



USE ON REVIEW REPORT

▶ **FILE #:** 11-I-19-UR

AGENDA ITEM #: 31

AGENDA DATE: 11/14/2019

▶ **APPLICANT:** KATHERINE P. CORNETT & JOSHUA O. HENSON

OWNER(S): Katherine P. Cornett

TAX ID NUMBER: 134 005

[View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 7304 Dogwood Dr.

▶ **LOCATION:** East side of Dogwood Dr., southeast of Merriwood Dr., northeast of Dogwood Cove Ln.

▶ **APPX. SIZE OF TRACT:** 21482 square feet

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Dogwood Dr., a local street with 18' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **ZONING:** RB (General Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Reduction of front yard setback from 35' to 25'

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family & rural residential / RB (General Residential)

South: Single family & rural residential / A (Agricultural)

East: Vacant land & rural residential / RB (General Residential) & A (Agricultural)

West: Single family residential / RB (General Residential) & PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area consists of single family and rural residential uses developed in the A, RB, and PR zone districts.

STAFF RECOMMENDATION:

▶ **APPROVE the front yard setback reduction from 35' to 30', subject to 1 condition. (Applicant requested a 25' setback)**

1) Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RB zone and the other criteria for approval of a use on review.

COMMENTS:

The RB (General Residential) zone allows the planning commission to consider a reduction of the 35' front yard setback when such reduction is consistent with the development standards for uses permitted on review, which are outlined below. The applicant requested a 25' front yard setback to the unenclosed front porch which has a depth of 7'. Staff is recommending a front setback of 30' because there is a general exception in the zoning ordinance that allows unenclosed porches to extend up to 10' into a required yard as long as it is on the ground-story and not more than 12' in height above the first-floor level (Article 3, Section 3.20). The minimum setback reduction needed is 3' (35' to 32') to construct a house with a 7' deep unenclosed front porch as proposed. The staff recommendation of a 30' front yard setback provides an additional 2' of setback reduction just in case the house location needs to be shifted slightly before construction. The applicant has been made aware of the exception that allows a front porch to extend into a required setback and has not objected to the staff recommendation.

The property is entirely within the Hillside Protection Area with steep slopes toward the rear of the property. The applicant is requesting the setback reduction so they do not need to disturb the steep slopes to the rear.

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

1. The front yard setback reduction will not create a safety hazard and will allow the house to be located out of the steep slopes on the rear of the property.
2. The existing houses along the east side of Dogwood Drive do not have a consistent setback and are large lots.
3. The subject site has trees along the Dogwood Drive frontage that the applicant intends to maintain and the location of the house will be at a higher elevation than the road. Because of this, the reduced setback should have little visual impact from the road.

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

1. With the stated conditions, the proposed setback reduction meets the standards for development within a RB (General Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposal is consistent with the general standards for uses permitted on review: The proposed setback reduction 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 Southwest County Sector Plan designates this property for rural residential uses.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 15 (average daily vehicle trips)

