

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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Knoxville, Tennessee 37902
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www.knoxmpc.org

File Number: 3-E-01-UR

Related File Number: 3-SC-01-C

Application Filed: 2/5/2001

Date of Revision:

Applicant: TERRY PATTON

Owner:

PROPERTY INFORMATION

General Location: Southwest side of Tillery Rd., southeast of Merchant Dr.

Other Parcel Info.:

Tax ID Number: 80 C A 25, 39 - 83

Jurisdiction: City

Size of Tract: 16.28 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use: Detached single-family subdivision

Density: 9.56 du/ac

Sector Plan: Northwest City

Sector Plan Designation:

Growth Policy Plan: Existing City

Neighborhood Context:

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (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:

Surveyor:

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:

Staff Recomm. (Abbr.): APPROVE the development plan for up to 59 detached single family dwellings on individual lots subject to 14 conditions.

Staff Recomm. (Full):

1. Meeting all requirements of the approved concept plan.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Eliminate the proposed "gang mail center" and provide an individual mail box for each lot.

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4. Provide a solid masonry, concrete or stucco cover cinder block perimeter wall around all sides of each dwelling.
5. Place all homes on the lots in a manner such that the main entrance faces the street.
6. Provide a minimum of a 5' by 5' porch at the main entrance to each dwelling.
7. All driveways are to be paved or constructed of concrete. Each driveway must be able to accommodate two cars outside of the street right-of-way.
8. The minimum roof pitch shall be 4" in 12".
9. Each dwelling will be provided with a 12" roof over hang on all sides of the dwelling
10. Recording of the revised restrictive covenants reflecting the conditions of this approval prior to MPC staff certification of the approved development plan
11. Installation of the landscaping shown on the development plan within 6 months after the issuance of an occupancy permit for each dwelling.
12. Extending the proposed privacy fence along the full width of the western boundary of the site.
13. Eliminate lot #3 (parcel 25) from this development. It is not owned by this applicant.
14. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

Comments: Under the provisions of the Knoxville Zoning Ordinance the MPC is given authority to exercise its administrative judgement when reviewing a Use on Review. In this case, MPC will be guided by the State law dealing with multi-sectional dwellings and the provisions of the Section 3 of the Knoxville Zoning Ordinance which is entitled Development Standards for Uses Permitted on Review. Staff will address each

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of the six stated general standards contained in that section.

The proposed use is consistent with the plans and policies of the General Plan and the One Year Plan. The adopted plan for this area prescribe the land to be used for low density residential development. The proposed density of the project will be less than 4 dwellings per acre which falls within the density permitted by the zoning of this site and the low density residential designation. The low density

designation in the City will permit development up to six dwellings per acre. The proposed use of the property for detached single family dwellings is in harmony with the intent and purpose of the zoning regulations. The Zoning Ordinance states that single family dwellings are a permitted use in the RP-1 district. The proposed use, as defined by State law, is a single family dwelling. The use will not significantly injure the value of adjacent property by noise, lights, fumes, odors, vibration, traffic congestion or other impacts detracting from the immediate environment. This will be a single family residential subdivision located in the midst of other single family subdivisions. The staff does not expect this development to result in the creation of any unusual noise, light, fumes odors or vibrations. This development will generate approximate 590 trips per day. While staff does not have a detailed traffic impact study, we believe the traffic impact on the area will be minimal. This is due to the number of alternative routes available which can be used to and from this development. The alternative routes will allow the traffic to disperse quickly so therefore, no street will experience a substantial increase in traffic. The surrounding development will not pose a potential hazard to the proposed development. Finally, will be compatible the character of the surrounding area. The State law permits the local jurisdiction to establish requirements which will ensure the proposed multi-sectional dwellings have the same general appearance of site built homes. The conditions recommended by staff for this Use on Review request are aimed at making the proposed development compatible with and similar in appearance to the surrounding single family development.

To promote a similar appearance to the other single family dwellings found in the area, the staff will require that a perimeter wall of solid masonry, concrete or stucco covered cinder blocks be constructed around the base of the proposed dwellings. This will give the appearance of a solid foundation wall which is found on practically ever house in the area. Manufactured homes are not installed with a foundation that meets the City of Knoxville Building Code. Instead, they are installed with a stabilization system inspected by the State Fire Marshall's office. Requiring a masonry perimeter wall not only promotes "like" appearance, but also helps to prevent freezing of exposed plumbing.

The staff will also require that all dwellings be oriented on each lot so as to require the front or main entrance to the dwelling face the street. Additionally, we will require that each dwelling be provided a porch at the primary entrance. This is being done to promote a harmonious streetscape. Recent planning research indicates that an important factor in maintaining a healthy, low crime neighborhood is the presence of "eyes on the street". By requiring these items, the staff believes that interaction between neighbors will be enhanced and will contribute to the safety and the feeling of the neighborhood.

The staff will also require the roof pitch be equal to or greater than a 4 inch rise in 12 inches. The developer is proposing a minimum roof pitch of 2.5 inches in 12 inches. The staff is recommending the higher roof pitch because it is more common for a site built home to have a roof pitch equal to or greater than what is being recommended by the staff. Additionally, the staff will recommend the homes placed in this development be required to have a roof overhang of at least 12 inches on all four sides. Practically every site built home has a roof over hang. The over hang will serve to get the roof drainage away from the structure and can facilitate the ventilation of attic space.

This is the first development of this type within the City. The staff has been in communication with the developer and the area residents throughout the review process. The developer has stated that it his desire to do a high quality development that will be a complement the area. The area residents have stated they want a development which will blend with the existing neighborhood. This recommendation attempts to

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address the wishes and concerns of both sides. We believe that in order for this development to have the same general appearance of a site built home and to blend into the area the conditions recommended by the staff will help to accomplish those goals.

MPC Action:

Approved

MPC Meeting Date: 3/8/2001

Details of MPC action:

1. Meeting all requirements of the approved concept plan.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Eliminate the proposed "gang mail center" and provide an individual mail box for each lot.
4. Provide a solid masonry, concrete or stucco cover cinder block perimeter wall around all sides of each

dwelling.

5. Place all homes on the lots in a manner such that the main entrance faces the street.
6. Provide a minimum of a 5' by 5' porch at the main entrance to each dwelling.
7. All driveways are to be paved or constructed of concrete. Each driveway must be able to accommodate two cars outside of the street right-of-way.
8. The minimum roof pitch shall be 4" in 12".
9. Each dwelling will be provided with a 12" roof over hang on all sides of the dwelling
10. Recording of the revised restrictive covenants reflecting the conditions of this approval prior to MPC staff certification of the approved development plan.
11. Installation of the landscaping shown on the development plan within 6 months after the issuance of an occupancy permit for each dwelling.
12. Extending the proposed privacy fence along the full width of the western boundary of the site.
13. Eliminate lot #3 (parcel 25) from this development. It is not owned by this applicant.
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Summary of MPC action: APPROVE the development plan for up to 59 detached single family dwellings on individual lots subject to 14 conditions

Date of MPC Approval: 3/8/2001

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 3/22/2001

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: City Council

Date of Legislative Action: 4/17/2001

Date of Legislative Action, Second Reading: 6/26/2001

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Denied (Withdrawn)

If "Other": Postponed 4/17, 5/15, 5/29, 6/12

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: