

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 3-I-20-UR                      **Related File Number:**  
**Application Filed:** 1/27/2020              **Date of Revision:**  
**Applicant:** VERTEX DEVELOPMENT TN, LLC

## PROPERTY INFORMATION

**General Location:** Northwest side of Hardin Valley Road, southwest of Bryant Lane.  
**Other Parcel Info.:**  
**Tax ID Number:** 103 108.04                      **Jurisdiction:** County  
**Size of Tract:** 20.72 acres  
**Accessibility:** Access is via Hardin Valley Rd., a minor arterial street with a 3 lane street section within an 88' required right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residential subdivision under construction  
**Surrounding Land Use:**  
**Proposed Use:** Reduction of peripheral setback                      **Density:** 2.7 du/ac  
**Sector Plan:** Northwest County              **Sector Plan Designation:** MDR ( Medium Density Residential )  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located in an area along Hardin Valley Road that has developed as low density residential use under RA and PR zoning.

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

**Street:** 11103 Hardin Valley 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:** This property was rezoned to PR (Planned Residential) at a density of up to 4 du/ac by Knox County Commission on January 23, 2017.

## 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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the requested reduction of the peripheral setback to 25' along the northeast subdivision boundary line that adjoins Conners Creek subdivision, subject to 2 conditions.

Staff Recomm. (Full):  
1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
2. 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 had obtained a concept plan and use on review approval (1-SE-17-C / 1-I-17-UR) from the Planning Commission for this subdivision on January 12, 2017 for a total of 56 detached residential lots on 20.72 acres at a density of 2.7 du/ac. A final plat (2-SL-18-F) approval was also granted for the subdivision by the Planning Commission on May 9, 2018. However, since the final plat was not recorded within one year of the Planning Commission approval, the final plat and the concept plan approvals expired. The applicant received a new concept plan approval (8-SD-19-C) from the Planning Commission on August.8, 2019.

The applicant is now requesting a reduction of the peripheral setback from 35' to 25' along the northeast subdivision boundary line that adjoins Conners Creek Subdivision. When the initial concept plan was approved for this subdivision, the applicant had requested a reduction of the peripheral setback from 35' to 25' along all subdivision boundaries except for the northeast boundary that adjoins Conners Creek Subdivision. Due to site constraints include a stream and sinkholes, the street layout created shallower lots along the Conners Creek Subdivision. Because the developers building design worked with the 35' setback, a peripheral setback reduction was not requested. The new developer that is proposing to move forward with this Subdivision has a unit design that will need the reduction of the peripheral setback to 25'. The Planning Commission can approve a peripheral setback reduction down to 15' when the subdivision adjoins specific residential zoning districts.

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

1. The proposed detached residential subdivision will have minimal impact on local services since utilities are available to serve this site.
2. The proposed low density residential development at a density of 2.7 du/ac is compatible with the scale and intensity of development that has occurred in this area.

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

1. With the recommended conditions, the proposed subdivision is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development has access to a minor arterial street.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northwest County Sector Plan proposes medium density residential uses for this site. The

proposed subdivision at a density of 2.7 du/ac is consistent with the sector plan.  
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 3/12/2020

**Details of Action:**

**Summary of Action:** APPROVE the requested reduction of the peripheral setback to 25' along the northeast subdivision boundary line that adjoins Conners Creek subdivision, subject to 2 conditions.

**Date of Approval:** 3/12/2020 **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:**