

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-I-17-UR **Related File Number:**
Application Filed: 3/27/2017 **Date of Revision:**
Applicant: BENCHMARK ASSOCIATES, INC.

PROPERTY INFORMATION

General Location: East and west sides of Festival Ln, north of Dutchtown Rd.
Other Parcel Info.:
Tax ID Number: 118 F F 001-004, 047-050 **Jurisdiction:** County
Size of Tract: 51220 square feet
Accessibility: Access is via Dutchtown Rd., a minor arterial street with 38' of pavement width within 70' of right-of-way, and Festival Ln., a local street with 26' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Peripheral setback reduction from 25' to 20' and front setback reduction from 20' to 15' **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR (low density residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is primarily developed with low density, detached residential uses under A, RA and PR zoning. A church is located to the south, across Dutchtown Rd., in the A-1 zone.

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

Street: 802 Festival 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 was rezoned in 2015 from BP and A to PR up to 5 du/ac (9-D-15-RZ)

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:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the request of 15-foot front setback along Festival Ln. for lots 1-4 & 47-49, and reduction of peripheral setback as requested from 25' to 20', subject to 2 conditions. DENY the request for 15-foot front setback for lot 50 based on the following:

Staff Recomm. (Full):

Planning Commission Staff's recommended condition of APPROVAL:

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) Houses constructed closer than 20' to the front property line must have a garage that can fit a minimum 2 cars.

Planning Commission Staff's reason for DENIAL of the front setback reduction for lot 50:

- 1) The reduced front setback would infringe on a 20' drainage easement along the front property line that is necessary for the development.

With the conditions noted, this plan meets the requirements for approval in the PR zoning district and the other criteria for approval of a use-on-review.

Comments:

The setback reductions have been requested because the subject lots are small and in some cases constricted by easements. The houses will include a 2-car garage, which will satisfy the required off-street parking. Staff supports the requested peripheral setback reduction to 20' because the property to the east is also zoned PR and was included as part of the same 2015 rezoning to PR for the property that includes the Dutchtown Woods subdivision (9-D-15-RZ), and the properties to the west have deeper than normal lots for their subdivision because they front along a curve Oak Haven Rd.

The submitted plan sheet with the orange and green setbacks highlighted, represents the difference between the existing setbacks (orange) and the proposed setbacks (green). This plan also shows typical house footprints that the developer constructing in this neighborhood. As it can be seen, some of the lots will require alternative house plans with different footprints in order to fit within the proposed setbacks, particularly Lot 50 which has several easements creating an odd shaped buildable area. Lot 50 will also be constrained by a catch basis in front of the property which will require the driveway to be located on the south side of the lot.

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

1. The proposed 15' front yard setback (excluding Lot 50) will not have a substantive impact on the Dutchtown Woods subdivision or broader community since each house will have a 2-car garage, if approved as recommended by Staff.
2. The applicant has requested a peripheral setback reduction from 25' to 20' for the 8 lots listed in the application. Staff supports the requested peripheral setback reduction to 20' for these specific lots because the property to the east is also zoned PR and was included as part of the same 2015 rezoning to PR rezoning for the property that includes the Dutchtown Woods subdivision (9-D-15-RZ), and the properties to the west have deeper than normal lots for their subdivision because they front along a curve Oak Haven Rd.

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

1. With the recommended conditions, the proposed setbacks for the specified lots are consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development 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 in is harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through

residential areas since it does not increase the number of lots.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes low density residential development for this site. The proposed development is consistent with the sector plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 5/11/2017

Details of Action: Planning Commission Staff's recommended condition of APPROVAL:
1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
2) Houses constructed closer than 20' to the front property line must have a garage that can fit a minimum 2 cars.

Planning Commission Staff's reason for DENIAL of the front setback reduction for lot 50:
1) The reduced front setback would infringe on a 20' drainage easement along the front property line that is necessary for the development.

With the conditions noted, this plan meets the requirements for approval in the PR zoning district and the other criteria for approval of a use-on-review.

Summary of Action: APPROVE the request of 15-foot front setback along Festival Ln. for lots 1-4 & 47-49, and reduction of peripheral setback as requested from 25' to 20', subject to 2 conditions. DENY the request for 15-foot front setback for lot 50 based on the following:

Date of Approval: 5/11/2017 **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:**