

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

CONCEPT PLAN

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
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www.knoxmpc.org

File Number: 10-SE-17-C

Related File Number:

Application Filed: 8/31/2017

Date of Revision:

Applicant: SCOTT DAVIS

PROPERTY INFORMATION

General Location: Northwest side of S. Northshore Dr., north of Charlottesville Blvd.

Other Parcel Info.:

Tax ID Number: 162 05613

Jurisdiction: County

Size of Tract: 11.9 acres

Accessibility: Access is via S. Northshore Dr., a minor arterial street with a 21' pavement width within a 60' right-of-way (88' required).

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use: North: Fort Loudon Lake - F (Floodway)
South: Vacant land - A (Agricultural)
East: Residence and Fort Loudon Lake - A (Agricultural) & F (Floodway)
West: Residences - PR (Planned Residential)

Proposed Use: Detached Residential Subdivision

Density:

Sector Plan: Southwest County **Sector Plan Designation:**

Growth Policy Plan: Rural Area

Neighborhood Context:

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

Street: 0 S Northshore Dr

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) & F (Floodway)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Harpers Cove

No. of Lots Proposed: 12 No. of Lots Approved:

Variances Requested: 1. Reduction of the roadway width for a Joint Permanent Easement, from 22 feet to 18 feet.
2. Vertical curve K-value reduction from 25 K to 17.5 K at STA 0+12.00 to 1+52.00.

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): DENY the Concept Plan based on the following:

Staff Recomm. (Full):

1. Under Section 5.22.04.E.1.a (Agricultural Zone) of the Zoning Ordinance for Knox County the lot size standard reads as follows: "For each house or mobile home, and buildings accessory thereto, there shall be a minimum lot area of not less than one (1) acre. "
2. Under the Zoning Ordinance, Article 2. Definitions, Section 2.20. Specific Terms, a "lot" is defined as "A parcel of land which is or may be occupied by a building and its accessory buildings or uses customarily incident thereto, together with such yards or open spaces within the lot lines as may be required by this resolution."
3. Since the word "land" is not defined in the Zoning Ordinance, you would refer to a standard definition from a dictionary. A common definition of "land" is "the surface of the earth that is not covered by water".
4. When approving subdivisions that are zoned A (Agricultural) along Fort Loudon Lake, the Planning Commission has required the lots to have a minimum of one acre above the 813' contour which is the summer lake level established by the Tennessee Valley Authority (TVA). While TVA has a flowage easement up to the 820' contour, it was determined that the summer lake level was the appropriate elevation to use.
5. Of the proposed 12 lots, only 4 lots include an acre or more above the 813' contour. Eight of the proposed lots do not meet the minimum lot size requirement for the A (Agricultural) zoning district and therefore staff cannot recommend approval.
6. The applicant has the option to request a rezoning of the property to PR (Planned Residential) which would eliminate the minimum one acre lot size requirement (as was done with the Jefferson Park West Subdivision which adjoins this property to the west).

Comments: The applicant is proposing to subdivide this 37.52 acre deeded property into 12 detached residential lots. This property which is zoned A (Agricultural) and F (Floodway) is located on the northwest side of S. Northshore Dr., north of Charlottesville Blvd. The property boundaries extend out into Fort Loudon Lake.

At the Developer's Review meeting held on Tuesday, September 19, 2017, staff had advised the applicant that when approving subdivisions that are zoned A (Agricultural) along Fort Loudon Lake, the Planning Commission has required the lots to have a minimum of one acre above the 813' contour which is the summer lake level established by the Tennessee Valley Authority (TVA). While TVA has a flowage easement up to the 820' contour, it was determined that the summer lake level was the appropriate elevation to use. This interpretation goes back at least to July 12, 2001 with the approval of a Concept Plan for Greg Smith (File # 6-SC-01-C).

The 37.52 acre property included with this application includes 11.9 acres above the 13' contour. Of the proposed 12 lots, only 4 lots include an acre or more above the 813' contour. Staff advised the applicant that rezoning the property to PR (Planned Residential) would eliminate the lot size issue and allow consideration of the proposed 12 lots.

Action: Denied

Meeting Date: 11/9/2017

Details of Action:

Summary of Action: DENY the Concept Plan

Date of Approval:

Date of Denial: 11/9/2017

Postponements: 10/12/2017

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Chancery Court

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: