

# 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-C-04-UR

**Related File Number:**

**Application Filed:** 4/12/2004

**Date of Revision:**

**Applicant:** LEN JOHNSON

**Owner:**

## PROPERTY INFORMATION

**General Location:** East end of Whitten Ln., east of Choto Rd.

**Other Parcel Info.:**

**Tax ID Number:** 172 B A 2, 2.01

**Jurisdiction:** County

**Size of Tract:** 2 acres

**Accessibility:** Access is via Choto Rd., a collector street with a pavement width of 18' within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Office

**Surrounding Land Use:**

**Proposed Use:** Fuel dock and ships store marina development

**Density:**

**Sector Plan:** Southwest County

**Sector Plan Designation:**

**Growth Policy Plan:** Rural Area

**Neighborhood Context:** The site is located in an area of single family dwellings that are primarily located on larger tracts of land. Property in the area is zoned A agricultural with most of the existing marina zoned CA commercial.

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

**Street:** 2600 Whitten Ln

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** CR (Rural Commercial)

**Former Zoning:**

**Requested Zoning:**

**Previous Requests:**

**Extension of Zone:**

**History of Zoning:** The rezoning to CR was approved by the Knox County Commission on April 26, 2004

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

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 plan for the gas dock and the ships store as shown on the development plan subject to 5 conditions

Staff Recomm. (Full):  
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.  
2. Meeting all applicable requirements of the Knox County Departments of Engineering and Public Works and Code Administration.  
3. Meeting all applicable requirements of the Knox County Health Dept.  
4. Provision of paved or other type of sealed surface parking lots to accommodate the required parking for this use.  
5. Meeting all requirements and obtaining all required permits from the Tenn. Valley Authority, US Army Corp of Engineers and the Tenn. Wildlife Resources Agency.

With the conditions noted, this plan meets the requirements for approval in the CA and A zones and the other criteria for approval of a Use on Review.

Comments: This applicant is requesting to relocate the existing gas dock and add a ship's store on the expanded site of the Choto Marina. At present the marina has 125 boat slips and approved dry storage for 188 boats.

This marina has been in operation since the 1950's. The Knox County Zoning Ordinance requires that a marine be located 300' from the nearest residence. Over the years a number of houses have been built in close proximity to the marina and the marina has been incrementally expanded closer to these houses. The Knox County Codes Administration Dept. recently required the applicant to obtain variances in order to bring the current operation and the proposed expansion into conformance with the Zoning Ordinance. The Knox County Board of Zoning Appeals approved all of the requested variances. Parking is already in place to accommodate the marina and the expansion.

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

- 1. The proposed marina expansion will have minimal impact on local services. All required utilities are in place to serve this site.
- 2. The use as proposed will have little or no impact on the surrounding commercial or residential uses.

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

- 1. The proposed marina expansion (gas dock and ship's store) 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,
- 2. The planned expansion meets all requirements of the Zoning Ordinance.

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

- 1. The request conforms with the Knox County Southwest Sector Plan which proposes agricultural and rural residential uses for this area. A marina is a use that may be accommodated in a rural residential area with the approval of the MPC.

MPC's approval or denial of this use on review request is final, unless the action is appealed to City Council, or the Knox County Board of Zoning Appeals, as appropriate. The date of the appeal hearing will depend on when the appeal application is filed.

**MPC Action:** Denied

**MPC Meeting Date:** 5/13/2004

**Details of MPC action:**

**Summary of MPC action:** Deny the use on review for a fuel dock and ships store marina development

**Date of MPC Approval:**

**Date of Denial:** 5/13/2004

**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:**