

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

▶ **FILE #:** 8-C-12-UR

AGENDA ITEM #: 34

AGENDA DATE: 8/9/2012

▶ **APPLICANT:** CAROL MURRAY

OWNER(S): Carol A. Murray

TAX ID NUMBER: 104 K D 00102

JURISDICTION: County Commission District 6

▶ **LOCATION:** Southeast side of Seattle Slew Ln., northeast of Secretariat Blvd.

▶ **APPX. SIZE OF TRACT:** 8750 square feet

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

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

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Reduction of peripheral boundary setback from 35 feet to 25 feet.

HISTORY OF ZONING: A concept plan was approved for this development in 1980 and a use on review was approved in 1986

SURROUNDING LAND USE AND ZONING:
 North: Detached dwellings / PR residential
 South: Vacant land / PR residential
 East: Apartments / PR residential
 West: Detached dwellings / PR residential

NEIGHBORHOOD CONTEXT: The site is located in the Churchill Downs Subdivision.

STAFF RECOMMENDATION:

▶ **APPROVE the request to reduce the peripheral boundary setback along the rear of this site from 35 feet to 25 feet as shown on the site plan subject to 2 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of Knox County Dept. of Engineering and Public Works

With the noted conditions, this request meets the requirements for approval in the PR (Planned Residential) zone and the other criteria for approval of a use on review

COMMENTS:

The applicant hopes to do an addition to the existing dwelling on the site in question. In order to construct the addition as planned, the applicant is requesting that MPC approve a reduction in the required peripheral

boundary building setback from 35 feet to 25 feet in depth. MPC has the authority to reduce a peripheral boundary setback down to as little as 15 feet if the site adjoins other residentially zoned property. In this case the site adjoins some vacant property that is zoned PR (Planned Residential). The adjoining property is vacant and still under the ownership of the original developer of the subdivision. The reduction of this setback will not have any negative impact any of the surrounding property.

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

1. All utilities are provided to this site
2. The proposal will have no additional impact on schools or local streets.

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

2. The proposed reduction in the setback is consistent with the general standards for uses permitted on review: The request 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 area 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 it is located along two minor arterial streets.

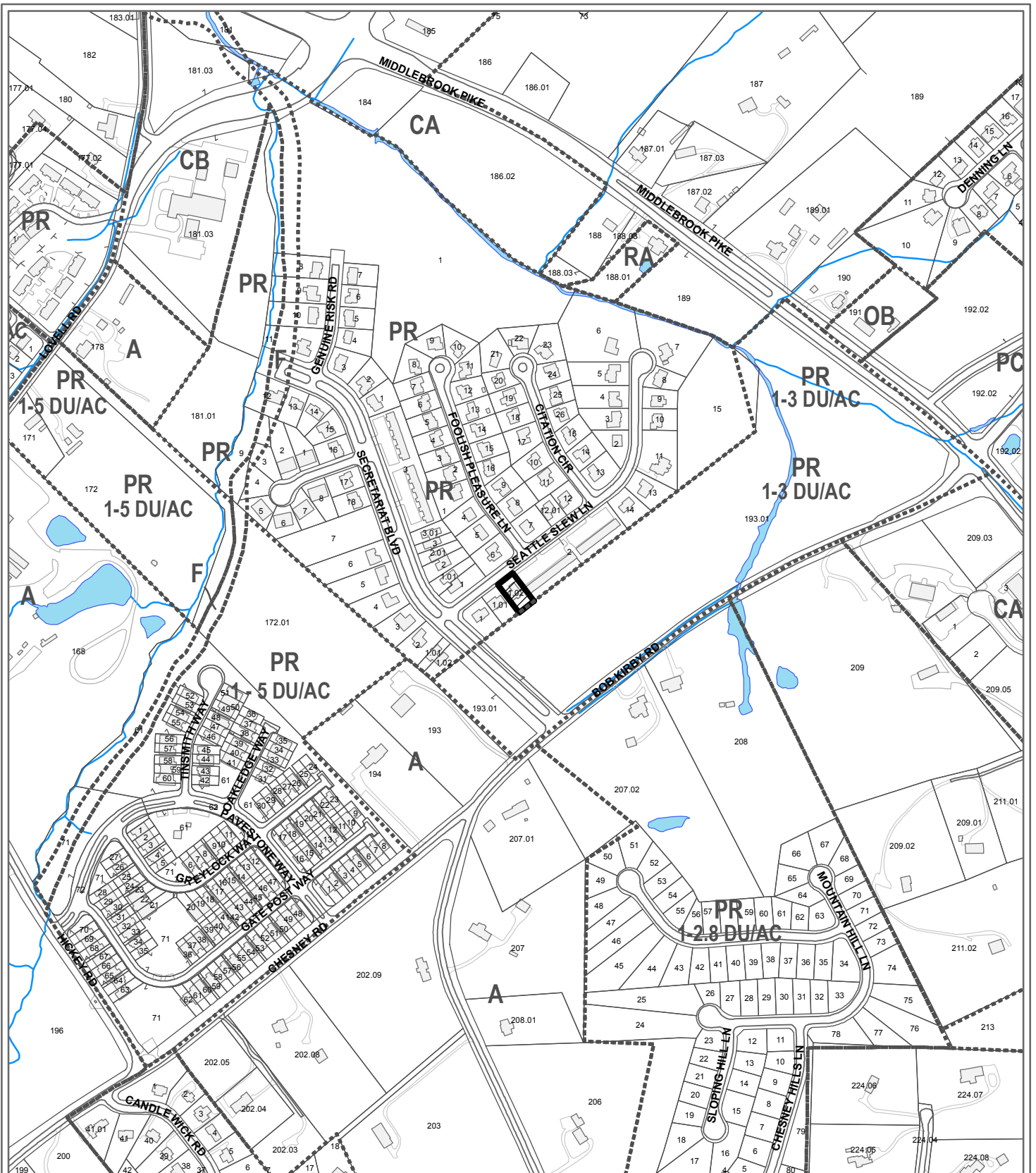
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan identifies the property for low density residential use. The proposed development is in compliance with that plan.
2. The site is identified as being within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

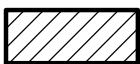
ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the 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-C-12-UR
USE ON REVIEW**



Reduction of peripheral setback from 35 feet to 25 feet. in PR (Planned Residential)

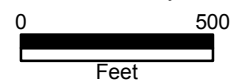
Original Print Date: 7/17/2012
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Murray, Carol

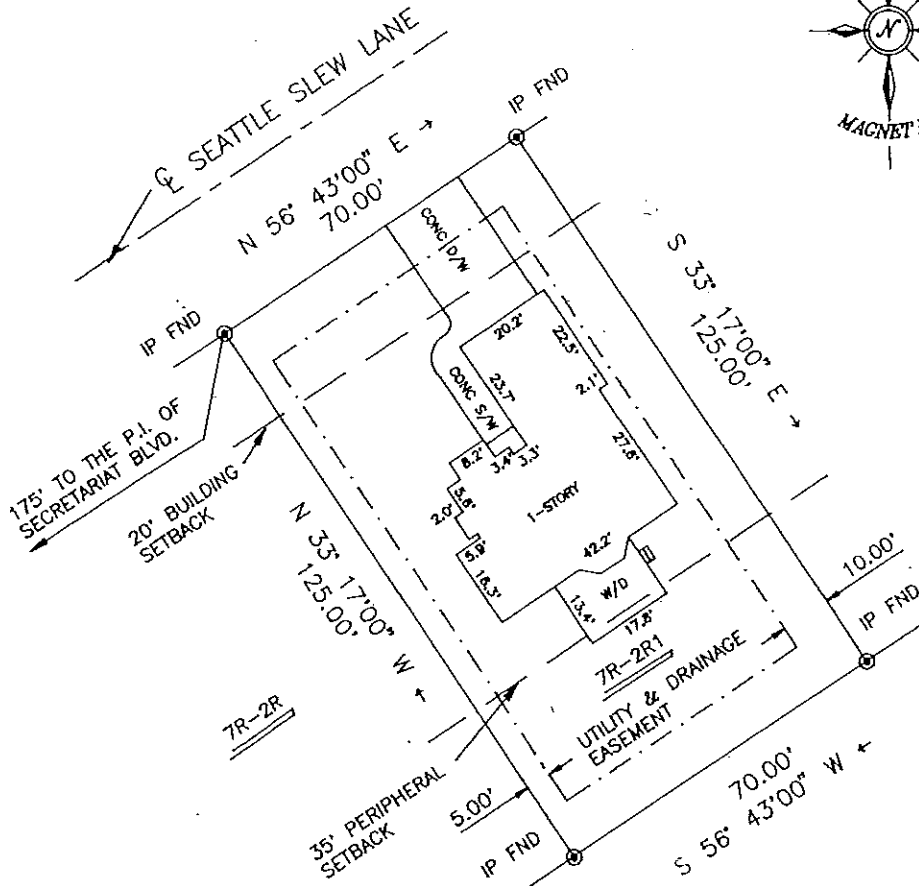
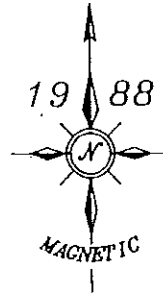
Map No: 104

Jurisdiction: County



NOTES:

- 1.) IRON PINS AT ALL CORNERS.
- 2.) UTILITY AND DRAINAGE EASEMENTS OF 5 FT. INSIDE ALL INTERIOR LOT LINES, 10 FT. INSIDE ALL EXTERIOR LOT LINES AND ADJACENT TO ALL ROAD LINES, PLUS OTHER EASEMENTS AS SHOWN.
- 3.) MINIMUM BUILDING SETBACK PER ZONING.
- 4.) THIS PROPERTY IS ZONED.. PR



SCALE: 1" = 30 FT.

PLAT of SURVEY

DATE: 08/20/94

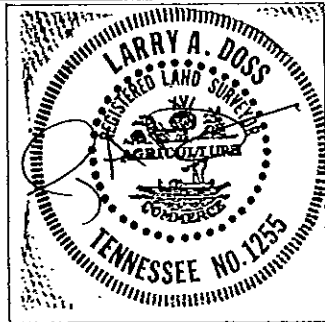
IN ACCORDANCE WITH H.U.D. FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAPS, THIS PROPERTY IS NOT WITHIN A FLOOD HAZARD ZONE. REFERENCE: H.U.D. F.I.A. MAP No. _____ MAP DATE: _____



DOSS CONSTRUCTIVE IDEAS INC.

P.O. BOX 22626 / KNOXVILLE, TENN. / 37933
OFFICE (615) 691-8003 FAX (615) 691-7383

Lot: 7R-2R1 Block: - "S/D: RESUB 7R-2, CHURCHILL DOWNS Unit: 1
Deed Book: 1992 page: 1024 Map: CAB L SLIDE 49-D
CLT Map: 104K Group: "D" Parcel: 102 Census Tract No: 46.04
County: Knox Dist: 6th City: - Ward: -
ADDRESS: 9812 SEATTLE SLEW LANE
SURVEY FOR: GLANDER, PEGGY JILL REFERENCE: PREFERRED ESCROW



LARRY A. DOSS P.E./R.L.S. No. 1255

8-C-12-UR

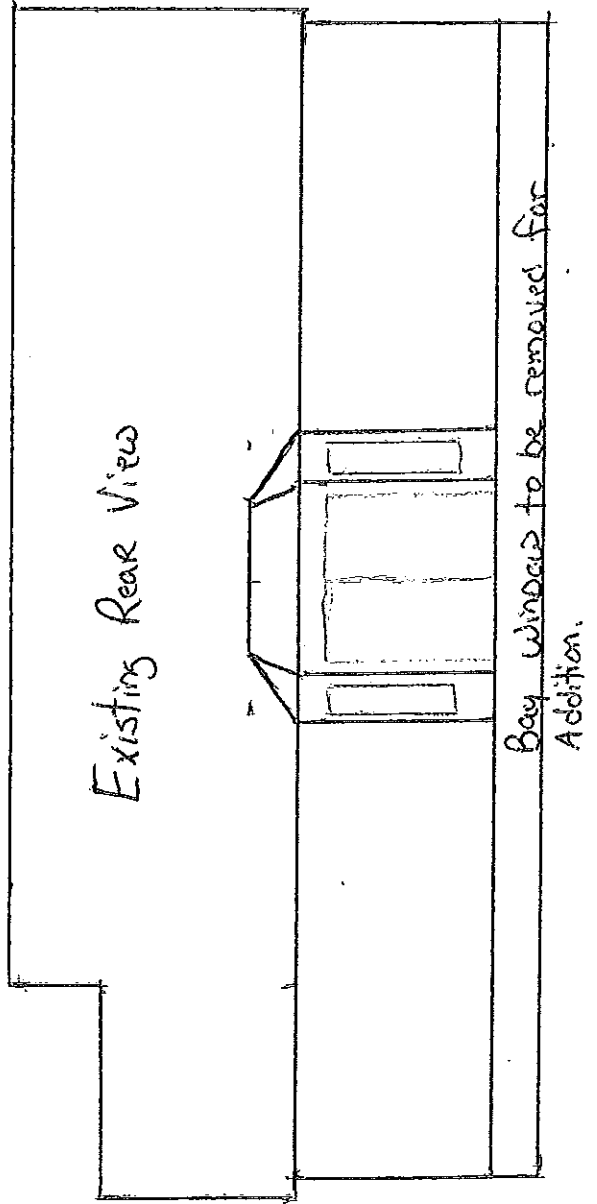
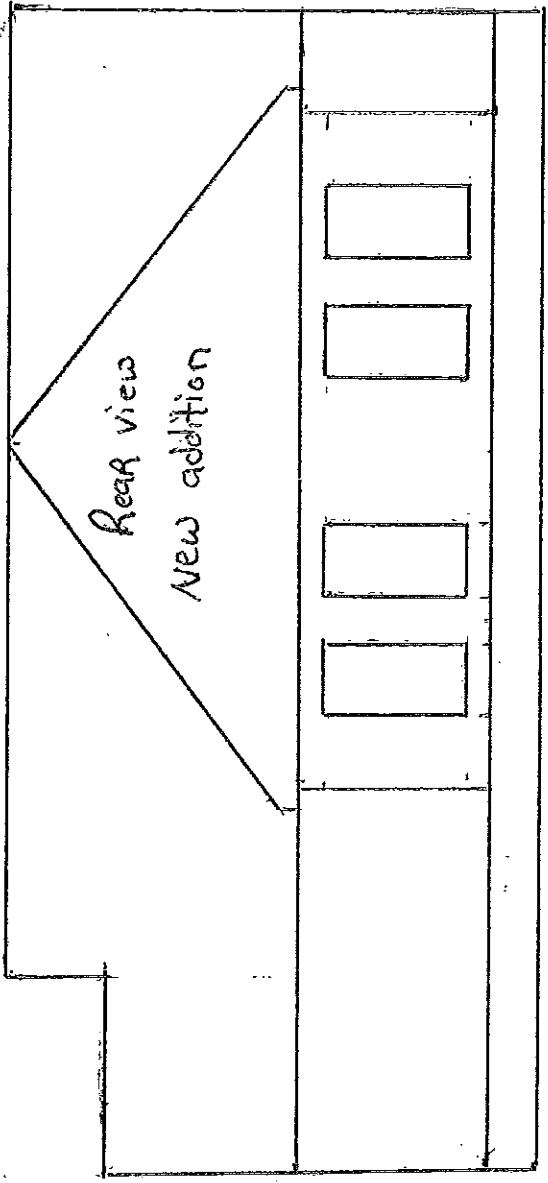
STATE OF TENNESSEE, COUNTY OF KNOX
I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT, ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS OR IMPROVEMENTS FROM ADJOINING PROPERTIES, AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY AS SHOWN. THERE ARE NO RIGHTS-OF-WAY, EASEMENTS OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND VISIBLE ON THE SURFACE, OR SHOWN ON THE RECORDED PLAT, EXCEPT AS SHOWN AND THAT THERE ARE NO ELECTRIC OR TELEPHONE WIRES (EXCLUDING WIRES WHICH SERVE THE PREMISES ONLY), OR STRUCTURES OR SUPPORTS THEREOF, INCLUDING POLES, ANCHORS AND GUY WIRES, ON OR OVER SAID PREMISES, EXCEPT AS SHOWN. THIS SURVEY COMPLIES WITH THE TENNESSEE STANDARDS OF PRACTICE FOR LAND SURVEYING AND COMPLIES WITH ALL APPLICABLE TENNESSEE LAWS.

DCI # 11553

drawn by: LAD

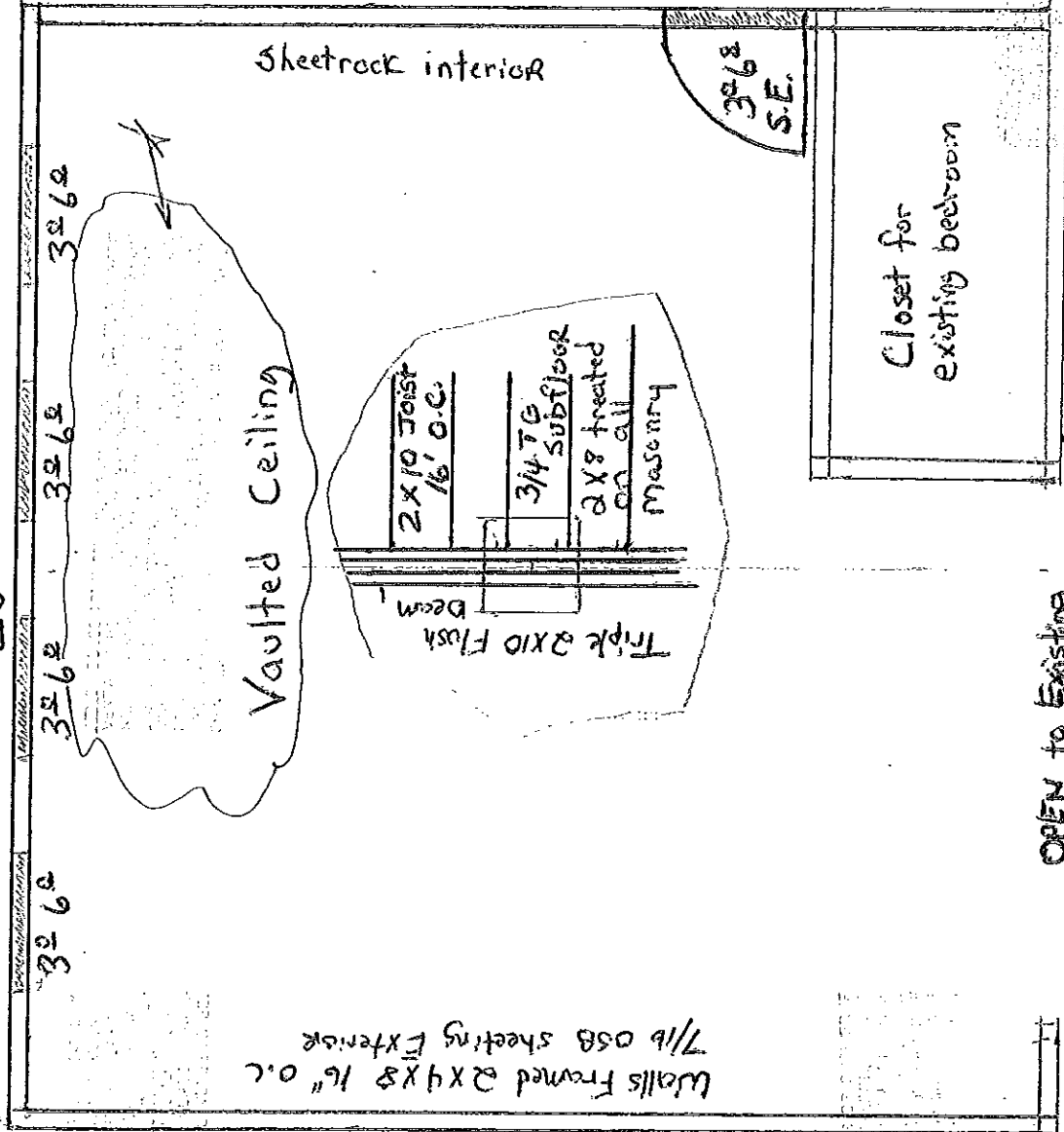
MPC August 9, 2012

Agenda Item # 34



Floor Plan 616 sq. ft Addition

-28'- Windows Vinyl Double Hung



Roof System

28' x 7/12 Scissors
7/16 roof Decking with 12" overhang
30 yr fiberglass 24" o.c. Shingle

R-13 insulation walls

R-30 insulation Attic
38 min.

R-19 Floor

OPEN to Existing House

CHURCHILL DOWNS HOMEOWNERS ASSOCIATION

Knoxville, Tennessee

hoa37931@gmail.com

June 22, 2012

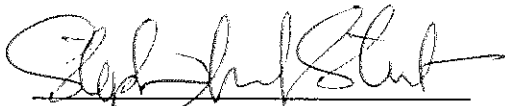
To Whom It May Concern:

Our Homeowner's Association has established bylaws which include building restrictions (found online at <http://www.discoveret.org/cdhoa/bylaws.htm>). The bylaws originally set for Churchill Downs stipulate "no dwelling shall be located on any interior lot nearer than 25 feet to the rear lot line" (Attachment, page 2).

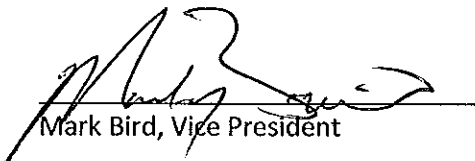
Our HOA Board has examined the property at 9812 Seattle Slew Lane and has determined that the plans fit within the provisions outlined in our bylaws. We appreciate your review of our neighbor's request to improve her property.

Respectfully,

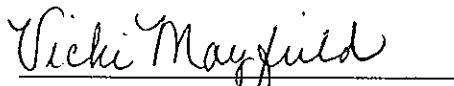
The Churchill Downs HOA Board of Directors



Stephanie Strutner, President



Mark Bird, Vice President



Vicki Mayfield, Secretary