

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 12-G-21-UR **Related File Number:** 12-SD-21-C
Application Filed: 10/29/2021 **Date of Revision:**
Applicant: ROBYN ASKEW, TRUSTEE

PROPERTY INFORMATION

General Location: Southeast side of Marietta Church Road, south of Hardin Valley Road
Other Parcel Info.:
Tax ID Number: 129 128 **Jurisdiction:** County
Size of Tract: 94.14 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac (Agriculture/Forestry/Vacant Land)
Surrounding Land Use:
Proposed Use: Detached residential subdivision **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** RR (Rural Residential) & HP (Hillside Protection)
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 1928 Marietta Church Rd.
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:

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 development plan for up to 188 detached dwellings on individual lots, subject to 2 conditions.

Staff Recomm. (Full):

- 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2. A 10-ft side street setback is permissible on corner lots that are not adjacent to a key lot per Section 3.30 (Setback lines) of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) district and the criteria for approval of a use on review.

Comments:

The Knox County Zoning Ordinance (Section 3.30) allows corner lots that are not adjacent to a key lot to have a minimum width of the side yard next to the side road to be one-half (1/2) the minimum width of the front yard. This is most applicable in subdivisions with a grid-style road layout where two corner lots back up to each other and the primary frontage for each are the parallel streets, not the side street.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

- A. The Northwest County Sector Plan recommends RR (Rural Residential) and HP (Hillside Protection) for the site. The RR land use classification allows up to 3 du/ac when consistent with the recommendations of the Growth Policy Plan.
- B. The property is in the Rural area on the Knoxville-Knox County-Farragut Growth Policy Plan map which allows consideration of up to 3 du/ac.
- C. The recommended maximum land disturbance within the HP area is 44.6 acres.
- C. The proposed density of the subdivision is 1.99 du/ac and the disturbance within the HP area is approximately 44 acres which meet the recommendations of these plans.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

- A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.
- B. The property is zoned PR up to 2 du/ac and the proposed density is 1.99 du/ac.
- C. Approximately 44 acres of the 94.14 acres (47%) of the site is within a common area. The development is concentrated in the center of the property which is the flattest portion of the site.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

- A. The area surrounding the Marietta Church Road and Hardin Valley Road intersection has seen several developments approved recently that are in various stages of development. The proposed detached residential lots are consistent with the type of development that has recently been approved in this area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

- A. The proposed detached residential subdivision is compatible with the surrounding detached

residential uses and will not significantly impact the value of the adjacent property.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The subdivision will have access to Marietta Church Road which is a minor collector street so it will not draw additional traffic through residential areas.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

Action: Approved **Meeting Date:** 12/9/2021

Details of Action:

Summary of Action: Approve the development plan for up to 188 detached dwellings on individual lots, subject to 2 conditions.

Date of Approval: 12/9/2021 **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:**