

USE ON REVIEW REPORT

► **FILE #:** 5-C-21-UR

AGENDA ITEM #: 36

AGENDA DATE: 5/13/2021

► **APPLICANT:** JEFFREY & DARSEY WATTS

OWNER(S): Jeffrey D. & Darsey Watts

TAX ID NUMBER: 28 004 & 00401

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 8326 & 8328 Joey Lane

► **LOCATION:** At the terminus of Joey Lane, east of Old Andersonville Pike

► **APPX. SIZE OF TRACT:** 4.162 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Joey Lane, a local street with 10.8 feet of pavement width within 50 feet of right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

► **EXISTING LAND USE:** Vacant Land

► **PROPOSED USE:** Detached residential subdivision

1.2 du/ac

HISTORY OF ZONING: The property was rezoned from A (Agricultural) to PR (Planned Residential) < 2 du/ac in 2020 (10-C-20-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agriculture)

South: Single family residential - PR (Planned Residential)

East: Single family residential - PR (Planned Residential)

West: Single family residential, Rural residential - A (Agriculture)

NEIGHBORHOOD CONTEXT: The area is primarily a mix of large lot, rural residential and single family residential lots and is characterized by forested steep slopes.

STAFF RECOMMENDATION:

► **APPROVE the development plan for up to 5 detached dwelling units on individual lots and reduction of the peripheral setback as outlined in condition #5, subject to 6 conditions.**

1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
2. Meeting all applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
4. If any of the depressions on the site are determined to be sinkholes, building construction proposed within the 50' buffer area around the designated sinkholes/depressions (including the depressions), a geotechnical

report must be prepared by a registered engineer to determine soil stability and that report must be submitted to the Knox County Department of Engineering and Public Works for consideration. Any construction in these areas is subject to approval by the County following review of the report. Engineered footings must be designed for these areas. For those lots that do not have a building site outside of the 50' buffer, approval by Knox County will be required prior to final plat approval. The sinkholes/depressions and 50' buffer shall be designated on the final plat even if they are approved to be filled.

5. Reduction of the peripheral setback from 35-FT to 15-FT for 1-story accessory structures only on Lots 1-4 and to 15-FT for the primary structure on Lot 5. The primary structures on Lots 1-4 must meet the 35-FT peripheral setback.

6. Providing a turnaround at the terminus of the private right-of-way per the requirements of Knox County Engineering and Public Works and the Knox County Fire Prevention Bureau.

With the conditions noted above, this request meets the requirements of the PR zone and the criteria for approval of a use on review.

COMMENTS:

The applicant is proposing to subdivide this 4.162-acre tract into 5 detached residential lots at a density of 1.2 du/ac. The property was rezoned from A (Agricultural) to PR (Planned Residential) up to 2 du/ac in November 2020 (10-C-20-RZ). Access to the site via a private right-of-way that connects the terminus of Joey Lane. The applicant has also submitted a final plat that is on this same agenda (5-SB-21-F) which has a subdivision variance to reduce the private right-of-way width from 40-FT to 25-FT where the property is only 25-FT wide (approximately 137-FT in length). The private right-of-way will widen out to 40-FT for the remaining length.

The applicant requests a reduction of the peripheral setback on Lots 1-4 to 15-FT to allow the construction of 1-story accessory structures only, not the primary structure. The reason for this is to provide flexibility in locating the accessory structures on the property. In most residential zones, accessory structures are only required to have a 5 to 8-FT setback from side and rear property lines. The request to reduce the peripheral setback on Lot 5 is due to the potential sinkhole on the property and providing flexibility in locating the house on the lot. The flattest portion of the lot is in the southwest corner and this is where the applicant hopes to put a home in the future. The residential properties to the south are substantially lower in elevation than the subject property so the reduced setback should have less impact than if they were at the same elevation.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The North County Sector Plan recommends LDR (Low Density Residential) uses for this site with a maximum of 5 du/ac, however, the property is within the Rural Area on the Growth Policy Plan which limits the density to a maximum of 2 du/ac. The property was rezoned to PR up to 2 du/ac in 2020 (10-C-20-RZ) and the proposed subdivision has a density of 1.2 du/ac.

B. The property has 3.76 of the 4.162 total acres within the hillside protection (HP) area and approximately 2.6 of the 3.76 acres within the HP area can be disturbed according to the recommendations of the Hillside and Ridgetop Protection Plan (see the attached Slope Analysis). The proposed lots range in size from .593 acres to 1.152 acres which should allow for houses to be located on the lots without having to grade a large portion of the property.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

B. The proposed subdivision will have detached residential lot sizes that are comparable to others that have access to Joey Lane.

C. The PR (Planned Residential) zoning for this site allows up to 2 du/ac and the proposed subdivision has a density of 1.2 du/ac.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed single-family detached subdivision has a similar character as other residential subdivisions in this area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed residential subdivision is compatible with the surrounding residential uses and will not significantly impact the value of adjacent properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development is at the terminus of Joey Lane and will not draw additional traffic through a residential area.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. The property has a potential sinkhole. The concept plan has identified these features and provided the required buffers.

B. There are no other known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

ESTIMATED TRAFFIC IMPACT: 66 (average daily vehicle trips)

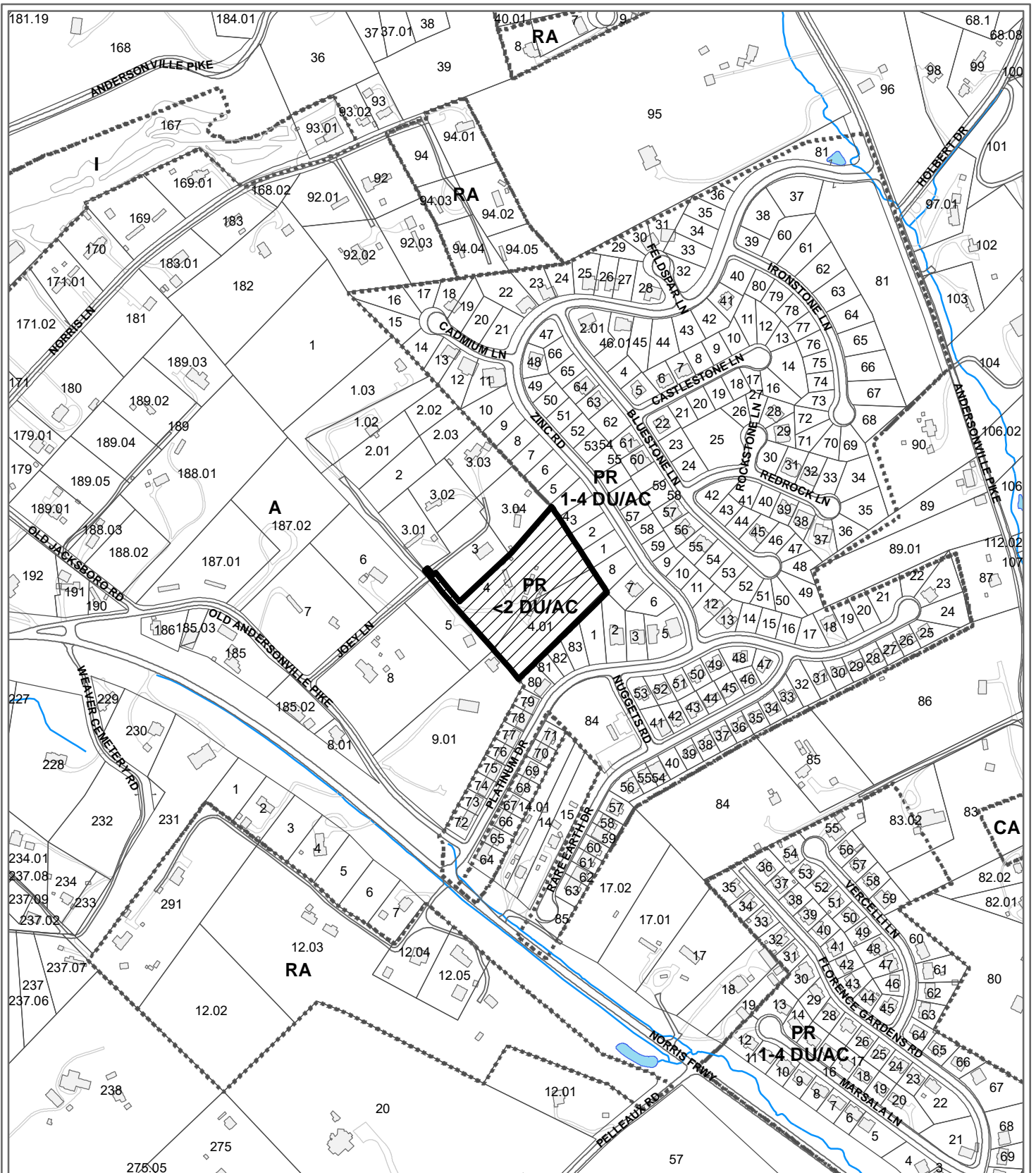
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public school children, grades K-12)

Schools affected by this proposal: Copper Ridge Elementary, Halls Middle, and Halls 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.



**5-C-21-UR
USE ON REVIEW**



Detached residential subdivision in PR (Planned Residential)

Original Print Date: 4/13/2021
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Watts, Jeffrey & Darsey

Map No: 28

Jurisdiction: County

0 500
Feet



CATEGORY	ACRES	RECOMMENDED LAND DISTURBANCE FACTOR	ACRES OF DISTURBANCE
Non-Hillside	0.29	N/A	N/A
0-15% Slope	1.63	1.00	1.6
15-25% Slope	1.74	0.50	0.9
25-40% Slope	0.37	0.20	0.1
Greater than 40% Slope	0.03	0.10	0.0
Ridgetops	0		0.0
Maximum Land Disturbance Guideline (Hillside & Ridgetop Protection Plan)	3.77		2.6
Proposed Land Disturbance (Applicant)			Not provided

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

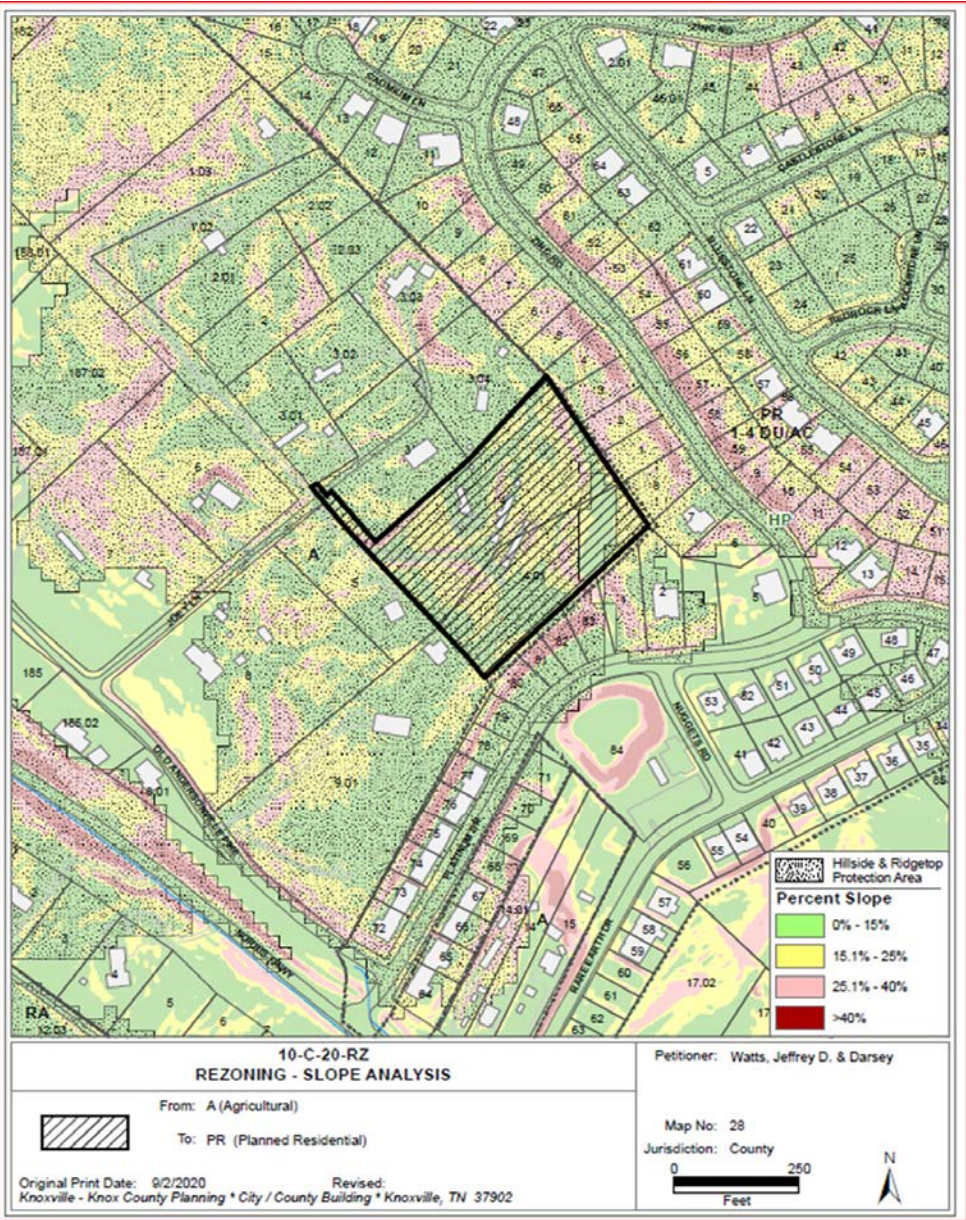
Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines for Recommendations on Changes to the Zoning Map and Development Plan/ Concept Plan Review within the Hillside and Ridgetop Protection Area that is within the Urban Growth and the Planned Growth Area		
Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: dwelling units per acre

- * These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.
- ** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.
- *** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 – 9), the ridgetop area should be determined on a case by case basis with each rezoning and related development proposal.



Certification of the Surveyor

I hereby certify that this survey was prepared in accordance with the current edition of the rules of the Tennessee Surveyors' Association - Standards of Practice.

Signature: *[Signature]* Date: 04/29/21

Registered Land Surveyor: Tennessee License Number: 16216

During: _____

During Hours on Official Day: _____

Date: _____

By: _____

Addressing Department Certification

I, the undersigned, hereby certify that this subdivision complies with all stated terms and conditions of the plat and that the survey was prepared in accordance with the current edition of the rules of the Tennessee Surveyors' Association - Standards of Practice.

Signature: _____ Date: _____

Legend

Iron pin (set) = 1/2" x 18" rebar, set during this survey, with a yellow flag, to mark the location of the iron pin.

OP = Open top pipe (found)

R/W = Right-of-way

ULP = Underline utility pole

WPP = Water fence post

----- = Existing fence

LC = Long chord of circular curve

R = Radius of circular curve

----- = Current lot line being delineated

NOTE: Subdivide per required zoning

County - Release of Encumbrances

County of Sevier, Tennessee, do hereby certify that the following parties have been released from all claims and liens against the property described in this plat, and that the property is now free and clear of all such claims and liens.

Sevier County Department of Engineering and Public Works

Signature: _____ Date: _____

Owner Information

Owner: _____

Owner Signature: _____ Date: _____

Owner Printed Name: _____

Owner Signature: _____ Date: _____

Owner Printed Name: _____

Owner Signature: _____ Date: _____

Owner Printed Name: _____

Notes and Remarks

This is to certify that all property lines and measurements are as shown on this plat.

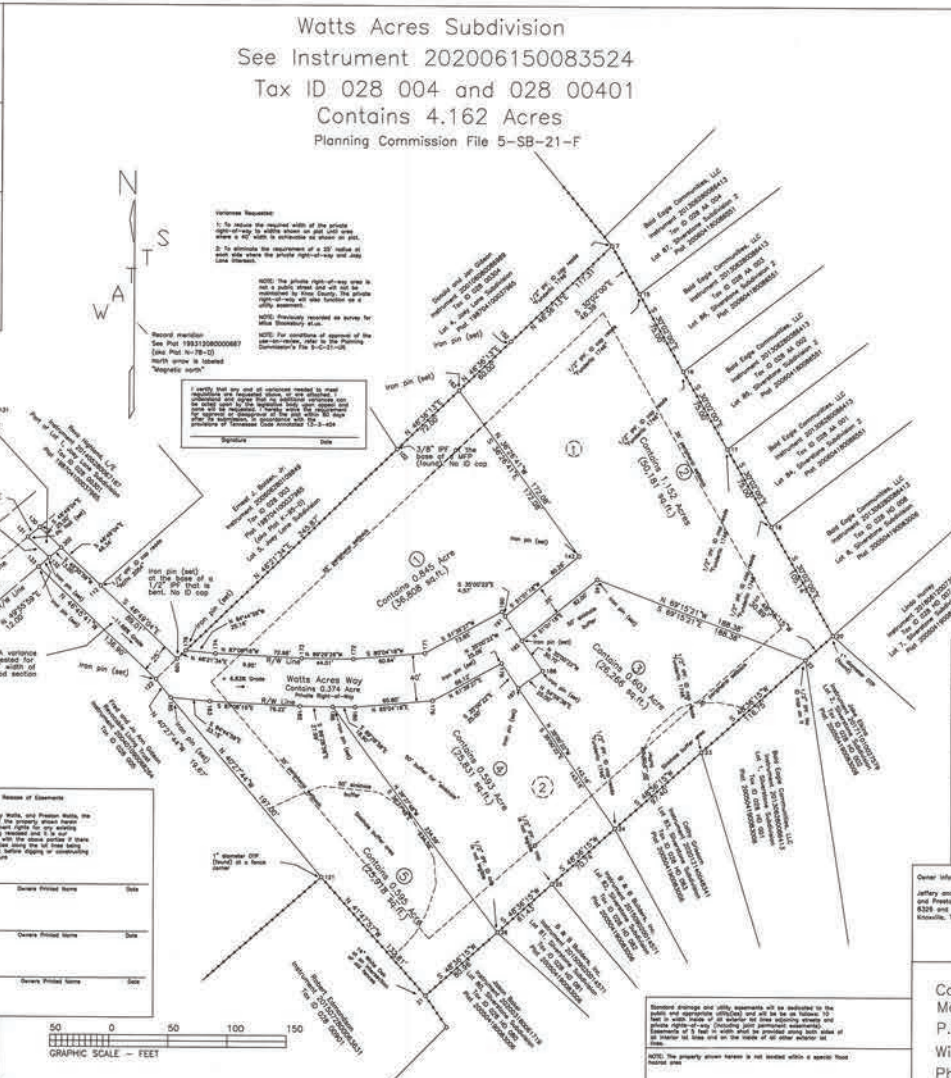
Owner: _____

Signature: _____ Date: _____

On the basis of my knowledge, information, and belief, I certify that the information shown herein is true and correct.

Signature: *[Signature]* Date: 04/29/21

Surveyor's Signature: _____ Date: _____



Planning Commission Certification of Approval for Recording - Final Plat

This is to certify that the subdivision plat shown herein has been found to comply with the subdivision regulations of Sevier County, Tennessee, and that the plat is hereby approved for recording in the office of the County Clerk of Sevier County, Tennessee.

Signature: _____ Date: _____

Sevier County Department of Engineering and Public Works

Signature: _____ Date: _____

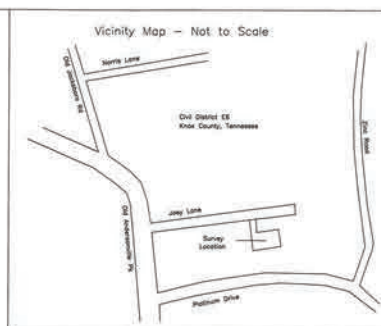
Owner Certification for Public Street and Water Service - Water Subdivision

We, Jeffrey and Dorsey Watts, and Preston Watts, the undersigned owners of the property shown herein, hereby certify that we are the owners of the property shown herein and that we are the owners of the property shown herein and that we are the owners of the property shown herein.

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____



Certification of Approval of Public Water System - Water Subdivision

This is to certify that the subdivision plat shown herein is approved subject to the installation of a public water system, and that the plat is hereby approved for recording in the office of the County Clerk of Sevier County, Tennessee.

Signature: _____ Date: _____

Certification of Ownership and General Information

We, Jeffrey and Dorsey Watts, and Preston Watts, the undersigned owners of the property shown herein, hereby certify that we are the owners of the property shown herein and that we are the owners of the property shown herein.

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

Owner Information

Jeffrey and Dorsey Watts
6328 and 6329 Hwy Lane
Knoxville, Tennessee 37938

Client Information
Clayton Homes
4808 Clinton Highway
Knoxville, Tennessee 37912

Comparani & Associates Surveying

Mark A. Comparani, Tn. R.L.S. No. 1626
P.O. Box 577
Williamsburg, Kentucky 40769
Phone: 606-499-2089 Fax: 606-261-2141

Plot showing the results of a survey of the redivision of the Jeffrey and Dorsey Watts, and Preston Watts property recorded in Instrument 202006150083524. Located at the end of Joey Lane, Civil District E8, Knox County, Tennessee.

Acres are shown hereon
Scale 1" = 50 feet
Surveyed by Mark A. Comparani, Tn. R.L.S. No. 1626
Surveyed on 02/18-21/2021
Drawn by Mark A. Comparani, Tn. R.L.S. No. 1626
Drawn on 02/20-21/2021
Survey was requested by Gwen Cheek of Clayton Homes, in Knoxville, Tennessee.
Job number 21-172-90-106
File name WATTS1.*
Bearings are based on record meridian of subject plot (see plat 19931208000667)

*5-C-21-UR
Revised: 4/30/2021*



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Jeffrey & Darsey Watts

Owner

Applicant Name

Affiliation

5/13/2021

File Number(s)

Date Filed

Meeting Date (if applicable)

5-C-21-UR

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

Jeffrey & Darsey Watts

Name	Company		
8328 Joey Lane	Knoxville	TN	37938
Address	City	State	ZIP
865-363-7808	Darsey.Watts@hthackney.com		
Phone	Email		

CURRENT PROPERTY INFO

Owner Name (if different)	Owner Address	Owner Phone
8326 & 8328 Joey Lane	028 004 & 00401	
Property Address	Parcel ID	
	Hallsdale Powell	Y
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

At the terminus of Joey Lane east of Old Andersonville Pike	4.162 acres
General Location	Tract Size
<input type="checkbox"/> City <input checked="" type="checkbox"/> County	vacant land
8 District	PR Zoning District
North County	LDR with HP Existing Land Use
	Rural
Planning Sector	Sector Plan Land Use Classification
	Growth Policy Plan Designation

DEVELOPMENT REQUEST
☐ Development Plan ☒ Use on Review / Special Use ☐ Hillside Protection COA

☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

* Need to establish the access, lot sizes, setbacks & the

Other (specify) ~~the peripheral setback because the property was rezoned to~~

PR in October 2020 (10-C-20-RZ)

Related City Permit Number(s)

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number

Total Number of Lots Created

☐ Other (specify) _____☐ Attachments / Additional Requirements**ZONING REQUEST**

Pending Plat File Number

☐ Zoning Change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

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)☐ Use on Review / Special Use (Concept Plan)☐ Traffic Impact Study☐ COA Checklist (Hillside Protection)

Fee 1

0402 900.00

Fee 2

Fee 3

Total

\$900.00

AUTHORIZATION

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

Jeffrey D & Darsey Watts

Digitally signed by Jeffrey D & Darsey Watts
Date: 2021.03.16 09:24:58 -0400

Jeffrey & Darsey Watts

3/15/21

Applicant Signature

Please Print

Date

865-363-7808

darsey.watts@hthackney.com

Phone Number

Email

Sherry Michienzi

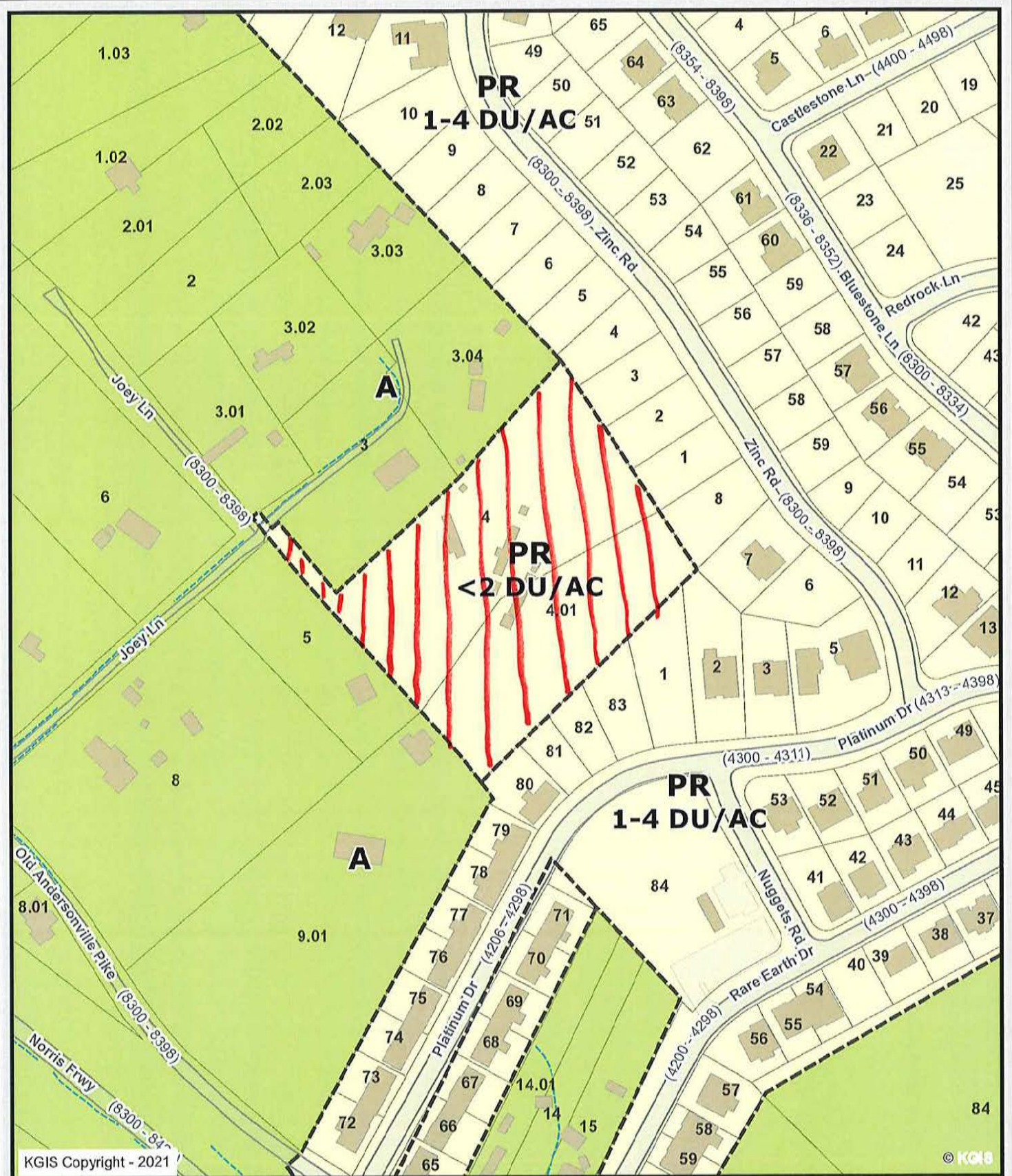
Sherry Michienzi

3/25/2021

Staff Signature

Please Print

Date

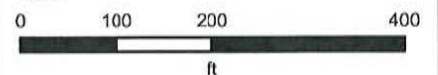


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 3/17/2021 at 11:21:42 AM



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Sherry Michienzi <sherry.michienzi@knoxplanning.org>

Fwd: Requirements for a Use on Review

1 message

Emily Dills <emily.dills@knoxplanning.org>
To: Sherry Michienzi <sherry.michienzi@knoxplanning.org>

Tue, Mar 16, 2021 at 10:38 AM

Can be attached to the Watts application for UOR

----- Forwarded message -----

From: **Mike Reynolds** <mike.reynolds@knoxplanning.org>
Date: Fri, Mar 5, 2021 at 5:46 PM
Subject: Re: Requirements for a Use on Review
To: Emily Dills <emily.dills@knoxplanning.org>

Emily,

