

# 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-D-09-UR                      **Related File Number:**  
**Application Filed:** 12/29/2008              **Date of Revision:**  
**Applicant:** OUTBACK DEVELOPMENT, LLC

## PROPERTY INFORMATION

**General Location:** East and west side of Andalusian Way, south side of Westland Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 144 F D 019-034                      **Jurisdiction:** County  
**Size of Tract:** 6.2 acres  
**Accessibility:** Access is via Andalusian Wy., a private joint permanent easement with a pavement width of 26' within a 40' wide right-of-way

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Attached residential development  
**Surrounding Land Use:**  
**Proposed Use:** Revised attached residential development                      **Density:** 3.99 du/ac total development  
**Sector Plan:** Southwest County              **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** Property in the area is zoned PR residential, A agricultural and I industrial. Development in the area consists of detached and attached dwellings, a convenience store, A.L. Lotts Elementary School and Gettysvue Country Club.

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

**Street:** Andalusian Way  
**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:** Development plans for this site were approved by MPC in 2002 and 2003

## 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:** Dan Kelly

**Staff Recomm. (Abbr.):** Approve the revised development to permit one story dwellings and the revised landscaping plan as shown subject to 2 conditions

**Staff Recomm. (Full):**

1. Meeting all requirements of the Knox County Zoning Ordinance
2. Installation of landscaping as shown on the development plan within six months of the issuance of an occupancy permit for each individual unit, or posting a bond with the Knox County Dept. of Engineering & Public Works to guarantee such installation

**Comments:** In 2002, this applicant received approval of a development plan for this site that called for up to 38 condominium units on this site. In 2003 that plan was revised by reducing the total number of attached units down to 34 and at the same time changing from condominiums to a "zero lot line" subdivision. Subsequently, all 34 lots were recorded and approximately 50% of the dwellings have been constructed. As part of the use on review process, MPC approves the proposed architectural elevations of the proposed development. In this case, the approved plans call for all of the dwellings to be constructed as two story units. The applicant is now requesting that one story dwellings be permitted on that portion of the development that is north of Thoroughbred Way. Additionally, the applicant is proposing a change in the boundary treatment between this project and the adjoining detached residential subdivision. The previously approved plan shows a six foot high wall along the boundary between the proposed development and the subdivision. The applicant is now requesting that the wall be eliminated and a double row of Leyland cypress trees be installed to create the buffer between the subdivisions.

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

1. The proposed revised development will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed development is consistent in use and density with the recent zoning and subdivision development in the area.
3. Access to this project will be limited to the internal street system.

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

1. The proposed revised development plan meets the standards for development within the PR (Planned Residential) Zone and all other requirements of the Zoning Ordinances.
2. The proposed development is consistent with the general standards for uses permitted on review: It 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.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Knox County Southwest Sector permits LDR (Low Density Residential) development to occur on this site. Development of this site as proposed conforms to the Sector plan.

**MPC Action:** Approved

**MPC Meeting Date:** 3/12/2009

**Details of MPC action:** 1. Meeting all requirements of the Knox County Zoning Ordinance

2. Installation of landscaping as shown on the development plan within six months of the issuance of an occupancy permit for each individual unit, or posting a bond with the Knox County Dept. of Engineering & Public Works to guarantee such installation

**Summary of MPC action:** Approve the revised development to permit one story dwellings and the revised landscaping plan as shown subject to 2 conditions

**Date of MPC Approval:** 3/12/2009      **Date of Denial:**      **Postponements:** 2/12/2009

**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:**