

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: 3-E-05-UR
Application Filed: 2/7/2005
Applicant: JOE TOUCHTON
Owner:

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: West side of Chapman Hwy. at the southern end of Sevierville Pike.
Other Parcel Info.:
Tax ID Number: 150 20 **Jurisdiction:** County
Size of Tract: 13.91 acres
Accessibility: Access is via Chapman Hwy., a four lane major arterial street with a required 100' right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Reduction of rear yard setback to 15' (where the 35' peripheral setback does not apply) in an attached single-family subdivision **Density:** 6.83 du/ac
Sector Plan: South County **Sector Plan Designation:**
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The proposed development is in an area of mixed commercial and residential development.

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

Street: 9109 Chapman Hwy
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: Property was rezoned to PR (Planned Residential) at a density of 1 - 10 du/ac in 2002.

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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for a reduction of the rear yard setback from 20' to 15' (where the 35' peripheral setback does not apply) in an attached single-family subdivision subject to 3 conditions.

Staff Recomm. (Full): 1. Meeting all requirements of the approved use on review development plan. (10-H-04-UR)
2. Meeting all applicable requirements of the approved concept plan. (10-SC-04-C)
3. 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 other criteria for approval of a use on review.

Comments: The applicant is requesting a reduction in the approved rear yard setback for an attached single-family subdivision that was approved by the Planning Commission on October 14, 2004 for a total of 95 units on individual lots. The proposed subdivision was approved with a rear setback of 20'. The applicant is requesting a reduction of the required rear yard to 15' where the 35' peripheral setback does not apply.

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

- 1. The proposed reduction in the rear yard setback will have minimal impact on adjoining property since the proposed reduction is internal to the development. The required 35' peripheral setback will still apply.
- 2. The proposed subdivision will have minimal impact on local services since all utilities are in place to serve this site.
- 3. The proposed detached single-family subdivision is consistent in use and density with the zoning and subdivision development in the area.

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

- 1. Under the provisions of the Knox County Zoning Ordinance, the required rear yard setback is to be determined by the Planning Commission.
- 2. The proposed detached single-family subdivision meets the standards for development within the PR (Planned Residential) Zone and all other requirements of the Zoning Ordinances.
- 3. The proposed subdivision 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 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 South County Sector Plan identifies this property for commercial use which was consistent with the previous CA (General Commercial Zoning designation). The PR zoning was approved for this property in 2002 because the use was more suitable for this site's development than the CA zoning.

Upon final approval of this request, the developer must prepare a design plan prior to the development of the property. During the design plan phase, grading, drainage, street design and construction, and connection to public utilities must satisfy technical engineering requirements before any development can proceed.

MPC Action: Approved

MPC Meeting Date: 3/10/2005

Details of MPC action: 1. Meeting all requirements of the approved use on review development plan. (10-H-04-UR)
2. Meeting all applicable requirements of the approved concept plan. (10-SC-04-C)
3. 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 other criteria for approval of a use on review.

Summary of MPC action: APPROVE the development plan for a reduction of the rear yard setback from 20' to 15' (where the 35' peripheral setback does not apply) in an attached single-family subdivision subject to 3 conditions.

Date of MPC Approval: 3/10/2005 **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:**