

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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www.knoxmpc.org

File Number: 8-A-02-UR **Related File Number:**
Application Filed: 7/8/2002 **Date of Revision:**
Applicant: WILLIAM R. VARNER
Owner:

PROPERTY INFORMATION

General Location: West side of Broadway, north of Ridgewood Rd.
Other Parcel Info.:
Tax ID Number: 48 N C 20.01 **Jurisdiction:** City
Size of Tract: 22400 square feet
Accessibility: Access is via N. Broadway, a four lane major arterial street.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Delete parcel 20.01 from development plan for adjoining church **Density:**
(048NC020)
Sector Plan: North City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Strip commercial uses are found along N. Broadway. A church adjoins the site to the south, and single family residences are located to the west of this site.

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

Street: 5531 N Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Single Family Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: A similar request was approved by MPC in April 1999 (4-C-99-UR), but was denied by City Council on appeal

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 to remove parcel 20.01 from the previously approved development plan for the adjoining church subject to 3 conditions

Staff Recomm. (Full): 1. Meeting all applicable requirements of the Knox County Health Dept.
2. Meeting all applicable requirements of the Knoxville City Engineer and Arborist.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the R-1 district and the other criteria for approval of a use on review.

Comments: The applicant is requesting that parcel 20.01 be deleted from the previously approved use on review for the adjoining church. In 1995, a development plan was approved for the church. At that time what is now parcel 20.01 was part of the parcel subject to the use on review that was granted for the church. It was shown as a wooded portion of the site, and it was noted that the existing vegetation was to be retained. Subsequently, the church divided the site and sold Mr. Varner what is now parcel 20.01. In 1999, a use on review request was approved by MPC to remove parcel 20.01 from the previously approved development plan. On appeal, the City Council denied the request to eliminate this property from the plan. Mr. Varner appealed their decision and has been instructed by the court to bring the request back through the process.

The site is currently zoned R-1 (Single Family Residential). Removing this site from the previously approved development plan does not change the zoning of the property. The staff recommends approval of this amended plan because both the church site and Mr. Varner's residentially zoned site meet the requirements of the Knoxville Zoning Ordinance.

MPC Action: Denied MPC Meeting Date: 8/8/2002

Details of MPC action:

Summary of MPC action: Deny the request to remove parcel 20.01 from the previously approved development plan for the adjoining church

Date of MPC Approval: Date of Denial: 8/8/2002 Postponements:

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?: 8/19/2002

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: City Council

Date of Legislative Action: 9/17/2002 Date of Legislative Action, Second Reading: 10/29/2002

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Postponed until 10/29/2002 Disposition of Case, Second Reading: Denied (Denial stands)

If "Other": If "Other":

Amendments: Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: