

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

File Number: 7-B-15-UR                      Related File Number:  
Application Filed: 5/26/2015              Date of Revision:  
Applicant: ROBERT G. CAMPBELL & ASSOCIATES

## PROPERTY INFORMATION

General Location: Northeast side of Bernstein Ln., southeast side of Greenwell Dr.  
Other Parcel Info.:  
Tax ID Number: 37 O C 001                      Jurisdiction: County  
Size of Tract: 23345 square feet  
Accessibility: Access is via Bernstein Ln., a local street with a pavement width of 26' within a 50' wide right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant  
Surrounding Land Use:  
Proposed Use: Reduction of periphery boundary setback from 35' to 30'                      Density: 2.19 du/ac  
Sector Plan: North County                      Sector Plan Designation: LDR (Low Density Residential)  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context: The site is located in Bryson Place Subdivision. It is surrounded by detached dwellings that have been developed in the PR (Planned Residential) or A (Agricultural) zones.

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

Street: 7928 Bernstein 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 zoned PR@ 2.3 du/ac (Planned Residential) in 2002 (6-M-02-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:** Dan Kelly

**Staff Recomm. (Abbr.):** APPROVE the request to reduce the peripheral boundary setback from 35' to 30' along the eastern boundary of parcel 037OC001 (lot 1) as shown on the site plan subject to 3 conditions

**Staff Recomm. (Full):**

1. Meeting all other applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
3. Meeting all other requirements of the previously approved concept plan (7-SB-02-C) and use on review (7-G-02-UR)

With the conditions this request meets the requirements of the PR zone and the other criteria for approval of a use on review.

**Comments:**

The Bryson Place Subdivision contains 20 lots on 9.13 acrea. The Planning Commission approved the concept plan and use on review for this project in 2002. At that time the applicant proposed to provide the required 35' peripheral boundary setback. Most of the lots in the subdivision have had houses built on them. The lot that is the subject of this request has two drainage easements and a utility easement that cross the site. Due to the constraints caused by these easements, the applicant is finding it difficult to fit the desired floor plan on the lot in question and still meet the required setback. The presence of these easements will require the house be pushed back from the front of the lot. When adjoining another residential or agriculturally zoned area, MPC has the authority to reduce the peripheral boundary setback down to as little as 15'.

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

1. The proposed setback reduction will have minimal impact on local services since utilities are available to serve this site.
2. The proposed residential subdivision at a density of 2.19 du/ac, is consistent in use and density with the zoning of the property and with the density of other developed property in the area.

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

1. The proposal meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed development 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.

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

1. The North County Sector Plan designates this property for low density residential use. The proposed development will be consistent with the current Sector Plan designation..
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved

**Meeting Date:** 7/9/2015

**Details of Action:**

1. Meeting all other applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
3. Meeting all other requirements of the previously approved concept plan (7-SB-02-C) and use on review (7-G-02-UR)

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**Summary of Action:** APPROVE the request to reduce the peripheral boundary setback from 35' to 30' along the eastern boundary of parcel 037OC001 (lot 1) as shown on the site plan subject to 3 conditions

**Date of Approval:** 7/9/2015

**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:**