

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

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File Number: 2-A-09-UR **Related File Number:**
Application Filed: 12/22/2008 **Date of Revision:**
Applicant: GORDON & BARBARA KINTER

PROPERTY INFORMATION

General Location: Northwest side of Vermont Ave., southwest of Hooker St.
Other Parcel Info.:
Tax ID Number: 94 B A 037 **Jurisdiction:** City
Size of Tract: 12000 square feet
Accessibility: Access is via Vermont Ave., a local street with a 25' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: An 840 square foot accessory building on a 12,000 square foot lot **Density:**
Sector Plan: Central City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This property is located in an established residential area developed under R-1A and R-2 zoning.

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

Street: 1333 Vermont Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density 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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request for an 840 square foot accessory building, subject to the following 6 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Obtaining a building permit from the Knoxville Plans Review & Inspections Division.
 3. Removing the two smaller outbuildings shown on the site plan within 60 days of the use-on-review approval by the Planning Commission of the 840 square foot accessory building.
 4. Establishing a driveway off of Vermont Ave meeting all applicable requirements of the Knoxville Department of Engineering.
 5. Meeting all other applicable requirements of the Knoxville Department of Engineering.
 6. The 840 square foot building is accessory to the existing residence and can only be used for residential purposes.

With the conditions noted above, this request meets the requirements for approval of an accessory building in the R-1A zone and other criteria for a use-on-review.

Comments:

The applicant is requesting approval of an 840 square foot accessory building (garage) located behind an existing residence on Vermont Ave. The garage was constructed without the required permits from the Knoxville Plans Review & Inspections Division. According to a recent amendment to the Knoxville Zoning Ordinance (Art.5.4, C), the maximum size for an accessory building in the various residential zoning districts is 750 square feet when the lot is 15,000 square feet in size or less. An accessory building up to 900 square feet in size may be considered through the use-on-review process. The applicant has a 12,000 square foot lot in the R-1A zoning district and is requesting that the Planning Commission approve an 840 square foot accessory building on this lot. The garage can only be used for uses determined to be accessory to the existing residence.

In addition to the new garage, there are currently two other out-buildings located behind the residence. A final plat recorded on November 26, 2008 identified that the two out-buildings are to be removed. This was required because the out-buildings are located within the standard utility and drainage easement that was established with the recording of the plat. The removal of the buildings is also a recommended condition of the use-on-review approval.

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

1. With the removal of the two smaller accessory structures the 840 square foot structure should have minimal impact on other properties in the area.
2. The proposal will have no impact on schools.
3. All utilities are available to serve the development.

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

1. The proposed 840 square foot accessory building, with the recommended conditions, 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 proposal will not significantly injure the value of adjacent property.
2. The proposal meets all relevant requirements of the R-1A zoning district and a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Central City Sector Plan and One Year Plan propose low density residential uses for this site.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action:

Approved

MPC Meeting Date: 2/12/2009

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
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With the conditions noted above, this request meets the requirements for approval of an accessory building in the R-1A zone and other criteria for a use-on-review.

Summary of MPC action:

APPROVE the request for an 840 square foot accessory building, subject to the following 6 conditions:

Date of MPC Approval:

2/12/2009

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: