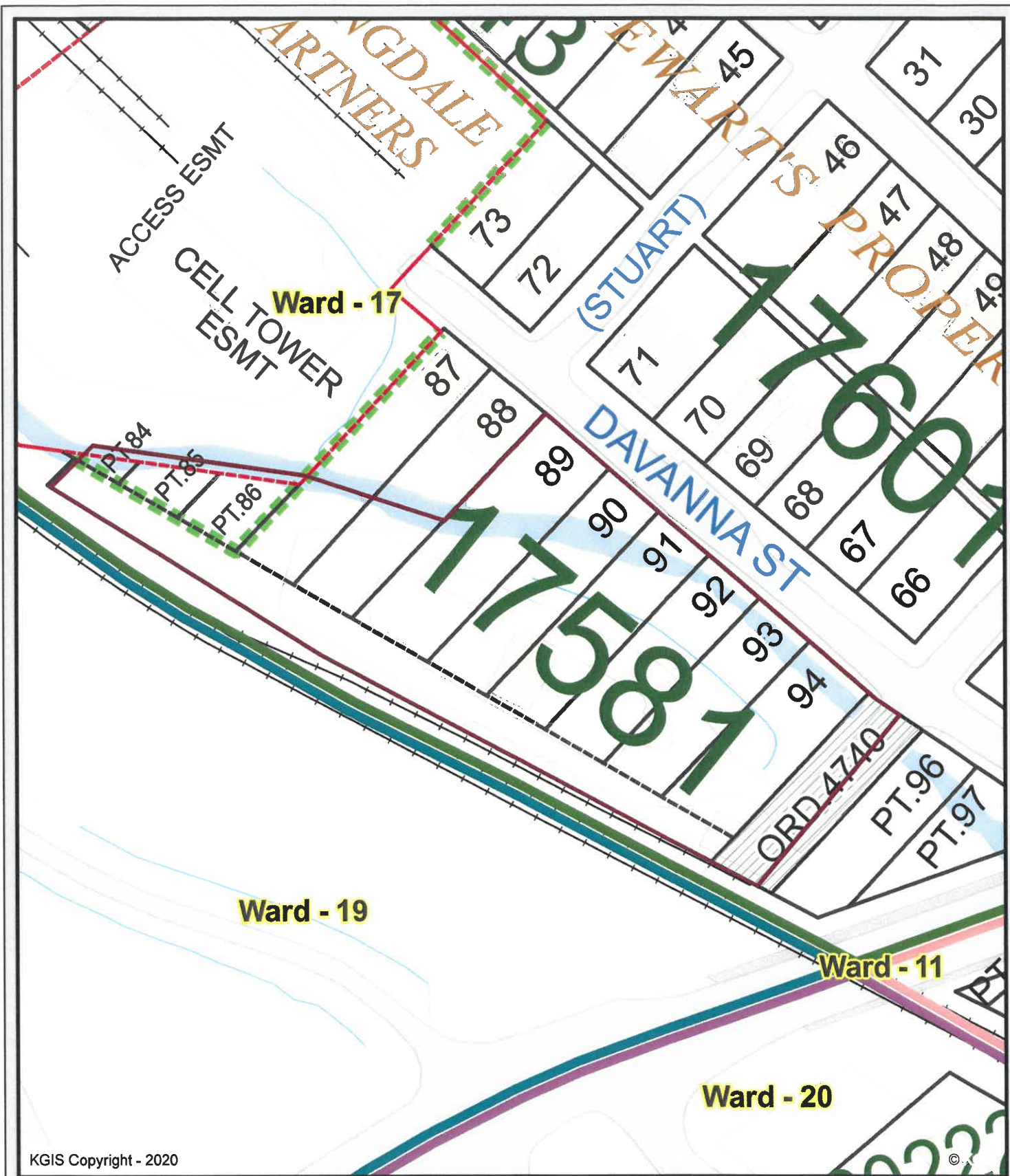
Knoxville - Knox County - KUB Geographic Information System



Printed: 11/20/2020 at 3:35:21 PM



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405 West Oldham Ave.

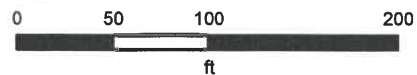
12-M-20-VA

Hudson Materials Company

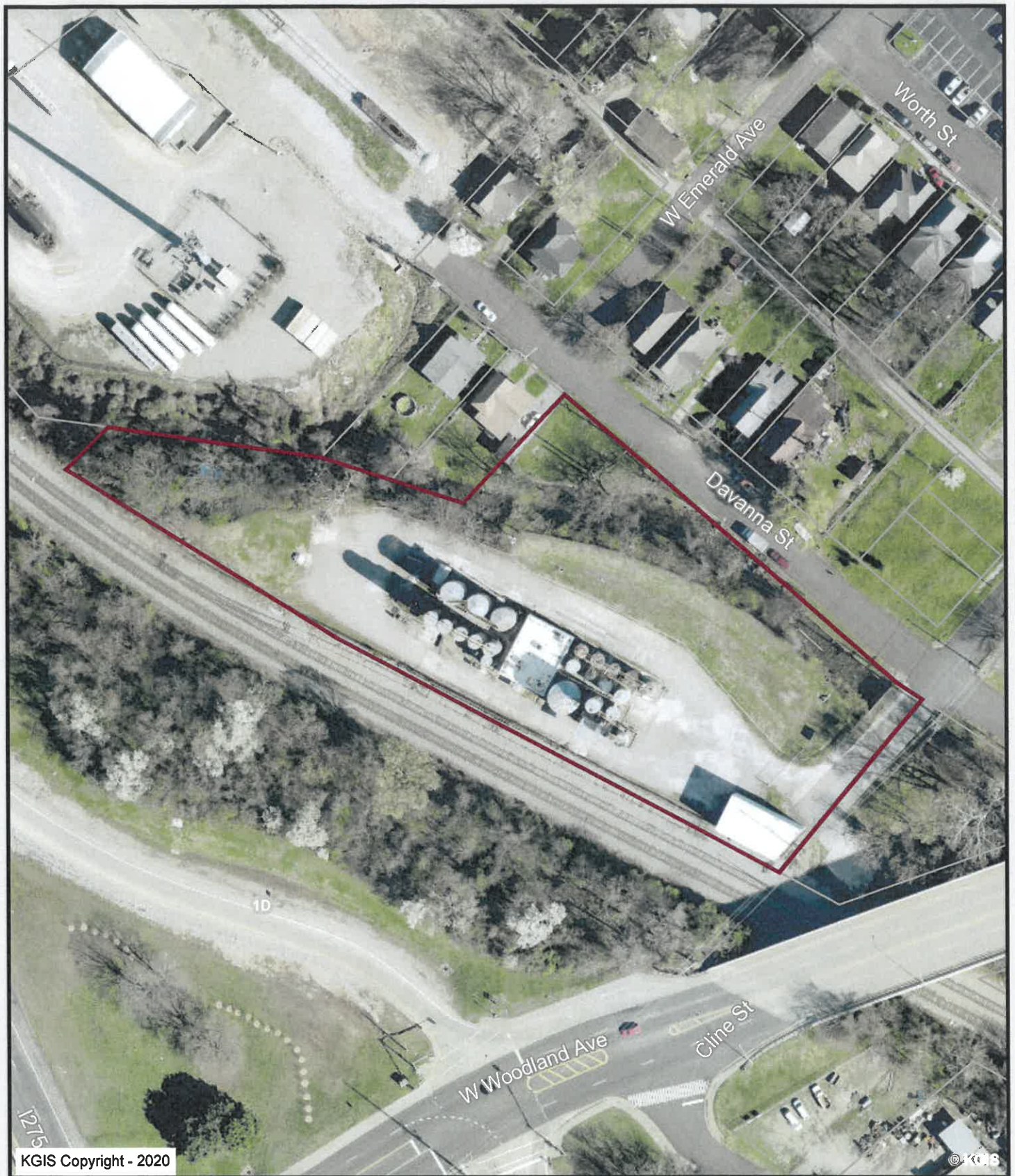
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405 West Oldham Ave.

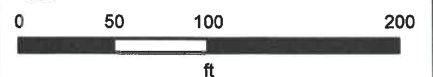
12-M-20-VA

Hudson Materials Company

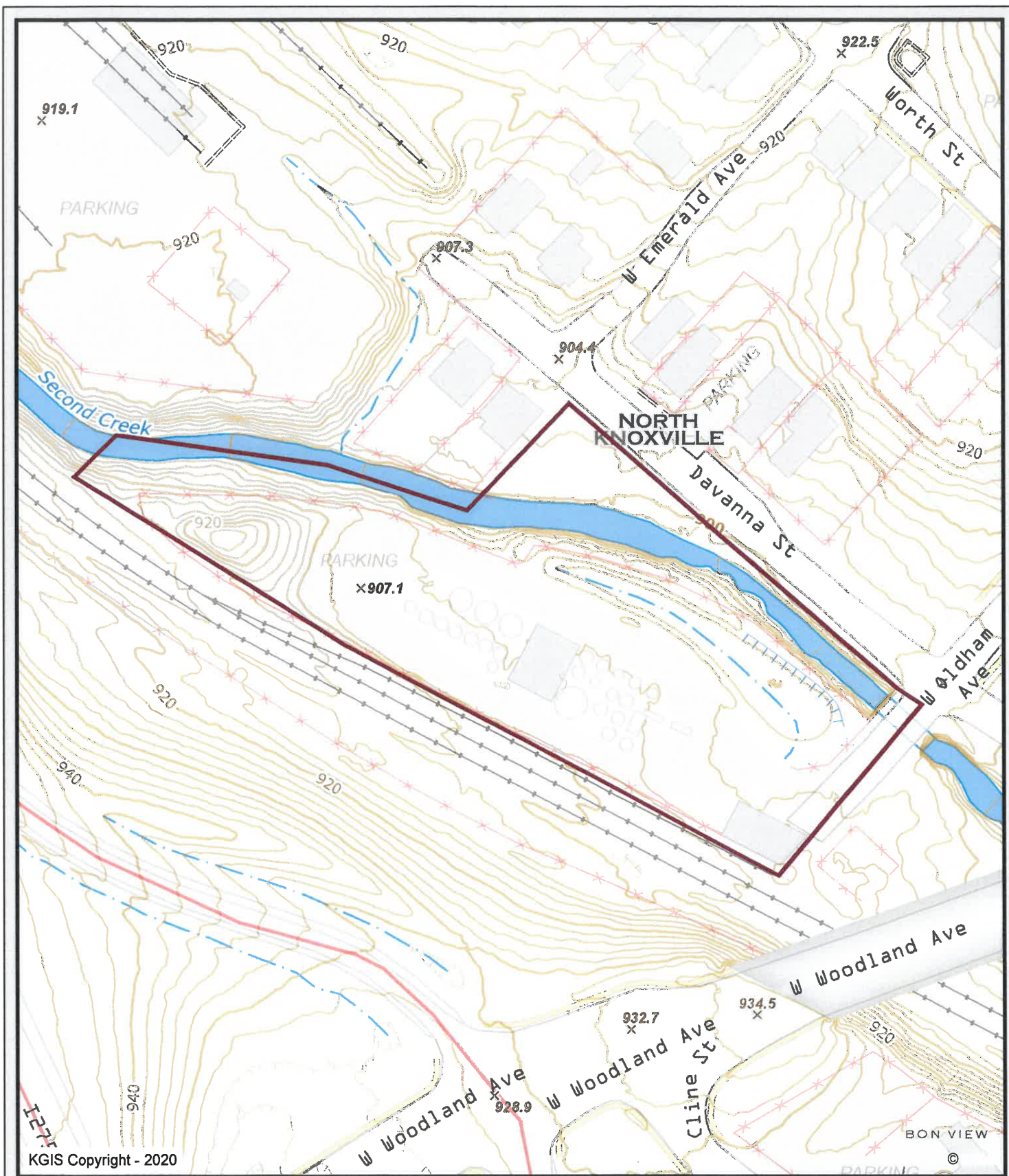
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405 West Oldham Ave.

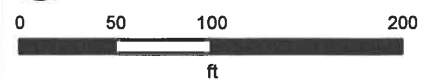
12-M-20-VA

Hudson Materials Company

Knoxville - Knox County - KUB Geographic Information System



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12-M-20-VA

Juliana LeClair

From: Mike Mitchell <mikem@hudsoncc.com>
Sent: Tuesday, November 24, 2020 9:46 AM
To: Juliana LeClair
Subject: Fw: Knoxville BZA Supplemental Information Hudson Materials Company
Attachments: Existing Site Plan.pdf; 1-Aerial Tank Removal.png; 2-Side View Tank Removal.jpg; 3-Tank 11 Removal.jpg; 4-Tank 9 Removal.jpg; Proposed Site Plan.pdf; 5-Future Tank Appearance.jpg

Please attach this supplemental information package to our application.
Thank you,

Mike Mitchell

Hudson Materials Company
423-316-5062
mikem@hudsoncc.com

From: Garrett Guiles <garrettg@hudsoncc.com>
Sent: Tuesday, November 24, 2020 9:39 AM
To: Mike Mitchell <mikem@hudsoncc.com>
Subject: Knoxville BZA Supplemental Information Hudson Materials Company

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 pretty 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. I have also supplied a current site plan and the proposed site plan which illustrates the removal and replacement of the tanks that I have outlined below. We are reducing overall storage capacity pretty significantly, even though the two tanks being added are bigger than the existing tanks in that location. I'll also point out that the two new tanks are in fact taller than the tanks they are replacing they are still 7 feet shorter than many of our existing tanks. All of this removal and replacement is taking place inside the current footprint and is in line with environmental requirements set forth by Tennessee Department of Conservation (TDEC) and the City of Knoxville. In addition, all of our proposed construction will be approved through the City of Knoxville Building Permitting Office.

Removal:

Tanks 3(not pictured but on existing site plan), 9, 11, 14, 16, 17, 27

Replacement:

Tank 16, 17 (40 ft tall)

Tanks being removed:

Tank 3: 36 ft

Tank 9: 40 ft
Tank 11: 14 ft
Tank 14: 25 ft
Tank 16: 26 ft
Tank 17: 31 ft
Tank 27: 33 ft

Tanks being added:
Tank 16 (new): 40 ft
Tank 17 (new): 40 ft

Existing Tank Heights:
Tanks 4-8: 47 ft
Tank 15: 47 ft

Total Storage Capacity Removal: 141,500 gallons
Total Storage Capacity Added: 90,000 gallons

Summary:
Total Change in Storage Capacity: Reduction of 51,500 gallons storage capacity

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 complete this work before our season ramps up on April 1st. It would be our intention to complete these upgrades in a timely manner and through the proper channels with the City of Knoxville Building Permitting Office. We appreciate your time and review of our application.

Sincerely,

Garrett



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

Juliana LeClair

12-M-20-VA

From: Mike Mitchell <mikem@hudsoncc.com>
Sent: Monday, November 30, 2020 9:00 AM
To: Bryan Berry; Juliana LeClair
Subject: Fw: Variance Request for 405 W. Oldham Ave

Bryan and Julianna,
Please add this support letter from the Neighborhood Association to our variance request as supplemental information.

Also, let us know if we need to answer any further questions or provide additional information.

Thank you,

Mike Mitchell

Hudson Materials Company

423-316-5062

mikem@hudsoncc.com

From: Garrett Guiles <garrettg@hudsoncc.com>
Sent: Saturday, November 28, 2020 12:26 PM
To: Mike Mitchell <mikem@hudsoncc.com>
Subject: Fwd: Variance Request for 405 W. Oldham Ave

Sent from my iPhone

Begin forwarded message:

From: m ivester <m.ivester@hotmail.com>
Date: November 28, 2020 at 11:32:11 AM EST
To: Garrett Guiles <garrettg@hudsoncc.com>
Cc: Charles Thomas <cathomas@knoxvilletn.gov>, "Lauren T. Rider" <lrider@knoxvilletn.gov>, olpna-board@googlegroups.com
Subject: Variance Request for 405 W. Oldham Ave

Dear Zoning Board Members,

This letter is to affirm support for Hudson Emulsion LLC's variance request for 405 W. Oldham to make upgrades and improvements as submitted to you recently. As an active neighborhood association, we are invested in seeing the W. Oldham site being transformed into a safer and more environmentally friendly site. Given the recent denial of the zoning request from Light Industrial to Heavy Industrial, the OLPNA Board felt it important to help with the variance request as we want to build lasting relationships

and creative partnerships to hopefully help in developing our community to be as safe and viable as possible.

I would also like to commend Mr. Guiles for taking the time out of his busy schedule to come to Knoxville recently and meet with the concerned neighbors and give us a tour of the site. We truly appreciate his willingness to work with our community.

We would like to see Hudson Emulsion LLC continue to transform and invest in the 405 W Oldham site and we believe that this variance is the best route to make it happen.

Thank you for your time and consideration,

Michelle Ivester
OLPNA President
An UpTown North Community
865-556-1818

Juliana LeClair

12-M-20-VA

From: Bryan Berry
Sent: Tuesday, December 1, 2020 10:37 AM
To: Juliana LeClair
Subject: FW: Supplemental Info for BZA

Please add this to the BZA application 12-M-20-VA.

Thank you,

Bryan

From: Mike Mitchell <mikem@hudsoncc.com>
Sent: Wednesday, November 25, 2020 4:25 PM
To: Bryan Berry <BBerry@knoxvilletn.gov>
Subject: Fw: Supplemental Info for BZA

Bryan,
After talking to my colleagues , I submit the attached narrative to answer the questions you proposed pertaining to our BZA application.
I will also try to include the recommendation letter from the neighborhood leadership on Monday also.
Please let me know if you have any further questions.
Thanks again,

Mike Mitchell
Hudson Materials Company
423-316-5062
mikem@hudsoncc.com

From: Garrett Guiles <garrettg@hudsoncc.com>
Sent: Wednesday, November 25, 2020 4:10 PM
To: Mike Mitchell <mikem@hudsoncc.com>
Subject: Supplemental Info for BZA

Mike,

I wanted to provide you with some more information to pass along to Bryan and his team with the BZA. The tanks that we are looking to install would be storing liquid asphalt. Currently, we supply most of our liquid asphalt to the plant via truck from outside sources. A major part of this project is to utilize the railroad more and get asphalt delivered directly to our plant which would in fact reduce the amount of truck traffic entering and exiting our facility.

The liquid asphalt is the main ingredient we use in manufacturing our products and we typically use approximately 9,000 tons which is equivalent to more than 400 truck loads annually. These new tanks would put us in a position to potentially eliminate the need to deliver asphalt by truck load to our facility and result in a decrease of more than 400 trucks entering and exiting the facility.

I spoke with the project manager and we did discuss some of the questions regarding the tanks and flood plain. All of the tanks would be placed on concrete pads that will all be permitted through the City of Knoxville Building Permitting Office. The tanks are then bolted to the concrete pads and are permanently secured to the pad. We would also have all mechanical and electrical equipment permitted and placed outside of the flood plain.

I hope this information helps the BZA better understand how these upgrades will affect our processes and the area in which we are located. Again, these tanks and latest technology would significantly reduce the amount of energy we consume and our overall environmental footprint. If there are any further questions please let me know.

Sincerely,

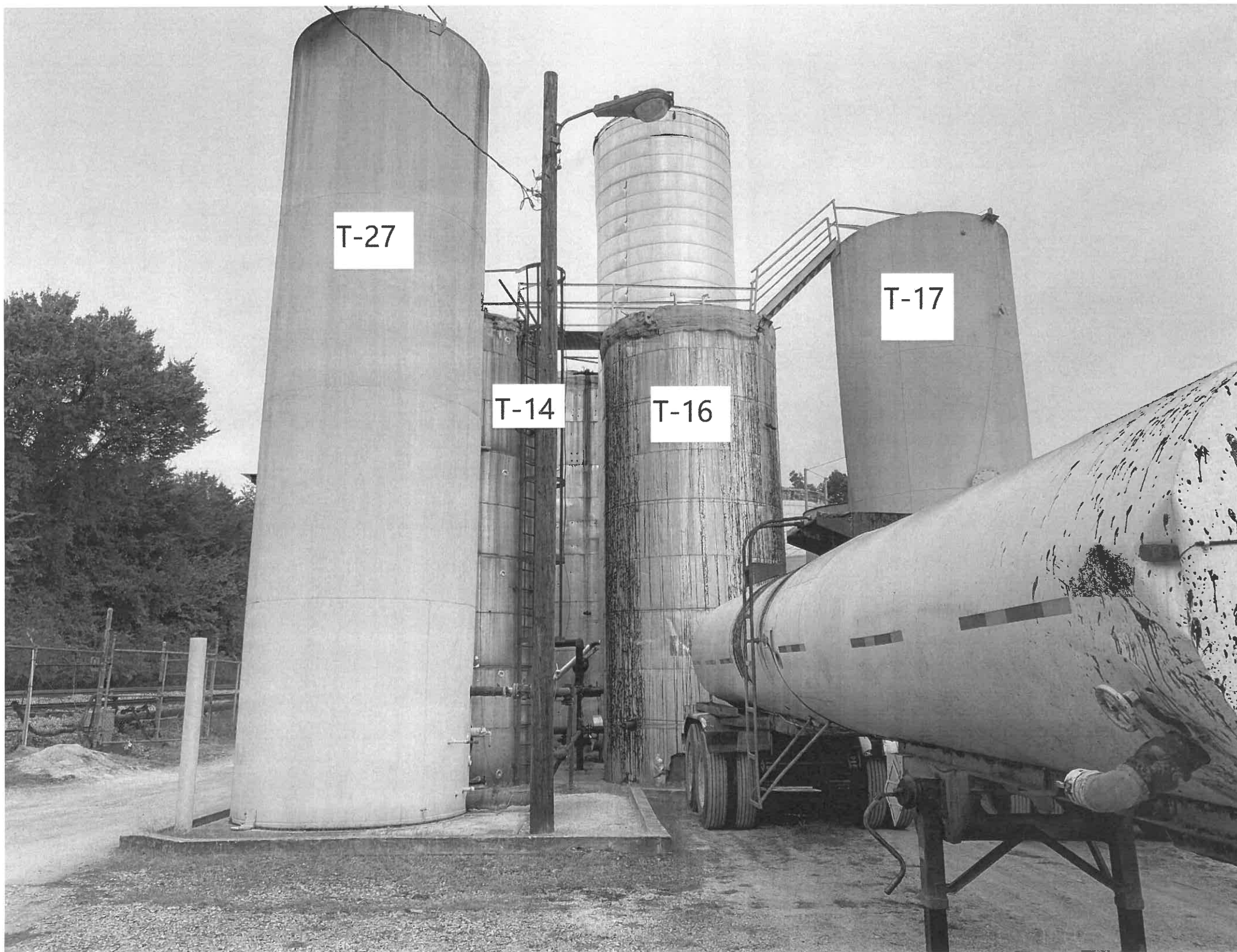
Garrett



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

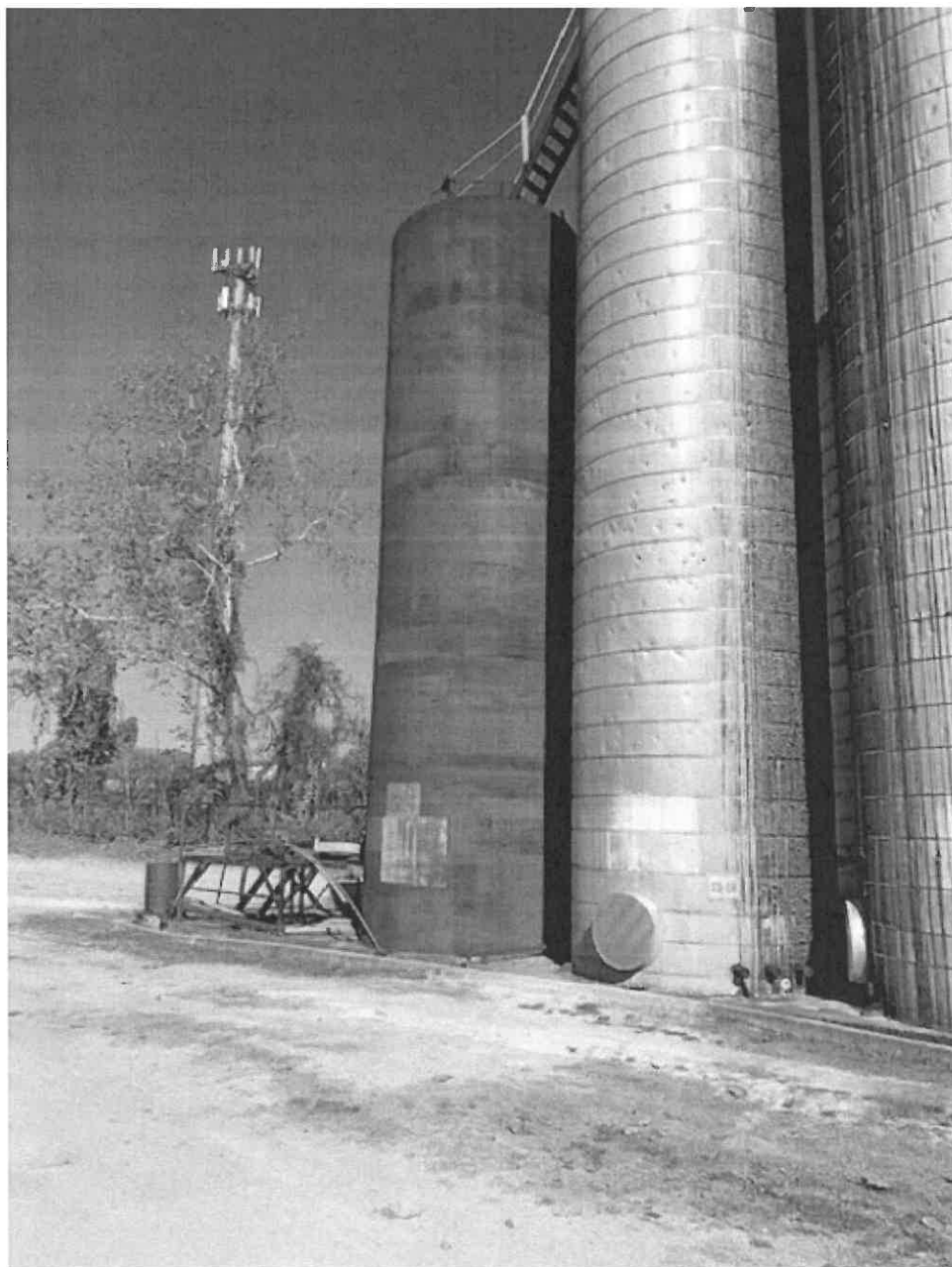


12-M-20-VA

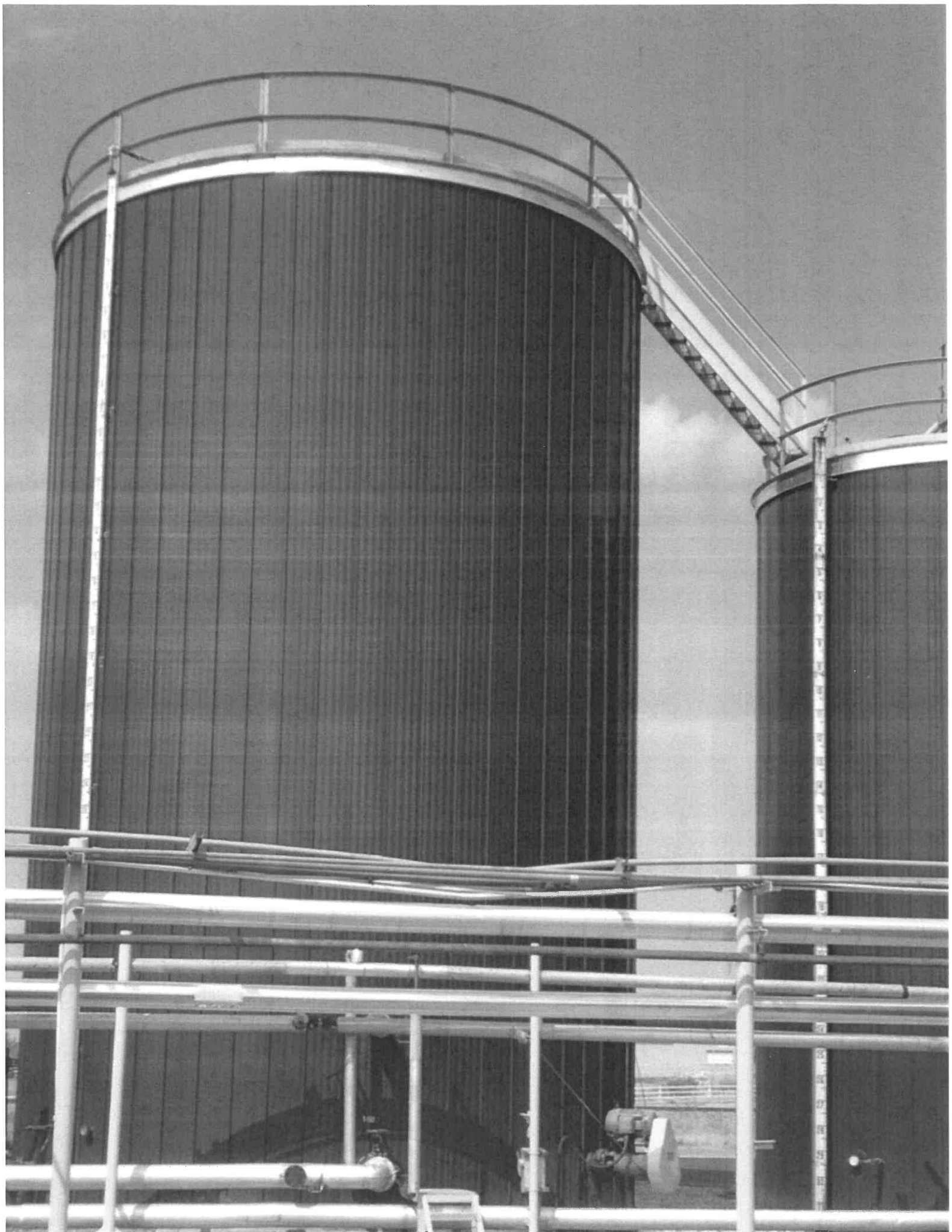




n-m-10-va



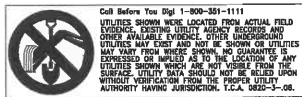
12-m-20-VA



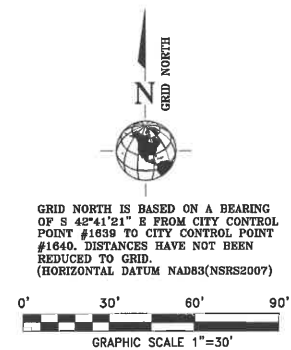
7. m-10-V8

FLOOD INSURANCE NOTE: BY GRAPHICS PLOTTING ONLY. THIS PROPERTY IS IN ZONES "X" AND "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 470930281F HAVING AN EFFECTIVE DATE OF MAY 2, 2007. EXACT DESIGNATIONS CAN ONLY BE DETERMINED BY AN ELEVATION CERTIFICATE. BASED ON THE ABOVE INFORMATION, THIS PROPERTY DOES PARTIALLY LIE IN A SPECIAL FLOOD HAZARD AREA.

THIS SURVEY IS SUBMITTED FOR THE SOLE AND EXCLUSIVE USE AND BENEFIT OF THE PERSON OR INSTITUTION NAMED ON THIS SURVEY. NO OTHER OR FURTHER USE, IN WHOLE OR IN PART, OF ANY SURFACE, UTILITY DATA SHOULD NOT BE RELIED UPON WITHOUT VERIFICATION FROM THE PROPER UTILITY AUTHORITY HAVING JURISDICTION, I.E.A. 0602-3-08.