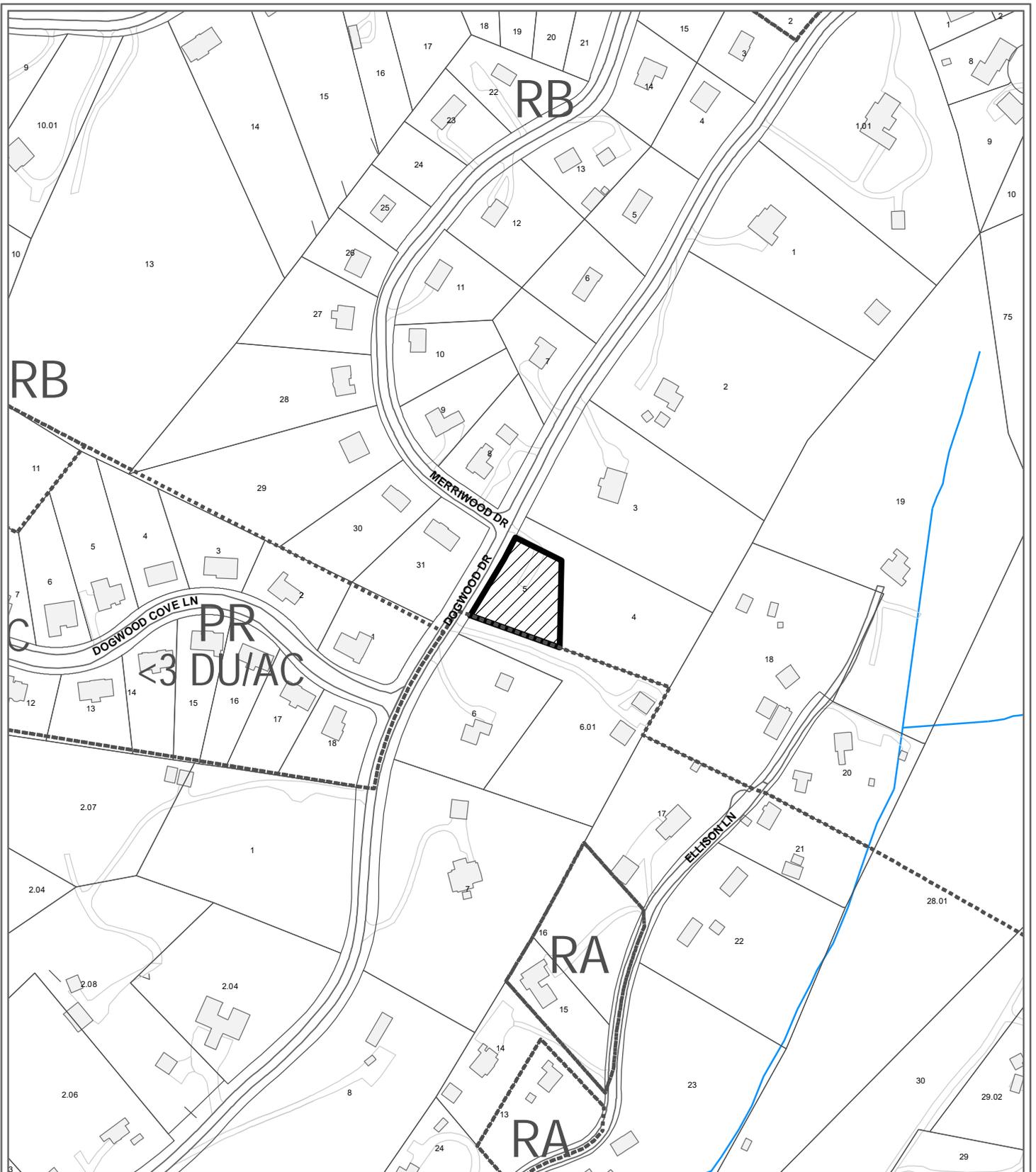
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 0 (public school children, grades K-12)

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

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and 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.

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



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



Reduction of front yard setback from 35' to 25' in RB (General Residential)

