

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: 11-D-09-UR **Related File Number:**
Application Filed: 9/28/2009 **Date of Revision:**
Applicant: GRAYBROOK PARK SUBDIVISION HOME OWNERS ASSOCIATION

PROPERTY INFORMATION

General Location: South side of W. Governor John Sevier Hwy., east side of Coatney Rd.
Other Parcel Info.:
Tax ID Number: 136 N A 001-058 **Jurisdiction:** County
Size of Tract: 14.65 acres
Accessibility: Access is via Coatney Rd., a local street with 40 to 150' of right of way and 22' of pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Developed attached residential subdivision
Surrounding Land Use:
Proposed Use: Amend existing development plan to eliminate the requirement for sidewalks **Density:** 3.96 du/ac
Sector Plan: South County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located at the intersection of Coatney Rd. and W. Governor John Sevier Hwy. Property in the area is zoned A agricultural, RA and PR residential. Development in the area consists primarily of detached dwellings. South Doyle High School is located approximately 1600' south of this site.

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 zoned to PR (Planned Residential) in 2004. The concept subdivision and development plan for a 58 unit attached residential development was approved at the same time (4-SF-04-C & 4-I-04-UR)

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 eliminate the required sidewalk construction within the development

Staff Recomm. (Full):

Comments:

The site is located north of the South Doyle High School campus. It is the practice of MPC to require sidewalks be constructed within a development when the site is located within the area where parents are required to provide transportation to the local school. At the time this project was considered, the developer proposed that a sidewalk be built on one side of the street within the development. The site was developed without the sidewalk being constructed. All of the dwellings have been constructed. No provision in the building process was made for the construction of the sidewalk. The residents now object to the construction of the sidewalk because it would damage their lawns. A petition has been submitted from a majority of the property owners requesting that the sidewalk not be constructed. The residents of this subdivision are primarily "empty nesters" and few, if any, school aged children live in the development.

It should not be construed from this recommendation that the MPC should change its practice of requiring sidewalks where appropriate, in future developments.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning and Appeals. The date of the appeal hearing will depend on when the appeal application is filed with the Knox County Codes Administration Department. Appellants have 30 days to appeal an MPC decision in Knox County.

Action:

Approved

Meeting Date: 11/12/2009

Details of Action:

Summary of Action:

APPROVE the request to eliminate the required sidewalk construction within the development

Date of Approval:

11/12/2009

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: