



KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT

FILE #: 4-G-09-UR

AGENDA ITEM #: 55

AGENDA DATE: 4/9/2009

APPLICANT: MARC BROWN

OWNER(S): DONNA HALL

TAX ID NUMBER: 57 B E 003

JURISDICTION: City Council District 5

LOCATION: West side of Rocky Mountain High Blvd., north of E. Beaver Creek Dr.

APPX. SIZE OF TRACT: 3400 square feet

SECTOR PLAN: North County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Rocky Mountain High Bv., a local street with a pavement width of 36' within a 70' wide right-of-way

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

ZONING: RP-1 (Planned Residential)

EXISTING LAND USE: Attached residential development

PROPOSED USE: Reduction of rear yard setback for patio room addition

HISTORY OF ZONING: The subdivision and development plan for alpine Meadow was approved in 2002

SURROUNDING LAND USE AND ZONING: North: Attached residential / RP-1 residential

South: Vacant land / CA commercial

East: Attached residential / RP-1 residential

West: Attached residential / RP-1 residential

NEIGHBORHOOD CONTEXT: Property in the area is zoned PR, RB and R-2 residential, CA commercial and OS-1 open space. Development consists of an attached condominium project to the east, Beaver Creek on the north, Interstate 75 to the west and undeveloped commercially zoned land to the south.

STAFF RECOMMENDATION:

APPROVE the request to reduce the rear yard setback from 20' to 18' for the purpose of adding a patio room as shown on the development plan subject to 1 condition

- 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance

COMMENTS:

The applicant desires to add a patio room on to the dwelling. It would be built over the existing concrete patio. At the time the development plan was approved for Alpine Meadows subdivision, it established the rear setback at 20' from the property line. The existing patio extends 2' into the setback. An open deck or patio

may extend up to 10' into a required building setback. By virtue of the fact that the applicant now wishes to construct an enclosed room over the patio, a reduction in the required rear setback has become necessary. There are a number of dwellings in the development that have already enclosed their patio. The applicant has the permission from the homeowners association to construct the addition. The lot is enclosed with a privacy fence.

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

1. The proposed patio room addition will have no impact on local services since all utilities are in place to serve this development.
2. The proposal is compatible with the surrounding development. This addition will have minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed patio room addition 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 neighborhoods 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.

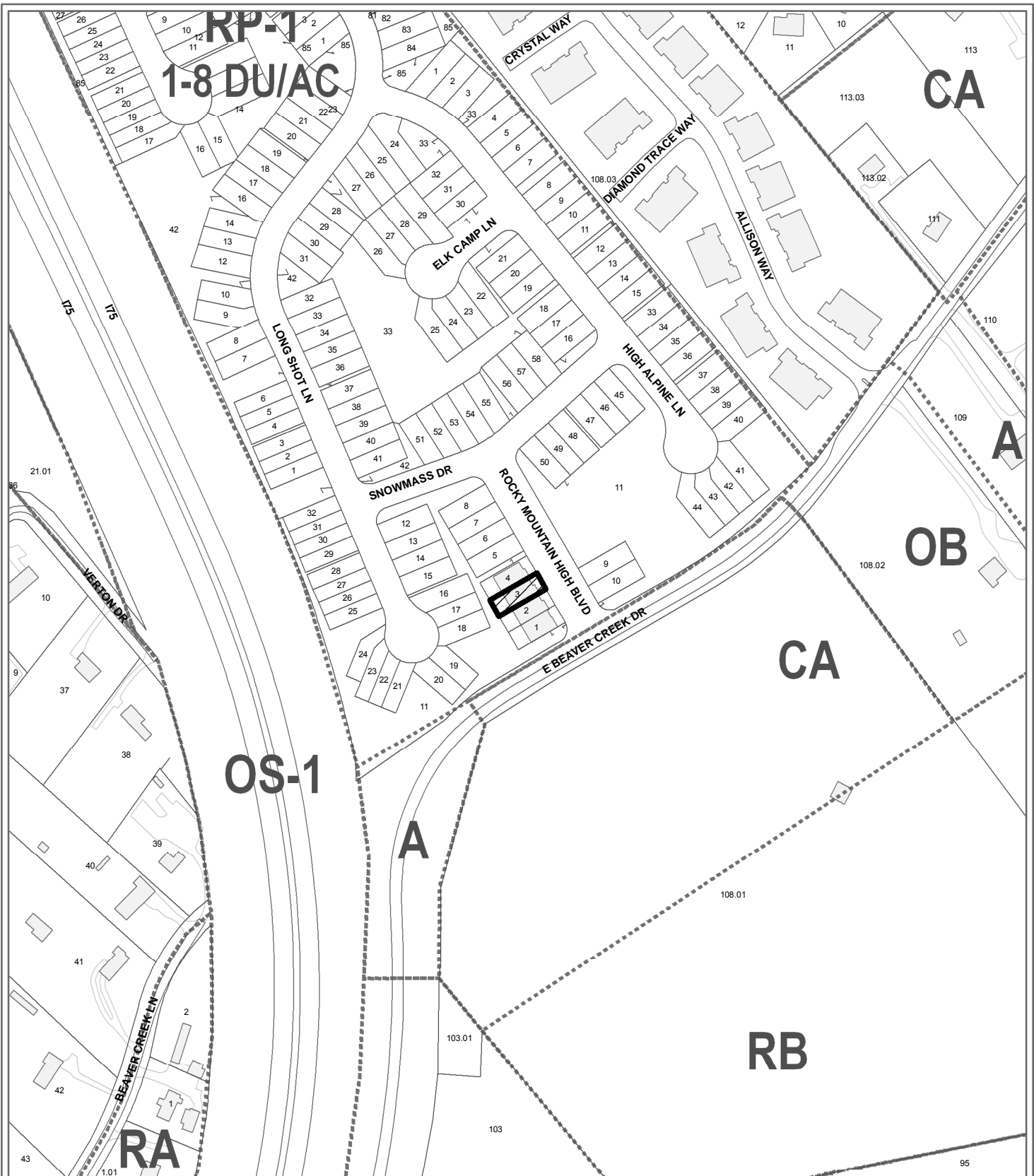
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan identifies the property for medium density residential use. The proposed development is consistent with this use because day care facilities are allowed as a use permitted on review in the R-1 and R-2 zoning districts.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**4-G-09-UR
USE ON REVIEW**

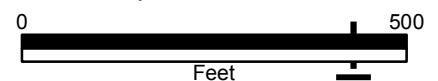
Petitioner: Brown, Marc



Reduction of rear yard setback in RP-1 (Planned Residential)

Map No: 57

Jurisdiction: City



Original Print Date: 3/30/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902