Even though this is a UOR, it will be reviewed more like a Concept Plan even though that may not technically be required. If this site is relatively flat then we may not need a road/driveway profile but this is a good example of what is needed. The UOR checklist is more applicable to developments that aren't single-family. The turnaround at the end of the road will need to accommodate a fire truck unless the County agrees to some other standard. The private ROW width reduction will also need to be approved. We won't be able to approve the sub reg variances or alternative design standards as part of the UOR so they will need to do it as part of the final plat.

<https://www.kgis.org/ConceptPlans/7-SA-20-C.PDF>

Mike

Mike Reynolds, AICP
Senior Planner
865.215.3827



Knoxville-Knox County Planning | [KnoxPlanning.org](https://www.knoxplanning.org)
400 Main Street, Suite 403 | Knoxville, TN 37902

On Thu, Mar 4, 2021 at 3:52 PM Emily Dills <emily.dills@knoxplanning.org> wrote:

This property was rezoned to PR back in October and they now need to do a Use on Review and plat. I have the plat but have told them in order to get lot sizes and setbacks approved they need the UOR.

Is there a checklist or something I can get to their surveyor about what you will need to see?

--
Emily Dills



Sherry Michienzi <sherry.michienzi@knoxplanning.org>

Re: [Planning Applications] Use on Review application - Watts


1 message

Darsey.Watts@hthackney.com <Darsey.Watts@hthackney.com>

Tue, Mar 16, 2021 at 10:20 AM

To: Sherry Michienzi <sherry.michienzi@knoxplanning.org>

Cc: Amy Brooks <amy.brooks@knoxplanning.org>, Andrea Kupfer <andrea.kupfer@knoxplanning.org>, Planning Applications <applications@knoxplanning.org>

 We are requesting a Use on Review because our property was rezoned to PR (Planned Residential) in October 2020 see file 10-C-20-RZ and now we need to establish the access, the lot sizes, the setbacks, and the peripheral setback of our planned 5 lot subdivision.

Thanks,

Darsey Watts
The H.T. Hackney Co.
RDC Buyer
865-717-6813

From: "Sherry Michienzi" <sherry.michienzi@knoxplanning.org>

To: **Darsey.Watts@hthackney.com**, "Andrea Kupfer" <andrea.kupfer@knoxplanning.org>, "Amy Brooks" <amy.brooks@knoxplanning.org>

Cc: "Planning Applications" <applications@knoxplanning.org>

Date: 03/16/2021 09:53 AM

Subject: Re: [Planning Applications] Use on Review application - Watts

We received your application for Use on Review but there is no specific use listed. Can you please reply as to the use you're requesting? We can then begin to process your application.

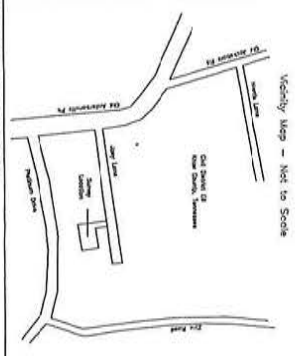
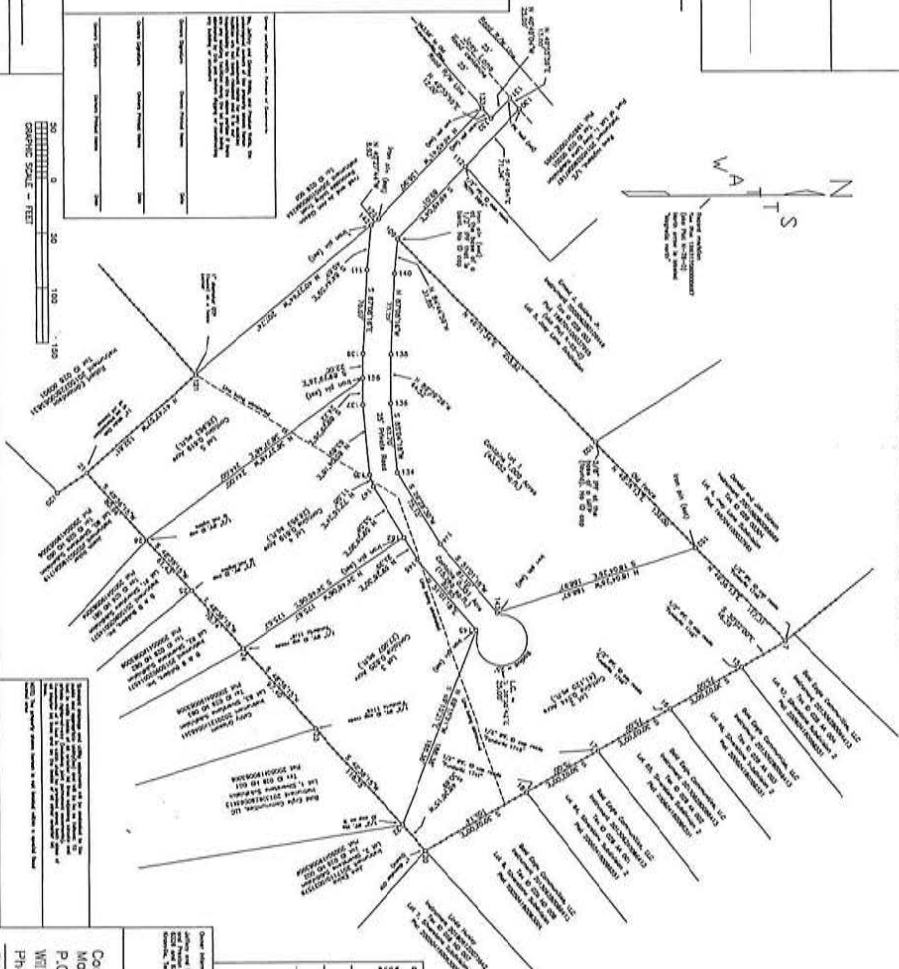
Thank you,

Sherry Michienzi
Planning Technician
865-215-2505**Knoxville-Knox County Planning** | [KnoxPlanning.org](https://www.knoxplanning.org)
400 Main Street, Suite 403 | Knoxville, TN 37902On Tue, Mar 16, 2021 at 9:45 AM <Darsey.Watts@hthackney.com> wrote:

Thanks,

Redivision of the Jeffery and Darsey Watts, and
Preston Watts Property Recorded in Instrument 202006150083524

Tax ID 028 004 and 028 00401

[illegible][illegible][illegible]

<p>Chief Information Officer Jeffrey A. Jones 10000 Wilshire Blvd., Suite 1000 Beverly Hills, CA 90212 Tel: 310.277.1000 Fax: 310.277.1001 E-mail: jeff@compa.com</p>	<p>Chief Information Officer Michael J. Jones 10000 Wilshire Blvd., Suite 1000 Beverly Hills, CA 90212 Tel: 310.277.1000 Fax: 310.277.1001 E-mail: mike@compa.com</p>	<p>Compaq Since 1994 Associates A</p>
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Comporoni & Associates Surveying
Mark A. Comporoni, Inc. R.L.S. No. 1626
P.O. Box 577
Williamsburg, Kentucky 40769
Phone: 606-499-2089 Fax: 606-261-2141

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