

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 11-I-19-UR **Related File Number:**
Application Filed: 9/30/2019 **Date of Revision:**
Applicant: KATHERINE P. CORNETT & JOSHUA O. HENSON

PROPERTY INFORMATION

General Location: East side of Dogwood Dr., southeast of Merriwood Dr., northeast of Dogwood Cove Ln.
Other Parcel Info.:
Tax ID Number: 134 005 **Jurisdiction:** County
Size of Tract: 21482 square feet
Accessibility: Access is via Dogwood Dr., a local street with 18' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Reduction of front yard setback from 35' to 25' **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** RR (Rural Residential)
Growth Policy Plan: Rural Area
Neighborhood Context: This area consists of single family and rural residential uses developed in the A, RB, and PR zone districts.

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

Street: 7304 Dogwood Dr.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RB (General Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted.

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the front yard setback reduction from 35' to 30', subject to 1 condition. (Applicant requested a 25' setback)

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

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

Comments: The RB (General Residential) zone allows the planning commission to consider a reduction of the 35' front yard setback when such reduction is consistent with the development standards for uses permitted on review, which are outlined below. The applicant requested a 25' front yard setback to the unenclosed front porch which has a depth of 7'. Staff is recommending a front setback of 30' because there is a general exception in the zoning ordinance that allows unenclosed porches to extend up to 10' into a required yard as long as it is on the ground-story and not more than 12' in height above the first-floor level (Article 3, Section 3.20). The minimum setback reduction needed is 3' (35' to 32') to construct a house with a 7' deep unenclosed front porch as proposed. The staff recommendation of a 30' front yard setback provides an additional 2' of setback reduction just in case the house location needs to be shifted slightly before construction. The applicant has been made aware of the exception that allows a front porch to extend into a required setback and has not objected to the staff recommendation.

The property is entirely within the Hillside Protection Area with steep slopes toward the rear of the property. The applicant is requesting the setback reduction so they do not need to disturb the steep slopes to the rear.

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

1. The front yard setback reduction will not create a safety hazard and will allow the house to be located out of the steep slopes on the rear of the property.
2. The existing houses along the east side of Dogwood Drive do not have a consistent setback and are large lots.
3. The subject site has trees along the Dogwood Drive frontage that the applicant intends to maintain and the location of the house will be at a higher elevation than the road. Because of this, the reduced setback should have little visual impact from the road.

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

1. With the stated conditions, the proposed setback reduction meets the standards for development within a RB (General Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposal is consistent with the general standards for uses permitted on review: The proposed setback reduction 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 Southwest County Sector Plan designates this property for rural residential uses.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 11/14/2019

Details of Action:

Summary of Action: APPROVE the front yard setback reduction from 35' to 30', subject to 1 condition.

Date of Approval: 11/14/2019

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: