

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

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
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 12-A-10-OA **Related File Number:**
Application Filed: 11/1/2010 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 999 999 **Jurisdiction:**
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: **Sector Plan Designation:**
Growth Policy Plan:
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason: Amendment to the City of Knoxville Zoning Ordinance, Article V, Section 6 (D) (5), regarding division of a lot

ZONING INFORMATION (where applicable)

Current Zoning:
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:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: Amendment to the City of Knoxville Zoning Ordinance, Article V, Section 6 (D) (5), regarding division of a lot

MPC ACTION AND DISPOSITION

Planner In Charge: Mark Donaldson

Staff Recomm. (Abbr.): Staff recommends that the planning commission recommend approval of the proposed amendment to the City of Knoxville Zoning Ordinance.

Staff Recomm. (Full):

Comments: MPC has been requested by the City of Knoxville administration to consider making a recommendation on amendments to the City of Knoxville zoning ordinance regarding division of a lot at Article V, Section 6(D)(5).

In November, 2009, at the request of the City of Knoxville, MPC recommended that Ordinance No. O-76-08 be rescinded and City Council subsequently rescinded the ordinance. Now, the City requests that Article V, Section 6(D)(5) be amended to include an exception that appeared in the rescinded ordinance. Specifically, the rescinded ordinance provided that a variance could be requested to allow a lot to be recorded where "the recorded lot results in a larger recorded lot than existed prior to such subdivision, but does not yet achieve conformity with the zoning district regulations."

ANALYSIS

This amendment will allow property owners to create lots that are larger, but do not achieve the minimum regulations of the zoning district. It represents a desire on the property owner to move in the direction of conformity without the need to achieve it. This is often the case on parcels that include portions of substandard lots within the same parcel. The grant provision will make small lots of record more useful, and in some cases is the only way to allow any development on the lot.

This provision was included in Ordinance No. O-76-08. Without the proposed amendment there is no path for owners of lots or portions of lots that do not meet the minimum requirements of the zoning ordinance to use or improve those lots in an effective manner.

PROPOSED AMENDMENT

Add to Article V, Section 6(D)(5) the following:

"f. When the lot proposed to be recorded results in a larger recorded lot than existed prior to such subdivision, but does not yet achieve conformity with the zoning district regulations."

Action: Approved

Meeting Date: 12/9/2010

Details of Action:

Summary of Action: Staff recommends that the planning commission recommend approval of the proposed amendment to the City of Knoxville Zoning Ordinance.

Date of Approval: 12/9/2010

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/14/2010

Date of Legislative Action, Second Reading: 12/28/2010

Ordinance Number: O-190-2010

Other Ordinance Number References: O-190-2010

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: