CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 5-B-12-UR Related File Number:

Application Filed: 3/16/2012 Date of Revision:

Applicant: BRYAN E. TESTERMAN, SR.



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

PROPERTY INFORMATION

General Location: Southeast side of Nubbin Ridge Rd., southwest of Hampson Ln.

Other Parcel Info.:

Tax ID Number: 133 F B 016 Jurisdiction: County

Size of Tract: 26.63 acres

Accessibility: Access is via Nubbin Ridge Rd., a major collector street with an 20' pavement width within a required

60' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached residential subdivision under construction

Surrounding Land Use:

Proposed Use: Reduction of peripheral setback from 35' to 25'. Density:

Sector Plan: West City Sector Plan Designation: LDR

Growth Policy Plan: Urban Growth Area (Outside City Limits)

Neighborhood Context: The site is in an area that has developed as low density residential subdivisions under R-1, RA and PR

zoning.

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

Street: 1111 Hampson 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: Property rezoned to PR (Planned Residential) at up to 5 du/ac by Knox County Commission on June

27, 2011.

PLAN INFORMATION (where applicable)

Current Plan Category:

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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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request to reduce the peripheral boundary setback from 35' to 25' as shown on the

development plan for Whispering Woods Subdivision subject to 1 condition

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

Comments:

The applicant is requesting that MPC approve the reduction in the required peripheral boundary setback from 35' to 25' for this subdivision currently under development on the south side of Nubbin Ridge Rd., southwest of Hampson Ln. The Knox County Zoning Ordinance allows the Planning Commission to reduce the peripheral setback down to 15' when the property adjoins residential zoning districts such as the PR (Planned Residential) & RA (Low Density Residential) districts. The majority of the peripheral boundary of this subdivision borders RA zoning that has a rear yard setback requirement of 25'. The one property (proposed Hampson Court Subdivision) to the northwest that is zoned PR was approved with a 35' peripheral setback. The developer of that subdivision could request a similar setback reduction.

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

- 1. The setback reduction will have no impact on local services since all utilities are in place to serve this site.
- 2. Granting this request should have little impact on adjoining property since the zoning districts have setbacks similar to what is being requested for this subdivision.

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

- 1. The proposed setback reduction is consistent with standards for development within the PR (Planned Residential) Zone and all other requirements of the Zoning Ordinances.
- 2. The request 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 West City Sector Plan designates this property for low density residential uses. With the requested setback reduction, the subdivision remains consistent with the Sector Plan.

2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved Meeting Date: 5/10/2012

Details of Action:1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

Summary of Action: APPROVE the request to reduce the peripheral boundary setback from 35' to 25' as shown on the development plan for Whispering Woods Subdivision subject to 1 condition

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Date of Approval:	5/10/2012	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 Acti	on, Second Reading:
Ordinance Number:		Othe	er Ordinance Numb	er References:
Disposition of Case:		Disp	oosition of Case, Se	cond Reading:
If "Other":		If "C	Other":	
Amendments:		Ame	endments:	
Date of Legislative Appeal:		Effe	ctive Date of Ordina	nnce:

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