

# 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: 10-E-16-UR

Related File Number:

Application Filed: 8/29/2016

Date of Revision:

Applicant: DEWAYNE WITT

## PROPERTY INFORMATION

**General Location:** East & West sides of Bethesda Springs Wy., West side of Fairview Rd.

**Other Parcel Info.:**

**Tax ID Number:** 21 04401- 04402, 04404-04423 OTHER: 021-04425 **Jurisdiction:** County

**Size of Tract:** 4.25 acres

**Accessibility:** Access is via Bethesda Springs Wy., a private joint permanent easement with a pavement width of 26' within a 40'wide right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Partially developed subdivision

**Surrounding Land Use:**

**Proposed Use:** Detached residential subdivision **Density:** 2.59 du/ac

**Sector Plan:** Northeast County **Sector Plan Designation:** LDR (Low Density Residential)

**Growth Policy Plan:** Planned Growth Area

**Neighborhood Context:** Property in the area is zoned A agricultural and RA residential. Development in the area consists primarily of residences developed at a density consistent with the low density classification

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

**Street:**

**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:** The property was PR (Planned Residential) in 2006.

## 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:

Dan Kelly

Staff Recomm. (Abbr.):

APPROVE the request to revise the plan from up to 24 attached dwellings on individual lots to 11 detached dwellings on individual lots as shown on the development plan subject to 4 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville-Knox County Minimum Subdivision Regulations
3. Meeting all remaining applicable requirements of the previously approved concept plan 5-SC-10-C
4. Provision of the required 35' peripheral boundary setback (plan view and typical unit conflict)

Comments:

The applicant is requesting a revision to the previously approved plan for Marias Meadow Subdivision. The development of the site is nearly complete. All utilities have been installed and the road is complete with the exception of laying the top coat of asphalt. Six residential units have been built and have been sold or are being offered for sale as condominiums. A concept plan and final plat were approved in 2010 that converted the remainder of the proposed development to a 24 unit "zero lot line" subdivision. No construction activity has occurred since those 2010 approvals. The applicant is now proposing to reduce the number of lots from 24 to 11 and build out the remainder of the development with detached dwellings.

The applicant is responsible for preparing and recording any amendments to the horizontal property regime and master deed, and any new documents created for the Joint Permanent Easement, homeowners association or maintenance agreements for the streets, storm water management facilities and all other commonly held assets. These documents shall be recorded prior to or with the final plat for the subdivision, with the recording information for the documents being referenced on the plat.

At the request of the Knox County Recreation Dept., the applicant is showing a 5' wide walking trail within a 20' wide greenway easement in the area close to Beaver Creek on this site. It is the intent that this segment of the trail will be incorporated as part of the planned Beaver Creek Greenway.

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

1. The proposed residential development will place minimal additional demand on schools and streets.
2. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
3. Due to flood hazard designation for the subject property, the developer will be required to establish a stream buffer and construct units with a minimum floor elevations for the lots closest to the no-fill line. These restrictions will lessen the impact on water quality in the area.

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

1. The proposed residential development is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal 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 a substantial amount of additional traffic through residential areas.

### **CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northeast County Sector Plan identifies this property as low density residential and stream protection. The PR zoning approved for this site allows a density up to 5 du/ac. The proposed subdivision density is consistent with the Sector Plan and the other development found in the area.

**Action:** Approved **Meeting Date:** 10/13/2016

**Details of Action:**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville-Knox County Minimum Subdivision Regulations
3. Meeting all remaining applicable requirements of the previously approved concept plan 5-SC-10-C
4. Provision of the required 35' peripheral boundary setback (plan view and typical unit conflict)

**Summary of Action:** APPROVE the request to revise the plan from up to 24 attached dwellings on individual lots to 11 detached dwellings on individual lots as shown on the development plan subject to 4 conditions

**Date of Approval:** 10/13/2016 **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:**