

▶ **FILE #:** 5-B-12-UR

**AGENDA ITEM #:** 36

**AGENDA DATE:** 5/10/2012

▶ **APPLICANT:** **BRYAN E. TESTERMAN, SR.**

OWNER(S): Bryan E. Testerman

TAX ID NUMBER: 133 F B 016

JURISDICTION: County Commission District 4

▶ **LOCATION:** **Southeast side of Nubbin Ridge Rd., southwest of Hampson Ln.**

▶ **APPX. SIZE OF TRACT:** **26.63 acres**

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Nubbin Ridge Rd., a major collector street with an 20' pavement width within a required 60' right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

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

▶ **EXISTING LAND USE:** **Detached residential subdivision under construction**

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

HISTORY OF ZONING: Property rezoned to PR (Planned Residential) at up to 5 du/ac by Knox County Commission on June 27, 2011.

SURROUNDING LAND USE AND ZONING: North: Residences / RA (Low Density Residential)

South: Residences / RA (Low Density Residential)

East: Residences / RA (Low Density Residential) & A (Agricultural)

West: Vacant land and residences / PR (Planned Residential) & RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: The site is in an area that has developed as low density residential subdivisions under R-1, RA and PR zoning.

**STAFF RECOMMENDATION:**

▶ **APPROVE** the request to reduce the peripheral boundary setback from 35' to 25' as shown on the development plan for Whispering Woods Subdivision subject to 1 condition

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review.

**COMMENTS:**

The applicant is requesting that MPC approve the reduction in the required peripheral boundary setback from 35' to 25' for this subdivision currently under development on the south side of Nubbin Ridge Rd., southwest of

Hampson Ln. The Knox County Zoning Ordinance allows the Planning Commission to reduce the peripheral setback down to 15' when the property adjoins residential zoning districts such as the PR (Planned Residential) & RA (Low Density Residential) districts. The majority of the peripheral boundary of this subdivision borders RA zoning that has a rear yard setback requirement of 25'. The one property (proposed Hampson Court Subdivision) to the northwest that is zoned PR was approved with a 35' peripheral setback. The developer of that subdivision could request a similar setback reduction.

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

1. The setback reduction will have no impact on local services since all utilities are in place to serve this site.
2. Granting this request should have little impact on adjoining property since the zoning districts have setbacks similar to what is being requested for this subdivision.

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

1. The proposed setback reduction is consistent with standards for development within the PR (Planned Residential) Zone and all other requirements of the Zoning Ordinances.
2. The request 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.

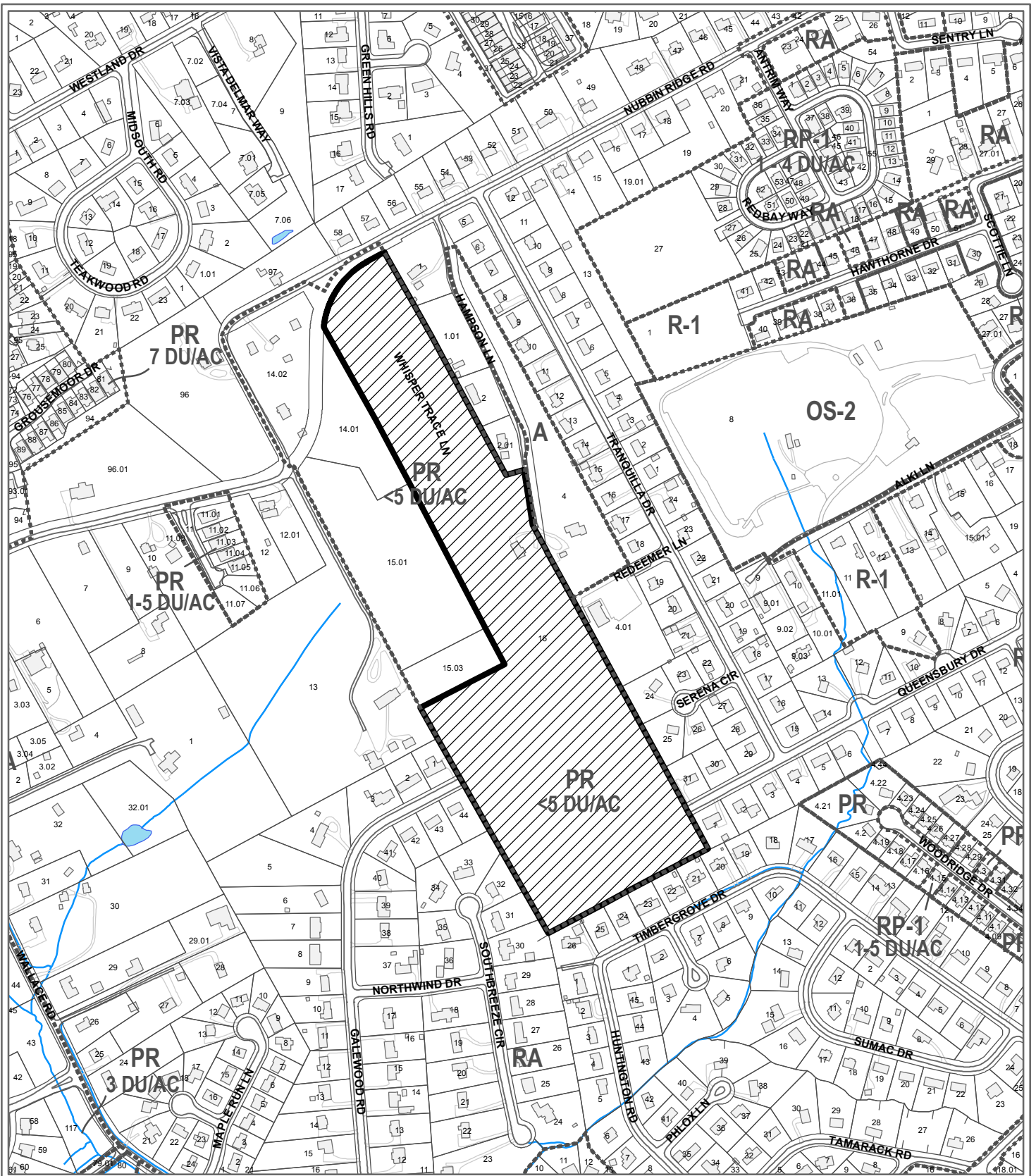
#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan designates this property for low density residential uses. With the requested setback reduction, the subdivision remains 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 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-B-12-UR  
USE ON REVIEW**



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

Original Print Date: 4/17/2012      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Testerman, Sr., Bryan E.

Map No: 133  
Jurisdiction: County

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