

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

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: 9-B-06-OA **Related File Number:**
Application Filed: 8/24/2006 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION
Owner:

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 999 999 **Jurisdiction:**
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: **Sector Plan Designation:**
Growth Policy Plan:
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason: amend the Knoxville City Zoning Ordinance providing a method to record substandard lots that existed at the time of annexation

ZONING INFORMATION (where applicable)

Current Zoning:
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

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.: amend the Knoxville City Zoning Ordinance providing a method to record substandard lots that existed at the time of annexation

MPC ACTION AND DISPOSITION

Planner In Charge: Ken Pruitt

Staff Recomm. (Abbr.): approval of this amendment

Staff Recomm. (Full):

Comments: At the request of City of Knoxville Legal and Code Enforcement offices, MPC staff has reviewed Article 5, Section 6, of the City of Knoxville Zoning Ordinance with respect to the Division of Lots.

Two situations led to this request:

1. On many lots with historic buildings there are multiple buildings with multiple uses. Rehabilitation of these structures often requires the platting of separate lots for each of the buildings. These lots are currently nonconforming with respect to the dimensional requirements of the zoning ordinance and are unable to seek variances that would alleviate this nonconforming status. The proposed amendment allows the creation of separate lots for individual buildings that are classified as "contributing" in a historic designation and allows the owner of the proposed lots to seek variances from dimensional requirements of the zoning ordinance.

2. Currently, owners of legal lots that were recorded by deed prior to these lots being annexed into the city are left in nonconforming status with respect to minimum lot area and minimum lot width if these lots do not meet the minimum standards of the current zoning code. Many of these lots were created prior to 1962 in the area of the city that was annexed in 1962 - an annexation that tripled the area within the city boundary from 25 square miles to 75 square miles. A smaller number of lots may exist in areas that were recorded prior to the annexation of 1917 (the last annexation prior to 1962). Because they are currently nonconforming with respect to the dimensional requirements of the zoning ordinance, they currently are unable to seek variances that would alleviate this nonconforming status. The proposed amendment allows the owner of the lot to seek variances from dimensional requirements of the zoning ordinance.

The proposed amendment to Article 5, Section 6.D.5 (Division of Lots) addresses both of these situations in a fair and equitable manner and allows owners to pursue building permits for the improvement of these lots, which is prevented without the amendment.

The following changes are proposed:

- *Paragraph "c" has been added to address contributing historic structures on new proposed lots;
- *Old paragraph "c" has been changed to new paragraph "d"; and
- *Paragraph "e" has been added to address lots of record prior to annexation.

MPC Action: Approved

MPC Meeting Date: 9/14/2006

Details of MPC action:

Summary of MPC action: approval of this amendment

Date of MPC Approval: 9/14/2006

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 10/10/2006

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 10/24/2006

Other Ordinance Number References: O-214-06

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: