

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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www.knoxmpc.org

File Number: 10-G-05-UR

Related File Number:

Application Filed: 9/6/2005

Date of Revision:

Applicant: KEITH WALKER

Owner:

PROPERTY INFORMATION

General Location: Southwest side of Brown Gap Rd., southeast of E. Emory Rd.

Other Parcel Info.:

Tax ID Number: 29 68 & 68.01

Jurisdiction: County

Size of Tract: 2.23 acres

Accessibility: Access is via Brown Gap Rd., a minor collector street with 19' to 20' of pavement within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: One single family dwelling and vacant land

Surrounding Land Use:

Proposed Use: Residential condominium development

Density: 4.49 du/ac

Sector Plan: North County

Sector Plan Designation: Low Density Residential

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This site is within a rural residential development area that is zoned Agricultural, but proposed for low density residential uses.

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

Street: 5721 Brown Gap 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 zoned PR (Planned Residential) @ 1-5 du/ac on 9/28/2005.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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 for up to 10 residential condominiums as shown on the development plan subject to 9 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
3. Designate the proposed detention basin as a drainage easement
4. Certification on the development plan by the applicant's engineer that there is 300' of sight distance in both directions on Brown Gap Rd.
5. Provision of a minimum pavement width of 22' on the common driveway.
6. All units must be setback at least 20' from the driveway or a minimum of 15' if two car garages are provided.
7. Redesigning the turn around at the end of the driveway in manner that it does not extend into the peripheral boundary setback.
8. Provision of architectural elevations and a typical landscaping plan for MPC staff review prior to commencing any grading on this site.
9. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a use on review

Comments:

The site was recently rezoned to PR (Planned Residential) at 1-5 du/ac. The use on review plan proposes 10 residential dwelling units to be constructed in five buildings. Access to the site will be via Brown Gap Rd. Staff will require the applicant's engineer to certify that 300' of sight distance can be provided at the proposed entrance road. Removal of some existing vegetation will be required in order to obtain the needed sight distance.

As previously noted this site was rezoned to PR (Planned Residential) @ 1-5 du/ac on 9/28/2005 by the Knox County Commission as had been recommended by MPC. The applicant has filed another sector plan amendment and rezoning for this site. It is his intent to obtain same PR (Planned Residential) zoning but with a density that will permit up to 6 dwellings per acre. This would permit the applicant to submit a revised use on review request that would show one additional duplex type dwelling. Staff has recommended denial of the sector plan amendment and rezoning.

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

1. The proposed residential development will have minimal impact on local services since water and sewer utilities are in place to serve this site.
2. The proposed residential condominium development is consistent in use and density with the recent rezoning recommendation.

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

1. The proposed residential development meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance.
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 is compatible with the character of the neighborhood where it is proposed. 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 proposed development is consistent with the North County Sector Plan proposal of low density residential uses. The PR zoning approved for this site will allow a density up to 5 du/ac. At a proposed density of 4.49 du/ac, the proposed subdivision is consistent with the Sector Plan and recommended zoning density.

MPC Action:

Approved

MPC Meeting Date: 10/13/2005

Details of MPC action:

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Date of MPC Approval:

10/13/2005

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: