

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: 11-D-11-UR **Related File Number:**
Application Filed: 9/29/2011 **Date of Revision:**
Applicant: CHESNEY HILLS PARTNERSHIP

PROPERTY INFORMATION

General Location: North & south sides of Winding Hills Ln., north of Bob Kirby Rd.
Other Parcel Info.:
Tax ID Number: 104 M J 009-011, 040-047, 053-057 **Jurisdiction:** County
Size of Tract:
Accessibility: Access to the subdivision is via Bob Kirby Rd., a minor collector street with a pavement width of 20' within a 50' right-of-way. All internal streets are classified as local streets and have a 50' wide right-of-way and a pavement width of 26'

GENERAL LAND USE INFORMATION

Existing Land Use: Residential lots
Surrounding Land Use:
Proposed Use: Reduce the side yard setbacks for the identified lots **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: Zoning in the area consists of A agricultural and RA, RAE and PR residential. Development in the area consists of single family dwellings.

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 site was zoned PR at 1 - 2.8 du/ac in 2006. A concept plan and use on review were approved for this site on June 8, 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 decrease the minimum required side yard setback for the noted lots from 10 feet to 5 feet as shown on the plan subject to 1 condition

Staff Recomm. (Full): 1. Meeting all other applicable requirements of the Knox County Zoning Ordinance.

With the condition noted, this plan meets the requirements for approval of a concept plan and use on review in the PR zoning district.

Comments: The concept plan and use on review for Chesney Hill subdivision were approved in 2006. The approval was for up to 94 lots on 40 acres of land. The majority of the lots in the development were approved with a 5 foot wide side yard setback. At that time MPC required that lots fronting on roads with a grade of 12 percent or greater be required to have a side yard setback of 10 feet or more. In lieu of the 10 foot side yard setback, the applicant was given the opportunity to submit a detailed grading plan that would illustrate that each lot would have a building site. At the time the concept plan was considered, the applicant chose not to have the grading plan prepared and the plan was approved with the 10 foot setbacks on some of the lots.

The applicant is now requesting that the 10 foot side yard setback be reduce to 5 feet for the sixteen lots shown on the plan. A detailed grading plan has been prepared for each lot. The Knox County Dept. of Engineering and Public Works has reviewed the grading plan and has determined that each lot has building site and that the storm drainage can be adequately accommodated around each proposed building site.

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

1. The subdivision has been developed and all utilities are in place.
2. The proposed reduction in the sideward setback will have no impact on the surrounding development.
3. Any school age children living in this development are presently zoned to attend Cedar Bluff Primary, Intermediate and Middle Schools and Karns High School.

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

1. The existing subdivision meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates this property for low density residential use. The PR zoning approved for the property allows consideration of up to 2.8 du/ac . The subdivision was developed at 2.35 du/ac which is consistent with the Sector Plan and the zoning designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved

Meeting Date: 11/10/2011

Details of Action:

Summary of Action: APPROVE the request to decrease the minimum required side yard setback for the noted lots from 10 feet to 5 feet as shown on the plan subject to 1 condition

Date of Approval: 11/10/2010

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: