CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 8-G-04-UR Related File Number:

Application Filed: 7/12/2004 Date of Revision:

Applicant: ROTH LAND SURVEYING

Owner:



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX•2 1 5 • 2 0 6 8 www•knoxmpc•org

PROPERTY INFORMATION

General Location: Southeast side Cunningham Rd., east of Mash Ln.

Other Parcel Info.:

Tax ID Number: 47 E B 10, 10.01, 10.02, 10.03 **Jurisdiction:** County

Size of Tract: 1.31 acres

Accessibility: Access is via Cunningham Rd., a major collector street with 20' of pavement width within 55' of right of

way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant lots

Surrounding Land Use:

Proposed Use: Four duplexes on four lots Density: 6.11 du/ac

Sector Plan: North County Sector Plan Designation: Low Density Residential

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is developed with low density residential uses under A and RA zoning.

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

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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: Michael Brusseau

Staff Recomm. (Abbr.): DENY the development plan for four duplexes on four lots.

Staff Recomm. (Full): The proposed duplexes are not compatible with surrounding development. The proposed layout does

not meet all setback and minimum lot size requirements. The applicant has not submitted any revised

plans addressing these issues.

Comments: EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND

THE COMMUNITY AS A WHOLE

1. The applicant has not submitted the required landscaping plan and building elevations for staff review. The applicant failed to respond to staff comments with revised plans prior to the revisions deadline and drafting of this recommendation. The letter from staff and additional comments from Knox County Engineering are attached.

- 2. The plans show a separate driveway and curbcut to Cunningham Rd. for each duplex. In order to minimize the impact to the street and for public safety reasons, MPC staff and Knox County Engineering asked that the plans be revised to show no more than two driveways to be shared for the 8 units.
- 3. The proposed layout does not meet all setback and minimum lot size requirements. The plans do not show required parking for each unit.
- 4. The RA zone allows consideration of two-family dwellings as uses on review, but the proposed development must meet all zoning ordinance requirements and be compatible with surrounding development. In this case, neither of these requirements has been met.
- 5. These lots are too small for the proposed development and duplexes are not compatible with surrounding development. There are no apparent duplexes developed in the immediate area of the subject property.
- 6. Public water and sewer utilities are available in the area to serve the site, but documentation has not been provided from the applicant to verify that the utility company can connect to this development..
- 7. Cunningham Rd. has sufficient capacity to handle the additional traffic which will be generated by this development.
- 8. This request will have a minimal impact on schools, but could have a negative impact on surrounding properties.

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

- 1. As proposed, the development plan does not meet specific requirements of the RA zoning district. Multiple required front, side and rear building setbacks are not reflected on the plans. Lot 2 does not meet the minimum lot size requirement for a two-family dwelling.
- 2. The proposed use is not consistent with all of the general standards for uses permitted on review: The proposed development is not consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is not in harmony with the general purpose and intent of the Zoning Ordinance. The plans do not include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use may injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.
- 3. The intensity of the proposed use, which will require the approval of several variances, and the concerns raised regarding safe access to this property, make this application, as submitted, inappropriate.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

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

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3. Approval of this proposal could lead to future requests for duplexes along Cunningham Rd.

MPC Action: Denied MPC Meeting Date: 8/12/2004

Details of MPC action:

Summary of MPC action: DENY the development plan for four duplexes on four lots.

Date of MPC Approval:

Date of Denial: 8/12/2004

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: ☐ Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville 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":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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