



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

▶ **FILE #:** 8-A-09-UR

AGENDA ITEM #: 44

AGENDA DATE: 8/13/2009

▶ **APPLICANT:** **GLENN STIRLING**

OWNER(S): GLENN STIRLING

TAX ID NUMBER: 116 03005

JURISDICTION: County Commission District 6

▶ **LOCATION:** **West side of E. Gallaher Ferry Rd., south of Joneva Rd.**

▶ **APPX. SIZE OF TRACT:** **10 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via E. Gallaher Ferry Rd., a collector street with a pavement width of 16' to 19' within a 40' wide right-of-way

UTILITIES: Water Source: West Knox Utility District

Sewer Source: MNA

WATERSHED: Conner Creek

▶ **ZONING:** **PR (Planned Residential) & RA (Low Density Residential)**

▶ **EXISTING LAND USE:** **Detached dwelling (mobile home)**

▶ **PROPOSED USE:** **Detached residence**

.10 du/ac

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Detached dwellings & vacant land / RA residential & A agricultural

South: Detached dwellings & vacant land / PR residential

East: Detached dwellings & vacant land / PR residential

West: Detached dwellings & vacant land / PR residential

NEIGHBORHOOD CONTEXT: Development in the immediate area of the site is limited to detached dwellings on large tracts. Zoning in the area consists of A agricultural and RA and PR residential.

STAFF RECOMMENDATION:

▶ **APPROVE the request to construct one detached dwelling as shown on the development plan subject to 4 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
3. Meeting all applicable requirements of the Knox County Health Dept.
4. Removal of the existing mobile home on the site within 6 months after the issuance of the certificate of occupancy for the proposed dwelling

With the conditions noted, the request meets the requirements for approval in the PR Zone and the other criteria for approval of a Use on Review.

COMMENTS:

The applicant has a mobile home on this 10 acre site that he wishes to replace with a new dwelling. In order to build the proposed dwelling in the preferred location, the Knox County Board of Zoning Appeals granted setback variances. At that time the applicant stated that it was his intention to remove the existing mobile home after the new dwelling is completed.

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

1. The proposed dwelling will have minimal impact on local services since all utilities are in place to serve this site.
2. This request will have minimal impact on schools and adjacent properties.

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

1. The proposed dwelling is consistent with the following general standard for uses permitted on review: The proposal 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 substantial additional traffic through residential areas.
2. With the variances granted by the Knox County Board of Zoning Appeals, the plan meets all of the requirements of the Knox County Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes agricultural rural residential uses for this site.
2. The current PR zoning of the property and the proposed use are consistent with the Northwest County Sector Plan.

ESTIMATED TRAFFIC IMPACT 15 (average daily vehicle trips)

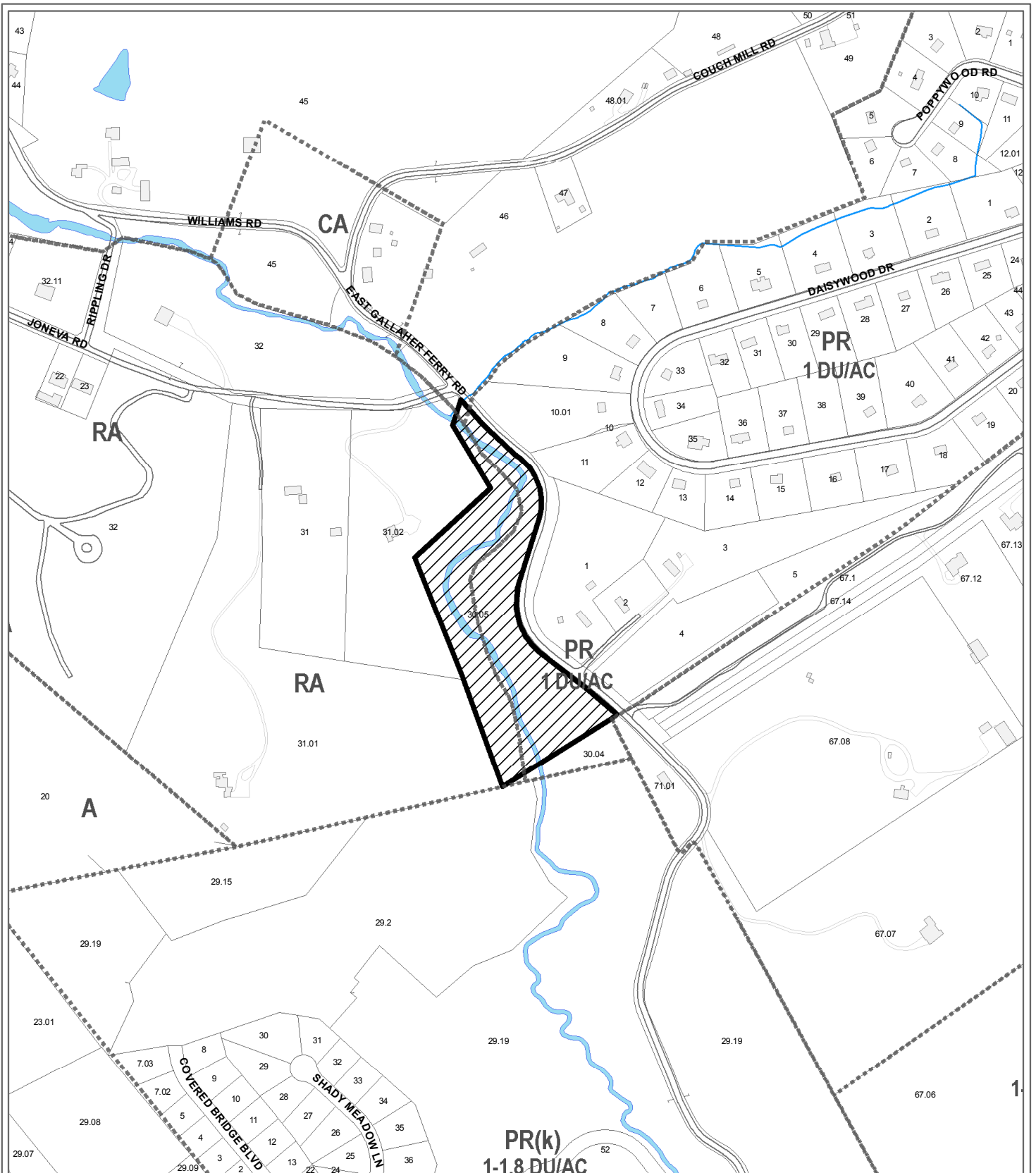
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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)

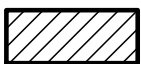
Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Hardin Valley Academy.

- 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.



**8-A-09-UR
USE ON REVIEW**

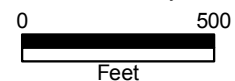


Detached residence in PR (Planned Residential) & RA (Low Density Residential)

