



USE ON REVIEW REPORT

▶ **FILE #:** 1-I-19-UR

AGENDA ITEM #: 41

AGENDA DATE: 1/10/2019

▶ **APPLICANT:** SPD PROPERTIES, LLC

OWNER(S): SPD Properties, LLC

TAX ID NUMBER: 57 N D 015-019, 026, 063, 065, 071, 072 & 057KH001, 004, 005 & 017

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 6207 Aldingham St

▶ **LOCATION:** Stratford Park Subdivision, a total of 14 lots within Units 2 & 3.

▶ **APPX. SIZE OF TRACT:** 3.82 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Aldingham St., Knightsboro Rd., Lampwick Ln., Pembridge Rd., Stratford Park Blvd., and Tuxford Ln., all local streets with a 26' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Knob Fork Creek

▶ **ZONING:** RP-1 (Planned Residential)

▶ **EXISTING LAND USE:** Vacant lots

▶ **PROPOSED USE:** Reduction of front yard setback for 14 lots.

HISTORY OF ZONING: Property was rezoned to RP-1 (Planned Residential) on January 4, 2005.

SURROUNDING LAND USE AND ZONING: North: North: Residences (Sterchi Hills Subdivision) / PR (Planned Residential) & F (Floodway)

South: South: Vacant land and residences / RP-1 (Planned Residential) and A (Agricultural)

East: East: Vacant land / RP-1 (Planned Residential)

West: West: Vacant land and residences / RA (Low Density Residential) & A (Agricultural)

NEIGHBORHOOD CONTEXT: The site is located in an area of low density residential development that has developed under PR (Planned Residential) and RA (Low Density Residential) zoning.

STAFF RECOMMENDATION:

▶ **APPROVE** the reduction in the required front yard setback for 14 lots within units 2 and 3 of the Subdivision (as identified in the narrative submitted with the application), from 25' to 20' for 9 lots and 25' to 15' for 5 lots, subject to 3 conditions.

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
3. The 5 lots with the 15' setback reduction will require that the residence include a two car garage.

With the conditions noted, this plan meets the requirements for approval of a Use on Review in the RP-1 zone..

COMMENTS:

UPDATE: The applicant is requesting approval from the Planning Commission of a reduction in the required front yard setback for 14 lots within Units 2 and 3 of Stratford Park Subdivision from the default setback of 25'. The narrative included with the application identified the 14 lots that a front yard setback reduction to a minimum of 15' was being requested for. Following a meeting with the Stratford Park Home Owners Association, the applicant agreed to modify the request. The attached email from Larry Doss dated January 7, 2019 identifies the proposed changes. The revised request will reduce the front yard setback from 25' to 20' for Lots 15-20, 146, 152 and 153 and reduce the front yard setback for Lots 23, 24, 69, 105 and 144 from 25' to 15. The Knoxville Zoning Ordinance allows the Planning Commission to establish the front yard setback. Any lots with a front yard setback of less than 20' will require that the residence include a two car garage. The applicant has requested the reduction of the front yard due to site constraints including steep slopes on the lots and power line easements crossing the property,

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

1. The proposed subdivision will have minimal impact on local services since utilities are in place to serve this site.
2. The proposed reduction of the front yard setback will have minimal impact on the subdivision with the requirement that the residences will include two car garages.

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

1. The proposal is consistent with all requirements of the RP-1 zoning district, 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 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.

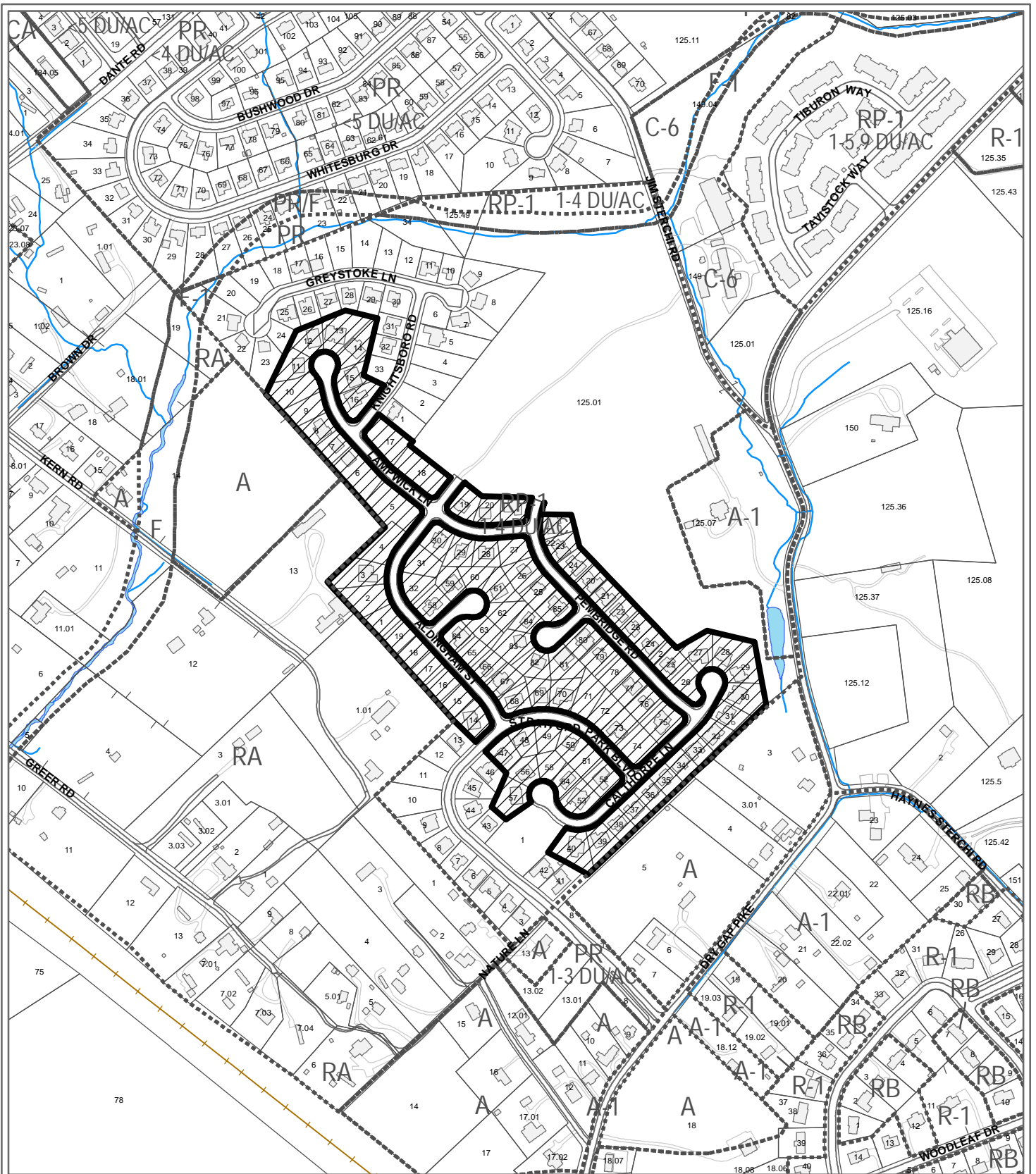
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan and the North City Sector Plan propose low density residential uses for the subject property.
2. This site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission'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 a Planning Commission decision in the City.



**1-I-19-UR
USE ON REVIEW**

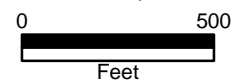


Reduction of front yard setback to 15' for 14 lots. in RP-1 (Planned Residential)

Petitioner: SPD Properties, LLC

Map No: 57

Jurisdiction: City



Original Print Date: 12/17/2018
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

38216-B

BELLSOUTH TELECOMMUNICATIONS DOES NOT RELEASE ANY RIGHTS THAT MAY HAVE ACCRUED FOR THEIR USE AND BENEFIT WHERE THERE ARE EXISTING FACILITIES.

