

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

▶ **FILE #:** 8-L-16-UR

AGENDA ITEM #: 38

AGENDA DATE: 8/11/2016

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.

OWNER(S): Buzz Goss

TAX ID NUMBER: 94 M E 021

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 802 W. Hill Ave.

▶ **LOCATION:** South side of W. Hill Ave., east of Maplehurst Ct.

▶ **APPX. SIZE OF TRACT:** 6304 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is W. Hill Ave., a local street with a pavement width of 30' within a 40' wide right-of-way

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **ZONING:** R-3 (High Density Residential)

▶ **EXISTING LAND USE:** Duplex

▶ **PROPOSED USE:** Attached houses on individual lots

HISTORY OF ZONING: none noted

SURROUNDING LAND USE AND ZONING: North: Church Street United Methodist Church / R-3 / D-1 High Density Residential / Downtown Design Overlay

South: Apartments / R-3 High Density Residential

East: Maplehurst Inn Bed & Breakfast / R-3 High Density Residential

West: Apartments / R-3 High Density Residential

NEIGHBORHOOD CONTEXT: The site is located in Maplehurst which has been developed with detached dwellings that have been converted into multi-dwelling structures and apartment buildings that were built in the 1950s and 1960s. Church Street United Methodist Church is located across W. Hill Ave. from this site.

STAFF RECOMMENDATION:

▶ **APPROVE the attached houses as permitted in Article 5 Section 3 of the Knoxville Zoning Ordinance as shown on the site plan subject to 2 conditions**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance or obtaining any needed variances from the Knoxville Board of Zoning Appeals.
2. Establishing a homeowners association to provide for the maintenance of the exterior of the building and any other commonly used elements at this location

COMMENTS:

The applicant is proposing to subdivide an existing duplex so that each unit will sit on it's own lot. This will require that one boundary lines be established through the common wall between the units. In order to divide the property as proposed the applicant must get these units approved as "attached houses" as defined and regulated by the Knoxville Zoning Ordinance. The existing duplex does not meet all of the required standards for attached houses called for in the Zoning Ordinance. The applicant went before the Knoxville Board of Zoning Appeals on July 21, 2016 and obtained all of the variances needed in order to permit MPC to consider this request.

As noted earlier this site is located in Maplehurst. Development in the area is primarily apartments that are located in converted detached dwellings. More recently (1950s and 1960s) apartments buildings were built in the area. The conversion of this duplex into attached dwelling will not have any negative impact on the area. The request will allow each unit to be owned separately..

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

1. Public water and sewer utilities are available to serve the site.
2. The proposed attached housing will have no impact on the existing street system.
3. The proposed use is compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. With the recommended conditions, the proposed attached houses meets all requirements of the R-3 (High Density Residential) district and the criteria for approval of a use on review.
2. The proposed use is consistent with the general standards 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. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan proposes medium density residential uses for this property.. The proposed facility is consistent with the Sector Plan.
2. The site is located within the City on the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

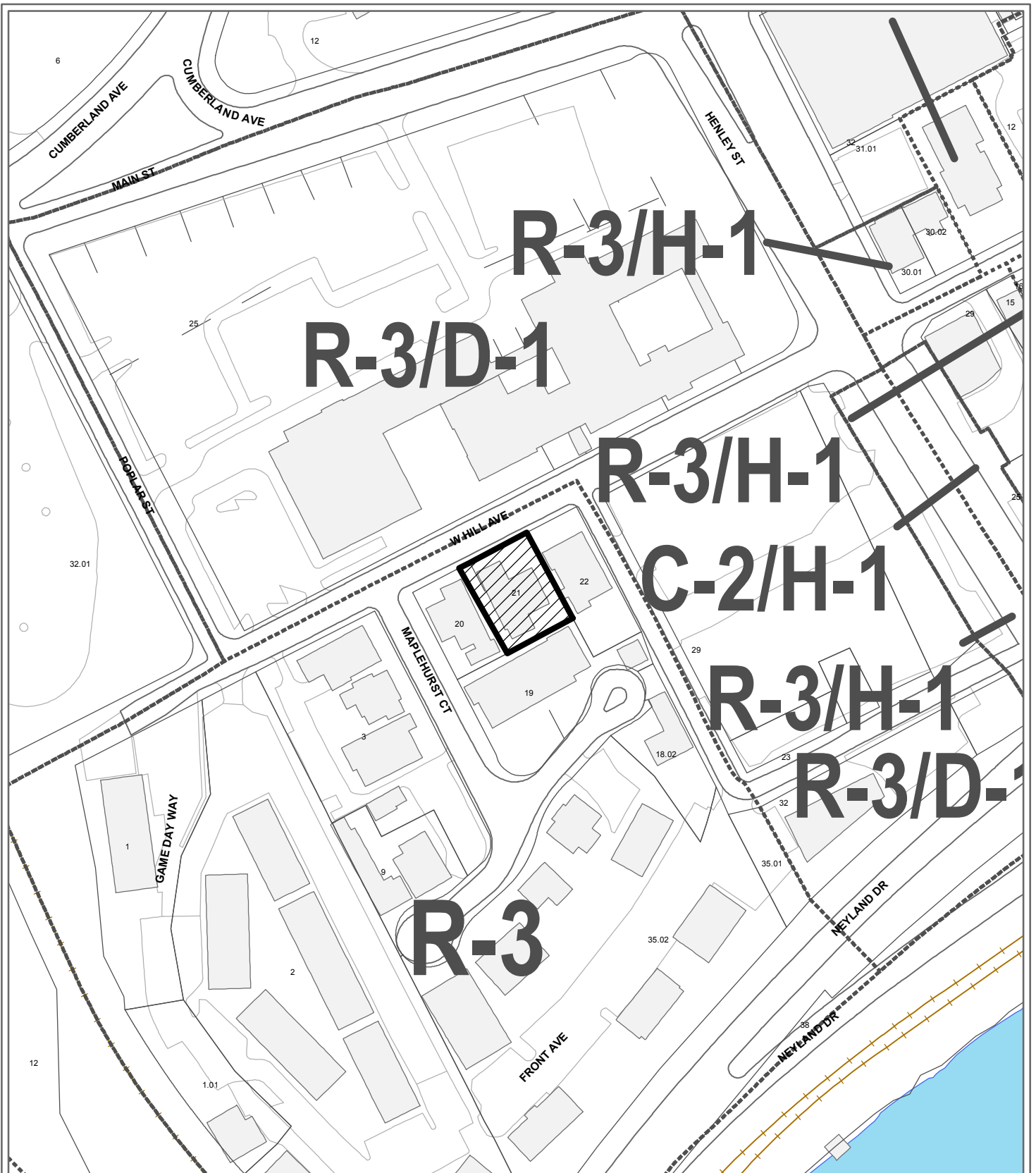
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: Sequoyah Elementary, South Doyle Middle, and Austin East High.

- 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 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.



**8-L-16-UR
USE ON REVIEW**



Residential redevelopment in R-3 (High Density Residential)

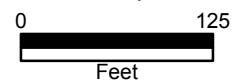
Original Print Date: 7/20/2016
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Benchmark Associates, Inc.

Map No: 94

Jurisdiction: City



CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION

(I, We) **MARBLE ALLEY DEVELOPMENT 2** the undersigned owner(s) of the property shown hereon, hereby certify that on (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I, we, us or) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.

State of Tennessee County of 2015
On this 06 day of 2015
Before me personally appeared _____

to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same on his free act and deed, witness my hand and notarial seal, this the day and year above.

Written _____
My commission expires _____

CERTIFICATION OF FINAL PLAT - CONSTRUCTION COMPLETE

I hereby certify that I am a surveyor, licensed to do surveying under the laws of the State of Tennessee. I further certify that this plan and accompanying drawings, documents, and statements conform to all applicable provisions of the Knoxville/Knox County Subdivision Repeal Act as has been amended, described and justified in a report filed with the Metropolitan Planning Commission on or before the date of the final plat. The indicated monuments were in place on the _____ day of _____ 2015.

Surveyor _____
Tennessee Certificate No. 1501 Date _____

CERTIFICATION OF CLASS AND ACCURACY OF SURVEY

I hereby certify that this is a category "1" survey and the ratio of precision of the undistorted survey is not less than 1:10,000 as shown hereon. Survey was done in compliance with current Tennessee Minimum Standards of Practice for the State of Tennessee.

Surveyor _____
Tennessee Certificate No. 1501 Date _____

ZONING

Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission as follows:

Zoning Shown on Official Map _____

DATE: _____ BY: _____

TAXES

This is to certify that all property taxes and assessments due on this property have been paid.

Signed _____ City Tax Clerk Date _____

Signed _____ Knox County Trustee Date _____

IN THE CITY OF KNOXVILLE AND SEVERED AREAS OF KNOX COUNTY

This is to certify that the subdivision shown hereon is approved subject to installation of sanitary sewers and treatment facilities and that such installation shall be in accordance with state and local regulations.

Date _____
Knox County Health Department _____

CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING

The Department of Engineering hereby approves this plat on this _____ day of _____ 20____

Engineering Director _____

ADMINISTRATIVE DEPARTMENT

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/Knox County Street Naming and Addressing Ordinance. The Administrative Rules of the Planning Commission and their regulations.

Signed _____ Date _____

CERTIFICATE OF APPROVAL FOR RECORDING - FINAL PLAT

This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and modifications noted on this plat and in the minutes of the Knoxville-Knox County Metropolitan Planning Commission, on this _____ day of _____ and that this record plat is hereby approved for recording in the office of the Knox County Register of Deeds.

Signed _____ Date _____

RESUBDIVISION PLAT of
**LOT 2 OF
MAPLEHURST PARK SUBDIVISION**

MPC FILE # XX-XX-XX-X

BEING LOCATED ON CLT MAP 094, INSERT M, GROUP E, PARCEL 021
SITUATED WITHIN THE FIRST CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE
WITHIN THE 6TH WARD OF THE CITY OF KNOXVILLE, TENNESSEE
CITY BLOCK 02080

NOTES

- SUBJECT PROPERTY STANDS IN THE NAME OF MARBLE ALLEY DEVELOPMENT 2, AND IS RECORDED IN DEED BOOK AS INSTRUMENT NO. 20150100033274, AND IS REPRESENTED AS LOT 2 AND A PORTION OF LOT 3 ON THE PLAT OF MAPLEHURST PARK SUBDIVISION, (AS DESCRIBED IN THE LATEST DEED OF RECORD), WHICH IS OF RECORD IN MAP BOOK 6, PAGE 38 (ALSO KNOWN AS PLAT CABINET A, SIDE 1923), AND BEING FURTHER REPRESENTED AS LOT 2 ON THE REVISED PLAT OF MAPLEHURST PARK SUBDIVISION, (THE LATEST PLAT OF RECORD), WHICH IS OF RECORD IN MAP BOOK 9, PAGE 129 (ALSO KNOWN AS PLAT CABINET A, SIDE 3148).
- THE PURPOSE OF THIS PLAT IS TO DIVIDE THE SUBJECT PROPERTY INTO TWO LOTS. NO PERMETER PROPERTY LINES WERE ALTERED BY THIS PLAT.
- PROPERTY IS SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH, NO TITLE WORK FURNISHED TO SURVEYOR PRIOR TO SURVEY.
- SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "X", BEING OUTSIDE THE 500 YEAR FLOOD ZONE, PER THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 47093C0283G, REVISION DATE AUGUST 5, 2013.
- SUBJECT PROPERTY IS ZONED R-3.
- THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DETERMINATION OR LOCATION OF ANY UNDERGROUND CONDITIONS NOT VISIBLE AND INCLUDING BUT NOT LIMITED TO, SOILS, GEOLOGICAL CONDITIONS, PHYSICAL DEVICES AND PIPELINES OR BURIED CABLES AND SHALL NOT BE RESPONSIBLE FOR ANY LIABILITY THAT MAY ARISE OUT OF THE MAKING OF OR FAILURE TO MAKE SUCH DETERMINATION OR LOCATION OF ANY SUBSURFACE CONDITION. FOR UNDERGROUND UTILITY LOCATION CALL B11 (IN ONE CALL).
- IRON PIN CORNER MARKERS AT ALL LOT CORNERS, UNLESS DESIGNATED OTHERWISE.
- A FIVE (5) FOOT UTILITY, DRAINAGE, AND CONSTRUCTION EASEMENT ON EACH SIDE OF INTERIOR LOT LINES, EXCEPT UNDER EXISTING BUILDINGS. A TEN (10) FOOT UTILITY DRAINAGE, AND CONSTRUCTION EASEMENT ON INSIDE OF ROAD RIGHTS-OF-WAY.
- ALL CORNERS OF THE SUBJECT PROPERTY ARE LOCATED GREATER THAN 200' FROM THE NEAREST CITY OF KNOXVILLE CONTROL MONUMENT.
- "TENNESSEE STATE PLANE" NORTH BASED ON CORS REFERENCE STATION EDK1, MAINTAINING COORDINATES OF N. 585371.8343, E. 2518030.8153, DISTANCES HAVE NOT BEEN REDUCED TO STATE PLANE GRID DISTANCES.

BZA VARIANCES REQUESTED

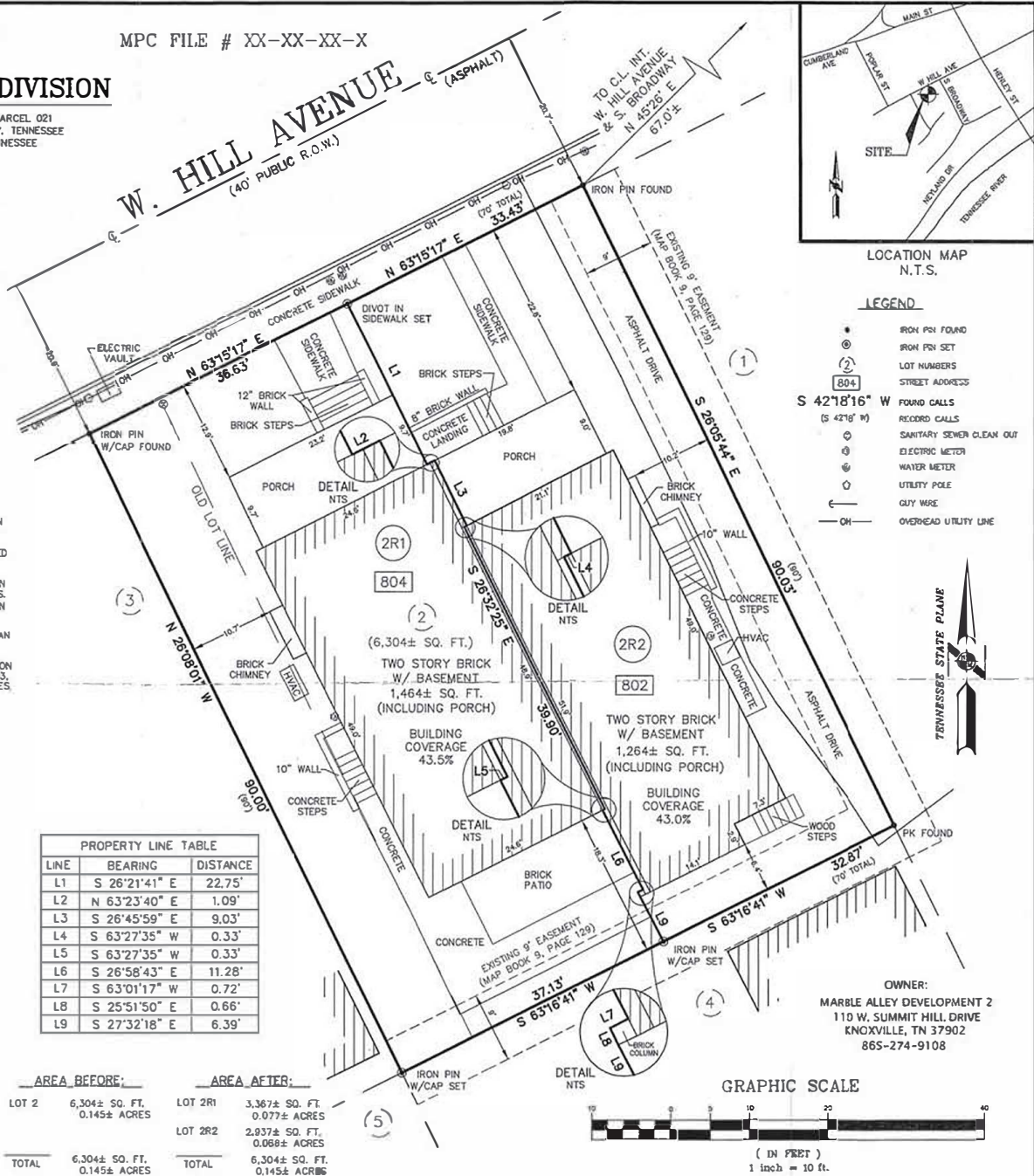
- LOT 2R1 (TWO-STORY SINGLE DWELLING UNIT)
 - REDUCE THE REQUIRED SETBACKS AS FOLLOWS:
FRONT--25' TO 12.5'
SIDE--12' TO 10.7' ON THE WESTERLY LOT LINE
12' TO 0' ON THE LINE COMMON TO LOTS 2R1 & 2R2
REAR--25' TO 18.3'
 - WAIVER OF REQUIRED MINIMUM LOT SIZE OF 5,000 SQ. FT.
 - WAIVER OF REQUIRED MAXIMUM BUILDING COVERAGE OF 30%.
 - WAIVER OF REQUIRED OFF-STREET PARKING AS REGULATED IN ARTICLE V, SECTION 7.
- LOT 2R2 (TWO-STORY SINGLE DWELLING UNIT)
 - REDUCE THE REQUIRED SETBACKS AS FOLLOWS:
FRONT--26' TO 22.4'
SIDE--12' TO 10.2' ON THE EASTERLY LOT LINE
12' TO 0' ON THE LINE COMMON TO LOTS 2R1 & 2R2
REAR--25' TO 6.4'
 - WAIVER OF REQUIRED MINIMUM LOT SIZE OF 5,000 SQ. FT.
 - WAIVER OF REQUIRED MAXIMUM BUILDING COVERAGE OF 30%.
 - WAIVER OF REQUIRED OFF-STREET PARKING AS REGULATED IN ARTICLE V, SECTION 7.

MPC VARIANCES REQUESTED

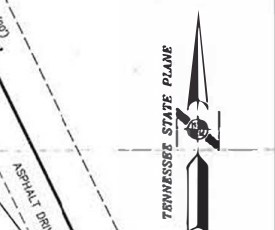
- REDUCE THE REQUIRED RIGHT-OF-WAY WIDTH FOR W. HILL AVENUE FROM TWENTY-FIVE FEET (25') FROM CENTERLINE TO TWENTY FEET (20').

LINE	BEARING	DISTANCE
L1	S 26°21'41" E	22.75'
L2	N 63°23'40" E	1.09'
L3	S 26°45'59" E	9.03'
L4	S 63°27'35" W	0.33'
L5	S 63°27'35" W	0.33'
L6	S 26°58'43" E	11.28'
L7	S 63°01'17" W	0.72'
L8	S 25°51'50" E	0.66'
L9	S 27°32'18" E	6.39'

AREA BEFORE:		AREA AFTER:	
LOT 2	6,304± SQ. FT. 0.145± ACRES	LOT 2R1	3,367± SQ. FT. 0.077± ACRES
		LOT 2R2	2,937± SQ. FT. 0.068± ACRES
TOTAL	6,304± SQ. FT. 0.145± ACRES	TOTAL	6,304± SQ. FT. 0.145± ACRES



- LEGEND**
- IRON PIN FOUND
 - IRON PIN SET
 - LOT NUMBERS
 - STREET ADDRESS
 - FOUND CALLS
 - RECORD CALLS
 - SANITARY SEWER CLEAN OUT
 - ELECTRIC METER
 - WATER METER
 - UTILITY POLE
 - CITY WIRE
 - OVERHEAD UTILITY LINE



OWNER:
MARBLE ALLEY DEVELOPMENT 2
110 W. SUMMIT HILL DRIVE
KNOXVILLE, TN 37902
865-274-9108



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BENCHMARK ASSOCIATES, INC.
10308 Hardin Valley Road
Knoxville, Tennessee 37932
Land Planners ♦ Land Surveyors
Phone (865) 692-4090
Facsimile (865) 692-4091

RESUBDIVISION PLAT OF LOT 2 OF
MAPLEHURST PARK SUBDIVISION
802 & 804 W. HILL AVENUE
KNOXVILLE, TENNESSEE 37902
8-4-16-UR
6/30/16

RESUBDIVISION PLAT
DATE: 27 JUNE 2016
SCALE: 1" = 10'
DRAWN BY: DCB
FILE NAME: 16111RESUB
1 of 1