Petitioner: Katherine P. Cornett & Joshua O. Henson

Map No: 134

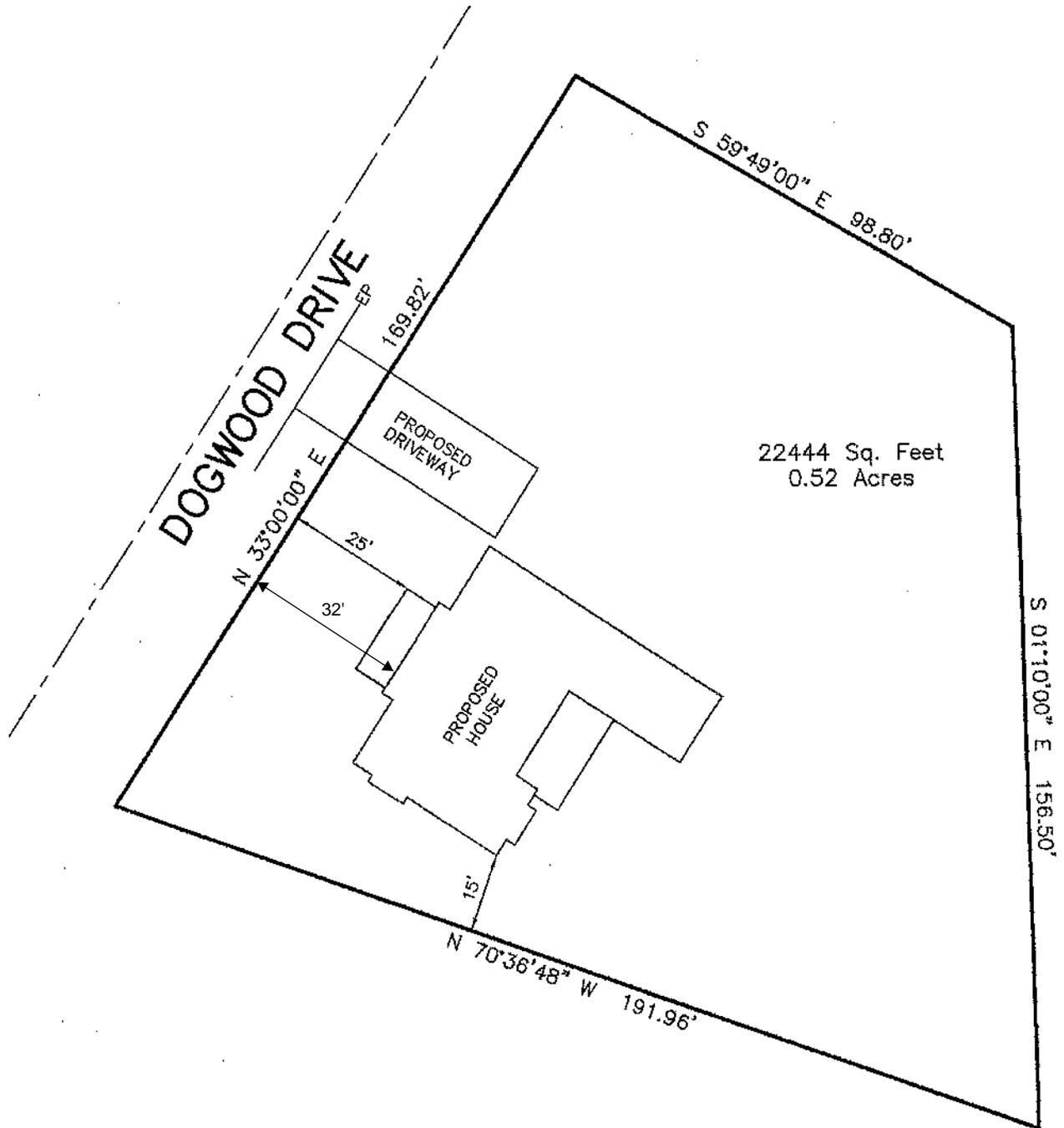
Jurisdiction: County



Original Print Date: 10/11/2019

Revised:

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



22444 Sq. Feet
0.52 Acres

PROPOSED PLOT PLAN

ADDRESS: 7304 DOGWOOD DRIVE
 LOCATION: TAX I.D. # 134 005
 6th CIVIL DISTRICT
 KNOX COUNTY, TENNESSEE

SUBDIVISION: PART OF LOT 5
 S.P. HALE

PLAT: INST# 19460612000000

SCALE 1"=30'

THIS IS NOT A SURVEY THATS MEETS THE MINIMUM STANDARDS FOR THE STATE OF TENNESSEE AS DEFINED BY TCA 62-18-126 OR RULE 0820-3-07. DRAWING AS SHOWN HEREON IS FROM INFORMATION PROVIDED OR INFORMATION OF RECORD. NOTHING SHOWN HEREON HAS BEEN FIELD VERIFIED.

11-I-19-VR 9/30/19



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

Katherine P. Cornett & Joshua O. Henson

Applicant

Sept 30, 2019

Date Filed

11/14/19
Meeting Date (if applicable)

