

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-15-UR **Related File Number:**
Application Filed: 10/26/2015 **Date of Revision:**
Applicant: ANDREW STEWART MELLISA STEWART

PROPERTY INFORMATION

General Location: South side of E. Emory Rd., west of Mayes Chapel Rd.
Other Parcel Info.:
Tax ID Number: 38 044.02 **Jurisdiction:** County
Size of Tract: 0.94 acres
Accessibility: Access is via E. Emory Rd., a 4-lane, major arterial street with center turn lanes within 70' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Two duplexes on individual lots. **Density:** 4.25 du/ac
Sector Plan: North County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This section of E. Emory Rd. is developed with residential uses under A, RA, RB and PR zoning. The subject property is approximately 1/2 mile from the Emory Rd / Norris Frwy intersection.

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

Street: 3330 E Emory Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Knox County Commission approved rezoning the property from A (Agricultural) to RA (Low Density Residential) on 12/21/2015.

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: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the request for 2 duplexes with each duplex being on an individual lot as identified on the development plan, subject to 6 conditions.

Staff Recomm. (Full):
1. Approval of right-of-way dedication variance by the Planning Commission when the final plat is submitted for review, or adjust the property lines and all proposed improvements 10' to the southeast as described in Note #4 of the site plan.
2. Meeting all applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Record the exclusive access easement for the shared driveway for Lots 1 & 2 that is shown on the development plan.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.
6. Meeting all applicable requirements of the Tennessee Department of Transportation.

With the conditions noted, the request meets all requirements for duplexes in RA zone and the other criteria for approval of a Use on Review.

Comments: The proposal is to divide this 1 acre property into two lots for the development of two duplexes under the RA zone district. One access driveway is proposed from E. Emory Rd. to serve both duplexes. The driveway will be constructed of gravel and concrete/asphalt, as shown on the site plan, and will have an exclusive access easement for the rear lot. The gravel surface is being utilized to reduce the impervious area on the site and has a water quality easement over it so it is not paved in the future without the approval by the Knox County Department of Engineering and Public Works. The driveway access will need to be widened from 22' (as shown) to 24' because of TDOT permit requirements. The driveway will need to be widened to 24' a minimum of 20' onto the site from the front property line.

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

- 1. The proposal will have no impact on schools.
- 2. Public water and sewer utilities are available to serve the development.
- 3. E. Emory Rd. was recently improved to 5 lanes and this development will not impact the capacity of the road and has adequate site distance.

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

- 1. The proposed duplex development is consistent with the general standards for uses permitted on review: The proposed development 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.
- 2. The proposal meets all relevant requirements of the RA zoning district, as well as other criteria for approval of a use-on-review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The use is in conformity with the North County Sector Plan which proposes LDR (Low Density Residential) for the area.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved

Meeting Date: 1/14/2016

Details of Action:

1. Approval of right-of-way dedication variance by the Planning Commission when the final plat is submitted for review, or adjust the property lines and all proposed improvements 10' to the southeast as described in Note #4 of the site plan.
2. Meeting all applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Record the exclusive access easement for the shared driveway for Lots 1 & 2 that is shown on the development plan.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.
6. Meeting all applicable requirements of the Tennessee Department of Transportation.

With the conditions noted, the request meets all requirements for duplexes in RA zone and the other criteria for approval of a Use on Review.

Summary of Action:

APPROVE the request for 2 duplexes with each duplex being on an individual lot as identified on the development plan, subject to 6 conditions.

Date of Approval:

1/14/2016

Date of Denial:

Postponements:

12/10/2015

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: