

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 10-A-18-UR                      **Related File Number:**  
**Application Filed:** 8/21/2018              **Date of Revision:**  
**Applicant:** ROBERT D BURRIS

## PROPERTY INFORMATION

**General Location:** West side of Pelleaux Rd, south of the intersection with Reflection Bay Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 27 M E 00502                      **Jurisdiction:** County  
**Size of Tract:** 1.96 acres  
**Accessibility:** Access is via Pelleaux Rd., a minor collector street with 18' of pavement width within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Detached Residential Subdivision                      **Density:** 1.72 du/ac  
**Sector Plan:** North County                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This area has been developed with rural to low density residential uses under A, RA and PR zoning.

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

**Street:** 7943 Pelleaux Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Property was rezoned to PR 1-2 du/ac in 2006 (9-H-04-RZ, 5-V-06-RZ).

## PLAN INFORMATION (where applicable)

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

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name: Pelleaux Estates  
No. of Lots Proposed: 3                      No. of Lots Approved: 0  
Variances Requested:  
S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for 3 detached dwellings on individual lots in the PR zoning district, subject to the following 4 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Health Department.
  2. Driveway access is restricted to the two driveways at the locations identified on the concept plan with Lots 7 and 8 sharing a driveway. Both driveways shall be provided with an on-site vehicle turnaround area to eliminate backing out onto the public street. This access restriction shall be clearly noted on the final plat for this subdivision.
  3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  4. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

Comments: The applicant is proposing to subdivide this 1.72 acre lot into 3 lots. A use on review approval was granted by the Planning Commission on September 14, 2016 for this 4.08 acre site to allow a total of 5 lots at a density of 1.23 du/ac. With the proposed subdivision of this 1.72 acre site into 3 lots, there will be a total of 8 lots for a density of 1.96 du/ac. The PR zoning allows consideration of a density of up to 2 du/ac. As proposed, access to the 3 lots will be restricted to the two driveways at the locations identified on the concept plan with Lots 7 and 8 sharing a driveway. Both driveways shall be provided with an on-site vehicle turnaround area to eliminate backing out onto the public street.

Due to slope constraints and the natural drainageway running through the property, the applicant had requested and received a number of variances from the Knox County Board of Zoning Appeals regarding front building and peripheral setback reductions. A variance was also approved by the Planning Commission for a reduction of the required right-of-way along Pelleaux Rd. from 35' to 25'.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The request will have minimal impact on local services since all utilities are in place to serve this site.
2. The request is consistent with the use and density of recent zoning changes and subdivision development in the area.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. The proposed development is consistent with all relevant requirements of PR zoning, as well as other criteria for approval of a use on review.
2. The proposed development 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 Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. 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 MPC PLANS**

1. The North County Sector Plan identifies this property as low density residential. The PR zoning approved for this site allows a density up to 2 du/ac. This density is consistent with the Sector Plan and the other development found in the area.

Action: Approved

Meeting Date: 10/11/2018

**Details of Action:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Driveway access is restricted to the two driveways at the locations identified on the concept plan with Lots 7 and 8 sharing a driveway. Both driveways shall be provided with an on-site vehicle turnaround area to eliminate backing out onto the public street. This access restriction shall be clearly noted on the final plat for this subdivision.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

**Summary of Action:**

APPROVE the development plan for 3 detached dwellings on individual lots in the PR zoning district, subject to the following 4 conditions:

**Date of Approval:**

10/11/2018

**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:**