



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

▶ **FILE #:** 5-C-08-UR **AGENDA ITEM #:** 57
POSTPONEMENT(S): 5/8/2008 **AGENDA DATE:** 6/12/2008

▶ **APPLICANT:** HERMAN L. GODDARD
OWNER(S): HERMAN L. GODDARD

TAX ID NUMBER: 136 076 & 076.01

JURISDICTION: County Commission District 9

▶ **LOCATION:** West side of Martin Mill Pike, south side of Crenshaw Rd.

▶ **APPX. SIZE OF TRACT:** 2.13 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W. Martin Mill Pike, a minor arterial street with 20' of pavement width within 50' of right of way or Crenshaw Rd., a local street with 17' of pavement width within 50' of right of way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Knob Creek and Stock Creek

▶ **ZONING:** RA (Low Density Residential)

▶ **EXISTING LAND USE:** 2 duplexes

▶ **PROPOSED USE:** 4 duplexes (2 existing and 2 new)

HISTORY OF ZONING: The property was zoned RA (Low Density Residential) on Feb. 25, 2008

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / A Agricultural

South: Detached dwellings / A Agricultural

East: Detached dwellings / RA Residential

West: Detached dwellings / A Agricultural

NEIGHBORHOOD CONTEXT: This property is located within a low density residential area zoned A, RA and RB.

STAFF RECOMMENDATION:

▶ **APPROVE the request for 4 duplexes (8 dwelling units) as shown on the development plan subject to 7 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Providing each unit that will have access to Maryville Pk. with a turn-around type driveway
3. Provision of a water quality basin as may be required by the Knox county Dept. of Engineering and Public Works
4. Prior to obtaining any building permits, certification by the applicant's surveyor that there is 300' of sight distance in both directions at each proposed driveway location on Maryville Pk.
5. Meeting all other applicable requirements of the Knox County Dept. of Engineering and Public Works
6. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dep

7. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to the issuance of any building permits

COMMENTS:

This site was recently rezoned from A (Agricultural) to RA (Low Density Residential). The applicant is requesting use on review approval of four duplexes (2 new duplexes and 2 existing duplexes) in the RA (Low Density Residential) zone. Prior to getting the property rezoned, the applicant built two duplexes as permitted in the A (Agricultural) zone. The access to these units will be via Maryville Pk. Staff will require that each lot having access to Maryville Pk. be provided with a turn-around type driveway. This will reduce or eliminate need for the residents to back out into Maryville Pk.

Prior to obtaining any building permits the applicant's surveyor will have to certify that there is 300' of sight distance at each proposed driveway location. In order to obtain the required sight distance, staff believes that it will be necessary to remove some brush along the southern boundary of the site.

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

1. The proposed development will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed plans for the duplex development will have minimal impact on the adjoining uses considering that the site has primary access to an arterial street.

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

1. The proposed duplex development meets the standards for development within the RA (Low Density Residential) zone and all other relevant requirements of the Zoning Ordinance with the proposed conditions.
2. The proposed duplex development 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 since the site has direct access to an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The South County Sector Plan identifies this property as being within a low density residential area. The proposed plans for the duplexes are consistent with the Sector Plan (3.76.du/ac).
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 99 (average daily vehicle trips)

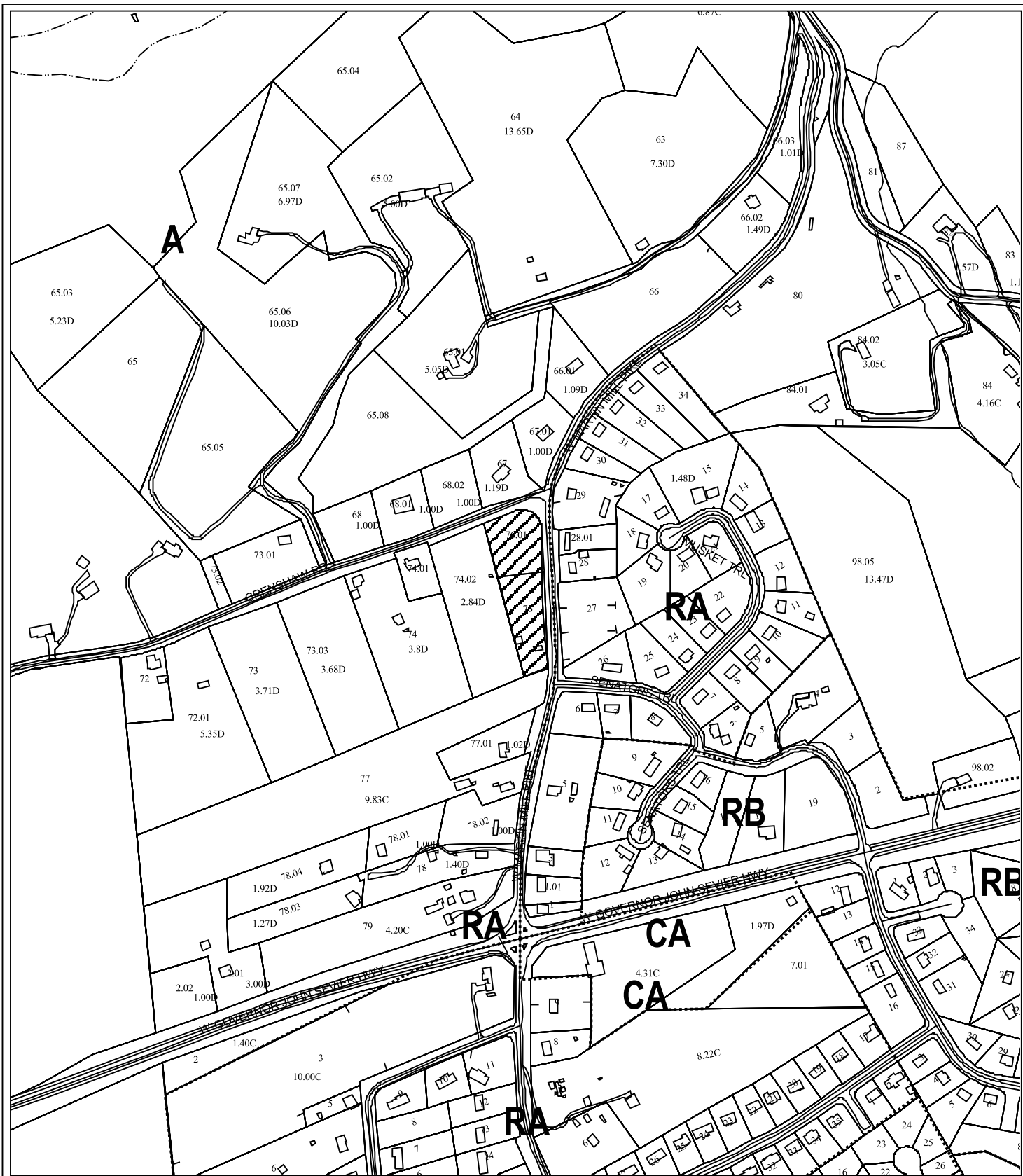
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 1 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Bonny Kate Elementary, South-Doyle Middle, and South-Doyle High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

MPC's approval or denial of this 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. Appellants have 30 days to appeal an MPC decision in the County.



5-C-08-UR
 USE ON REVIEW

 6 duplexes in RA (Low Density Residential)

Original Print Date: 04/22/08 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Herman L. Goddard

Map No: 136

Jurisdiction: County





ZONING SHOWN ON OFFICIAL MAP _____
 DATE _____ BY _____

Certification of Final Plat - Construction Complete & Certification of Category and Accuracy of Survey.

I hereby certify that I am a surveyor, licensed to do surveying under the laws of the State of Tennessee. I further certify that this plan and accompanying drawings, documents, and statements conform to all applicable provisions of the Knoxville/Knox County Subdivision Regulations except as has been itemized, described and justified in a report filed with the Metropolitan Planning Commission, or for variances for which application has been filed. The indicated monuments were in place on the _____ day of _____, 20____.

I hereby certify this is a category 1 survey and the ratio of precision of the unadjusted survey is 1:10,000 as shown hereon.

Surveyor _____
 Tennessee Certificate No. _____

This is to certify that the subdivision shown hereon is approved subject to the installation of sanitary sewers and treatment facilities and that such installation shall be in accordance with state and local regulations.

Date _____ Knox County Health Department _____

CERTIFICATE OF APPROVAL FOR RECORDING-ONE LOT SUBDIVISION
 This is to certify that the subdivision plat shown hereon has been found to comply with the subdivision Regulations of Knoxville and Knox County and with existing official plans, and the record plat is hereby approved for recording in the office of the Register of Deeds.

Secretary, Planning Commission _____ Date _____

ADDRESS APPROVAL

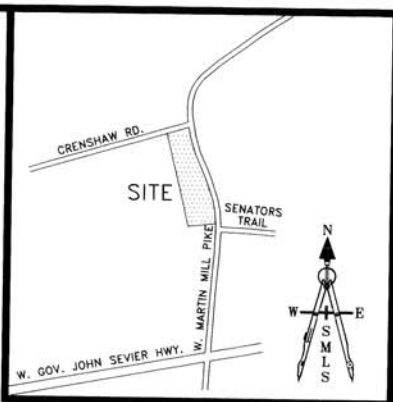
Subdivision name and Street Names contained herein, Reviewed and Approved

Date: _____

By: _____
 Knoxville Knox County Metropolitan Planning Commission

CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING
 The Department of Engineering hereby approves this plat, on this the _____ day of _____, 20____.

Director, Department of Engineering _____



Certificate of Ownership and General Dedication

(I, We) _____, the undersigned owner of the property shown herein, hereby adopt as my plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that I am the owner in fee simple of the property, and as property owner have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat. I further certify that all restrictive covenants, if any, which apply to the lots are either shown on the plan or are referred to thereon, with copies of the referred to covenants filed with the Knox County Register of Deeds.

STATE OF TENNESSEE, COUNTY OF KNOX

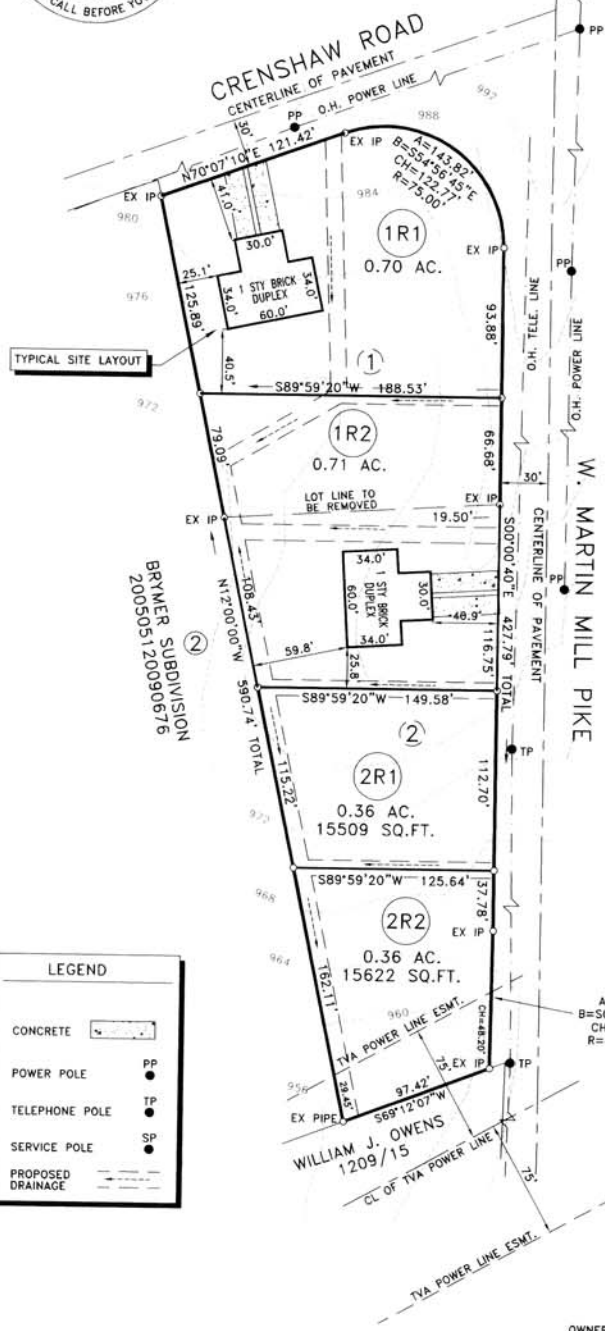
On this _____ day of _____, 20____, before me personally appeared _____ to me known (or proved to me on the basis of satisfactory evidence) to be the person (or persons) described in and who executed the foregoing instrument, and acknowledge that he (or she or they) executed the same as his (or her or their) free act and deed.

My Commission Expires: _____
 (notary's signature & seal)

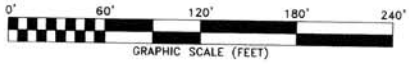
This is to certify that all property taxes and assessments due on this property have been paid.

Signed: _____ Date: _____
 City Tax Clerk

Signed: _____ Date: _____
 Knox County Trustee

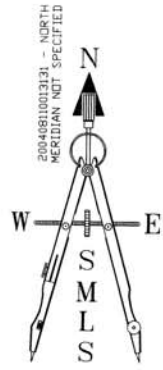


- NOTES:**
- 5' UTILITY AND DRAINAGE EASEMENTS INSIDE ALL LOT LINES. 10' UTILITY AND DRAINAGE EASEMENTS INSIDE ALL BOUNDARY LINES.
 - PROPOSED USE = RESIDENTIAL
 - TOTAL AREA = 2.13 ACRES/92676 s.f. INTO 6 LOTS.
 - PROPERTY ZONED: "RA"
 MINIMUM BUILDING LINES
 FRONT = 35'
 SIDE = 8' (1 STY.), 12' (2 STY.)
 REAR = 25'
 - ALL CORNERS ARE SET IRON PINS UNLESS NOTED OTHERWISE.
 - NO SIGNS ARE PROPOSED FOR THIS SITE.
 - EACH UNIT WILL HAVE ITS OWN MAILBOX MEETING POSTAL REGULATIONS.
 - EACH UNIT IS RESPONSIBLE FOR INDIVIDUAL GARBAGE PICKUP OR DISPOSAL.



OWNER:
 HERMAN L. GODDARD
 GODDARD PROPERTIES, LLC
 7543 CHILDRESS GLEN LANE
 KNOXVILLE, TN 37920
 PHONE (865) 607-6022

SURVEYOR:
 HOWARD T. DAWSON, RLS.#1301
 134-C MARYVILLE PIKE
 KNOXVILLE, TN, 37920
 PH: (865)-579-4075
 FAX: (865)-579-4625



I DO HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF ERROR OF THE UNADJUSTED SURVEY IS NOT GREATER THAN 1 IN 10000 AS SHOWN HEREON.

THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP AND FOUND THE DESCRIBED NOT TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA.

THIS SURVEY IS SUBMITTED FOR THE SOLE AND EXCLUSIVE USE AND BENEFIT OF THE PERSON OR INSTITUTION NAMED ON THIS SURVEY. NO OTHER OR FURTHER USE MAY BE MADE OF THIS SURVEY WITHOUT PRIOR WRITTEN CONSENT OF HOWARD T. DAWSON R.L.S. NO. 1301.

5-C-08-UP

REVISED

6-3-08

MPC FILE# _____

USE ON REVIEW FOR RESUB. OF LOTS 1-2, HERMAN GODDARD PROPERTY

SURVEY FOR DISTRICT 9 COUNTY KNOX CITY _____ WARD _____ STATE TN
 LOT NO. SEE BLOCK _____ IN TITLE _____
 ADDRESS 6711-6713 W. MARTIN MILL PIKE
 ADDRESS & 1500-1502 CRENSHAW ROAD
 MAP INST. NO. 200408110013131 SCALE 1"=60'
 MAP CAB. _____ SLIDE _____ DATE 4-1-08
 TAX MAP 136 GROUP _____ PARCEL 076
 WARRANTY DEED INST. NO. 20040607011931
 CENSUS TRACT NO. _____ DRAWN BY MJD
 BEARING BASE RECORDED PLAT
 MORTGAGE CO. _____
 TITLE CO. _____



SMOKY MOUNTAIN LAND SURVEYING CO., INC.
 HOWARD T. DAWSON
 R.L.S. #1301
 134-C MARYVILLE PIKE
 KNOXVILLE, TN 37920
 PH: (865) 579-4075
 FAX: (865) 579-4625
 SMLS1301@BELLSOUTH.NET
 SMLS DWG NO. 040110R2

From: Ken Pruitt
To: Betty Jo Mahan
Date: 5/7/2008 2:14:52 PM
Subject: Fwd: Herman Goddard property

>>> CARSON DAILEY <carsondailey@hotmail.com> 05/06 10:24 PM >>>

Mr. Pruitt and MPC commissioners

As a member of the SouthDoyle community I am concerned about the approval of 12 units on 2.13 acres. This is not in line with the surrounding property. There are property owners with large lots that surround the area, and not a rental zone. This request will create disturbance to the homeowners in the area.

Mr. Goddard agreed at the SouthDoyle Homeowners meeting in January 2008 to add only 2 units if the SouthDoyle Homeowners would agree to support his request. We agreed on a unanimous vote and his request was not opposed at the MPC or county commission.

Because of this agreement with the property owner the request for 6 units should be denied and only 2 units be granted as agreed upon by Mr. Goddard.

Thank you.

Carson Dailey
577-6318 Home
660-0019 Cell

Stay in touch when you're away with Windows Live Messenger.
http://www.windowslive.com/messenger/overview.html?ocid=TXT_TAGLM_WL_Refresh_messenger_052008

Fax Cover Sheet

ToMPC Commissioners

Fax #: 865-215-2068

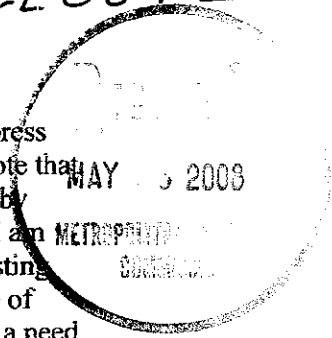
From: Lisa Benton Jerrolds

Rtn. Fax #: 865-573-4891

Cell: 865-740-3618

Attached is a letter regarding items numbers 58 and 69. Please understand my reason for this late notification due to daughter's illness.

5-L-08-RZ



Dear Commissioners;

As a member of the South Knoxville community I would like to briefly express my concerns on a few agenda items before you today. On item # 58, please take note that this property joins a piece of property that was recently denied commercial zoning by both you and the County Commission. This property is also owned by Mr. Lord. I am requesting that you stimulate that by awarding Mr. Lord the PR zoning he is requesting that this will not entitle him to a commercial zoning as well because of the volume of housing units he will try to build in this area. We have established that there is not a need or a desire for commercial zoning in that area and it has been established that it is not consistent with the sector plan.

Secondly, on item # 69, I am requesting you deny the use on review change that has been requested. Mr. Goddard attended a home owners meeting just a month ago and explained his desire to build 2 more units on this piece of property and he was not opposed. Now, just a month later, he is requesting to rezone for 2 additional units. This is too dense for the area and is not consistent with the surrounding properties. Single family dwellings are in the subdivision across Martin Mill Pike and families with several acres each have single family homes beside and behind this property. I do not oppose Mr. Goddard's building of duplexes, but a total of 6 structures is not viable or congruent with the area.

I apologize for not attending in person today. I have a sick child that I just had to pick up from school. I will be home caring for her at that time. Thank you for considering my voice in this matter.

Sincerely,
Lisa Jerrolds
1418 W. John Sevier Hwy.
37920, Dist. 9