



USE ON REVIEW REPORT

▶ **FILE #:** 3-D-20-UR

AGENDA ITEM #: 25

AGENDA DATE: 3/12/2020

▶ **APPLICANT:** **BENCHMARK ASSOCIATES, INC.**
OWNER(S): Hughston Homes of Tennessee, LLC

TAX ID NUMBER: 104 M J 078 & 079 [View map on KGIS](#)

JURISDICTION: City Commission District 6

STREET ADDRESS: 1510 Mountain Hill Ln.

▶ **LOCATION:** **Southeast of intersection of Mountain Hill Ln & Chesney Hills**

▶ **APPX. SIZE OF TRACT:** **40000 square feet**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Chesney Hills Ln, a local street with 26' of pavement width within a 50' right-of-way, and Mountain Hill Ln, a local street with 26' of pavement width within 50' of right-of-way.

UTILITIES: Water Source:

Sewer Source:

WATERSHED: Beaver Creek

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

▶ **EXISTING LAND USE:** **Vacant**

▶ **PROPOSED USE:** **Reduce the peripheral setback from 35 ft to 20 ft.**

HISTORY OF ZONING: The property was rezoned from A to PR in 2006 (4-D-06-RZ).

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

South: Houses / PR (Planned Residential) & A (Agricultural)

East: Houses / A (Agricultural)

West: Houses / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: Property in the area is zoned PR, RA, RAE, and A, and developed with detached dwellings.

STAFF RECOMMENDATION:

▶ **DENY the request to reduce the peripheral setback from 35' to 20' for Lots 78 and 79 of the Chesney Hills subdivision for the reasons listed below.**

The reduced peripheral setback will be inconsistent with the rest of the subdivision and homes with a different floor plan could be constructed within the existing setbacks.

COMMENTS:

The subject lots have an irregular shape, being very wide and having a shallow depth. Most of the lot area is

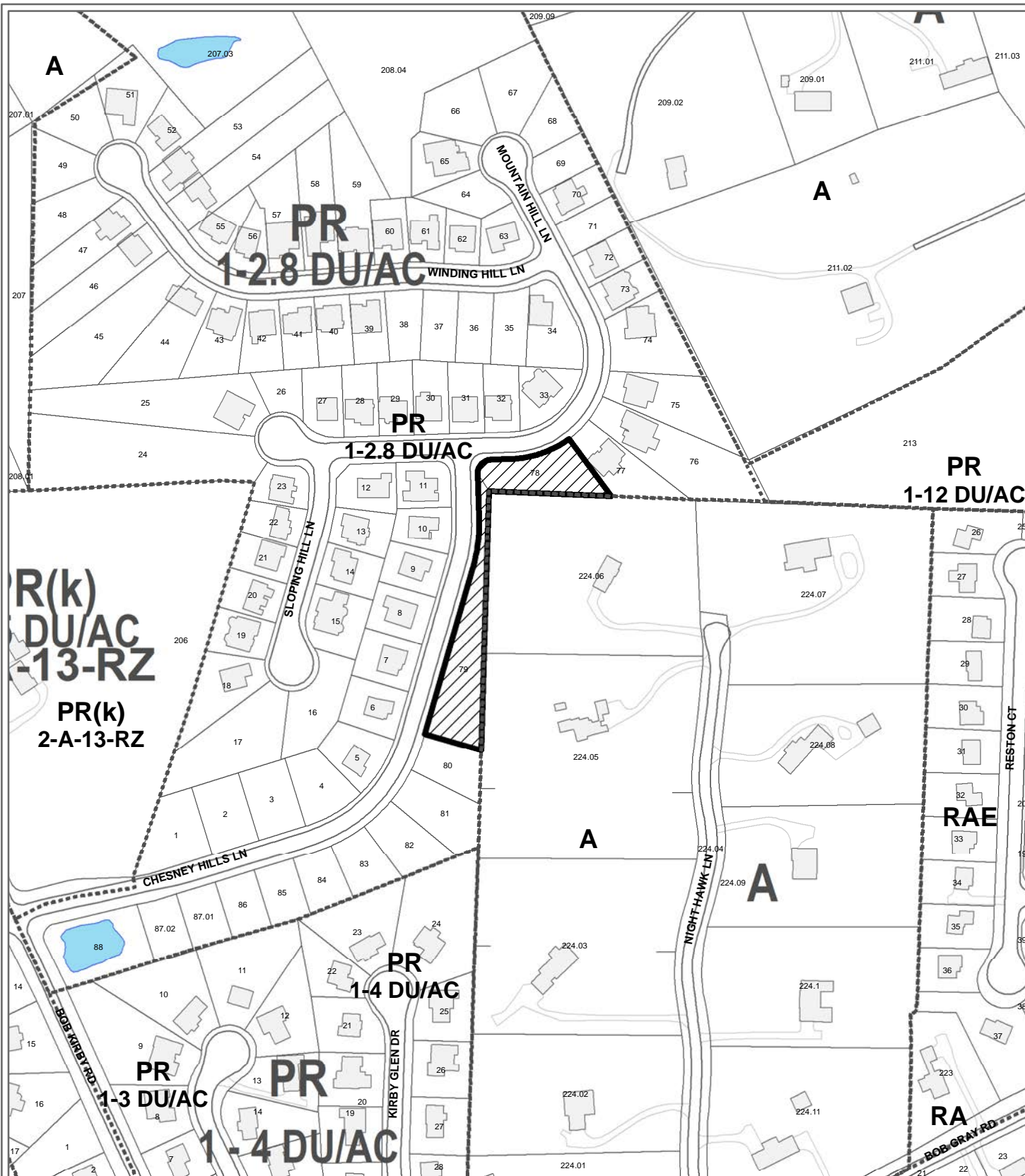
unbuildable because it is completely within a building setback. The houses proposed on the plot plan are deeper than they are wide and have garages that project out in front of the body of the house, which pushes the house further back on the lot and into the peripheral setback. A house plan that is wider, like a ranch style house, is more appropriate for these lots.

When the Concept Plan for this subdivision was originally approved, the developer assumed there was more width to the property and proposed lots along the entire east side of Chesney Hills Lane and the south side of Mountain Hill Lane, east of Chesney Hills Lane (see attached Concept Plan, Exhibit A). Before the subdivision was platted, Chesney Hills Lane had to be adjusted east and Mountain Hill Lane south, which created the irregular shape of the two subject lots. This change to the road layout and lots were only reviewed as part of the final plat approval and not as a revised concept plan. When the subdivision plat was approved in 2007, the Planning Commission did not have the authority to reduce the peripheral setback so the developer had to assume that houses could be built on the lot without a variance approved by the Board of Zoning Appeals or the intention was to leave them unbuilt.

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 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 City.



**3-D-20-UR
USE ON REVIEW**



Reduce the peripheral setback from 35 ft to 20 ft. in PR (Planned Residential)

Original Print Date: 2/18/2020 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

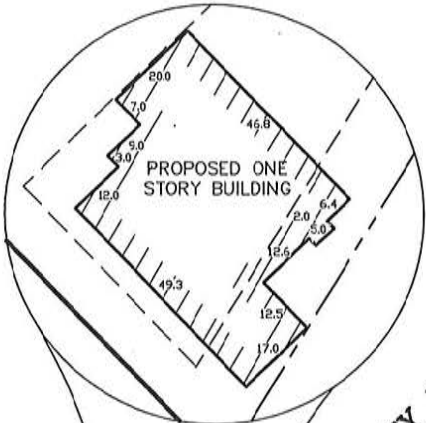
Petitioner: Benchmark Associates, Inc.

Map No: 104

Jurisdiction: City



CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	302.47'	94.60'	94.21'	N 07°10'00" E



CHESNEY HILLS LANE
(S&T 8601-02-100)

USE-ON-REVIEW:

- On 12 March 2020, the Knoxville/Knox County Planning Commission approved a reduction of the peripheral setback from 35' to 20'.

UPLAND CLOSE SUBDIVISION
 PLAT CABINET E, SLIDE 373D
(MAP BOOK 71S, PAGE 9)

NOTES

- Minimum building setbacks:
 Front...20'
 Side...5'
 Rear...15'
 Peripheral...35'
- 10' utility and drainage easement inside perimeter and road frontage lot lines, 5' each side of all interior lot lines.
- This property is zoned PR.
- 7.5' utility easement each side of water and sanitary sewer lines as installed.
- All lots to have vehicular access to internal streets only.
- Property recorded in Instrument #201912270043402 and Instrument #200711070037947.
- Platted property lines do not define the exact location of gas line easement.
- Maintenance Agreements for detention facilities recorded in Instrument #200711010036386.
- For approved subdivision variances and conditions of approval of the Concept Plan and Use-On-Review, refer to the Metropolitan Planning Commission's files 5-SH-06-C and 5-M-06-UR.
- Property is subject to Restrictive Covenants, being of record in Instrument #201307290007375 of the Register's Office of Knox County, Tennessee.
- Record North references the subdivision plat of record referenced in Instrument #200711070037947 of record in the Register's Office of Knox County, Tennessee.

LEGEND

(22) LOT NUMBERS
 S 42°18'16" W FOUND CALLS

EXHIBIT DRAWING

SURVEY FOR HUGHSTON HOMES OF TENNESSEE, LLC

LOCATION 0 CHESNEY HILLS LANE, KNOXVILLE, TN 37931
SIXTH CIVIL DISTRICT OF KNOX COUNTY, TN

SUBDIVISION CHESNEY HILLS

LOT NUMBER 79 SCALE 1"=60'

BM# 20-013-site4UOR DATE 16 JANUARY 2020

RECORD INSTRUMENT# 201912270043402, R.O.K.C., TN. (DEED)

3-D-20-UR



BENCHMARK ASSOCIATES, INC.

10308 Hardin Valley Road
 Knoxville, Tennessee 37923

Member
 Tennessee Association
 of Professional Surveyors

Land Planners Land Surveyors

Phone (865) 692-4090
 Facsimile (865) 692-4091



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

Benchmark Associates, Inc.

Consultant

Applicant Name

Affiliation

16 January 2020

12 March 2020

3-D-20-WR

Date Filed

Meeting Date (if applicable)

File Numbers(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

Benjamin J. Moorman

Benchmark Associates, Inc.

Name

Company

PO Box 23892

Knoxville

Tennessee

37933

Address

City

State

Zip

865-692-4090

bmoorman@bma-ls.com

Phone

Email

CURRENT PROPERTY INFO

Hughston Homes of Tennessee, LLC

8219 N. Crossing Court, Fortson, GA 31808 706-568-7650

Owner Name (if different)

Owner Address

Owner Phone

1510 Mountain Hill Ln & 0 Chesney Hills Ln

104MJ078 and 079

Property Address

Parcel ID

SE of Intersection of Mountain Hill Ln & Chesney Hills Ln

40,000 +/- sq.ft.

General Location

Tract Size

W6

PR 1.28 DU/Acre

Jurisdiction (specify district above)

- City
- County

Zoning District

Northwest County

LDR / HP area

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Vacant

No

WKUD

WKUD

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST

DEVELOPMENT

Development Plan Use on Review / Special Use

Residential Non-Residential

Home Occupation (specify): _____

Other (specify): Reduce Peripheral Setback from 35' to 20'

SUBDIVISION

Proposed Subdivision Name _____ Unit / Phase Number _____

Parcel Change

Combine Parcels Divide Parcel Total Number of Lots Created: _____

Other (specify): _____

Attachments / Additional Requirements

ZONING

Zoning Change: _____
Proposed Zoning _____

Plan Amendment Change: _____
Proposed Plan Designation(s) _____

Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____

Other (specify): _____

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat only*)
- Use on Review / Special Use (*Concept Plan only*)
- Traffic Impact Study

FEE 1:

0403 | 450.00

FEE 2:

FEE 3:

TOTAL:

\$450.00

AUTHORIZATION By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Benjamin J. Moorman
Applicant Signature

Benjamin J. Moorman

16 January 2020

Please Print

Date

865-692-4090

bmoorman@bma-ls.com

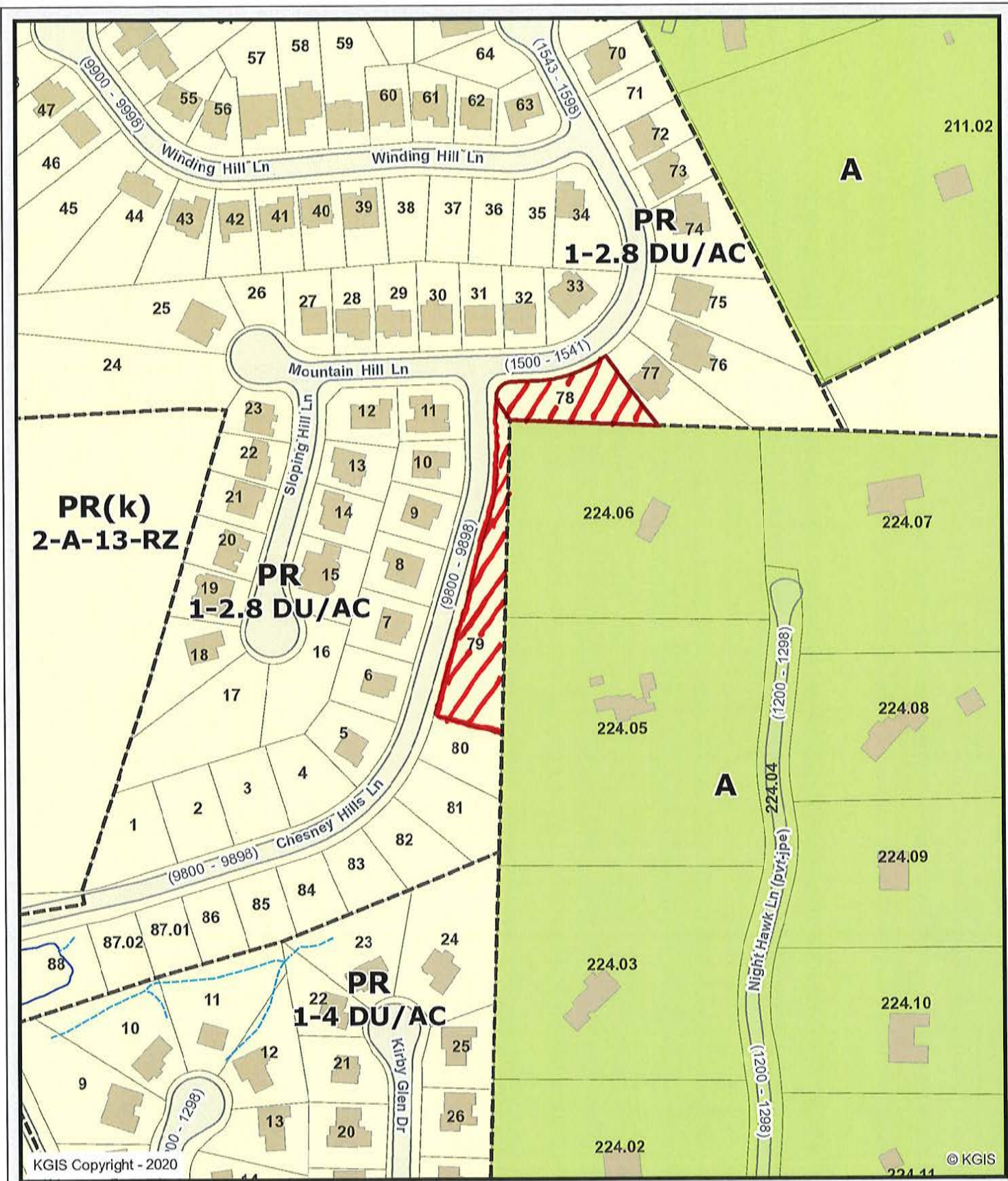
Phone Number

Email

Sherry Michienzi
Staff Signature

SHERRY MICHENZI
Please Print

1-16-20
Date



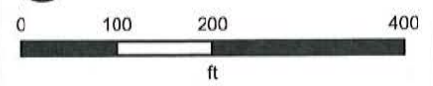
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104MJ078 & 079



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Knoxville - Knox County - KUB Geographic Information System

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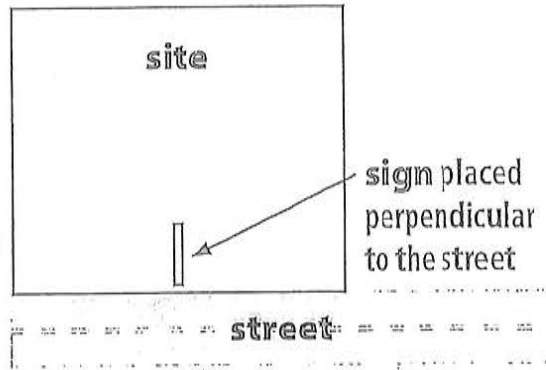
REQUIRED SIGN POSTING AGREEMENT

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:

Feb 26 (Wed) and March 13 (Fri)
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Benjamin J. Moorman

Printed Name: BENJAMIN J. MOORMAN

Phone: 252-692-4090 Email: bmoorman@bma-ls.com

Date: 1-16-20

File Number: 3-D-20-UR