

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

▶ **FILE #:** 5-I-17-UR

AGENDA ITEM #: 55

AGENDA DATE: 5/11/2017

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

OWNER(S): Hughston Homes of TN, LLC

TAX ID NUMBER: 118 F F 001-004, 047-050

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 802 Festival Ln

▶ **LOCATION:** East and west sides of Festival Ln, north of Dutchtown Rd.

▶ **APPX. SIZE OF TRACT:** 51220 square feet

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dutchtown Rd., a minor arterial street with 38' of pavement width within 70' of right-of-way, and Festival Ln., a local street with 26' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: TDS Telecom - Halls

WATERSHED: Turkey Creek

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Peripheral setback reduction from 25' to 20' and front setback reduction from 20' to 15'

HISTORY OF ZONING: Property was rezoned in 2015 from BP and A to PR up to 5 du/ac (9-D-15-RZ)

SURROUNDING LAND USE AND ZONING: North: Houses / PR (Planned Residential)

South: Church / A-1 (Agricultural)

East: House / PR (Planned Residential)

West: Houses / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area is primarily developed with low density, detached residential uses under A, RA and PR zoning. A church is located to the south, across Dutchtown Rd., in the A-1 zone.

STAFF RECOMMENDATION:

▶ **APPROVE** the request of 15-foot front setback along Festival Ln. for lots 1-4 & 47-49, and reduction of peripheral setback as requested from 25' to 20', subject to 2 conditions. **DENY** the request for 15-foot front setback for lot 50 based on the following:

Planning Commission Staff's recommended condition of APPROVAL:

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) Houses constructed closer than 20' to the front property must have a garage that can fit a minimum 2 cars.

Planning Commission Staff's reason for DENIAL of the front setback reduction for lot 50:

1) The reduced front setback would infringe on a 20' drainage easement along the front property line that is necessary for the development.

With the conditions noted, this plan meets the requirements for approval in the PR zoning district and the other criteria for approval of a use-on-review.

COMMENTS:

The setback reductions have been requested because the subject lots are small and in some cases constricted by easements. The houses will include a 2-car garage, which will satisfy the required off-street parking. Staff supports the requested peripheral setback reduction to 20' because the property to the east is also zoned PR and was included as part of the same 2015 rezoning to PR for the property that includes the Dutchtown Woods subdivision (9-D-15-RZ), and the properties to the west have deeper than normal lots for their subdivision because they front along a curve Oak Haven Rd.

The submitted plan sheet with the orange and green setbacks highlighted, represents the difference between the existing setbacks (orange) and the proposed setbacks (green). This plan also shows typical house footprints that the developer constructing in this neighborhood. As it can be seen, some of the lots will require alternative house plans with different footprints in order to fit within the proposed setbacks, particularly Lot 50 which has several easements creating an odd shaped buildable area. Lot 50 will also be constrained by a catch basin in front of the property which will require the driveway to be located on the south side of the lot.

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

1. The proposed 15' front yard setback (excluding Lot 50) will not have a substantive impact on the Dutchtown Woods subdivision or broader community since each house will have a 2-car garage, if approved as recommended by Staff.

2. The applicant has requested a peripheral setback reduction from 25' to 20' for the 8 lots listed in the application. Staff supports the requested peripheral setback reduction to 20' for these specific lots because the property to the east is also zoned PR and was included as part of the same 2015 rezoning to PR rezoning for the property that includes the Dutchtown Woods subdivision (9-D-15-RZ), and the properties to the west have deeper than normal lots for their subdivision because they front along a curve Oak Haven Rd.

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

1. With the recommended conditions, the proposed setbacks for the specified lots are consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.

2. The development 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 will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since it does not increase the number of lots.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

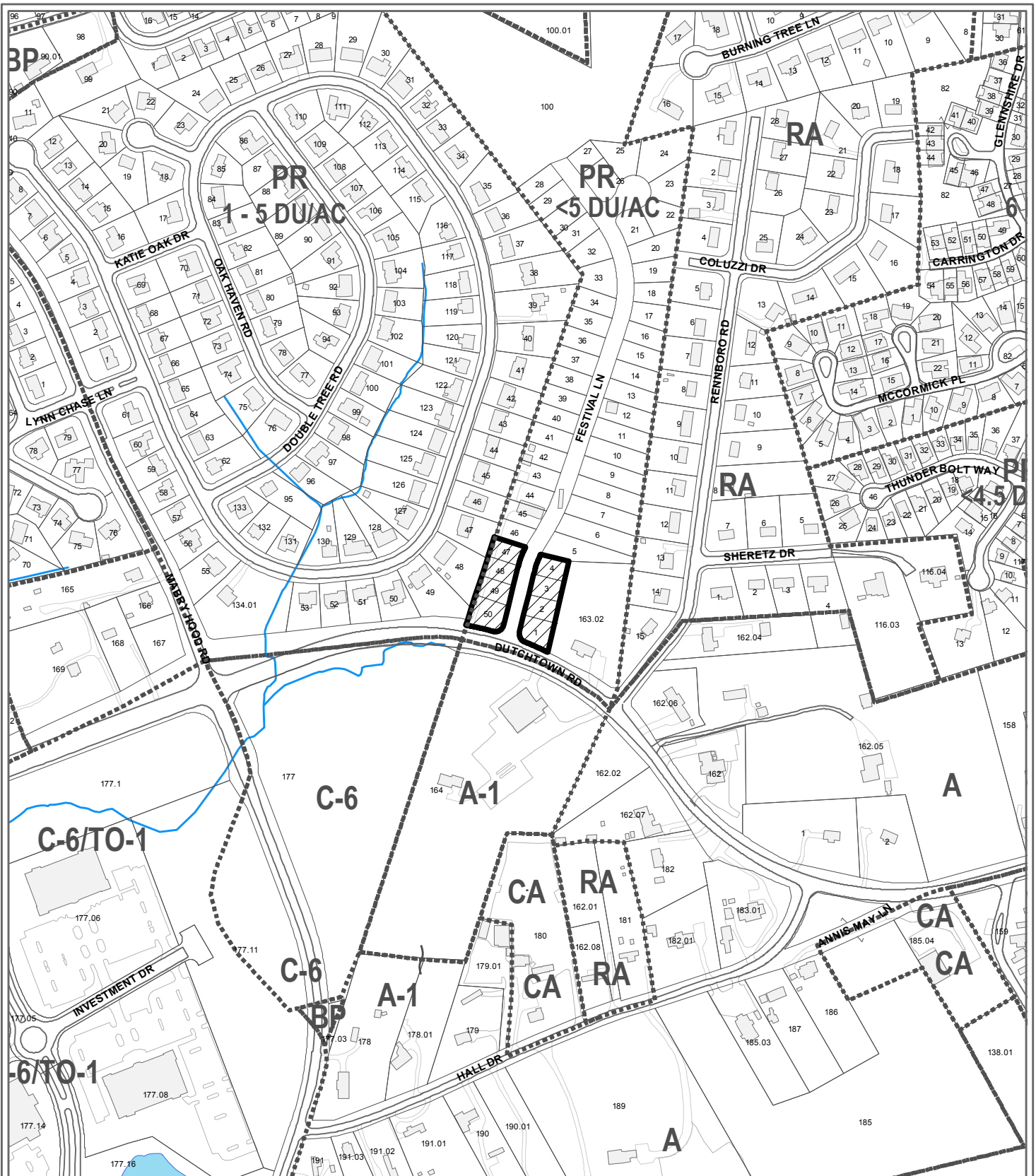
1. The Northwest County Sector Plan proposes low density residential development for this site. The proposed development is consistent with the sector plan.

2. This 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.



**5-I-17-UR
USE ON REVIEW**



Peripheral setback reduction from 25' to 20' and front setback reduction from 20' to 15' in PR (Planned Residential)

Petitioner: Benchmark Associates, Inc.

Map No: 118

Jurisdiction: County



Original Print Date: 4/18/2017

Revised:

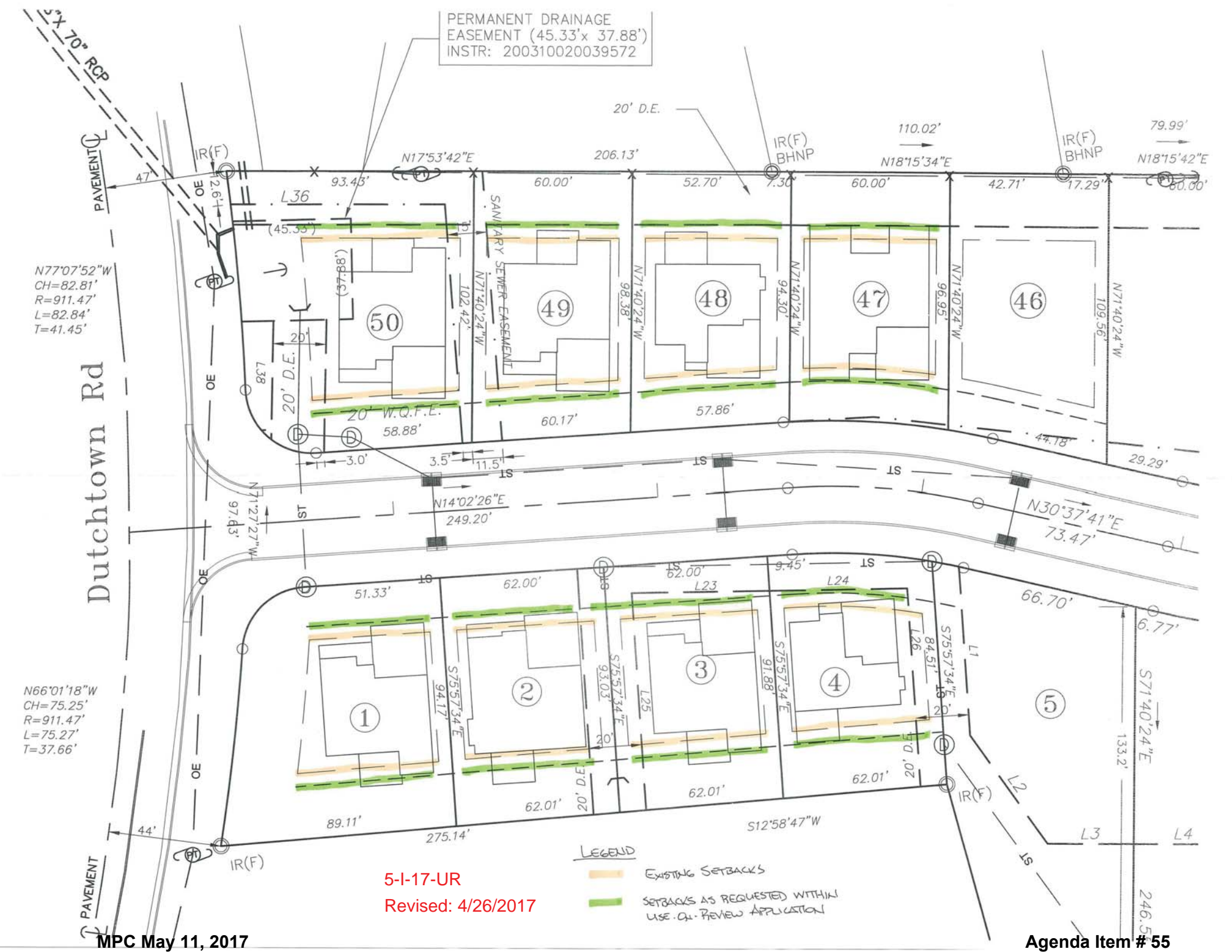
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

PERMANENT DRAINAGE
EASEMENT (45.33'x 37.88')
INSTR: 200310020039572

N77°07'52"W
CH=82.81'
R=911.47'
L=82.84'
T=41.45'

N66°01'18"W
CH=75.25'
R=911.47'
L=75.27'
T=37.66'

Dutchtown Rd



LEGEND

- EXISTING SETBACKS
- SETBACKS AS REQUESTED WITHIN USE-OF-GROUND REVIEW APPLICATION

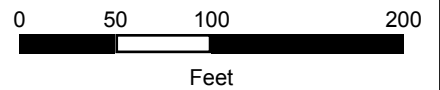
5-I-17-UR
Revised: 4/26/2017

MPC May 11, 2017

Agenda Item # 55



5-I-17-UR
 Dutchtown Woods, Lots 1-4 & 47-50



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Use on Review **Development Plan**

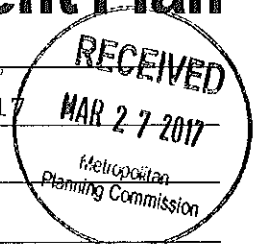
Name of Applicant: Benchmark Associates, Inc.

Date Filed: 27 March 2017 Meeting Date: 11 May 2017

Application Accepted by: Brousseau

Fee Amount: _____ File Number: Development Plan

Fee Amount: \$450 File Number: Use on Review 5-I-17-UR



PROPERTY INFORMATION

Address: 802-815 Festival Lane

General Location: N. of Dutchtown Road & each side of first 275' of Festival Ln.

Tract Size: 51,220 sq. ft. No. of Units: _____

Zoning District: PR <5 DU/Acre

Existing Land Use: Residential

Planning Sector: Northwest County

Sector Plan Proposed Land Use Classification: LDR

Growth Policy Plan Designation: Planned Growth

Census Tract: 46.11

Traffic Zone: 249

Parcel ID Number(s): 118FF001-004, 047-050

Jurisdiction: City Council _____ District
 County Commission 6th District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: Jack Hughston

Company: Hughston Homes of TN, LLC

Address: 8219 North Crossing Court

City: Fortson State: GA Zip: 31808

Telephone: (706) 568-7650

Fax: (706) 536-3433

E-mail: jackhughston@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Benjamin J. Moorman

Company: Benchmark Associates, Inc.

Address: PO Box 23892

City: Knoxville State: TN Zip: 37933

Telephone: 865-692-4090

Fax: 865-692-4091

E-mail: bmoorman@benchmark-assoc.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation) _____

Other (Be Specific)

Peripheral Setbacks reduced from 25' to 20' and Front Setbacks reduced from 20' to 15'.

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: _____

PLEASE PRINT
Name: Benjamin J. Moorman

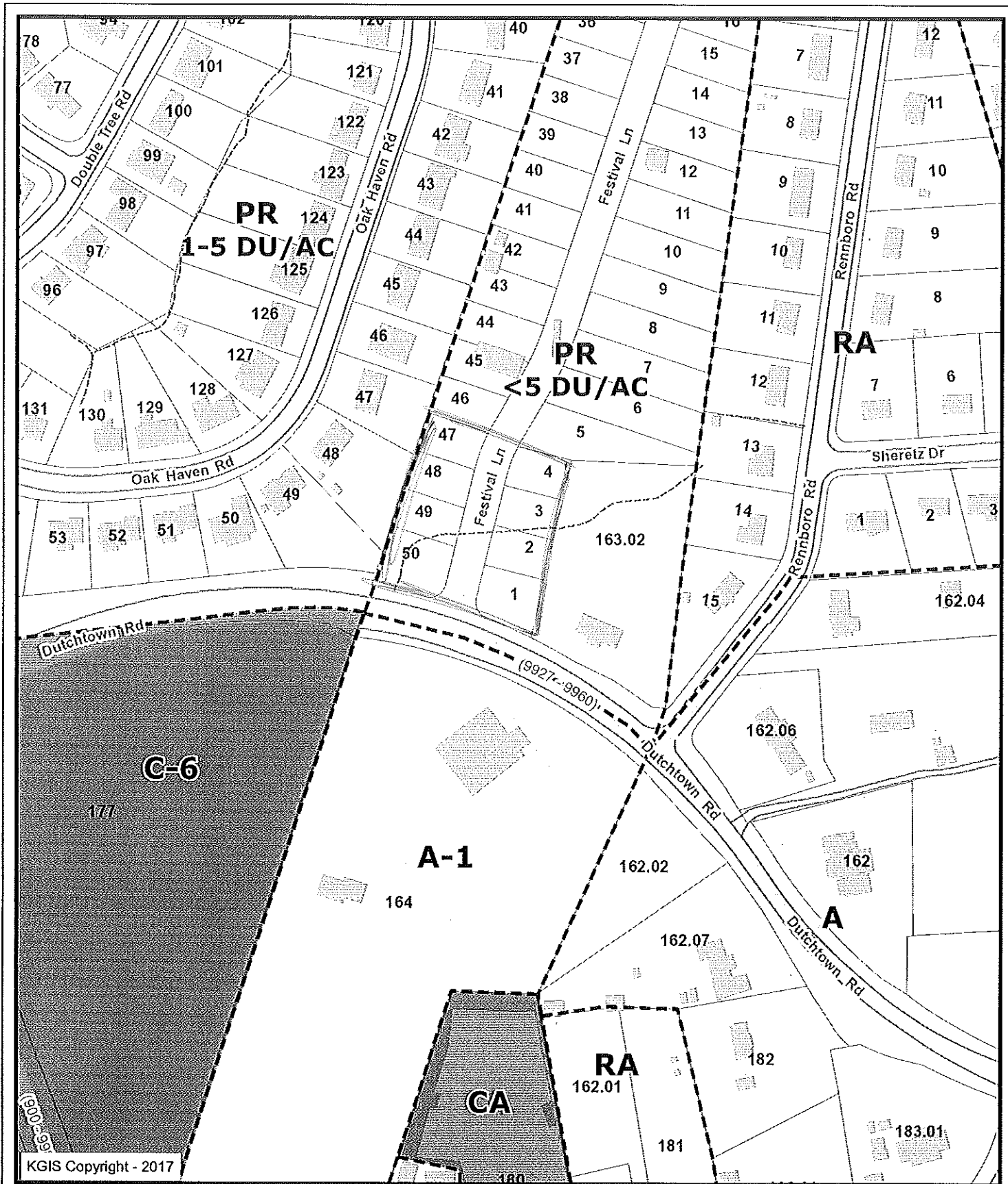
Company: Benchmark Associates, Inc.

Address: PO Box 23892

City: Knoxville State: TN Zip: 37933

Telephone: 865-692-4090

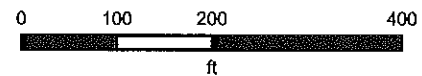
E-mail: bmoorman@benchmark-assoc.com



Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



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