11-I-19-UR
File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

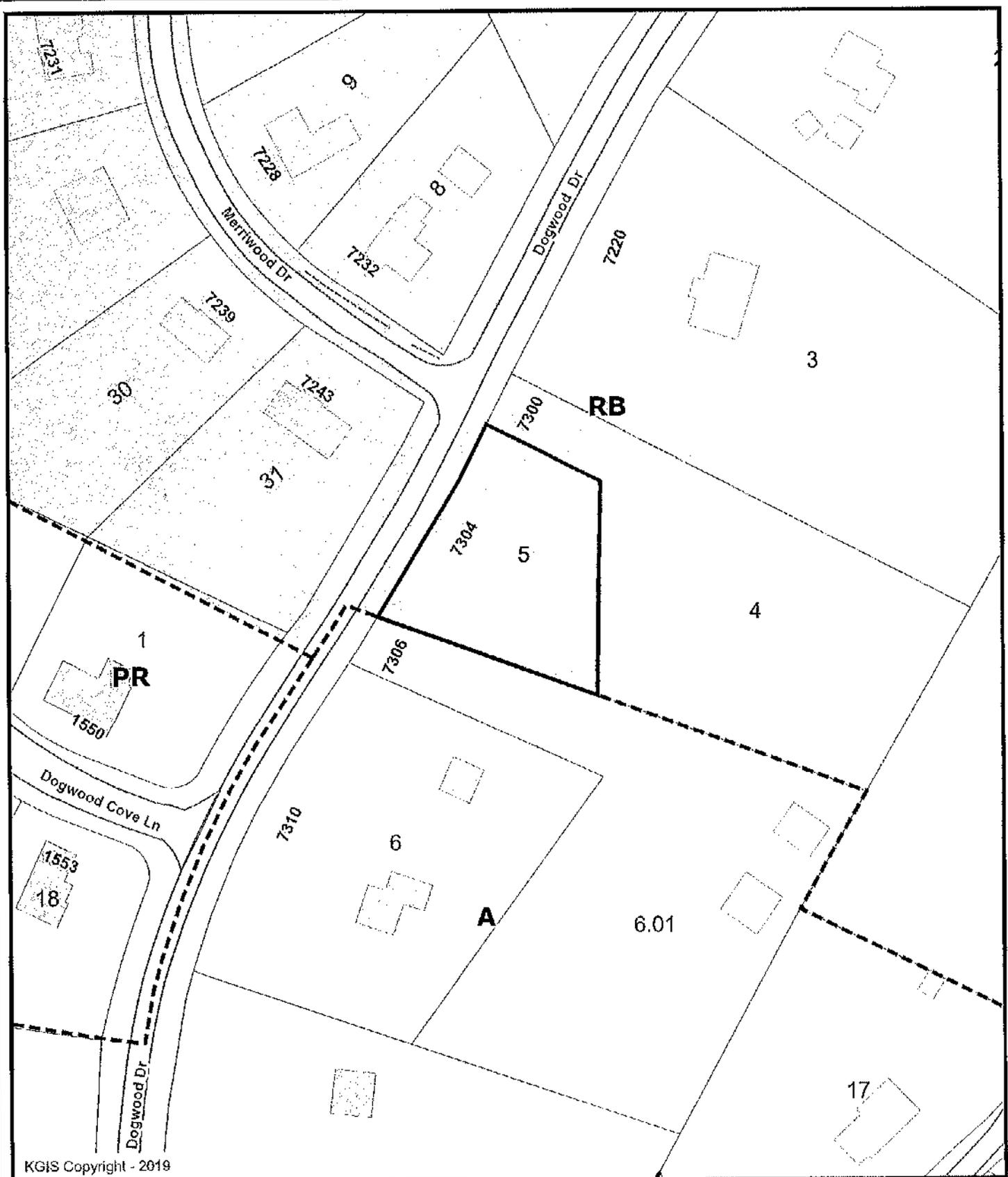
Katherine P. Cornett

Name	Company		
1322 Burton Road	Knoxville	TN	37919
Address	City	State	Zip
865-274-3007	kpcornett@utk.edu		
Phone	Email		

CURRENT PROPERTY INFO

Katherine P. Cornett & Joshua O. Henson same as above under correspondence 865-274-3007

Owner Name (if different)	Owner Address	Owner Phone
7304 Dogwood Drive	E/S Dogwood Dr. SE of Riverwood Dr NE of Dogwood Cove Ln	134-005 alternative = 40319
Property Address	Parcel ID	Tract Size
Riverbend/Rocky Hill area off Wrights Ferry and Duncan Road		approx 2148.8 ft ² 21,124 Sq.Ft. (169.8 X 192)
General Location	Tract Size	
Knox Co 4	57.01/1	RB
Jurisdiction (specify district above)	Zoning District	
Southwest County	RR (Rural Residential)	Rural Area
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation
vacant lot	Yes	KUB
Existing Land Use	Septic (Y/N)	Sewer Provider
		Water Provider



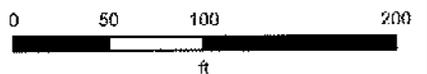
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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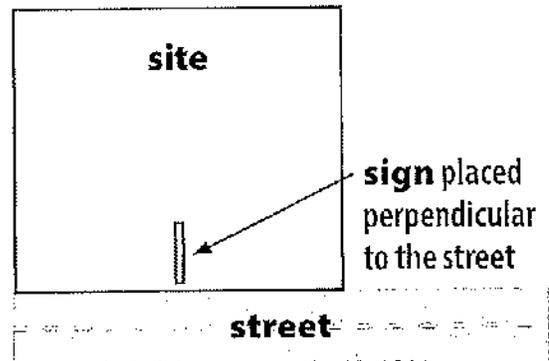
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. Planning 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 Planning Commission 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 Planning Commission 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:

10/30/19 and 11/15/19
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Katherine P. Cornett

Printed Name: Katherine P. Cornett

Phone: 965-274-3007 Email: kpcornett@utk.edu

Date: 9/30/19

File Number: 11-I-19-UR