

▶ **FILE #:** 1-F-16-UR

**AGENDA ITEM #:** 42

**AGENDA DATE:** 1/14/2016

▶ **APPLICANT:** AMY BUNCH

OWNER(S): Brittany Smith

TAX ID NUMBER: 103 081

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 10804 Sam Lee Rd

▶ **LOCATION:** South side of Sam Lee Rd., west of Solway Rd.

▶ **APPX. SIZE OF TRACT:** 0.43 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Sam Lee Rd., a major collector street with 18' of pavement within 50' right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: TDS Telecom - Halls

WATERSHED: Beaver Creek

▶ **ZONING:** BP (Business and Technology) / TO (Technology Overlay)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Single family dwelling

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING:

North: Vacant / A (Agricultural) and TO (Technology Overlay)

South: Vacant and Apartments / BP (Business and Technology Park) and TO (Technology Overlay)

East: Vacant / BP (Business and Technology Park) and TO (Technology Overlay)

West: Vacant and Detached dwellings / A (Agricultural), PR (Planned Residential) and TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: Property in the area is zoned A, BP, OB, and PR, with the Technology Overlay (TO). Development in the area consists of apartments and Pellissippi State Community College to the south. There is vacant land to the north and a detached residential subdivision was recently approved to the west of the site.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a detached dwelling on an individual lot as identified on the site plan subject to 3 conditions.**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

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

With the conditions noted this plan meets the requirements for approval in the BP/TO zone and the other criteria for approval of a Use on Review.

**COMMENTS:**

The applicant is requesting approval for a detached dwelling on an irregularly shaped lot. In the BP zone, houses may be permitted by the Metropolitan Planning Commission as a use-on-review and the dimensional requirements are based on the A (Agricultural) zone. The proposed house can meet the front and side setback requirements but not rear setback, which is required to be 35' and is proposed to be 30'. This lot has been determined to be a lot of record, which means a variance may not be required for the rear setback if the building inspector determines the plan is conforming as closely as possible to dimensional requirements of the zoning ordinance.

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

1. All utilities are in place to serve this site.
2. The proposed development is similar in density to other residential development in the area.
3. To the rear of the property is a large wooded, vacant lot. The majority of this property is at a higher elevation than the subject site so the rear setback reduction should not negatively effect the property to the rear.

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

1. With the recommended conditions, the proposal meets all requirements of the BP zoning as well as the general criteria for approval of a use-on-review.
2. The proposed house is consistent with the following 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 an unsuitable environment for the proposed use.

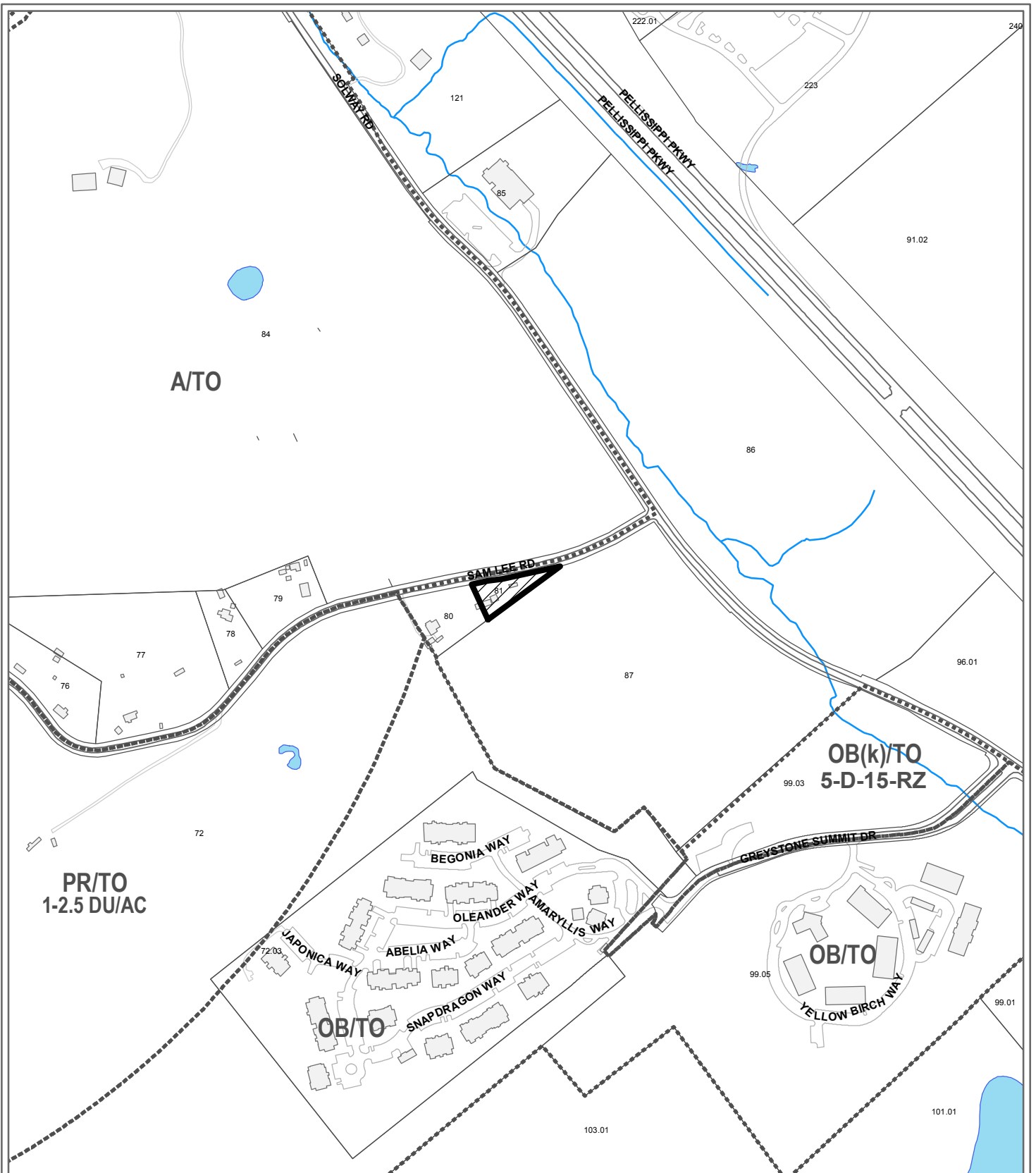
**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northwest County Sector Plan designates the property as Right-of-Way (ROW), however, this was for the proposed State Route 475 which is no longer being considered for construction. The Mixed Use Special Districts to the north and south of the property both allow consideration of low density residential uses and this site would presumably be included within one of those if not designated ROW.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

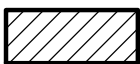
ESTIMATED TRAFFIC IMPACT: Not required.

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.



**1-F-16-UR  
USE ON REVIEW**



Single family dwelling in BP (Business and Technology) / TO (Technology Overlay)

Petitioner: Bunch, Amy

Map No: 103

Jurisdiction: County



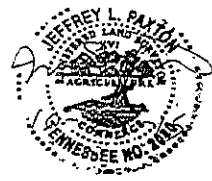
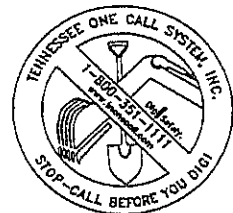
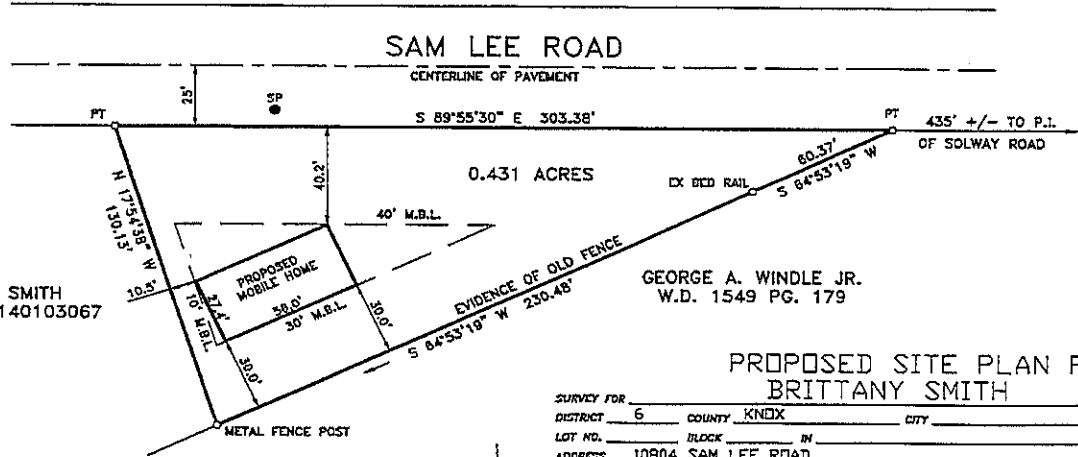
Original Print Date: 12/29/2015

Revised:

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**NOTES:**  
 1.) SUBJECT TO EASEMENTS OR RIGHTS-OF-WAYS, OR CLAIMS OF EASEMENTS OR RIGHT-OF-WAYS, NOT SHOWN BY THE PUBLIC RECORDS.  
 2.) EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.  
 3.) PROPERTY IS ZONED:  
 PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS, PLANNING COMMISSION REGULATIONS, ZONING ORDINANCES, RIGHTS-OF-WAY, EASEMENTS, AND BUILDING SETBACK REQUIREMENTS, IF ANY, AFFECTING SAID PROPERTY.

**NOTE:**  
 1.) THE UNDERGROUND UTILITIES SHOWN, IF ANY, HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.  
 THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. VERIFY EXACT SIZE AND LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES WITH THE PROPER LOCAL AUTHORITIES BEFORE EXCAVATION OR CONSTRUCTION.



**PROPOSED SITE PLAN FOR BRITTANY SMITH**

SURVEY FOR \_\_\_\_\_  
 DISTRICT 6 COUNTY KNOX CITY \_\_\_\_\_ WARD \_\_\_\_\_ STATE TN  
 LOT NO. \_\_\_\_\_ BLOCK \_\_\_\_\_ IN \_\_\_\_\_  
 ADDRESS 10804 SAM LEE ROAD  
 WARRANTY DEED BK. 1497 PAGE 277 WARRANTY DEED INSTRUMENT No. \_\_\_\_\_  
 TAX MAP 103 GROUP \_\_\_\_\_ PARCEL 081.00 PLAT INSTRUMENT No. \_\_\_\_\_  
 MORTGAGE CO. \_\_\_\_\_ TITLE CO. \_\_\_\_\_  
 MORTGAGE CO. No. \_\_\_\_\_  
 BEARING BASE MAGNETIC  
 SCALE 1" = 40'  
 MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 MAP CAR. \_\_\_\_\_ SLIDE \_\_\_\_\_  
 CITY BLOCK No. \_\_\_\_\_

**PAXTON LAND SURVEYING**  
 Serving East Tennessee  
 Jeffrey L. Paxton RLS 2030  
 10317 Asheville Highway  
 Strawberry Plains, TN 37221  
 PH: (615) 523-8129  
 FAX: (615) 738-4592  
 EMAIL: RLS@PAXTONLANDSURVEYING.COM

TITLE CO. No. \_\_\_\_\_  
 ALTA INC. No. \_\_\_\_\_  
 DATE 10-28-15  
 CENSUS TRACT No. 59.07  
 DRAWN BY JLP  
 PLS Drawing No. 166-15



I DO HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF ERROR OF THE UNADJUSTED SURVEY IS NOT GREATER THAN 1 IN 10,000 AS SHOWN HEREON.  
 THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP AND FOUND THE DESCRIBED NOT TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA.

1-F-16-UR