

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 12-A-01-UR **Related File Number:**
Application Filed: 11/8/2001 **Date of Revision:**
Applicant: ROBERT GENTRY JACKSON
Owner:

PROPERTY INFORMATION

General Location: Southwest side of Joseph Gate Ln., north of Beaver Ridge Rd.
Other Parcel Info.:
Tax ID Number: 78 P D 018 **Jurisdiction:** County
Size of Tract: 0.22 acres
Accessibility: Access is via Joseph Gate Ln., a local street with a 26' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single-family residence
Surrounding Land Use:
Proposed Use: Reduction of an interior rear setback from 15 feet to 3 feet **Density:**
Sector Plan: Northwest County **Sector Plan Designation:**
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located within an existing detached single-family subdivision.

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

Street: 3427 Joseph Gate Ln
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: None noted

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: TPB

Staff Recomm. (Abbr.): APPROVE the request for a reduction of the rear yard setback from 15' to 3' subject to 2 conditions.

Staff Recomm. (Full): 1. That reduced setback would only be for the existing brick shed.
2. Meeting all applicable conditions of the Concept Plan and Use-on-Review approvals for Joseph Gate Subdivision.

With the conditions noted, this request meets the requirements for approval of a Use-on-Review.

Comments: The applicant is requesting a reduction in the rear yard setback for Lot 18 of Joseph Gate Subdivision from 15' to 3'. A brick storage shed which was built when the house was built, was constructed within the setback area. Due to the type of construction, the shed would have to be torn down in order to be moved out of the setback area. The applicant had previously obtained a variance from the Knox County Board of Zoning Appeals (BZA) for a variance down to 4'. When the survey was prepared for the property, it was discovered that the shed was actually 3.3' from the property line, so the BZA approval would not apply. Under the PR (Planned Residential) District, the Planning Commission is the body that determines the setbacks (not the BZA). The internal rear yard setback originally approved for this subdivision was 15'. Since this property boundary is not the periphery boundary for the subdivision (which cannot be reduced below 15'), the Planning Commission can approve the request down to 3'.

MPC Action: Approved MPC Meeting Date: 12/13/2001

Details of MPC action: 1. That reduced setback would only be for the existing brick shed.
2. Meeting all applicable conditions of the Concept Plan and Use-on-Review approvals for Joseph Gate Subdivision.

With the conditions noted, this request meets the requirements for approval of a Use-on-Review.

Summary of MPC action: APPROVE the request for a reduction of the rear yard setback from 15' to 3' subject to 2 conditions.

Date of MPC Approval: 12/13/2001 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: