

▶ **FILE #:** 9-C-11-UR

AGENDA ITEM # 34

AGENDA DATE: 9/8/2011

▶ **APPLICANT:** **MOSS CREEK VILLAS, LLC**

OWNER(S): Moss Creek Villas, LLC

TAX ID NUMBER: 80 A M 032

JURISDICTION: City Council District 3

▶ **LOCATION:** **Northeast side of Maple Branch Ln., southeast of Round Hill Ln.**

▶ **APPX. SIZE OF TRACT:** **5139 square feet**

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Maple Branch Ln., a local street with a 26' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** **RP-1 (Planned Residential)**

▶ **EXISTING LAND USE:** **Vacant lot**

▶ **PROPOSED USE:** **Reduction of the side yard setbacks for a detached residence**

HISTORY OF ZONING: Property rezoned to RP-1 in 1993.

SURROUNDING LAND USE AND ZONING: North: Moss Creek Villas common area and attached residences / RP-1 (Planned Residential)

South: Moss Creek Villas common area / RP-1 (Planned Residential)

East: Residences / R-1 (Low Density Residential)

West: Moss Creek Villas attached residences / RP-1 (Planned Residential)

NEIGHBORHOOD CONTEXT: Property in the area is zoned R-1, R-1A and RP-1 residential. Development consists primarily of detached and attached residences.

STAFF RECOMMENDATION:

▶ **APPROVE the request to reduce the side yard setbacks for Lot 198R1 in Unit 9 of Moss Creek Villas from 5 feet to 3.75 feet, subject to 3 conditions**

1. Approval of the final plat (9-SJ-11-F) that is before the Planning Commission with a variance request to reduce the standard utility and drainage easement along the side property lines from 5 feet to 3.75 feet.
2. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all applicable requirements of the Knox County Health Department.

With the conditions noted, this plan meets the requirements for approval in the RP-1 district and the other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting a reduction of the required sideyard setbacks from 5 feet to 3.75 feet for Lot 198R1 in Unit 9 of Moss Creek Villas. This is one of two lots within this unit of the subdivision that was platted for a detached residence. The remaining lots are designed for attached residences. The Knoxville Zoning Ordinance has no identified minimum side or rear yard setbacks within the RP-1 (Planned Residential) zoning district. The Planning Commission establishes those setbacks through the use on review process. When the concept plan and final plat were approved for this lot a 5' setback was established. Based on the design of the proposed dwelling for this lot, a reduction of the setback is needed. Since the side property lines adjoin common area for the subdivision, Staff has no objection to the change.

A revised final plat for this lot has been submitted for review by the Planning Commission with a request for a variance to reduce the standard utility and drainage easements along both side lot lines.

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 in place to serve this site.
- 2. Since the side property lines for this lot adjoin common area for the subdivision, the reduction of the side yard setbacks will have minimal impact on other residences.

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

- 1. With the proposed reduction in the side yard setback the proposed detached residence will meet the standards for development within a RP-1 (Planned Residential) district 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.

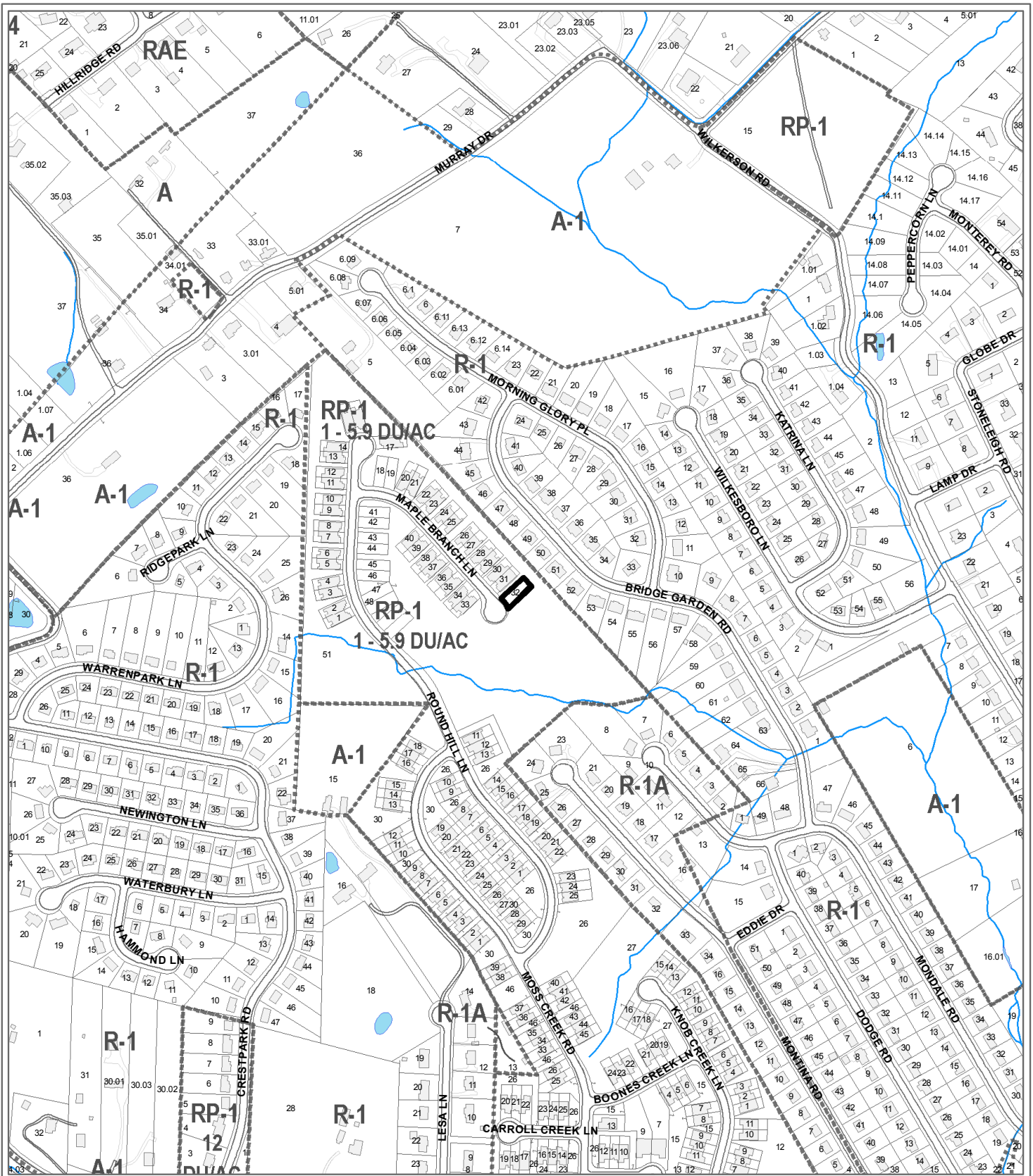
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northwest City Sector Plan identifies the property for low density residential use. The proposed detached residence with the requested reduction in the side yard setbacks is consistent with the Sector Plan.
- 2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

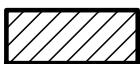
ESTIMATED TRAFFIC IMPACT: Not calculated.

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.



**9-C-11-UR
USE ON REVIEW**



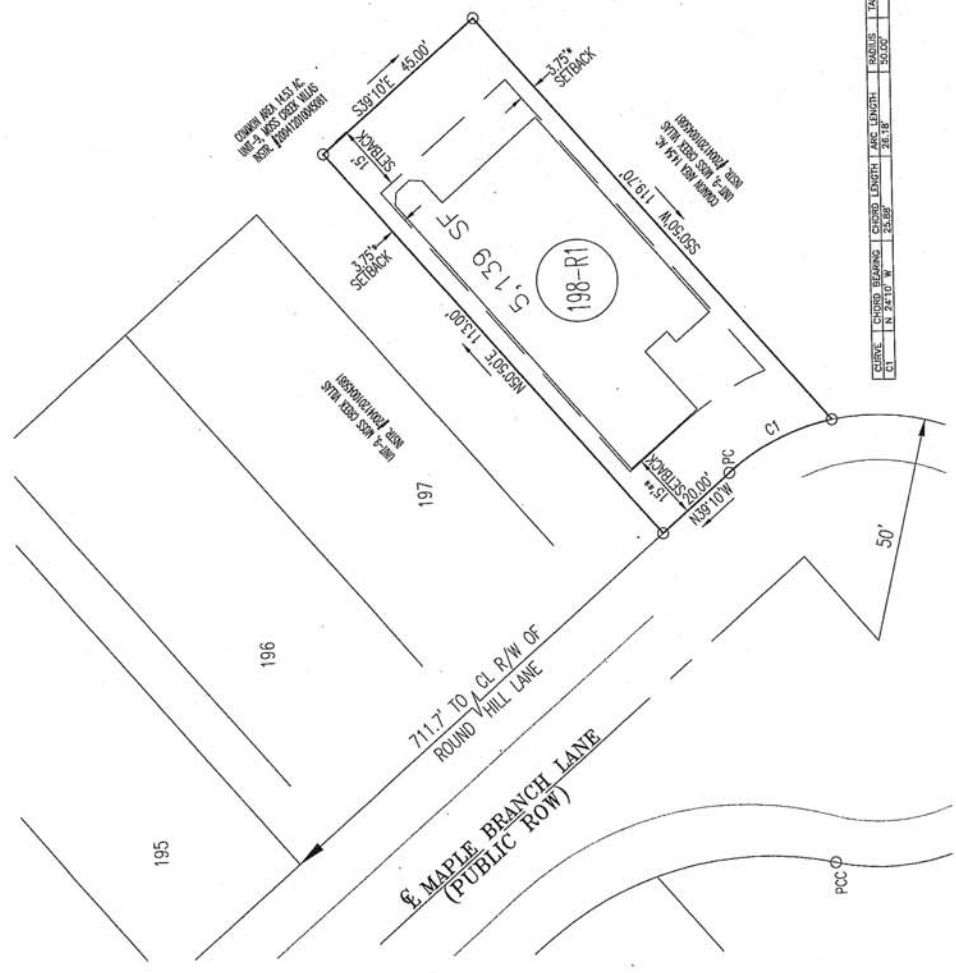
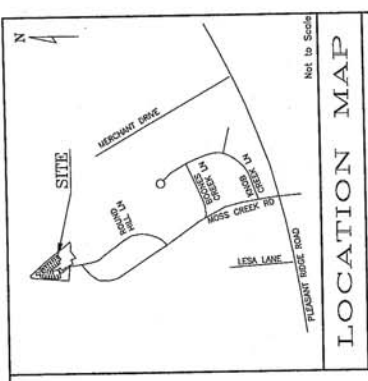
Reduction of side yard setback in RP-1 (Planned Residential)

Petitioner: Moss Creek Villas, LLC

Original Print Date: 8/23/2011
 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 80
 Jurisdiction: City
 0 500
 Feet





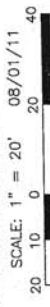
CURVE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	RADIUS	TANGENT
C1	N 24.10° W	23.89'	26.18'	50.00'	



TYPICAL LOT LAYOUT FOR SINGLE FAMILY DETACHED

* USE ON REVIEW REQUEST TO ALLOW A SIDE SETBACK TO PROPERTY LINE OF 3.75' ON EACH SIDE.
 ** BZA CONSIDERING VARIANCE REQUEST TO ALLOW A 15' FRONT SETBACK AT THEIR AUGUST 17, 2011 MEETING

DEVELOPMENT PLAN FOR
LOT 198R
MOSS CREEK VILLAS UNIT-9R
 CLT MAP 80-AM, PARCEL 32
 DISTRICT 5, KNOX COUNTY, TN.
 CITY BLOCK 40520, WARD 40, CITY OF KNOXVILLE, TN.



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 REGISTERED ENGINEERS & LAND SURVEYORS
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 KNOXVILLE, TENNESSEE 37909
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 email@bhn-p.com

OWNERS:
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 KNOXVILLE, TENNESSEE 37950-1058
 PHONE: (865) 637-2674

REFERENCE DEED: INSTR. #200203010071916 17545-198R1

9-1-11-DR
 8/1/11