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

8-2-06 Rooms Near (50) DATE: PROJECT COUNTY HEALTH DEPARTMENT

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION

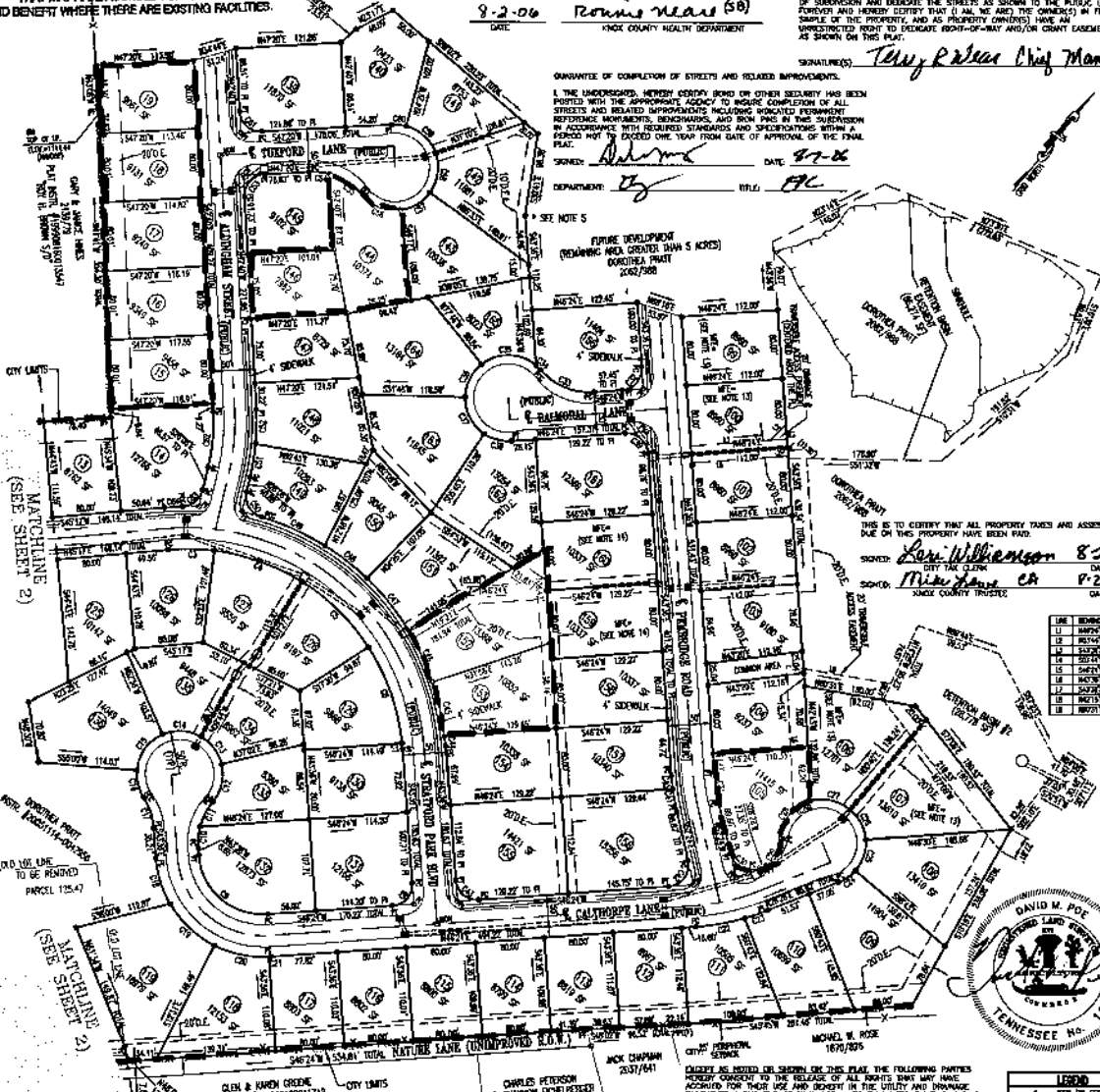
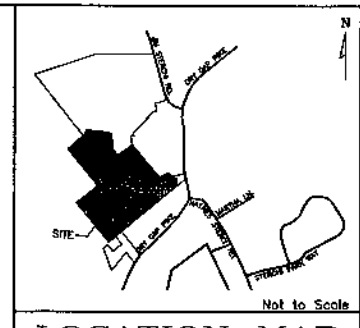
D. WIS. STRATFORD PARK DEVELOPMENT, LLC, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT THIS AS A FINAL PLAN OF SUBDIVISION AND DEDICATE THE STREETS AS SHOWN TO THE PUBLIC USE...

SIGNATURE: Tony R. Hill, Chief Manager

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION

D. WIS. DOROTHEA PRATT, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT THIS AS A FINAL PLAN OF SUBDIVISION...

SIGNATURE: Dorothea Pratt



STATE OF TENNESSEE, COUNTY OF KNOX ON THIS 1st DAY OF August 2006 BEFORE ME PERSONALLY APPEARED Dorothea Pratt...

STATE OF TENNESSEE, COUNTY OF KNOX ON THIS 2nd DAY OF August 2006 BEFORE ME PERSONALLY APPEARED Tony Hill...

CERTIFICATE OF CATEGORY AND ACCURACY OF SURVEY I CERTIFY THAT THIS IS A CATEGORICAL SURVEY AND THE BASIS OF PROVISIONAL LAND SURVEYOR IS HIGHER THAN 1:10000

PROVISIONAL LAND SURVEYOR SIGNATURE: Tony Hill DATE: 8/2/06

Table with columns: CURB, DRIVE, SEWER, GAS, W.E., SIDEWALK, DRAINAGE. Lists lot numbers and associated utility measurements.



- Notes: 1. FROM THIS FOLIO (PPS) SHOWN ON PLAN. ALL OTHERS SET BY MAPS. 2. 10' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS HAVE ALL EXISTING LOT LINES AND ALONG ALL ROADS, 5' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS ALONG BOTH SIDES OF ALL INTERIOR LOT LINES...

CERTIFICATE OF APPROVAL FOR RECORDING THIS IS TO CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREON HAS BEEN FILED TO COMPLY WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY...

1-I-19-06 FINAL PLAT FOR STRATFORD PARK UNIT 2 CLT MAP 57, PARCEL 125.13, 125.47 & PART OF PARCEL 125.01 DISTRICT 6, KNOX COUNTY, TN. CITY BLOCK 38216, WARD 38, CITY OF KNOXVILLE, TN. SCALE: 1" = 100' NOVEMBER 23, 2005 100 50 0 100 200

BATSON, HIMES, NORVELL & POE REGISTERED ENGINEERS & LAND SURVEYORS 4334 PAPERMILL DRIVE KNOXVILLE, TENNESSEE 37909 PHONE: (865) 588-6472 FAX: (865) 588-6473 email:bhn-poom

DEED REFERENCES: DEED BOOK 2062 PAGE 988 INSTR. 220651114-042955 23978-2-FP(1-1) Q:\23978\23978-2-FP.DWG 38216-B

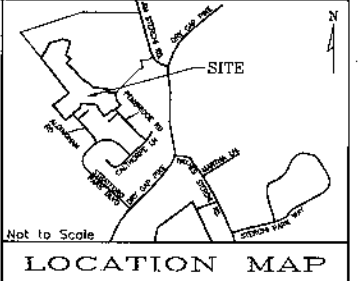
CITY OF KNOXVILLE

STATE OF TENNESSEE, COUNTY OF KNOX
IN THE CASE OF 2/18/09 BY [Signature]
CITY OF KNOXVILLE ENGINEERING DIVISION
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CITY CLERK [Signature]

STATE OF TENNESSEE, COUNTY OF KNOX
IN THE CASE OF 2/18/09 BY [Signature]
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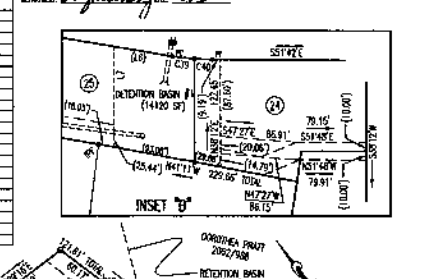
COUNTERSIGNED
KNOX COUNTY PROJECT # ADDRESS
MAR 06 2009
PHIL BALLARD
CITY CLERK
COUNTY ENGINEER [Signature]
CITY ENGINEER [Signature]



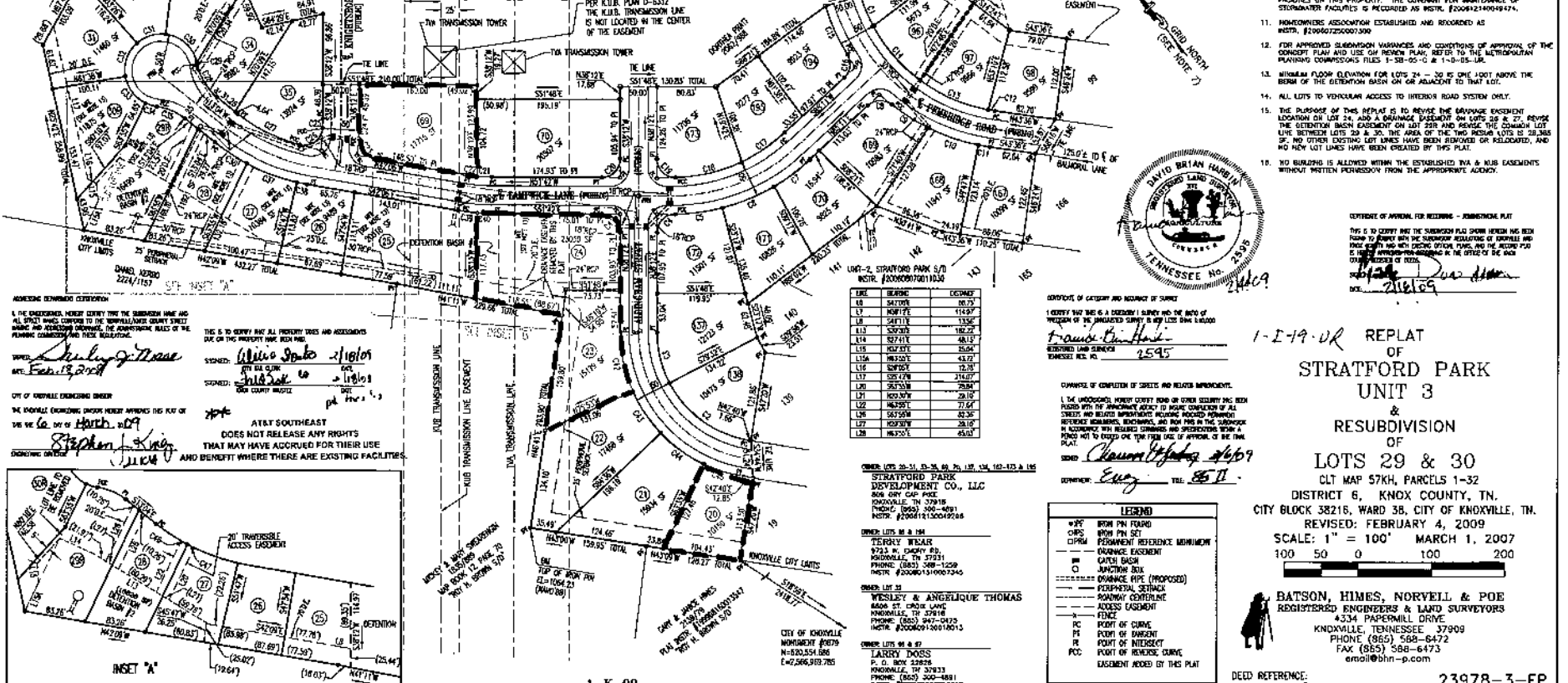
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- 1. FROM THIS PLANNING (PUP) SHOWN ON PLAT, ALL OTHERS SET BY OWNER, UNLESS NOTED OTHERWISE ON PLAT.
- 2. 10' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS INSIDE ALL EXISTING LOT LINES AND ALONG ALL ROADS. 5' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS ALONG BOTH SIDES OF ALL EXISTING LOT LINES, PLUS OTHER EASEMENTS AS SHOWN.
- 3. SANITARY SEWER EASEMENT OF 10', 7.5' EACH SIDE OF SEWER AS INSTALLED (WHERE APPLICABLE).
- 4. THIS SUBDIVISION CONTAINS 12.04 ACRES AND IS SUBMITTED INTO 32 LOTS.
- 5. BUILDING SETBACK LINES WILL BE AS FOLLOWS:
FRONT: 25'
REAR: 15' (UNLESS CONTROLLED BY A 20' PERIMETRAL SETBACK)
- 6. GROUND MOUTH IS BASED ON A BEARING OF N 23°47'41" E FROM CITY OF KNOXVILLE MONUMENT MARK TO OTHER DISTANCES ARE NOT REFERRED TO GRID.
- 7. ALL DRAINAGE FIVE SHOWS ARE PROPOSED.
- 8. ALL SUBDIVISION RIGHTS ARE PUBLIC.
- 9. THE PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING STORMWATER FACILITIES ON THIS PROPERTY. THE GOVERNMENT FOR MAINTENANCE OF STORMWATER FACILITIES IS RECORDED AS INSTR. #20081240049474.
- 10. HOMEOWNERS ASSOCIATION ESTABLISHED AND RECORDED AS INSTR. #2006022007300.
- 11. FOR APPROVED SUBDIVISION MANAGES AND CONDITIONS OF APPROVAL OF THE CONCEPT PLAN AND LOTS. SEE INSTR. #20081240049474.
- 12. MINIMUM FLOOR ELEVATION FOR LOTS 24 - 30 IS ONE FOOT ABOVE THE BENCH OF THE GROUND BENCH ON ONE ADJACENT TO THAT LOT.
- 13. ALL LOTS TO VEHICULAR ACCESS TO INTERIOR ROAD SYSTEM ONLY.
- 14. THE PURCHASER OF THIS PLAT IS TO REVEAL THE DRAINAGE EXISTENT LOCATION ON LOT 24, ADD A DRAINAGE BASEMENT ON LOTS 28 & 27, REVEAL THE UTILITY BENCH ELEVATION ON LOT 28 AND REVEAL THE COLUMBIAN LOT LINE BETWEEN LOTS 24 & 20. THE AREA OF THE TWO REAR LOTS IS 23.366 SQ. FT. NO OTHER EXISTING LOT LINES HAVE BEEN REMOVED OR RECORDED, AND NO NEW LOT LINES HAVE BEEN CREATED BY THIS PLAT.
- 15. NO BUILDING IS ALLOWED WITHIN THE ESTABLISHED 10' & 10' EASEMENTS WITHOUT WRITTEN PERMISSION FROM THE APPROPRIATE AGENCY.



1-K-09
38216-F
20090306005520
Knox County Page: 1 of 1
REC'D FOR REC. 03/04/2009 10:51:43 AM
RECORD FEE: \$17.00
N 100.00' 0.00' S 88.00' 0.00'



Tom Brechko <tom.brechko@knoxplanning.org>

change in requested setbacks

1 message

1-I-19-UR**Larry Doss** <LDoss@tds.net>

Mon, Jan 7, 2019 at 4:00 PM

To: tom.brechko@knoxmpc.org

Cc: Dan Cheatham <dcheatham@mac.com>

Tom,

Attached is a list of the 14 Lots and the requested change in setbacks from what was submitted. The File number is 1-I-19-UR, Stratford Park Subdivision. The HOA requested these changes and I am in agreement.

- Lots that will have a 20 foot setback instead of the 15 foot requested setback:

- 20
- 19
- 18
- 17
- 16
- 15
- 146
- 152
- 153

- Lots that will still have a 15 foot requested setback.

- 144
- 23
- 24
- 69
- 105

Thanks for your consideration and assistance,

Larry Doss

Chief Manager

SPD Properties, LLC

Lots requiring setback reductions, Stratford Park subdivision

Lot 15, Unit 2, 6207 Aldingham St., 057ND015: 15' front setback, slope of lot up front to rear along with a 25' peripheral setback.

Lot 16, Unit 2, 6211 Aldingham St., 057ND016: 15' front setback, slope of lot up front to rear along with a 25' peripheral setback.

Lot 17, Unit 2, 6215 Aldingham St., 057ND017: 15' front setback, slope of lot up front to rear along with a 25' peripheral setback.

Lot 18, Unit 2, 6219 Aldingham St., 057ND018: 15' front setback, slope of lot up front to rear along with a 25' peripheral setback.

Lot 19, Unit 2, 6223 Aldingham St., 057ND019: 15' front setback, slope of lot up front to rear along with a 25' peripheral setback.

Lot 20, Unit 3, 6227 Aldingham St., 057KH001: 15' front setback, slope of lot up front to rear along with a 25' peripheral setback.

Lot 23, Unit 3, 6239 Aldingham St., 057KH004: 15' front setback, power line easement rear and 25' peripheral setback.

Lot 24, Unit 3, 632 Lampwick Ln., 057KH005: Corner lot, 15' front setback both roads. Power line easement rear and drainage easement left side facing.

Lot 69, Unit 3, 0 Knightsboro Rd., 057KH017: Corner lot, 15' front setback both roads. Power line easement at rear. Lot is adjacent to Lot 68, Unit 4, which has a 15' front setback.

Lot 105, Unit 2, 0 Pembridge Rd., 057ND026: Corner lot, 15' front setback both roads. Cul-de-Sac on right side cuts into lot along with a 20' access right side adjacent to Lot 106.

Lot 144, Unit 2, 504 Tuxford Ln., 057ND063: 15' front setback. Cul-de-Sac cuts into lot right side along with a steep slope left to right facing the lot.

Lot 146, Unit 2, 6212 Aldingham St., 057ND065: 15' front setback, steep slope of lot left to right facing the lot along with slope up right side.

Lot 152, Unit 2, 6119 Stratford Park, 057ND071: 15' front setback, steep slope of lot down front to rear.

Lot 153, Unit 2, 6125 Stratford Park, 057ND072: 15' front setback, steep slope of lot down front to rear.

Unit 2 restrictions: 1800 sq. ft. one story, 2200 sq. ft. two story, 2 car garage required.

Unit 3 restrictions: 1600 sq. ft. one story, 2000 sq. ft. two story, 2 car garage required.

Lots listed need to move forward to make them buildable lots for the square footage required.

KNOXVILLE-KNOX COUNTY
M P C
 METROPOLITAN
 PLANNING
 COMMISSION
 TENNESSEE
 Suite 403 • City County Building
 400 Main Street
 Knoxville, Tennessee 37902
 865 • 215 • 2500
 FAX • 215 • 2068
 www.knoxmpc.org

Use on Review **Development Plan**

Name of Applicant: SPO Properties, LLC
 Date Filed: 11-26-18 Meeting Date: January 10, 2019
 Application Accepted by: Thomas Buckler
 Fee Amount: _____ File Number: Development Plan _____
 Fee Amount: \$ 1200.00 File Number: Use on Review 1-I-19-UR

PROPERTY INFORMATION

Address: _____
 General Location: Stratford Park
Subdivision, Units 2 + 3
 Tract Size: _____ No. of Units: 14 lots
 Zoning District: RP-1
 Existing Land Use: Subdivision

Planning Sector: North City
 Sector Plan Proposed Land Use Classification:
LDR
 Growth Policy Plan Designation: Urban
 Census Tract: 49
 Traffic Zone: 200
 Parcel ID Number(s): See attached sheet
 Jurisdiction: City Council 5 District
 County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
 Name: Harry Ross
 Company: SPO Properties, LLC
 Address: P.O. Box 22626
 City: Knoxville State: TN Zip: 37973
 Telephone: 865.300.4891
 Fax: N/A
 E-mail: hross@tds.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: Stephen Ward
 Company: Ward Land Surveying, LLC
 Address: P.O. Box 30654
 City: Knoxville State: TN Zip: 37937-0654
 Telephone: 865.690.0134
 Fax: N/A
 E-mail: stephen@wardlandsurveying.com

APPROVAL REQUESTED

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

Other (Be Specific)
Reduction of front yard
setback to 15' on 14 lots.

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: Stephen Ward
 PLEASE PRINT
 Name: SPO Properties, LLC Stephen Ward
 Company: SPO Properties, LLC
 Address: P.O. Box 22626
 City: Knoxville State: TN Zip: 37933
 Telephone: 865.300.4891
 E-mail: hross@tds.net

SIGNATURES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Sign in Black Ink:

(If more space is required attach additional sheet.)

Name

Address

City

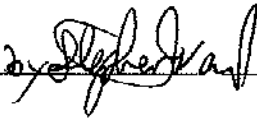
State

Zip

Owner

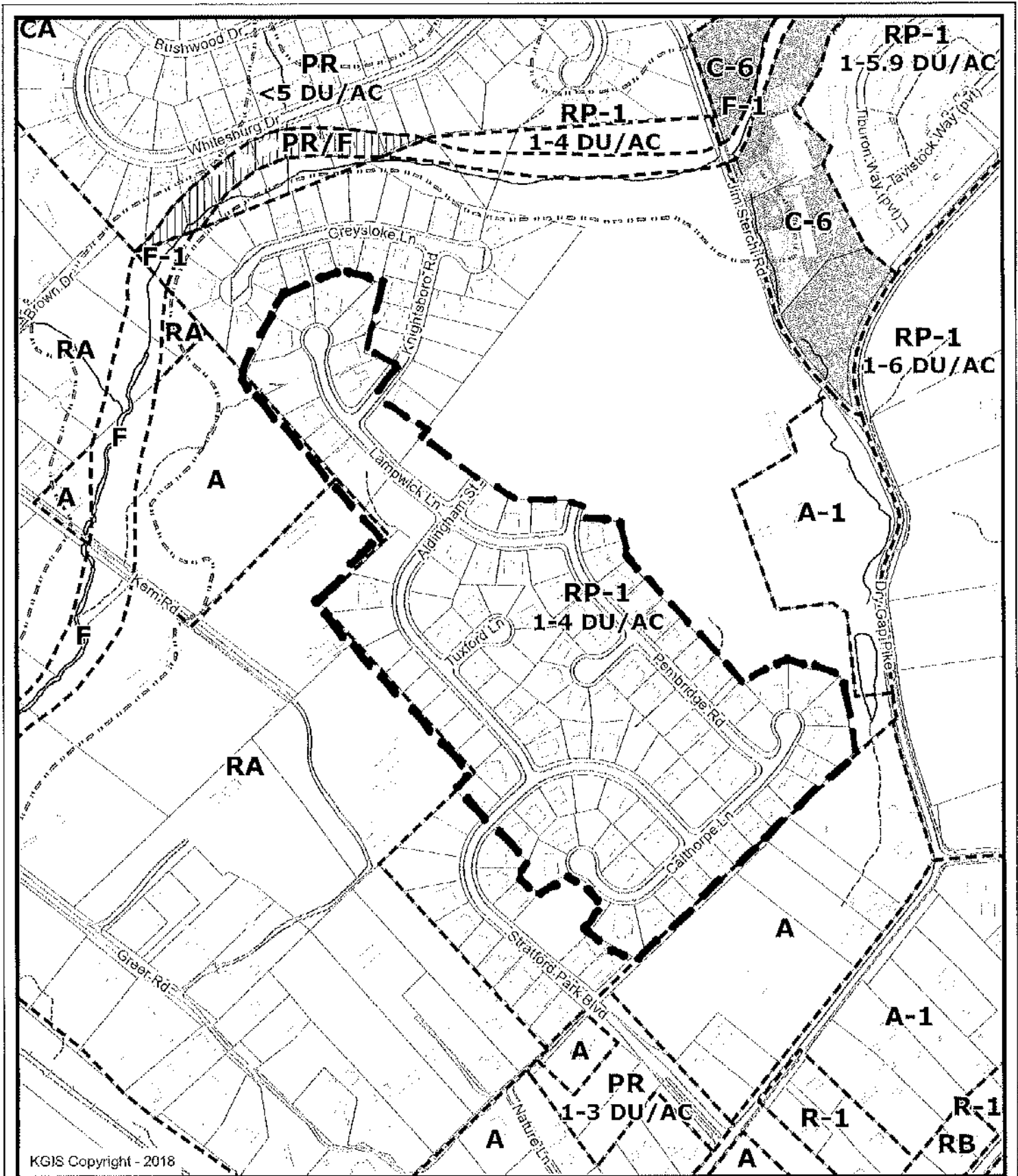
Option

Larry A. Dass



3 Long a Road P.O. Box 22626, Knoxville, TN 37933

✓



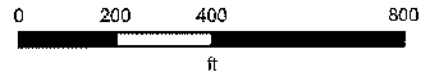
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Letter Portrait

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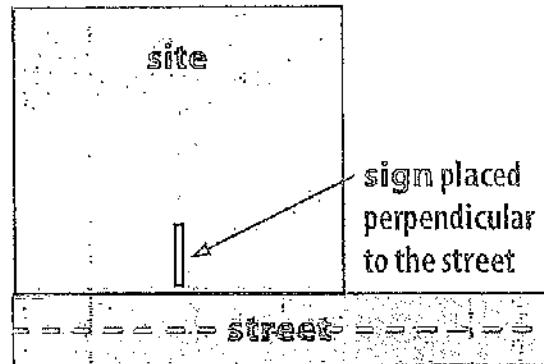
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

December 26, 2018 and January 11, 2019
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: *Stephen Ward*

Printed Name: Stephen Ward

Phone: 865-368-9273 Email: stephen@wardlandsurveying.com

Date: 11-26-18

MPC File Number: 1-I-19-UR