



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
SUBDIVISION REPORT - CONCEPT/USE ON REVIEW**

▶ **FILE #:** 8-SD-06-C **AGENDA ITEM #:** 24
 8-B-06-UR **AGENDA DATE:** 8/10/2006

▶ **SUBDIVISION:** SHILOH GARDENS
 ▶ **APPLICANT/DEVELOPER:** GARY ROTH
 OWNER(S): ROY ANDERSON

TAX IDENTIFICATION: 47 107.01
 JURISDICTION: County Commission District 7

▶ **LOCATION:** Southwest side of Pedigo Rd., south of Greenwell Dr.

SECTOR PLAN: North County
 GROWTH POLICY PLAN: Planned Growth Area

▶ **APPROXIMATE ACREAGE:** 4.16 acres

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached single-family subdivision

SURROUNDING LAND USE AND ZONING: North: Residences / A (Agricultural)
 South: Residences / A (Agricultural)
 East: Residences / A (Agricultural)
 West: Residences / RA (Low Density Residential)

▶ **NUMBER OF LOTS:** 5

SURVEYOR/ENGINEER: Roth Land Surveying

ACCESSIBILITY: Access is via Pedigo Rd., a major collector street with a 20' pavement width within a 40' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** 1. Variance to reduce the intersection radius at the northwest intersection of the proposed Joint Permanent Easement and Pedigo Rd., from 25' to 0'.

STAFF RECOMMENDATION:

▶ **APPROVE variance 1 because the applicant has no control over the adjoining property, and the proposed variance will not create a traffic hazard.**

APPROVE the Concept Plan subject to 10 conditions:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Any proposed restriction of access into the subdivision is subject to approval by the Knox County Department of Engineering and Public Works for gate location and providing a turnaround area on site.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

5. Adding a note on the final plat that if any building construction is proposed within the 50' setback area around the sinkhole, a geotechnical report must be prepared by a registered engineer to determine soil stability and that report must be submitted to the Knox County Department of Engineering and Public Works for consideration and approval. Engineered footings may be required for these areas. Construction is not permitted within five feet of the closed contours of the sinkhole/depression.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
7. Certification on the final plat by the applicant's surveyor that there is 300 feet of sight distance in both directions along Pedigo Rd.
8. Place a note on the final plat that all lots will have access only to the internal street system.
9. Meeting all requirements of the approved use on review development plan.
10. A final plat application based on this concept plan will not be accepted for review by the MPC until certification of design plan approval has been submitted to the MPC staff.

► **APPROVE the development plan for up to 5 detached single family dwellings on individual lots subject to 2 conditions.**

1. Meeting all applicable requirements of the approved concept subdivision plan.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Use-on-Review.

COMMENTS:

The applicant is proposing to subdivide this 4.16 acre tract into 5 lots at a density of 1.2 du/ac. The property was recommended for a rezoning to PR (Planned Residential) at a density of 1-3 du/ac by the Planning Commission on November 10, 2005. The Knox County Commission approved the rezoning request on December 19, 2005.

A concept plan/use-on-review application for 4 lots was approved for this site by the Planning Commission on February 9, 2006. With the change to 5 lots, a drainage retention area is now required outside of the existing sinkhole/depression.

If any building construction is proposed within the 50' setback area around the sinkhole/depression, a geotechnical report must be prepared by a registered engineer to determine soil stability and that report must be submitted to the Knox County Department of Engineering and Public Works for consideration and approval. Engineered footings may be required for these areas. Construction is not permitted within five feet of the closed contours of the sinkhole/depression.

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

1. The proposed subdivision will have minimal impact on local services since all utilities are available to serve this site.
2. The proposed detached single-family subdivision at a density of 1.2 du/ac, is consistent in use and density (up to 3 du/ac) with the approved zoning.
3. Any school age children living in this development are presently zoned to attend Brickey McCloud Elementary, Powell Middle and High Schools.

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

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

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

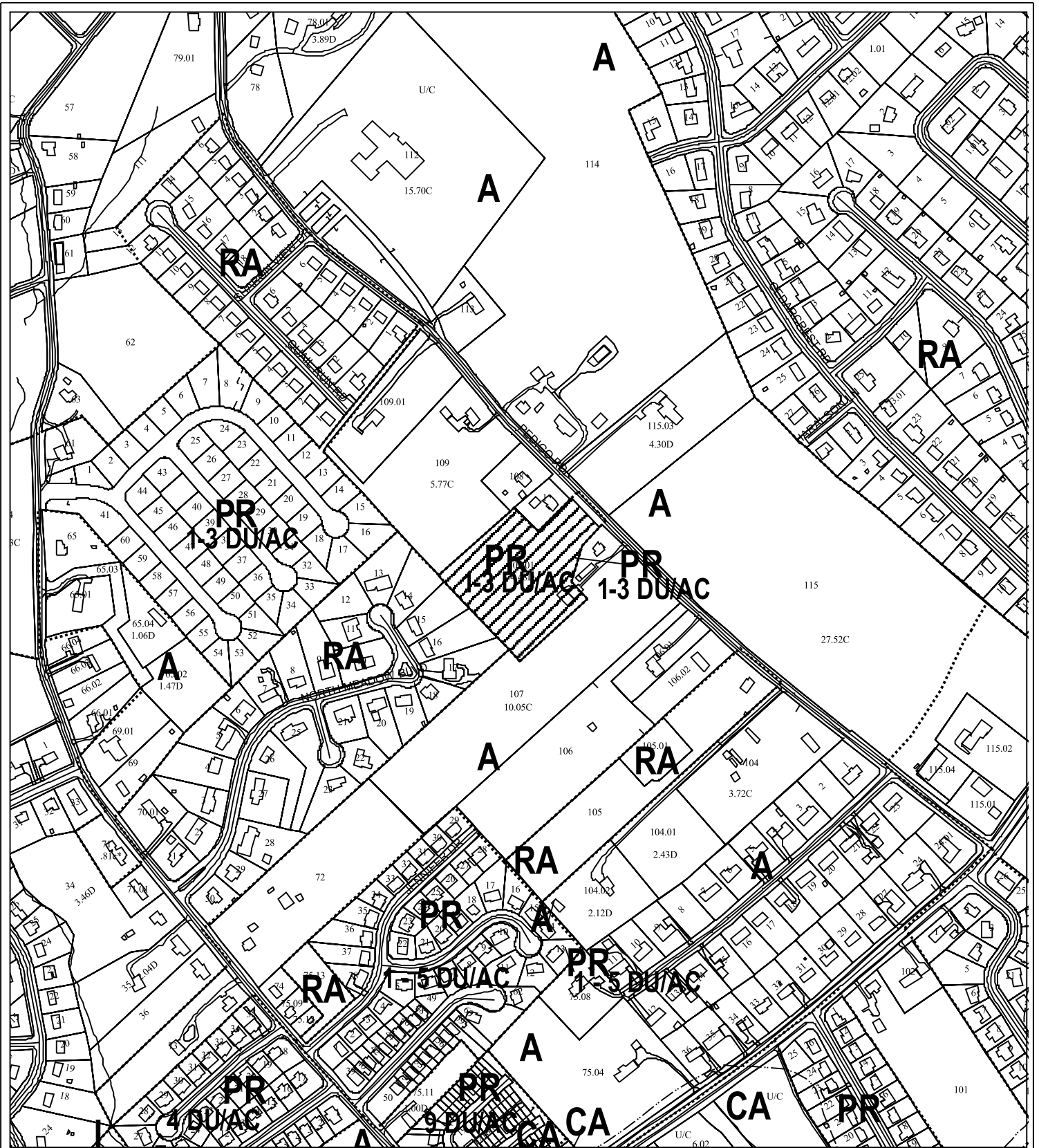
1. The North County Sector Plan designates this property for low density residential uses. The PR zoning for

the site allows a density up to 3 du/ac. At a proposed density of 1.2 du/ac, the proposed subdivision is consistent with the Sector Plan and zoning designations.


2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

MPC's approval or denial of this use on review request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



8-SD-06-C/8-B-06-UR
 CONCEPT PLAN/USE ON REVIEW

 Detached single-family subdivision in PR (Planned Residential)

Original Print Date: 07/27/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Shiloh Gardens
 Gary Roth

Map No: 47

Jurisdiction: County

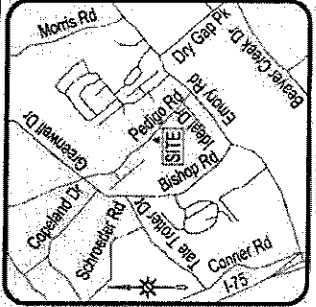


ROTH LAND SURVEYING
 Gary L. Roth Jr., RLS
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CONCEPT PLAN OF
SHILOH GARDENS S/D
 PEDIGO ROAD
 6TH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE
 DRAWN BY: ANDREW M. KAY
 CHECKED BY: GARY L. ROTH JR.
 CORRECTION NO. 07/28/06

PROJECT NO. 05-172
 SHEET NO. 1 OF 1
 DRAWING REVISIONS:
 DATE: 7-28-06

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CURVE	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE	DELTA ANGLE
C1	S 89°50'00" E	65.64	S 89°50'00" E	65.64	0°00'00"
C2	N 0°00'00" E	71.50	N 0°00'00" E	71.50	0°00'00"
C3	N 89°50'00" E	18.07	N 89°50'00" E	18.07	0°00'00"
C4	S 89°50'00" E	65.64	S 89°50'00" E	65.64	0°00'00"
C5	N 0°00'00" E	71.50	N 0°00'00" E	71.50	0°00'00"
C6	N 89°50'00" E	18.07	N 89°50'00" E	18.07	0°00'00"
C7	S 89°50'00" E	65.64	S 89°50'00" E	65.64	0°00'00"
C8	N 0°00'00" E	71.50	N 0°00'00" E	71.50	0°00'00"
C9	N 89°50'00" E	18.07	N 89°50'00" E	18.07	0°00'00"
C10	S 89°50'00" E	65.64	S 89°50'00" E	65.64	0°00'00"
C11	N 0°00'00" E	71.50	N 0°00'00" E	71.50	0°00'00"
C12	N 89°50'00" E	18.07	N 89°50'00" E	18.07	0°00'00"



DRAWINGS BASED ON PLAT
 INST. NO. 200202080448
 MERIDIAN SPECIFIED AS MAGNETIC

REVISED
 7-28-06
 DATE: 8-SD-06-06
 8-B-06-06

- NOTES:
- 1) IRON RODS WITH CAPS SET AT ALL CORNERS AND INTERSECTION POINTS. NO NOTIFICATION IS MADE ON DRAWING.
 - 2) SET TAX MAP 047, PARCEL 107.01, TO BE THE BASIS FOR THIS SURVEY.
 - 3) ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
 - 4) PLAT REFERENCE: PLAT INST. NO. 200202080448.
 - 5) SUBJECT PROPERTY IS ZONED PK.
 - 6) PROPERTY SUBJECT TO EASEMENTS, RIGHT OF WAY, AND OTHER INTERESTS AS SHOWN ON THIS SURVEY.
 - 7) PROPERTY SUBJECT TO ANY ENCUMBRANCES OF ANY KIND NOT SHOWN BY THE PUBLIC RECORDS.
 - 8) ANY TITLE OPINION IS EXPRESSED OR IMPLIED.
 - 9) THIS IS TO CERTIFY THAT I HAVE EXAMINED THE ORIGINAL SURVEY RECORDS AND THAT THE PLAT IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORDS.
 - 10) BUILDING SETBACK LINES SHALL CONFORM TO ANY AND ALL CURRENT KNOX COUNTY ORDINANCES.
 - 11) TOTAL UNIMPAVED LOT 5, TOTAL UNIMPAVED LOT 6, TOTAL UNIMPAVED LOT 7, TOTAL UNIMPAVED LOT 8, TOTAL UNIMPAVED LOT 9, TOTAL UNIMPAVED LOT 10, TOTAL UNIMPAVED LOT 11, TOTAL UNIMPAVED LOT 12, TOTAL UNIMPAVED LOT 13, TOTAL UNIMPAVED LOT 14, TOTAL UNIMPAVED LOT 15, TOTAL UNIMPAVED LOT 16, TOTAL UNIMPAVED LOT 17.
 - 12) ALL UTILITIES AND EASEMENTS SHALL BE SHOWN AND MAINTAINED BY KNOX COUNTY.
 - 13) JOINT FURNISHING OF UTILITY LINES SHALL BE A UTILITY EASEMENT WILL ALSO FUNCTION AS A UTILITY EASEMENT.
 - 14) ALL UTILITIES SHALL BE MAINTAINED BY KNOX COUNTY.
 - 15) NO STRUCTURES OR DWELLINGS SHALL BE CONSTRUCTED WITHIN THE UNIMPAVED PORTION OF ANY LOT.
 - 16) VARIANCE SUBJECT TO APPROX. REQUIRED RADIUS FROM ROAD TO BE AT THE INTERSECTION OF UNIMPAVED LINE OF ROAD APPROVED AT THE MEETING OF THE BOARD OF PERMITS.
 - 17) JOINT FURNISHING OF UTILITY LINES SHALL BE A UTILITY EASEMENT.
 - 18) ALL UTILITIES SHALL BE MAINTAINED BY KNOX COUNTY.
 - 19) JOINT FURNISHING OF UTILITY LINES SHALL BE A UTILITY EASEMENT.



Surveyor's Certification:
 This is to certify that I, Gary L. Roth Jr., a duly licensed Surveyor in the State of Tennessee, have personally supervised and conducted the survey shown on this plat. I have examined the original survey records and the plat is a true and correct copy of the original records. I have also examined the original survey records and the plat is a true and correct copy of the original records. I have also examined the original survey records and the plat is a true and correct copy of the original records.

Gary L. Roth Jr.
 Surveyor
 State of Tennessee

REVISIONS:
 DATE: 7-28-06