

# CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 4-F-23-DP  
Application Filed: 2/28/2023  
Applicant: DAVID IREYS

Related File Number:  
Date of Revision:

## PROPERTY INFORMATION

**General Location:** Southwest side of Legg Ln, northwest of Millertown Pk  
**Other Parcel Info.:**  
**Tax ID Number:** 41 174 **Jurisdiction:** County  
**Size of Tract:** 3.12 acres  
**Accessibility:** Access is via Legg Lane, a local street with a 11-ft pavement width within a 20-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural Residential  
**Surrounding Land Use:**  
**Proposed Use:** Detached residential subdivision **Density:** 0.64 du/ac  
**Sector Plan:** Northeast County **Sector Plan Designation:** AG (Agricultural), HP (Hillside Protection)  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This is a rural, wooded area comprised of farmland and single family homes on large lots.

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

**Street:** 3029 LEGG LN  
**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:** The property was rezoned from A to PR < 1 du/ac in December 2022 (11-D-22-RZ).

## PLAN INFORMATION (where applicable)

**Current Plan Category:** AG (Agricultural), HP (Hillside Protection)  
**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 two (2) detached residential lots and a reduction of the 35-ft peripheral setback as outlined in the staff comments, subject to 2 conditions.

**Staff Recomm. (Full):** 1) Meeting all other applicable requirements of the Knox County Zoning Ordinance.  
2) Meeting all requirements of the Knox County Department of Engineering and Public Works.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

**Comments:** PERIPHERAL SETBACK REQUEST  
Lot 1 --  
South lot line: 29-ft (to existing house)  
East lot line: 30-ft (along Legg Ln)  
West lot line: 15-ft

Lot 2 --  
West lot line: 15-ft  
East lot line: 15-ft  
North lot line: 35-ft

The setbacks for all interior lot lines (where applicable) --  
Front: 20-ft  
Side: 5-ft  
Rear: 15-ft

This 3.12-acre property was rezoned from A (Agricultural) to PR (Planned Residential) up to 1 du/ac in December 2022 (11-D-22-RZ). The applicant requested PR up to 2 du/ac. This development plan request is to approve the property to be subdivided into two (2) lots, and to establish the setbacks. The applicant is requesting a reduction of the peripheral setback on all exterior lot lines, except for the northern lot line, which is at the top of the ridge.

The 15-ft peripheral setback requests are on side lot lines, which are similar to side setbacks in the agricultural and residential zones. The setback along Legg Lane is 30-ft, which will make the existing house conforming to the setback and allow for improvements to Legg Ln, if necessary in the future. The front setback for Lot 1 will also make the existing house conforming to the setback.

### **DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)**

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

#### **1) ZONING ORDINANCE**

PR (Planned Residential) up to 1 du/ac:

A. The PR zone allows single family houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B. This PR zone district is approved for a maximum of 1 du/ac. The proposed density is 0.64 du/ac.

#### **2) GENERAL PLAN - DEVELOPMENT POLICIES**

A. Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) - The proposed detached residential structures will have a similar scale as the other residential development in the area.

3) NORTHEAST COUNTY SECTOR PLAN

A. The property is classified A (Agricultural), which allows consideration density up to 1 du/ac. The proposed development has a density of 0.64 du/ac.

B. The majority of this property is in the HP (Hillside Protection) area. The applicant proposes to retain the existing house on Lot 1 and build one (1) additional house on Lot 2. The house lot Lot 2 will be toward the front of the lot, below the steepest slopes going up the ridge.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning.

**Action:** Approved with Conditions **Meeting Date:** 4/13/2023

**Details of Action:**

**Summary of Action:** Approve the development plan for two (2) detached residential lots and a reduction of the 35-ft peripheral setback as outlined in the staff comments, subject to 2 conditions.

**Date of Approval:** 4/13/2023 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**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:**