

# 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-M-04-UR                      **Related File Number:**  
**Application Filed:** 6/7/2004              **Date of Revision:**  
**Applicant:** HUBER PROPERTIES, LLC  
**Owner:**

## PROPERTY INFORMATION

**General Location:** Southeast side of Woody Dr., northeast of Annandale Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 143 40,81,83.01,85 & 85.01                      **Jurisdiction:** County  
**Size of Tract:** 4.35 acres  
**Accessibility:** Access is via Woody Dr., a collector street with a pavement width of 19' - 20' within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Attached and detached residential development                      **Density:** 3.91 du/ac  
**Sector Plan:** Southwest County              **Sector Plan Designation:**  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located on the south side of Woody Dr. A number of single family subdivisions have been developed in this area with access to Woody Dr. The older housing stock that fronts on Woody Dr. is generally poorly maintained. A number of junk cars are located on the adjoining parcel.

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

**Street:**  
**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:** The site was zoned PR (Planned Residential) @ 1-4 du/ac in September, 2003

## 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 request for up 17 residential condominiums as shown on the development plan subject to 6 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.
3. Establishing a homeowners association which will be responsible for the maintenance of the exterior of the dwellings, the grounds and driveways located within this development and any other commonly held assets.
4. Installing all landscaping, as shown on the development plan, within six months of the issuance of the occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation.
5. Certification of the required sight distance at the proposed entrance by the applicant's engineer prior to commencing any grading on the site.
6. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

With the conditions noted above, this request meets all requirements of the PR (Planned Residential) zoning district, as well as other criteria for approval of a use on review.

Comments: In 2001 this applicant received approval of a concept plan and use on review for 5 duplexes on a portion of this site when the property was zoned RA (Low Density Residential). The revised plan contains a request for 17 condominiums. Since that time, he has acquired some additional property and has gotten PR (Planned Residential) zoning approved for his 2.83 acres of land as well as 1.52 acres of the adjoining Trent property. The approved maximum density for his property is 4 du/ac. On October 1, 2004, Mrs. Trent signed the application as a party to the request thereby allowing this applicant to include that property in the site for the purpose of transferring development density. That will allow the seventeen units as proposed on the site plan.

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

1. The proposal will have very little impact on schools. Approximately 170 trips per day could be generated by this development. Woody Dr. is adequate to handle the additional traffic. Sight distance at the proposed entrance will have be certified by the applicants engineer.
2. Public water and sewer utilities are available to serve the development.
3. The property is located along a collector street.

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

1. The proposed residential 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. The use will not draw additional traffic through residential areas.
2. The proposal meets all requirements of the PR zoning district.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The Southwest County Sector Plan proposes low density residential uses for this site.
- 2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

**MPC Action:** Approved **MPC Meeting Date:** 11/10/2004

- Details of MPC action:**
- 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  - 2. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.
  - 3. Establishing a homeowners association which will be responsible for the maintenance of the exterior of the dwellings, the grounds and driveways located within this development and any other commonly held assets.
  - 4. Installing all landscaping, as shown on the development plan, within six months of the issuance of the occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation.
  - 5. Certification of the required sight distance at the proposed entrance by the applicant's engineer prior to commencing any grading on the site.
  - 6. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

With the conditions noted above, this request meets all requirements of the PR (Planned Residential) zoning district, as well as other criteria for approval of a use on review.

**Summary of MPC action:** APPROVE the request for up 17 residential condominiums as shown on the development plan subject to 6 conditions

**Date of MPC Approval:** 11/10/2004 **Date of Denial:** **Postponements:** 7/8/2004-10/14/2004

**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:**