

▶ **FILE #:** 7-B-15-UR

**AGENDA ITEM #:** 50

**AGENDA DATE:** 7/9/2015

▶ **APPLICANT:** **ROBERT G. CAMPBELL & ASSOCIATES**

OWNER(S): Chad Turner

TAX ID NUMBER: 37 O C 001

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 7928 Bernstein Ln

▶ **LOCATION:** **Northeast side of Bernstein Ln., southeast side of Greenwell Dr.**

▶ **APPX. SIZE OF TRACT:** **23345 square feet**

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

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

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

▶ **EXISTING LAND USE:** **Vacant**

▶ **PROPOSED USE:** **Reduction of periphery boundary setback from 35' to 30'**

2.19 du/ac

HISTORY OF ZONING: Property zoned PR@ 2.3 du/ac (Planned Residential) in 2002 (6-M-02-RZ)

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / A agricultural

South: Detached dwellings / PR residential

East: Detached dwellings / A agricultural

West: Detached dwellings / PR residential

NEIGHBORHOOD CONTEXT: The site is located in Bryson Place Subdivision. It is surrounded by detached dwellings that have been developed in the PR (Planned Residential) or A (Agricultural) zones.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request to reduce the peripheral boundary setback from 35' to 30' along the eastern boundary of parcel 037OC001 (lot 1) as shown on the site plan subject to 3 conditions**

1. Meeting all other 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 other requirements of the previously approved concept plan (7-SB-02-C) and use on review (7-G-02-UR)

With the conditions this request meets the requirements of the PR zone and the other criteria for approval of a use on review.

**COMMENTS:**

The Bryson Place Subdivision contains 20 lots on 9.13 acrea. The Planning Commission approved the concept plan and use on review for this project in 2002. At that time the applicant proposed to provide the required 35' peripheral boundary setback. Most of the lots in the subdivision have had houses built on them. The lot that is the subject of this request has two drainage easements and a utility easement that cross the site. Due to the constraints caused by these easements, the applicant is finding it difficult to fit the desired floor plan on the lot in question and still meet the required setback. The presence of these easements will require the house be pushed back from the front of the lot. When adjoining another residential or agriculturally zoned area, MPC has the authority to reduce the peripheral boundary setback down to as little as 15'.

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

1. The proposed setback reduction will have minimal impact on local services since utilities are available to serve this site.
2. The proposed residential subdivision at a density of 2.19 du/ac, is consistent in use and density with the zoning of the property and with the density of other developed property in the area.

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

1. The proposal meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed development 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.

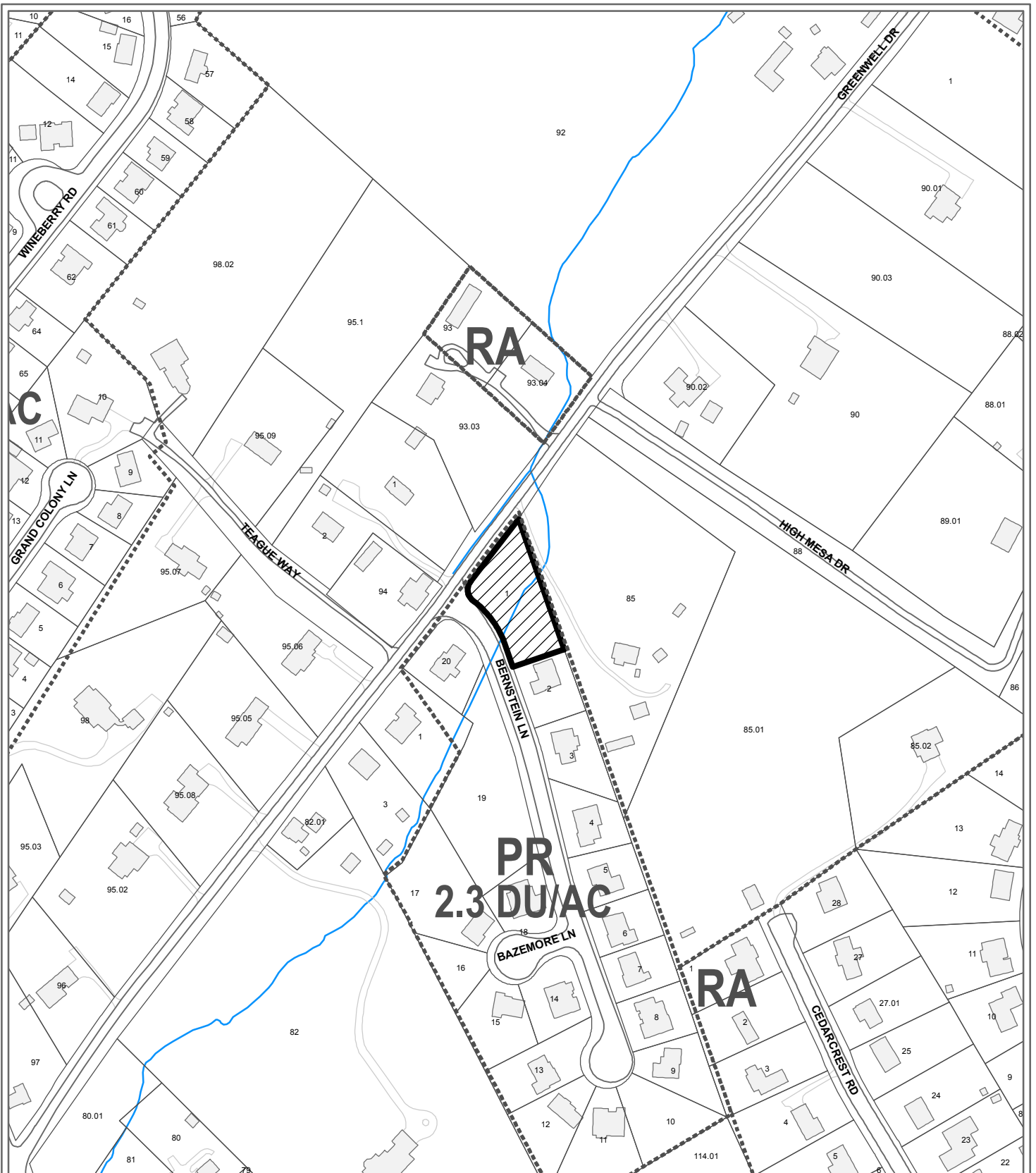
**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The North County Sector Plan designates this property for low density residential use. The proposed development will be consistent with the current Sector Plan designation..
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

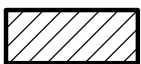
ESTIMATED TRAFFIC IMPACT: Not required.

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.



**7-B-15-UR  
USE ON REVIEW**



Reduction of periphery boundary setback from 35' to 30' in PR (Planned Residential)

Original Print Date: 6/24/2015  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Robert G. Campbell & Associates

Map No: 37

Jurisdiction: County



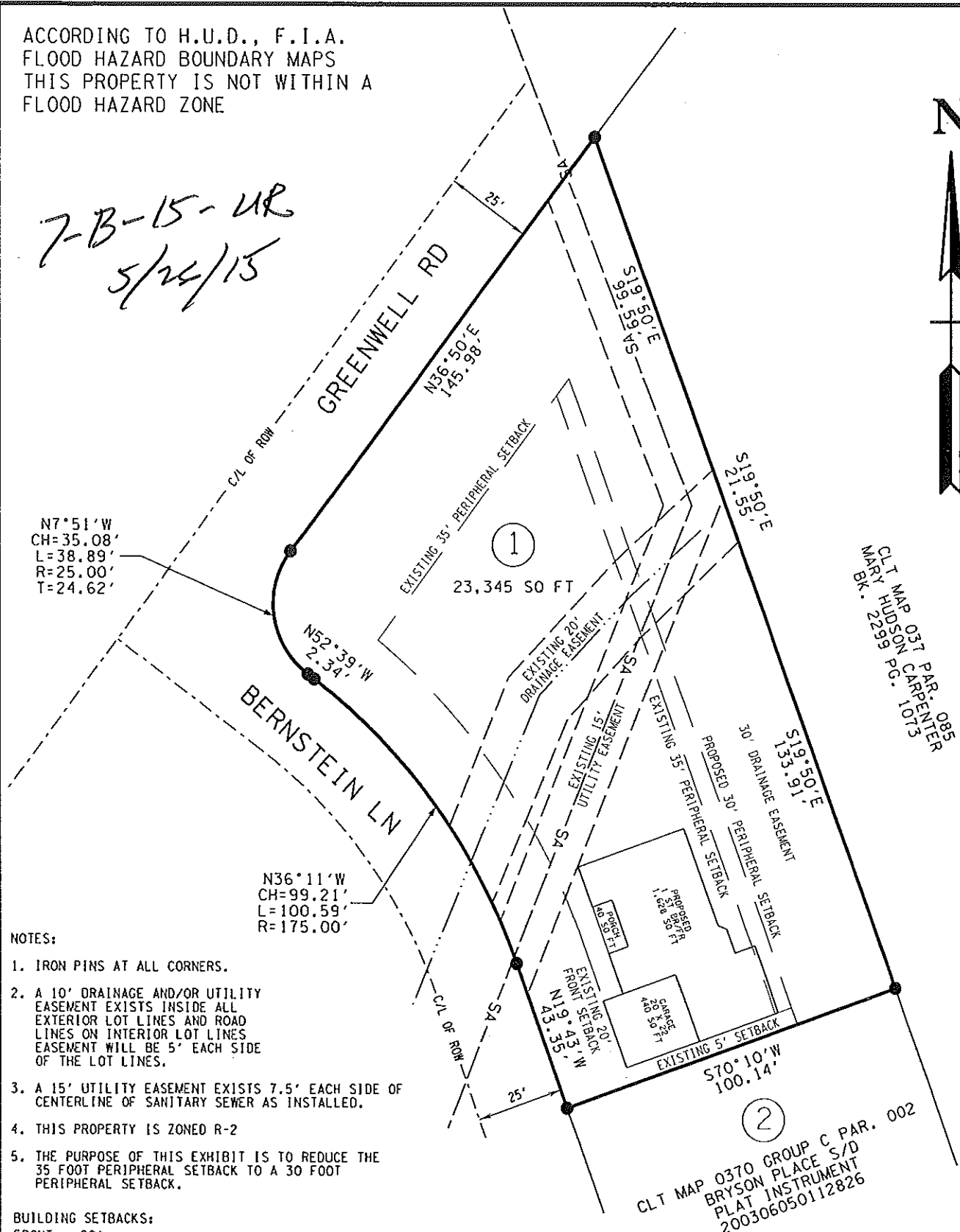
ACCORDING TO H.U.D., F.I.A.  
 FLOOD HAZARD BOUNDARY MAPS  
 THIS PROPERTY IS NOT WITHIN A  
 FLOOD HAZARD ZONE

7-B-15-UR  
 5/24/15



MAGNETIC COMPASS BEARING  
 12-17-01

CLT MAP 037 PAR. 085  
 MAP BY HUDSON CARPENTER  
 B.K. 22999 PG. 1073



N7°51'W  
 CH=35.08'  
 L=38.89'  
 R=25.00'  
 T=24.62'

BERNSTEIN LN

N36°11'W  
 CH=99.21'  
 L=100.59'  
 R=175.00'

NOTES:

1. IRON PINS AT ALL CORNERS.
2. A 10' DRAINAGE AND/OR UTILITY EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES ON INTERIOR LOT LINES EASEMENT WILL BE 5' EACH SIDE OF THE LOT LINES.
3. A 15' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
4. THIS PROPERTY IS ZONED R-2
5. THE PURPOSE OF THIS EXHIBIT IS TO REDUCE THE 35 FOOT PERIPHERAL SETBACK TO A 30 FOOT PERIPHERAL SETBACK.


BUILDING SETBACKS:

FRONT - 20'  
 REAR - 25' UNLESS 35' (REQUESTED TO BE REDUCED TO 30') PERIPHERAL APPLIES  
 SIDE - 5'

THIS SURVEY IS NOT A GENERAL  
 PROPERTY SURVEY AS DEFINED  
 UNDER RULE 0820-3-07

CLT MAP 0370 GROUP C PAR. 002  
 BRYSON PLACE S/D  
 PLAT INSTRUMENT  
 200306050112826

ADDRESS: 7928 BERNSTEIN LN  
 C.L.T. MAP 0370 GROUP C PARCEL 001  
 PLAT INSTRUMENT NO. 200306050112826

 <b>ROBERT G. CAMPBELL &amp; ASSOC., L.P.</b>		<b>USE ON REVIEW EXHIBIT          LOT 1 BRYSON PLACE</b>		<b>PROPERTY OF          CHAD TURNER</b>	
<b>SCALE:</b> 1"=40'	<b>DATE</b> 05-26-2014	<b>DIST. NO. SIX</b> KNOX CO. TN	<b>PROJ. NO.</b> 02041	<b>DEED INSTRUMENT</b> 200809290021753	