

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 6-A-22-SU **Related File Number:**
Application Filed: 4/18/2022 **Date of Revision:**
Applicant: DANIEL ASHER

PROPERTY INFORMATION

General Location: Northwest end of San Cristebal Lane, west of Montserrat Lane, east of Cecil Johnson Road
Other Parcel Info.:
Tax ID Number: 92 L H 023 **Jurisdiction:** City
Size of Tract: 1.3 acres
Accessibility: Access is via San Cristebal Lane, a local street with a 24-ft pavement width within a 50-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: SFR (Single-Family Residential)
Surrounding Land Use:
Proposed Use: Peripheral setback reduction from 25 ft. to 8 ft. **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: N/A
Neighborhood Context: The subject property is at the end of a cul-de-sac in a residential subdivision of detached single-family homes.

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

Street: 5835 San Cristebal Ln.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood) (c)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Residential subdivision rezoned from R-1 (Single Family Residential District) to RP-1 (Planned Residential District) at 4 du/ac in 1985 (Case # 1-H-85-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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the request to reduce the peripheral setback from 25-ft to 8-ft, subject to 2 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Dept. of Engineering.

With conditions noted above, this request meets the requirements of the current RN-1 zoning, the previously approved development plan, and the other criteria for approval of a special use for modifications to previously approved planned districts per Article 1.4.G.

Comments:

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.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 USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.
 - A. The One Year Plan and Sector Plan designations for this site are LDR (Low Density Residential), which recommends low density residential uses.
 - B. The proposal to reduce a residential peripheral setback to 8-ft is consistent with adopted plans and policies.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.
 - A. The former RP-1 zone had a default side setback of 25-ft, but it allowed the Planning Commission to consider other variations. The applicant is requesting approval to reduce the side setback from 25-ft to 8-ft to accommodate a new shed.
 - B. The zoning has since been updated to RN-1, which permits an interior side yard setback of 8-ft.
- 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 proposal to reduce the side yard setback from 25-ft to 8-ft is for a development in the backyard that will not be highly visible to neighbors. It is anticipated to be compatible with the character of surrounding developments.
- 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.
 - A. The proposal to reduce the side yard setback should not significantly injure the value of adjacent properties.
 - B. The applicant's side yard joins the rear property line of their neighbor. The neighbor's dwelling is located approximately 155-ft from this shared property line. A vegetative buffer of canopy trees serves as a natural barrier between the two properties and this is shown as being undisturbed on the site plan.
- 5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.
 - A. The proposal to reduce the peripheral setback will not contribute to an increase in 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 be a potential hazard or create an undesirable environment for the proposed development.

Action: Approved

Meeting Date: 6/9/2022

Details of Action:

Summary of Action: Approve the request to reduce the peripheral setback from 25-ft to 8-ft, subject to 2 conditions.

Date of Approval: 6/9/2022

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville-Knox County Planning Commission

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: