

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 5-B-22-UR **Related File Number:**
Application Filed: 3/15/2022 **Date of Revision:**
Applicant: DENNIS HOPMAN

PROPERTY INFORMATION

General Location: North side of San Marcos Drive, northwest of intersection Pierre Marques Street, northwest of York Road
Other Parcel Info.:
Tax ID Number: 19 P F 016 **Jurisdiction:** County
Size of Tract: 0.433 acres
Accessibility: Access is via San Marcos Dr, a local road with 25-ft of pavement width within 50-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac (Agriculture/Forestry/Vacant Land)
Surrounding Land Use:
Proposed Use: Garage apartment **Density:**
Sector Plan: North County **Sector Plan Designation:** AG (Agricultural) & HP (Hillside Protection)
Growth Policy Plan: Rural Area
Neighborhood Context: This property is located in an area comprised of single-family residential dwellings on small lots, with some large parcels of agricultural land located nearby.

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

Street: 8516 San Marcos Dr.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

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: Levan King Cranston

Staff Recomm. (Abbr.): Approve the use of a garage apartment and proposal to phase development allowing the applicant to construct and live in the proposed garage appartment while constructing the single family dwelling.

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

Comments: The applicant wishes to construct a single-family dwelling and garage apartment on the subject property. However, it is their desire to construct the garage apartment and live there while constructing the single-family dwelling. This garage apartment will meet the requirements as a primary structure, however once construction of the single-family dwelling is complete, the garage apartment will be subordinate, and the single-family dwelling will become the principal dwelling.

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 proposed use is consistent with the sector plan for this area.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The proposed use of a garage apartment is consistent with the general purpose of the zoning ordinance. However, the phasing of this development is not consistent with Article 2: Definitions 2.20 where it identifies that any accessory structure is a subordinate structure customarily incidental to and located on the same lot with the main building or structure.

B. The proposed development plans for the single-family dwelling and garage apartment are consistent with the standards of the RA zone.

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 development is consistent with the character of development in the neighborhood.

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

A. The proposed single-family dwelling and garage apartment will not injure the value of adjacent properties in the area.

B. The proposed construction phasing to allow the garage apartment to be constructed prior to the single-family dwelling will not injure the value of adjacent properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. This proposed development will not draw a significant amount of additional traffic through residential areas.

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 cause a potential hazard or create an undesirable environment for the proposed use.

B. The proposed phasing to allow construction of the garage apartment prior to construction of the single-family dwelling will not pose any potential hazards.

Action: Approved

Meeting Date: 5/12/2022

Details of Action:

Summary of Action: Approve the use of a garage apartment and proposal to phase development allowing the applicant to construct and live in the proposed garage appartment while constructing the single family dwelling.

Date of Approval: 5/12/2022

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: