
MEMORANDUM

Agenda Items: # **94**

To: Planning Commission
From: Mark Donaldson, Executive Director
Date: January 3, 2008
RE: Appeal by James Allen, Lonsdale United for Change, of MPC staff approval of application for Certificate of Appropriateness for Infill Housing Overlay for Rose M. Turner located 1209 Dakota Avenue-(1-A-08-OB)

Staff Recommendation: Deny the appeal

Background:

The owners of the property located at 1209 Dakota Ave purchased three fifty foot wide lots and combined them through the one-lot subdivision process. Later, the owners placed a multi-sectional house on the new 150' wide lot. The house was placed there illegally without a building permit or Infill Housing Certificate of Appropriateness. The owner was notified and cited accordingly.

On October 2, 2007 MPC received the applicant's application. At its regularly scheduled meeting October 24, 2007, the Infill Housing Design Review Committee voted unanimously to deny the application. The applicant was present at this meeting and was provided with an opportunity to have dialogue with the committee. Issues that the committee had at that time centered on things such as drainage ditch relocation (located in a different location than was permitted by City Engineering), setbacks, orientation of the house on the property, lack of a porch, and lack of a front door facing the street. All of these issues are counter to the Heart of Knoxville Infill Housing Design Guidelines, created for this area.

At the applicant's request, several committee members met with the applicant to discuss alternative approaches at a meeting held in MPC's offices on November 14, 2007. During this meeting the applicant expressed her constrained timeline. As a result, on November 21, 2007 the committee held a specially called meeting to review the second application where it was approved with two conditions; (1) amend the front yard setback from 47' to 27', and (2) the existing ditch needed to be re-labeled to read "existing ditch to be moved to proposed ditch location."

The committee reviewed the project in the context of the immediate surroundings and since Dakota Avenue does not have a strong pattern of smaller houses on narrow lots (such as Craftsman-style typical in other sections of Lonsdale), the committee felt some latitude could be given to the applicant, including a more shallow roof pitch and wider lot width. The majority of the projects that the committee has reviewed to date do not meet the design guideline criteria 100% of the time; as a result the committee reviews the context of the project.

It is staff's opinion that the deviations from the guidelines are appropriate in this case and that the appeal of Lonsdale United for Change should be denied.

1-A-08-0B

KNOXVILLE-KNOX COUNTY

MPC

METROPOLITAN PLANNING COMMISSION
TENNESSEE

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APPEAL OF DECISION

Original Application Name: 1209 DAKOTA AVENUE

(Please Note: Original application and staff report are made a part of this application)

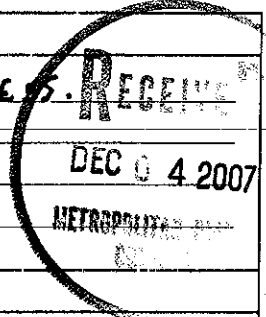
Type One Year Plan Amendment Sector Plan Amendment Rezoning Variance
 Use on Review Street Name Change Right-of-Way Closure
 Administrative Official's Decision **CERTIFICATE OF APPROPRIATENESS**

Date Heard by MPC BZA Admin. Official: _____ File No: _____

Jurisdiction: City _____ Councilmanic District County _____ Commission District

STATEMENT OF DECISION OPPOSED:

11/21/07 APPROVAL OF APPLICATION FOR CERTIFICATE OF APPROPRIATENESS.



STATEMENT OF PETITIONER'S INTEREST IN THE MATTER:

THE BASIS OF INFILL DEVELOPMENT SHOULD BE TO COMPLIMENT, BALANCE AND MAINTAIN COMPATIBILITY WITH THE ESTABLISHED ARCHITECTURAL CHARACTER OF HOMES THROUGHOUT THE COMMUNITY. IT'S CRITICAL TO NOTE THAT BY ADDING INAPPROPRIATE HOUSING YOU TEND TO CREATE A NEGATIVE APPEAL THAT WILL VIRTUALLY ALWAYS LEAD TO DESTABILIZATION, A DECLINE IN PROPERTY VALUES AND A REDUCTION IN HOME OWNERSHIP.

NAME OF PERSON APPEALING DECISION:

LONGSOAK UNITED FOR CHANGE
Name: JAMES ALLEN
Interest: OPPONENT
(Applicant, Owner Proponent, Opponent Attorney, Other)

Date Appeal Filed: 12/04/07
Appeal Fee Amount: _____

MEETING DATE OF APPEAL:

City Council at 7:00 p.m.
MPC 1:30 p.m.
01-10-08
Month • Date • Year

County Commission at 4:00 p.m.
Month • Date • Year

City BZA at 4:00 p.m.
Month • Date • Year

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

(LUFCC)
JAMES ALLEN 3613 WESTERN AVE #164 KNOXVILLE TN 37921 773-4553 637-3984
Name: (Print) Address City State Zip Phone Fax

AUTHORIZATION OF APPLICATION:

I hereby certify that I am the applicant or authorized representative for the above named appellant

Signature: _____

JAMES ALLEN 3613 WESTERN AVE #164 KNOXVILLE TN 37921 773-4553 637-3984
Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: