

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 5-C-20-UR                      **Related File Number:**  
**Application Filed:** 2/28/2020              **Date of Revision:**  
**Applicant:** RANDY GUIGNARD / CAFÉ INTERNATIONAL, LLC

## PROPERTY INFORMATION

**General Location:** Southeast side of Old Tazewell Pk., north of Hyatt Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 39 L A 01203                      **Jurisdiction:** County  
**Size of Tract:** 0.9 acres  
**Accessibility:** Access is via Old Tazewell Pike, a local street with a pavement width of 18.3 feet within a right of way width of 50 feet. Access is also via Hyatt Road, a local street with a pavement width of 15.5 feet within a right of way width of 50 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** RR (Rural Residential) - Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Peripheral setback reduction from 35' to 15' along the northeastern property line.              **Density:**  
**Sector Plan:** Northeast County              **Sector Plan Designation:** RR (Rural Residential)  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** Along this stretch of both streets are single family homes in a rural setting. This stretch of Old Tazewell Pike contains lots that range in size from approximately 1/2 acre to 1-3/4 acres. This portion of Hyatt Road contains lots that range in size from approximately 1/2 acre to 2-1/2 acres. There are at least three properties with setbacks that appear to be 5 feet or less on at least one side of the property along this section of Old Tazewell Pike.

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

**Street:** 0 Hyatt Rd.  
**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:** 8-N-19-RZ: A (Agricultural) to PR (Planned Residential)

**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:

Liz Albertson

Staff Recomm. (Abbr.):

Approve the request to reduce the peripheral setback from 35 feet to 15 feet for the northeastern property line of 14R2-2, resubdivision of Lot 14R of Glenridge Gardens, subject to 1 condition.

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

With the condition noted, this plan meets the requirements for approval in the PR Zone and the other criteria for approval of a use on review.

Staff Recomm. (Full):

Comments:

The subject property is a double frontage triangular shaped flag lot that is longer than it is wide on the north portion of the parcel adjacent to Old Tazewell Pike. The property is not served by sewer and will require a septic system. A natural swale and the required drainfield for the septic system limit the options for locating a single family residential house on the property without a reduction in the 35 foot periphery setback. The location of the requested periphery setback reduction is the side yard of the property on the northeastern property line. The adjacent property along the northeastern side of the property has a single family residential home that is setback approximately 38 feet from the side yard property line. Surrounding single family residential properties have side yard setbacks that vary from approximately 4 feet to 24 feet and average 12 feet overall. The requested setback reduction is less than the average side yard setbacks in the neighborhood.

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

1. The combined setbacks and orientation of the neighboring house provide adequate separation of structures for safety and privacy.

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

- 1. The proposal meets all requirements of the PR zoning as well as the general criteria for approval of a use on review.
- 2. The proposed house location 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.

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

- 1. The North County Sector Plan proposes low density residential use for this site.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action:

Approved

Meeting Date: 5/14/2020

Details of Action:

Summary of Action:

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**Date of Approval:**

5/14/2020

**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:**