

# 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:** 5-B-16-UR  
**Application Filed:** 3/3/2016  
**Applicant:** DENNIS ANDERSON

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** Northwest side of Carson Ave., southwest side of Gale St.  
**Other Parcel Info.:**  
**Tax ID Number:** 82 B A 022 **Jurisdiction:** City  
**Size of Tract:** 0.3 acres  
**Accessibility:** Access to the proposed accessory structure will be via Gale St., a local street with a pavement width of 17' to 18' within a 50' wide right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Detached dwelling  
**Surrounding Land Use:**  
**Proposed Use:** Accessory structure **Density:**  
**Sector Plan:** East City **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The site is surrounded by detached dwellings on 50' wide lots. The zoning in the area is R-1A (Low Density Residential).

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

**Street:** 2635 Carson Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1A (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** The area was zoned from R-2 to R-1A in 1985 as part of a MPC general rezoning

## 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.:

## **MPC ACTION AND DISPOSITION**

Planner In Charge:

Dan Kelly

Staff Recomm. (Abbr.):

APPROVE the request to permit an accessory structure containing up to 931 sq. ft. as shown on the site plan subject to 1 condition

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning ordinance

Comments:

The Knoxville Zoning Ordinance regulates the size of accessory structures that may be permitted in residential zones. The permitted size of an accessory structure is based on the area of the lot on which the structure is to be placed or constructed. Additionally, an accessory structure has to be smaller than the primary dwelling on the site. The lot in question contains approximately 13,100 sq. ft. Based on this amount of lot area, the applicant would be permitted to have an accessory structure containing up to 750 sq. ft. as a permitted use and a structure containing up to 900 sq. ft. as a use on review. In this case, Mr. Anderson has obtained a variance from the Knoxville Board of Zoning Appeals to permit an increase in the maximum size of an accessory structure from 900 sq. ft. to 931sq. ft. This variance was approved subject to MPC approval of a use on review as required by the Zoning Ordinance. The dwelling contains 1,200 sq. ft.

The proposed building will be a garage with area for storage of personal items. The dimensions of the proposed structure are 38' by 24.5' which equals 931 sq. ft. The Board of Zoning Appeals questioned why Mr. Anderson did not just reduce the size of the building in order to avoid having to be granted a variance. The applicant stated that the building is prefabricated and he had to buy the structure as is. Mr. Anderson said that he was trying to get a garage and maximize the amount of available storage. It is being constructed on the lot in a manner such that it will meet all of the required building setbacks.

The site is surrounded by houses on small lots. Accessory structures are located on a number of the nearby lots. The applicant's lot is approximately twice the size of the other lots in the area. Staff believes that permitting the accessory structure as proposed will have little or no negative impact on the area.

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

1. The proposed accessory building will have minimal impact on local services. All utilities are in place to serve this site.
2. The use as proposed will have little or no impact on the surrounding residential development.

### **CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. The proposed accessory building as shown on the site plan 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 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. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

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

1. The East City Sector Plan and the Knoxville One Year Plan proposes LDR (Low Density Residential) use for this site.
2. The site is located inside the city on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 5/12/2016

**Details of Action:** 1. Meeting all applicable requirements of the Knoxville Zoning ordinance

**Summary of Action:** APPROVE the request to permit an accessory structure containing up to 931 sq. ft. as shown on the site plan subject to 1 condition

**Date of Approval:** 5/12/2016 **Date of Denial:** **Postponements:**

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

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**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:**