

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 2-D-21-UR **Related File Number:** 2-SB-21-C
Application Filed: 12/29/2020 **Date of Revision:**
Applicant: W. SCOTT WILLIAMS & ASSOCIATES

PROPERTY INFORMATION

General Location: South side of Kimberlin Heights Rd., west side of Bays Mountain Rd. at their intersection
Other Parcel Info.:
Tax ID Number: 126 13803 **Jurisdiction:** County
Size of Tract: 3.29 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Detached residential subdivision **Density:**
Sector Plan: South County **Sector Plan Designation:** RR (Rural Residential)
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 0 Bays Mountain 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 9 detached dwelling units on individual lots and reduction of the peripheral setback from 35 feet to 25 feet, subject to 1 condition.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the criteria for approval of a concept plan and use-on-review.

Comments:

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 South County Sector Plan recommends RR (Rural Residential) uses for this site with a maximum of 3 du/ac when in compliance with the Growth Policy Plan. The property was rezoned to PR up to 3 du/ac and the proposed subdivision has a density of 2.74 du/ac.
- 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 proposed subdivision will have lot sizes that are smaller than those around it.
 - C. The PR (Planned Residential) zoning for this site allows up to 3 du/ac and the proposed subdivision has a density of 2.74 du/ac.
 - D. This property is located near several public and private educational facilities and a public park. Gap Creek Elementary is .25 miles to the west, Johnson University is .5 miles to the east, and Kimberlin Heights Park is 200 feet to the south.
- 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 proposed single-family detached subdivision has a similar character as other residential subdivisions on Beeler Road, including the lot sizes and the use being detached residential houses.
 - B. The front setback for these houses is proposed to be 25 feet which is closer than most houses on Bays Mountain Road, however, this is necessary because of the stream to the rear of the lots.
- 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.
 - A. The proposed residential subdivision is compatible with the surrounding residential and agricultural uses and will not significantly impact the value of adjacent property.
- 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.
 - A. These lots will have direct access Bays Mountain Road which is a local street but is located at the intersection with Kimberlin Heights Road which is a minor arterial street.
- 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 to the proposed residential use.

Action: Approved **Meeting Date:** 2/11/2021

Details of Action:

Summary of Action: APPROVE the Development Plan for up to 9 detached dwelling units on individual lots and reduction of the peripheral setback from 35 feet to 25 feet, subject to 1 condition.

Date of Approval: 2/11/2021 **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:**