TOWERFALL, INC.
INSTRUMENT #200707200006453
SPRINGDALE PARTNERS
RESUBDIVISION OF LOTS 74-86
MRS. M.F. STEWART'S PROPERTY
#INSTRUMENT #200608080011351



- NOTES:
- 1) IRON RODS WITH CAPS SET AT ALL CORNERS NOT RECOVERED UNLESS OTHER DOCUMENTATION IS NOTED ON DRAWING.
 - 2) CLT TAX MAP 081N, GROUP B, PARCEL 034.00.
 - 3) DEED REFERENCE: INSTRUMENT #201012290039344.
 - 4) PLAT REFERENCE: MAP BOOK 4, PAGE 28.
 - 5) SUBJECT PROPERTY IS ZONED I-2, I-4/H-1 AND F-1.
 - 6) PROPERTY SUBJECT TO EASEMENTS, RIGHT OF WAYS OR CLAIMS OF EASEMENTS OR RIGHT OF WAYS NOT SHOWN BY THE PUBLIC RECORDS.
 - 7) PROPERTY SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH. NO TITLE REPORT WAS FURNISHED TO SURVEYOR PRIOR TO SURVEY.
 - 8) NO TITLE OPINION IS EXPRESSED OR IMPLIED.
 - 9) ELEVATIONS SHOWN ARE BASED ON CITY OF KNOXVILLE SURVEY CONTROL MONUMENT #1839 (568.92' MVD89).
 - 10) BUILDING SETBACK LINES AND EASEMENTS SHALL CONFORM TO ANY AND ALL CURRENT KNOX COUNTY/ CITY OF KNOXVILLE ZONING STANDARDS.
 - 11) PROPERTY IS SUBJECT TO NO-FILL LINES ALONG SECOND CREEK AS DETERMINED BY CITY OF KNOXVILLE ENGINEERING DEPARTMENT.
 - 12) SITE CONTAINS PIPES AND LINES ABOVE AND BELOW GRADE WHICH COULD NOT BE LOCATED AND SHOWN HEREON. VERIFICATION OF LOCATION, DEPTH, SIZE AND PURPOSE OF ALL PIPES AND LINES SHOULD BE PRIOR TO DIGGING OR EXCAVATING.
 - 13) NO BUILDING OR FILLING PERMITTED IN FLOODWAY.
 - 14) BOUNDARY ALONG NORFOLK SOUTHERN RAILWAY IS SHOWN AS PER INSTRUMENT #201012290039344.
 - 15) HATCHED TRIANGLE AREA WAS CONVEYED TO PREVIOUS OWNER OF SUBJECT PROPERTY (KATHERINE SHOOK) BY DEED DATED MARCH 12, 1989, RECORDED IN DEED BOOK 1402, PAGE 14. HOWEVER, THIS PARCEL WAS NOT CONTAINED OR DESCRIBED IN CURRENT SUBJECT DEED. CURRENT SUBJECT PROPERTY OWNER SHOULD CONFIRM AS TO WHETHER THIS PROPERTY SHOULD HAVE BEEN CONVEYED AS PART OF SUBJECT DEED.
 - 16) PROPERTY SUBJECT TO LEASE AGREEMENT RECORDED IN DEED BOOK 1836, PAGE 787.
 - 17) PROPERTY SUBJECT TO LEASE MODIFICATION AGREEMENT RECORDED IN DEED BOOK 1819, PAGE 530.
 - 18) PROPERTY SUBJECT TO LEASE, GRANT OF EASEMENT AND ASSIGNMENT OF EASEMENT AGREEMENT RECORDED IN DEED BOOK 1819, PAGE 549.
 - 19) PROPERTY SUBJECT TO LEASE AMENDMENT AND OPTION AGREEMENT RECORDED IN TRUST BOOK 2093, PAGE 88.



Surveyors Certification:
I hereby certify that this is a Category 1 Survey and the ratio of precision of the unadjusted survey exceeds 1:10,000 as shown herein. This survey has been prepared in accordance with the standards of practice of land surveys in the State of Tennessee.

Gary L. Roth, Jr.

TN. RLS#2051

NORFOLK SOUTHERN RAILWAY

SEE NOTE NO. 15

PROJECT NO. 11-160

FILENAME: 11-160.DWG SHEET NO. 1 OF 1
DRAWN BY: CLR
DATE OF FIELD SURVEY: 11/31/11
SCALE: 1" = 30'
DATE: 12/2/11

SURVEY FOR:
HUDSON MATERIALS COMPANY

MRS. M.F. STEWART'S PROPERTY
LOTS 89-94 AND UNPLATTED PROPERTY
CITY BLOCK NO. 1781
403 W. OLDHAM AVENUE
7TH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE
WITHIN THE 17TH WARD OF THE CITY OF KNOXVILLE
OWNER: BRENDA J. WAGGONER
P.O. BOX 51072
KNOXVILLE, TN 37909

ROTH LAND SURVEYING
Gary L. Roth, Jr., RLS
6718 Kern Road
Knoxville, TN. 37918
PH: (865) 689-8186
FAX: (865) 687-3231

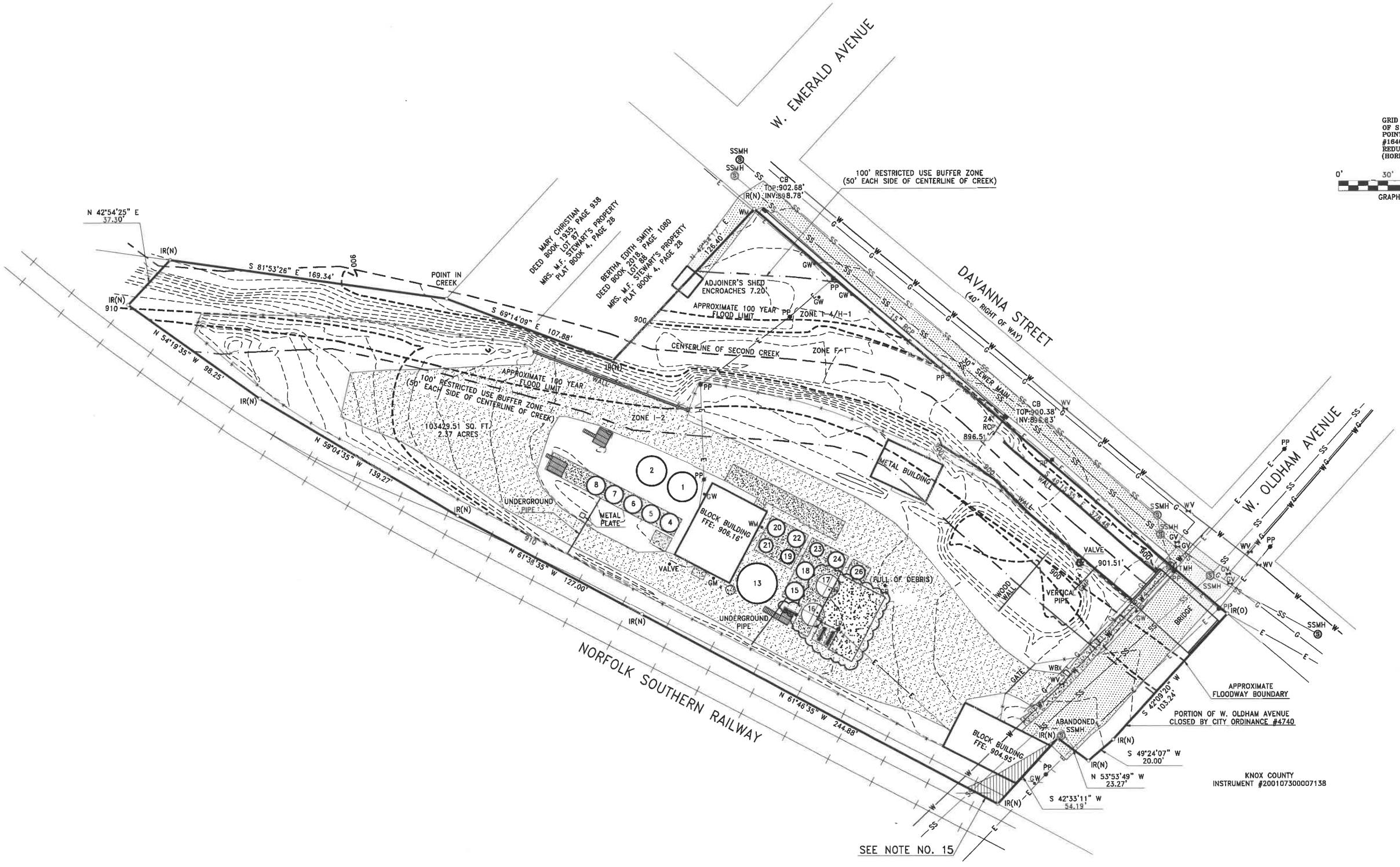
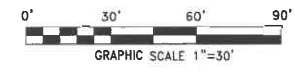


LEGEND	
[Pattern]	WOOD
[Pattern]	ASPHALT
[Pattern]	GRAVEL
[Pattern]	CONCRETE
IR(O)	IRON ROD OLD
IR(N)	IRON ROD NEW
IP(O)	IRON PIPE OLD
PT	UNMONUMENTED POINT
PP	POWER POLE
LP	LIGHT POLE
SP	SERVICE POLE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER 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
TWH	TELEPHONE MANHOLE
LINE LEGEND	
[Line Style]	PROPERTY LINE
SS	SANITARY SEWER LINE
E	ELECTRIC LINE
G	GAS LINE
W	WATER LINE
T	TELEPHONE LINE
X	FENCE LINE

12-M-20-VA



GRID NORTH IS BASED ON A BEARING OF S 42°41'21" E FROM CITY CONTROL POINT #1639 TO CITY CONTROL POINT #1640. DISTANCES HAVE NOT BEEN REDUCED TO GRID.
(HORIZONTAL DATUM NAD83(NSRS2007))




LEGEND	
	WOOD
	ASPHALT
	GRAVEL
	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	
	PROPERTY LINE
	SANITARY SEWER LINE
	ELECTRIC LINE
	GAS LINE
	WATER LINE
	TELEPHONE LINE
	FENCE LINE

SEE NOTE NO. 15

KNOX COUNTY
INSTRUMENT #200107300007138

SCALE : AS NOTED

NOTICE		NOTES		REFERENCE DRAWINGS		REVISIONS								<div> UNITED BY SERVICE. DRIVEN BY SOLUTIONS.</div>		COMPANY ISO SERVICES		PROJECT HUDSON MATERIALS					
THIS DRAWING IS THE PROPERTY OF ERGON, INC. OR ONE OF ITS AFFILIATED COMPANIES ("ERGON"). NO COPIES OF OR REPRODUCTION OF THIS DRAWING SHALL BE MADE, IN WHOLE OR IN PART, NOR INFORMATION THEREON PUBLISHED OR USED OTHER THAN AS SPECIFICALLY AUTHORIZED BY ERGON IN WRITING. ALL COPIES ARE TO BE RETURNED ON REQUEST OF ERGON.						NO.		DESCRIPTION		BY	DATE	CHK.	DATE			APPR.	DATE	LOCATION KNOXVILLE TN		DRAWING TITLE PLOT PLAN			
						0		ISSUED FOR PERMIT		LWL	11/20/20												

12-M-20-VA