

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 4-A-22-UR **Related File Number:**
Application Filed: 2/16/2022 **Date of Revision:**
Applicant: HUBER PROPERTIES, LLC

PROPERTY INFORMATION

General Location: Southwest side of Andes Road, south of intersection at Ball Camp Pike
Other Parcel Info.:
Tax ID Number: 91 123 **Jurisdiction:** County
Size of Tract: 1.87 acres
Accessibility: Access is via Andes Road, a major collector with 20 ft pavement width within 60 ft of a right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: SFR (Single Family Residential)
Surrounding Land Use:
Proposed Use: Attached residential development **Density:** 11.23 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** MDR (Medium Density Residential) (pending)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is primarily a mix of medium density residential attached dwellings, surrounded by single family residential on larger lots. A outdoor contractor storage yard is located on the north side of Andes Road, zoned I (Industrial).

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

Street: 2115 Andes Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 12 du/ac
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned to PR < 12 du/ac in March 2022 (11-C-21-RZ).

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 21 dwelling units on a single lot and reduction of the peripheral boundary setback from 35' to 25' along the southeast and northeast property lines, subject to 4 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant utility provider requirements.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works, including but not limited to the driveway grade at Andes Road.
4. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Use-on-Review.

Comments:

This proposal is for 10 duplex structures and 1 detached residential house (21 dwelling units) on this 1.87-acre parcel at a density of 11.23 du/ac. The property was rezoned to PR (Planned Residential) up to 12 du/ac in March 2022 (11-C-21-RZ). The applicant is requesting a reduction of the peripheral setback from 35 ft to 25 ft along the southeast and northeast property lines. The development to the southeast received a variance from the Board of Zoning Appeals to reduce the peripheral setback to 15 ft. The developable area along the northeast property line (Andes Road frontage) will remain outside the road construction easements and should not impact the construction or maintenance of the realigned Andes Road.

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 Northwest County Sector Plan recommends MDR (Medium Density Residential) for the site which allows consideration of up to 12 du/ac.
- C. The proposed density of 11.23 du/ac is in conformance with the sector plan.

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 property is zoned PR up to 12 du/ac and the proposed density is 11.23 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 attached residential dwellings are consistent with the surrounding attached residential developments.

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

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

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.
A. Access to the development is from Andes Road, 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 no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

Action: Approved with Conditions **Meeting Date:** 4/14/2022

Details of Action:

Summary of Action: Approve the development plan for up to 21 dwelling units on a single lot and reduction of the peripheral boundary setback from 35' to 25' along the southeast and northeast property lines, subject to 4 conditions.

Date of Approval: 4/14/2022 **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:**