Petitioner: Stirling, Glenn

Map No: 116

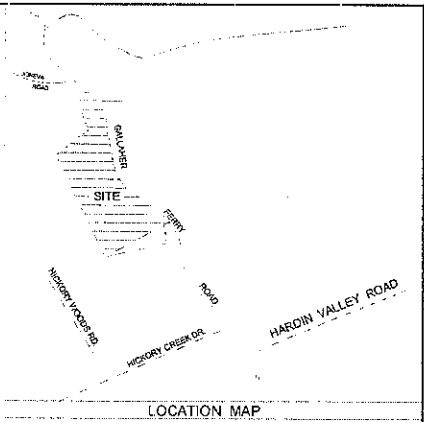
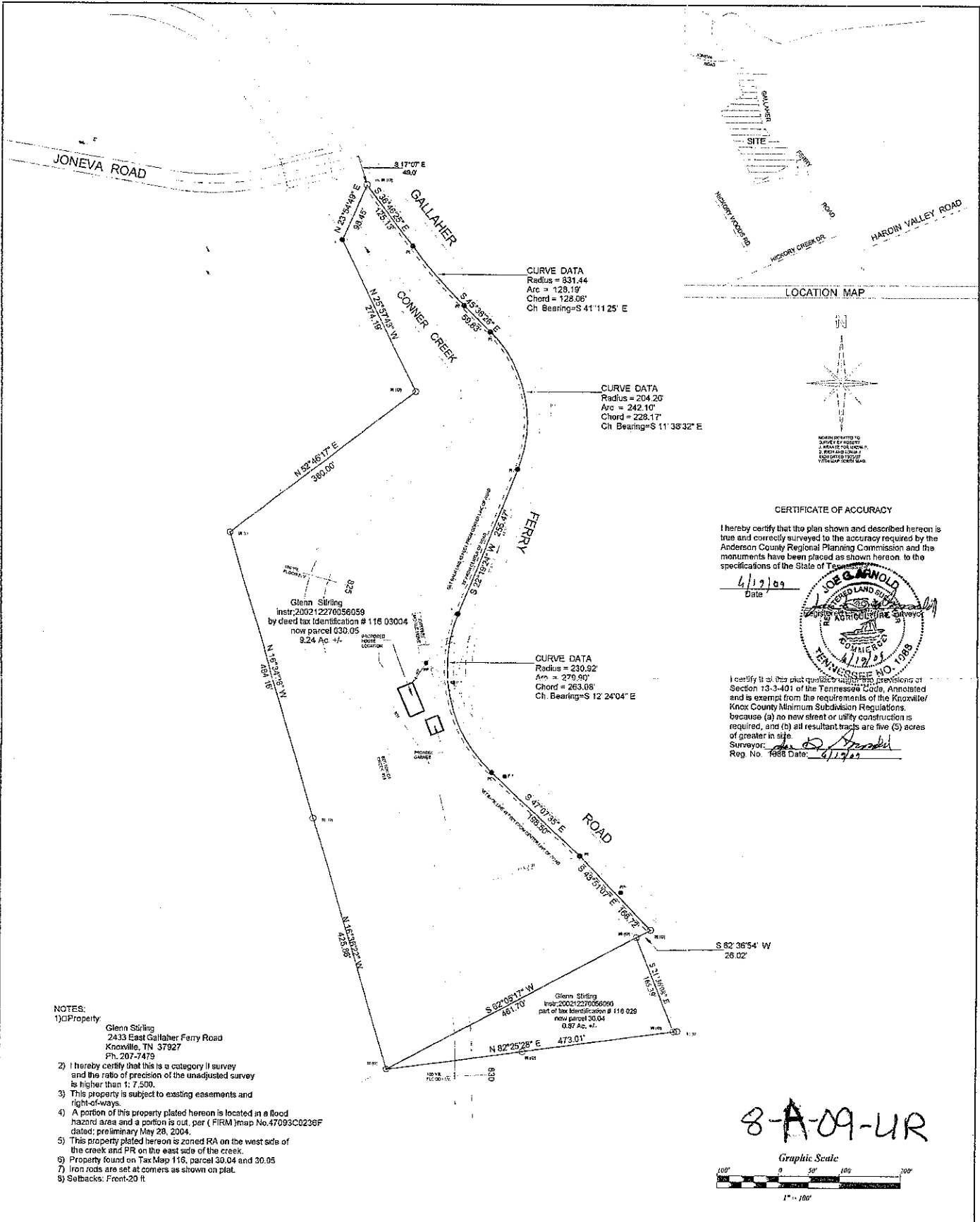
Jurisdiction: County



Original Print Date: 7/27/2009

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is true and correctly surveyed to the accuracy required by the Anderson County Regional Planning Commission and the monuments have been placed as shown hereon to the specifications of the State of Tennessee.

6/19/09
Date



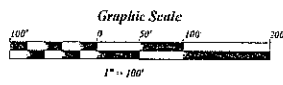
I certify that this plat complies with the provisions of Section 13-3-401 of the Tennessee Code, Annotated and is exempt from the requirements of the Knoxville/Knox County Minimum Subdivision Regulations, because (a) no new street or utility construction is required, and (b) all resultant tracts are five (5) acres or greater in size.
Surveyor: *Joe C. Arnold*
Reg. No. 1089 Date: 6/19/09

NOTES:

- 1) Property: Glenn Stirling, 2433 East Gallaher Ferry Road, Knoxville, TN 37927, Ph. 207-7479
- 2) I hereby certify that this is a category II survey and the ratio of precision of the unadjusted survey is higher than 1:7,500.
- 3) This property is subject to existing easements and right-of-ways.
- 4) A portion of this property plated hereon is located in a flood hazard area and a portion is out, per (FIRM) map No. 47093C0236F dated: preliminary May 28, 2004.
- 5) This property plated hereon is zoned RA on the west side of the creek and PR on the east side of the creek.
- 6) Property found on Tax Map 116, parcel 30.04 and 30.05
- 7) Iron rods are set at corners as shown on plat.
- 8) Setbacks: Front-20 ft.

LEGEND:
 IR (O) = IRON ROD OLD (FOUND)
 IR (N) = IRON ROD NEW (SET)
 Pt = POINT

8-A-09-UR



SURVEY FOR ELEVATION LOCATION GLENN STIRLING 8th. CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE		
SCALE: 1"=100' DATE: 6/19/09	TAX MAP: 115 & 116 PARCEL: 30.05 & 30.04	DRAWN BY: G.W.HILEMAN
PREPARED BY: Appalachian Engineering and Surveying Co. 110 Claymore Ln. Oak Ridge Tennessee 37830	Phone: 402-4497	TrueCAD- Disk #158 STIRLIN2.DRG
		DRAWING NUMBER H-31, PG.-89