

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 3-B-21-UR **Related File Number:** 3-SA-21-C
Application Filed: 1/13/2021 **Date of Revision:**
Applicant: JOSH SANDERSON / SOUTHLAND GROUP, INC.

PROPERTY INFORMATION

General Location: West side of Murphy Rd. at Horsetall Dr., northwest of Washington Pk.
Other Parcel Info.:
Tax ID Number: 49 067 (PART OF) **Jurisdiction:** County
Size of Tract: 20.75 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Detached residential subdivision **Density:**
Sector Plan: North City **Sector Plan Designation:** LDR (Low Density Residential) / SP (Stream Prote
Growth Policy Plan: Urban Growth Area
Neighborhood Context:

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

Street: 4917 Murphy 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 61 detached dwelling units on individual lots and reduction of the peripheral setback from 35 feet to 25 feet along the north boundary, and to 25 feet on the east boundary where the 25-foot common area is provided, 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 (Planned Residential) 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 North City Sector Plan recommends LDR (Low Density Residential) uses for this site with a maximum of 5 du/ac. The property was rezoned to PR 1-5 du/ac and the proposed subdivision has a density of 2.94 du/ac for the 20.75 acres of the site in this phase of the development.

B. The FEMA flood study stops just to the west of this phase of the development and therefore, the recommendations of the stream protection area of the sector plan are not applicable. However, the lots adjacent to the stream in phase 1 must have a minimum floor elevation that is 1-foot above the 500-year flood elevation.

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 detached residential lot sizes that are comparable to others in the area. The subdivision to the west was developed in the RB (General Residential) zone which has a minimum lot size of 7,500 sqft. The proposed subdivision has some lots that are less than 6,000 sqft, however, there is a large common area between the two subdivisions with overhead powerline and underground gas line easements, so this area is not likely to be developed in the future.

C. The PR (Planned Residential) zoning for this site allows up to 5 du/ac and the proposed subdivision has a density of 2.94 du/ac.

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 in this area.

B. The attached residential development to the north has a 25-foot peripheral setback which is the same as requested by the applicant along their northern boundary.

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

A. The proposed residential subdivision is compatible with the surrounding residential uses and will not significantly impact the value of adjacent properties.

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

A. The development will have direct access to Murphy Road which is a major collector 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 TVA and KUB overhead power lines and a gas line along the western boundary of phase 1 of this development. As with any major utility installation, there is some risk with locating near them but this is not unique to this property and there are no requirements for locating a certain distance from these uses other than building outside of their recorded easements.

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

Action: Approved

Meeting Date: 3/11/2021

Details of Action:

Summary of Action: APPROVE the Development Plan for up to 61 detached dwelling units on individual lots and reduction of the peripheral setback from 35 feet to 25 feet along the north boundary, and to 25 feet on the east boundary where the 25-foot common area is provided, subject to 1 condition.

Date of Approval: 3/11/2021

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: