

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

▶ **FILE #:** 6-E-18-UR

AGENDA ITEM #: 56

AGENDA DATE: 6/14/2018

▶ **APPLICANT:** DAVE WILKINSON

OWNER(S): Dave Wilkinson

TAX ID NUMBER: 133 F B 007, 009 AND 010

[View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 0 Nubbin Ridge Rd

▶ **LOCATION:** South side of Nubbin Ridge Rd., east of Wallace Rd.

▶ **APPX. SIZE OF TRACT:** 5.03 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 19' of pavement width within 65' of 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:** Vacant land

▶ **PROPOSED USE:** Reduction of the rear yard setback to 10 feet for proposed Lots 10 and 11

3.08 du/ac

HISTORY OF ZONING: The property was rezoned to PR (Planned Residential) with a density of up to 4 du/ac by Knox County Commission on July 24, 2017

SURROUNDING LAND USE AND ZONING: North: Residence and vacant land - RA (Low Density Residential)

South: Residence and vacant land - RA (Low Density Residential)

East: Residences - PR (Planned Residential)

West: Vacant land and residence - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: The site is located in an area along Nubbin Ridge Rd. that includes a mix of rural and low density residential development under A (Agricultural), RA (Low Density Residential) and PR (Planned Residential) zoning.

STAFF RECOMMENDATION:

▶ **APPROVE** the request to reduce the rear yard setback for proposed Lots 10 and 11 from 15' to 10' along the lot line that borders the common area/detention basin, subject to 2 conditions.

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

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) zone and the other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval to reduce the rear yard setback for proposed Lots 10 and 11 from 15' to 10' along the lot line that borders the common area/detention basin located at the southeast corner of the subdivision. The access easement to the detention basin restricts the buildable area on proposed Lot 10.

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

1. The reduced rear yard setback along this common area property line should not have a negative impact on this property or the residential development located to the east.

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

1. The proposal meets all requirements of the PR zoning as well as the general criteria for approval of a use on review.
2. The recommended rear yard setback for the two lots 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 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 PLANS

1. The West City Sector Plan designates this property for low density residential uses with a maximum density of 5 du/ac. At a proposed density of 3.08 du/ac, the proposed subdivision is 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: 192 (average daily vehicle trips)

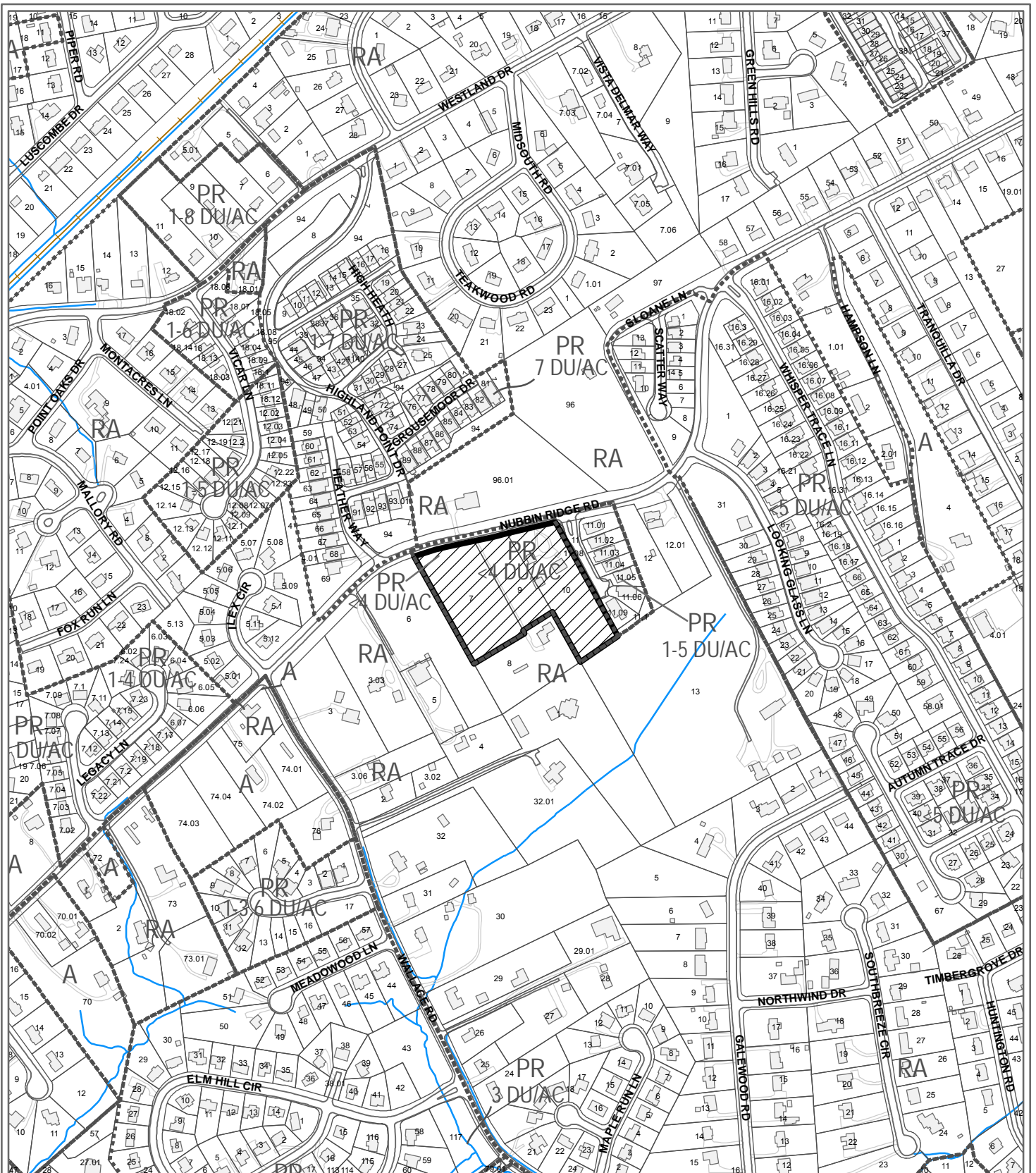
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 6 (public school children, ages 5-18 years)

Schools affected by this proposal: Rocky Hill Elementary, Bearden Middle, and West High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- 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.

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.



**6-E-18-UR
USE ON REVIEW**



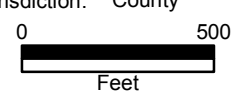
Reduction of rear yard setback to 0 feet for Lots 10 and 11 in PR (Planned Residential)

Original Print Date: 5/14/2018
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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

Petitioner: Wilkinson, Dave

Map No: 133
Jurisdiction: County



NOTES:

1. THE LOCATION OF UNDERGROUND UTILITIES WAS NOT VERIFIED BY EXCAVATION AND SHOULD BE VERIFIED BY THE PROPER UTILITY AUTHORITY AS NECESSARY.
2. UTILITY AND DRAINAGE EASEMENTS OF 10 FT. IN WIDTH INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY INCLUDING JOINT PERMANENT EASEMENTS, EASEMENTS OF FIVE (5) FT. IN WIDTH ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES.
3. THIS PROPERTY IS NOT LOCATED WITHIN THE FLOOD PLAIN.
4. THIS PROPERTY IS ZONED RFR, PLANNED RESIDENTIAL FOR SINGLE-FAMILY DETACHED: FRONT SETBACK: 30 FT. SIDE YARD: 5 FT. REAR YARD: 15 FT., UNLESS CONTROLLED BY PERIPHERAL SETBACK OR USE-ON-REVIEW APPROVAL PERIPHERAL SETBACK (AS SHOWN, SEE NOTE 7)

INSPECTION OF COMPLETED STREETS AND RELATED IMPROVEMENTS:

I, the undersigned, hereby certify this subdivision has been inspected and all streets and related improvements have been completed in a manner that meets all city standards and specifications and have been officially accepted as built by the appropriate officials(s).

SIGNED: _____ DATE: _____
TITLE: _____
DEPT.: _____

GUARANTEE OF COMPLETION OF STREETS AND RELATED IMPROVEMENTS:

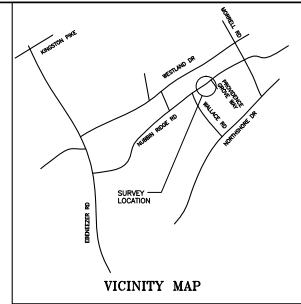
I, the undersigned, hereby certify that a bond or other security has been posted with the appropriate agency to insure completion of all streets and related improvements including all indicated permanent reference markers, bench marks and property monuments in this subdivision in accordance with required standards and specifications.

SIGNED: _____ DATE: _____
TITLE: _____
DEPT.: _____

SIGHT DISTANCE EASEMENT & EXCLUSIVE PERMANENT EASEMENT

EAC#	CHORD BEARING	CHORD	RADIUS	ARC
EAC1	N77°49'19"W	25.15	50.00	25.42
EAC2	N75°23'16"W	14.15	75.00	44.82
EAC3	N77°11'18"W	12.13	60.00	37.76
EAC4	S89°37'56"E	39.09		
EAC5	N77°56'22"E	27.01	50.00	27.30

CHORD BEARING	CHORD	RADIUS	ARC
C1	N77°49'19"W	158.49	842.42
C2	N75°23'16"W	72.88	368.41
C3	S89°37'56"E	238.68	25.00
C4	N77°56'22"E	3.18	162.00
C5	S78°48'27"E	30.39	152.00
C6	S71°18'18"E	50.89	25.00
C7	S71°18'18"E	49.18	40.00
C8	S74°00'28"E	49.18	40.00
C9	S71°18'18"E	50.89	25.00
C10	S70°21'14"E	29.60	50.00
C11	N69°40'34"E	29.60	50.00
C12	N74°14'04"E	27.01	75.00
C13	N72°11'18"E	68.03	50.00
C14	N74°14'04"E	27.01	75.00
C15	N12°40'16"E	14.44	75.00
C16	N69°40'34"E	30.39	152.00
C17	S89°37'56"E	41.40	162.00
C18	S89°37'56"E	89.03	75.00
C19	N78°11'54"E	13.22	75.00
C20	N70°21'14"E	44.22	50.00
C21	N69°12'31"E	47.57	50.00
C22	S71°18'18"E	26.89	50.00
C23	S89°37'56"E	41.40	162.00
C24	S89°37'56"E	39.09	50.00
C25	S67°52'24"E	36.44	75.00
C26	S89°37'56"E	41.40	162.00
C27	S89°37'56"E	50.00	50.00
C28	S81°11'18"E	46.03	125.00
C29	N82°00'00"E	4.03	
C30	N82°00'00"E	4.82	115.00
C31	S89°37'56"E	131.80	115.00
C32	S74°04'40"E	39.50	25.00
C33	N77°49'19"W	8.82	206.41
C34	N77°49'19"W	18.49	
C35	N77°49'19"W	15.30	
C36	S78°32'06"E	105.21	420.39
C37	S77°22'48"E	20.12	105.01
C38	N69°20'24"E	21.86	
C39	N77°49'19"W	25.15	50.00
C40	N55°42'42"E	21.71	



VICINITY MAP

LEGEND:

- IRON PINS AT ALL CORNERS
- IRON PIN - FOUND
- IRON PIPE - FOUND
- IRON PIN - SET
- DRAINAGE STRUCTURE
- PROPERTY LINE
- - - RIGHT-OF-WAY
- - - R/W CENTERLINE
- - - BUILDING SETBACK
- - - EASEMENT
- STORM DRAIN
- DE DRAINAGE EASEMENT

NOTE:

THE BASIS FOR THE NORTH MERIDIAN OF THIS SURVEY IS THE STATE PLANE COORDINATE SYSTEM, ZONE 4100, NAD83 ESTABLISHED BY GPS OBSERVATION.

OWNER CERTIFICATION ON RELEASE OF EASEMENT:

I, the undersigned owner(s) of the property herein understand that easement rights are being released and I hereby release and discharge the lot lines being eliminated by this plat before digging or constructing any building or structure.

OWNER (PRINT) _____

SIGNATURE _____ DATE _____

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION:

I, the undersigned owner(s) of the property shown herein HEREBY ACCEPT THIS AS MY OWN PLAN OF SUBDIVISION AND DEDICATE THE STREETS AS SHOWN TO THE PUBLIC USE FOREVER AND HEREBY CERTIFY THAT I AM NOT THE OWNER IN FEE OF ANY PART OF THE PUBLIC HIGHWAYS OR RIGHTS-OF-WAY SHOWN ON THIS PLAT. I HEREBY CERTIFY THAT ALL RESTRICTIVE COVENANTS, IF ANY, WHICH APPLY TO THE LOTS ARE EITHER SHOWN ON THIS PLAT OR ARE REFERRED TO THEREON, WITH COPIES OF THE REFERRED TO COVENANTS FILED WITH THE KNOX COUNTY REGISTER OF DEEDS.

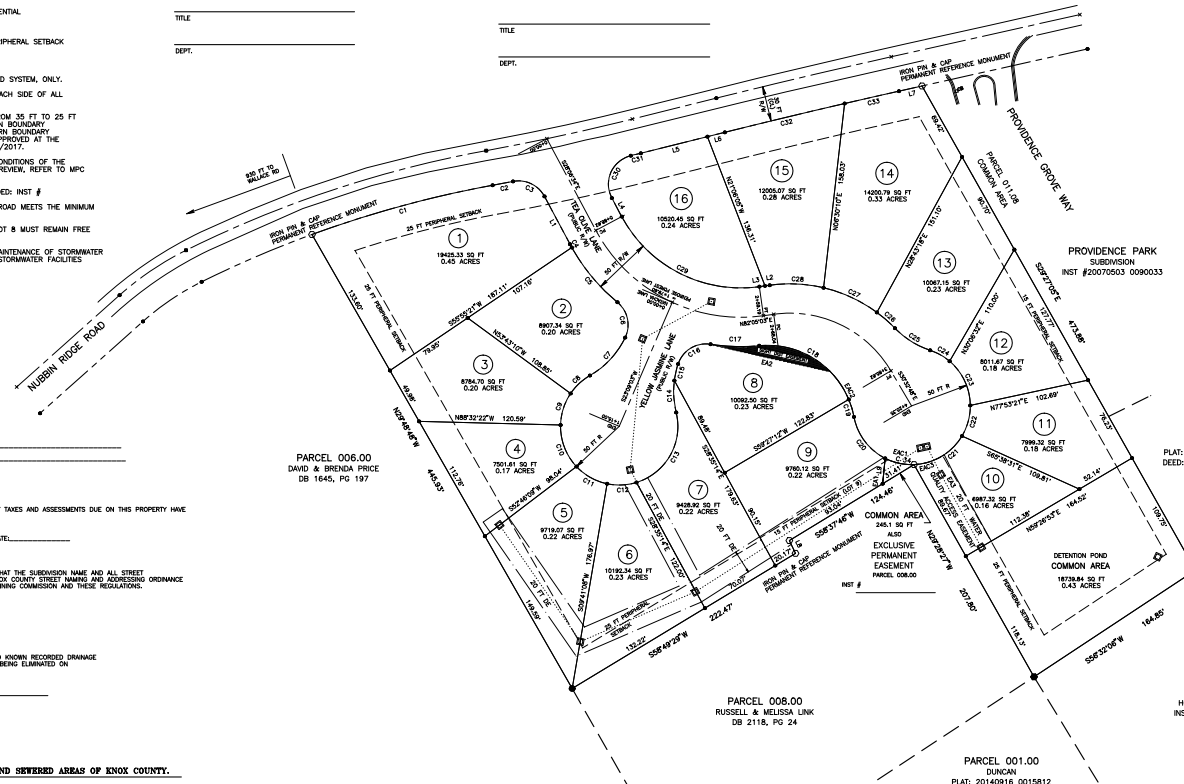
OWNER (PRINT) _____

SIGNATURE _____ DATE _____

OWNER:
DAVID WILKINSON
1209 HWY 85 CONNECTOR
BROOKS, GA 30205
(678)248-8039

MPC FILE: 6-SB-18-F
CLT REF: MAP1337, GROUP B, PARCELS 007, 009 & 010
REFERENCE DEED BK. 2111, PG 7; INST #20130327 006231.

		524 LINDSEY AVENUE OKM HOSE, TENSIDES 2780-2843 (865) 307-4280	
		FILE: 2292PLAT	FINAL PLAT
REVISION: 3	PENROSE FOREST		
LOCATED AT NUBBIN RIDGE ROAD			
DRAWN BY: R. A. BAILEY			
KNOXVILLE, KNOX COUNTY, DISTRICT 6, TENNESSEE			
DATE: 06 JUN 18	SCALE: 1" = 50'	SHR: 1 OF 1	2292



ZONING SHOWN ON OFFICIAL MAP:

DATE: _____ BY: _____

THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.

SIGNED: _____ DATE: _____
KNOX COUNTY TRUSTEE

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 THESE REGULATIONS.

SIGNED: _____

DATE: _____

THIS IS TO CERTIFY THAT THERE ARE NO KNOWN RECORDED DRAINAGE OR UTILITY EASEMENTS ON LOT LINES BEING EXAMINED ON THIS SUBDIVISION PLAT.

RICHARD A. BAILEY, PLS DATE: _____
TENN. REG. NO. 1759

IN THE CITY OF KNOXVILLE AND SEWERED AREAS OF KNOX COUNTY:

THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS SUBJECT TO THE REGULATION OF SANITARY SEWERS AND TREATMENT FACILITIES, AND THAT SUCH INSTALLATION SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

DATE: _____ KNOX COUNTY HEALTH DEPARTMENT

CERTIFICATION OF FINAL PLAT - ALL INDICATED MARKERS, MONUMENTS AND BENCHMARKS TO BE KEPT WHEN CONSTRUCTION IS COMPLETED:

I HEREBY CERTIFY THAT I AM A SURVEYOR LICENSED TO PRACTICE SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THIS PLAT AND ACCOMPANYING DRAWINGS, CALCULATIONS AND STATEMENTS CONFORM TO THE BEST OF MY KNOWLEDGE TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE/KNOX COUNTY SUBDIVISION REGULATIONS AND THAT THIS PLAT HAS BEEN REVIEWED, RECORDED AND JUDICED BY THE KNOX COUNTY CLERK OF COURTS. I HEREBY CERTIFY THAT ALL RESTRICTIVE COVENANTS WHICH HAVE BEEN APPROVED AS IDENTIFIED ON THIS PLAT HAVE BEEN APPROVED BY THE KNOX COUNTY REGISTER OF DEEDS. PURSUANT TO SECTION 13-3-405 OF THE TENNESSEE CODE ANNOTATED, THE APPLICABLE PROVISIONS OF THE RULES AND REGULATIONS OF THE KNOX COUNTY REGISTER OF DEEDS, PURSUANT TO SECTION 13-3-405 OF THE TENNESSEE CODE ANNOTATED, THE APPROVAL OF THIS PLAT BY THE PLANNING COMMISSION SHALL NOT BE DEEMED TO CONSTITUTE AN ESTEED BY THE CITY OF KNOXVILLE OR BY THE KNOX COUNTY OF THE RECORDATION OF ANY STREET OR OTHER GRADING UPON THE PLAT.

RICHARD A. BAILEY, PLS DATE: _____
TENN. REG. NO. 1759

CERTIFICATION 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 NON-COMPLIANCE WITH THE REGULATIONS OF THE KNOX COUNTY METROPOLITAN PLANNING COMMISSION, ON THIS THE _____ DAY OF _____ 20____, AND THAT THE RECORDING PLAT IS HEREBY APPROVED BY THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS, PURSUANT TO SECTION 13-3-405 OF THE TENNESSEE CODE ANNOTATED. THE APPROVAL OF THIS PLAT BY THE PLANNING COMMISSION SHALL NOT BE DEEMED TO CONSTITUTE AN ESTEED BY THE CITY OF KNOXVILLE OR BY THE KNOX COUNTY OF THE RECORDATION OF ANY STREET OR OTHER GRADING UPON THE PLAT.

SIGNED: _____ DATE: _____

INSPECTION OF COMPLETED STORMWATER FACILITIES:

I, the undersigned, hereby certify this subdivision has been inspected and the stormwater facilities have been completed in a manner that meets all city and county standards and specifications (as shown) and have been officially accepted as built by the appropriate officials(s).

SIGNED: _____ DATE: _____

TITLE: _____

DEPT.: _____

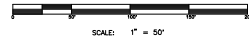
GUARANTEE OF COMPLETION OF STORMWATER FACILITIES:

I, the undersigned, hereby certify that a bond or other security has been posted with the appropriate agency to insure completion and installation of all stormwater facilities as shown on the stormwater plan which were approved by the appropriate officials(s).

SIGNED: _____ DATE: _____

TITLE: _____

DEPT.: _____



CERTIFICATION OF CATEGORY AND CATEGORY OF SURVEY

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE BASIS OF PRECISION OF THE UNADJUSTED SURVEY AS SHOWN HEREON AND THAT SAID SURVEY WAS PREPARED IN COMPLIANCE WITH THE CURRENT EDITION OF THE RULES OF PRACTICE OF THE BOARD OF EXAMINERS FOR LAND SURVEYING - STANDARDS OF PRACTICE.

RICHARD A. BAILEY, PLS SURVEYOR
TENN. REG. NO. 1759

6-E-18-UR
Revised: 6/6/2018

Use on Review Development Plan

Name of Applicant: Dave Wilkinson

Date Filed: 4-30-18 Meeting Date: 6/14/18

Application Accepted by: M. Reynolds / M. Payne

Fee Amount: \$450.00 File Number: Development Plan 6-E-18-UR

Fee Amount: X File Number: Use on Review X

PROPERTY INFORMATION

Address: 8000 Nulikin Ridge Rd
 General Location: KNOXVILLE, TN 37923

Tract Size: 5.03 No. of Units: 16
 Zoning District: PRK Adupc
 Existing Land Use: Vacant

Planning Sector: West City
 Sector Plan Proposed Land Use Classification:

Growth Policy Plan Designation: Urban
 Census Tract: 44.01
 Traffic Zone: 161
 Parcel ID Number(s): 133FB007 133FB010

Jurisdiction: City Council _____ District
 County Commission 4th District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
 Name: Dave Wilkinson
 Company: _____
 Address: 1709 Hwy 85 Connector
 City: Dacula State: GA Zip: 30205
 Telephone: 678-249-8599
 Fax: _____
 E-mail: d.wilkinson@battantapolicefoundation.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: Same
 Company: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 Fax: _____
 E-mail: _____

APPROVAL REQUESTED

Development Plan: Residential Non-Residential
 Home Occupation (Specify Occupation)

Other (Be Specific)
lots 10 & 11, Request Reduction
of Rear setback to 0.

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: [Signature]
 PLEASE PRINT
 Name: Rick Wilkinson
 Company: _____
 Address: 233 Elamont Rd
 City: Knoxville State: TN Zip: 37922
 Telephone: _____
 E-mail: Rick@landmortgage.com