



DEVELOPMENT PLAN REPORT

▶ **FILE #:** 4-F-23-DP

AGENDA ITEM #: 41

AGENDA DATE: 4/13/2023

▶ **APPLICANT:** DAVID IREYS

OWNER(S): David Ireys

TAX ID NUMBER: 41 174

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 3029 LEGG LN

▶ **LOCATION:** Southwest side of Legg Ln, northwest of Millertown Pk

▶ **APPX. SIZE OF TRACT:** 3.12 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Legg Lane, a local street with a 11-ft pavement width within a 20-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Legg Creek

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

▶ **EXISTING LAND USE:** Rural Residential

▶ **PROPOSED USE:** Detached residential subdivision

DENSITY PROPOSED: 0.64 du/ac

HISTORY OF ZONING: The property was rezoned from A to PR < 1 du/ac in December 2022 (11-D-22-RZ).

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant -- A (Agricultural)

South: Rural residential -- A (Agricultural)

East: Single family residential, Agriculture/forestry/vacant -- A (Agricultural)

West: Agriculture/forestry/vacant -- A (Agricultural)

NEIGHBORHOOD CONTEXT: This is a rural, wooded area comprised of farmland and single family homes on large lots.

STAFF RECOMMENDATION:

▶ **Approve the development plan for two (2) detached residential lots and a reduction of the 35-ft peripheral setback as outlined in the staff comments, subject to 2 conditions.**

1) Meeting all other 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 district and the criteria for approval of a development plan.

COMMENTS:

PERIPHERAL SETBACK REQUEST

Lot 1 --

South lot line: 29-ft (to existing house)

East lot line: 30-ft (along Legg Ln)

West lot line: 15-ft

Lot 2 --

West lot line: 15-ft

East lot line: 15-ft

North lot line: 35-ft

The setbacks for all interior lot lines (where applicable) --

Front: 20-ft

Side: 5-ft

Rear: 15-ft

This 3.12-acre property was rezoned from A (Agricultural) to PR (Planned Residential) up to 1 du/ac in Decemeber 2022 (11-D-22-RZ). The applicant requested PR up to 2 du/ac. This development plan request is to approve the property to be subdivided into two (2) lots, and to establish the setbacks. The appicant is requesting a reduction of the peripheral setback on all exterior lot lines, except for the northern lot line, which is at the top of the ridge.

The 15-ft peripheral setback requests are on side lot lines, which are similar to side setbacks in the agricultural and residential zones. The setback along Legg Lane is 30-ft, which will make the existing house conforming to the setback and allow for improvements to Legg Ln, if necessary in the future. The front setback for Lot 1 will also make the existing house conforming to the setback.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 1 du/ac:

A. The PR zone allows single family houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B. This PR zone district is approved for a maximum of 1 du/ac. The proposed density is 0.64 du/ac.

2) GENERAL PLAN - DEVELOPMENT POLICIES

A. Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) - The proposed detached residential structures will have a similar scale as the other residential development in the area.

3) NORTHEAST COUNTY SECTOR PLAN

A. The property is classified A (Agricultural), which allows consideration density up to 1 du/ac. The proposed development has a density of 0.64 du/ac.

B. The majority of this property is in the HP (Hillside Protection) area. The applicant proposes to retain the existing house on Lot 1 and build one (1) additional house on Lot 2. The house lot Lot 2 will be toward the front of the lot, below the steepest slopes going up the ridge.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

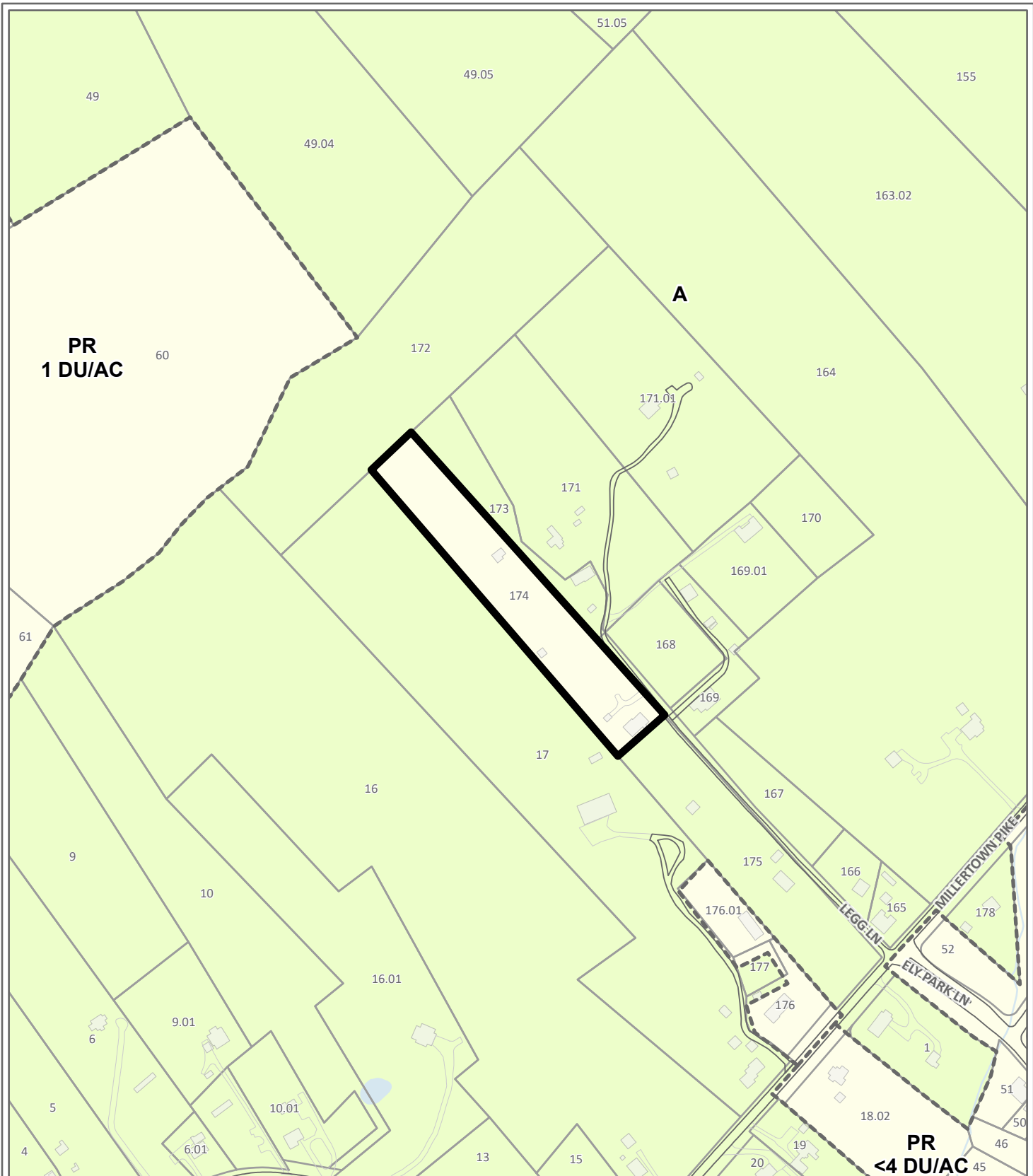
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public school children, grades K-12)

Schools affected by this proposal: East Knox County Elementary, Carter Middle, and Carter 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 development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



DEVELOPMENT PLAN

4-F-23-DP

Petitioner: David Ireys



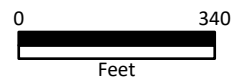
in PR (Planned Residential)

Map No: 41

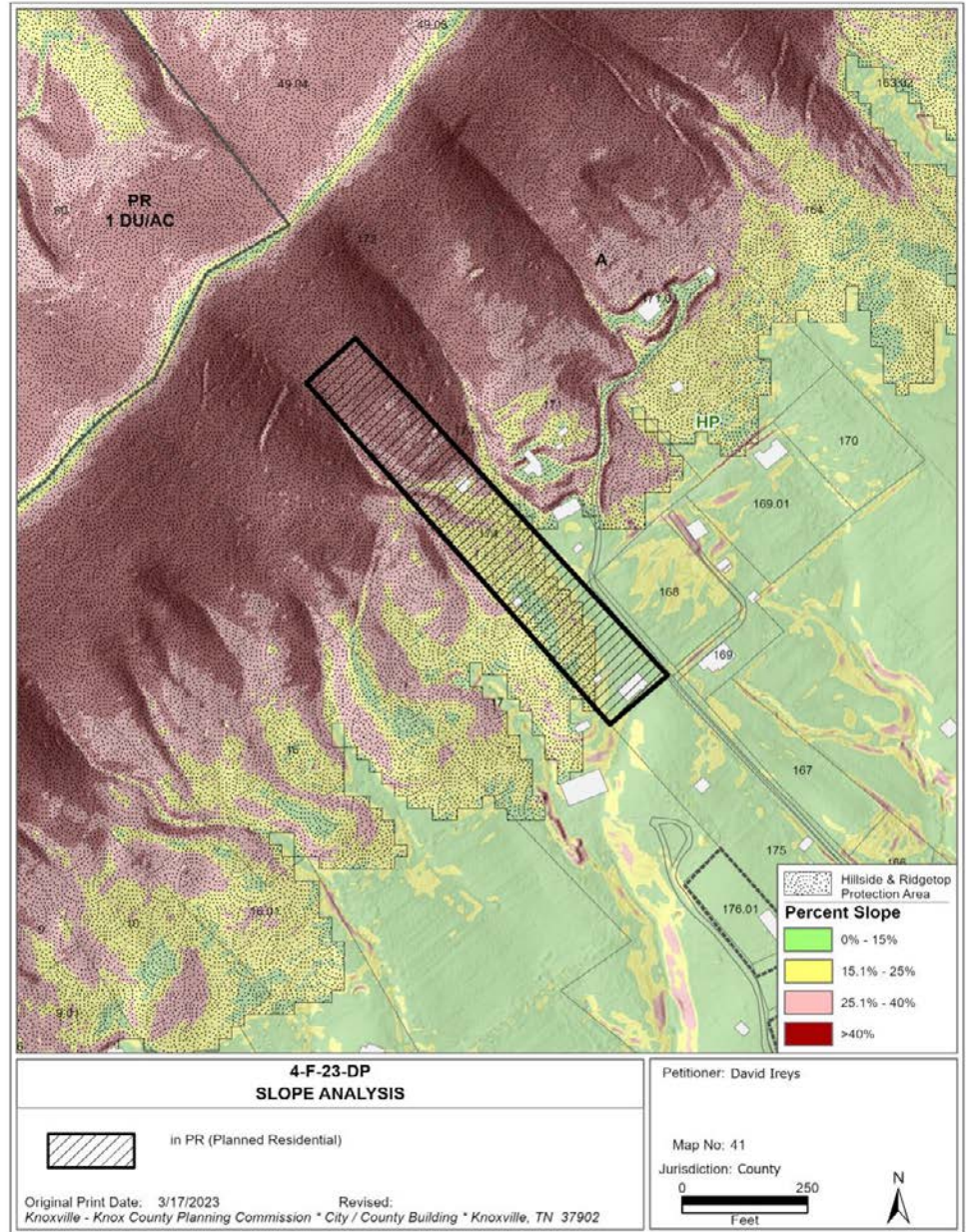
Jurisdiction: County

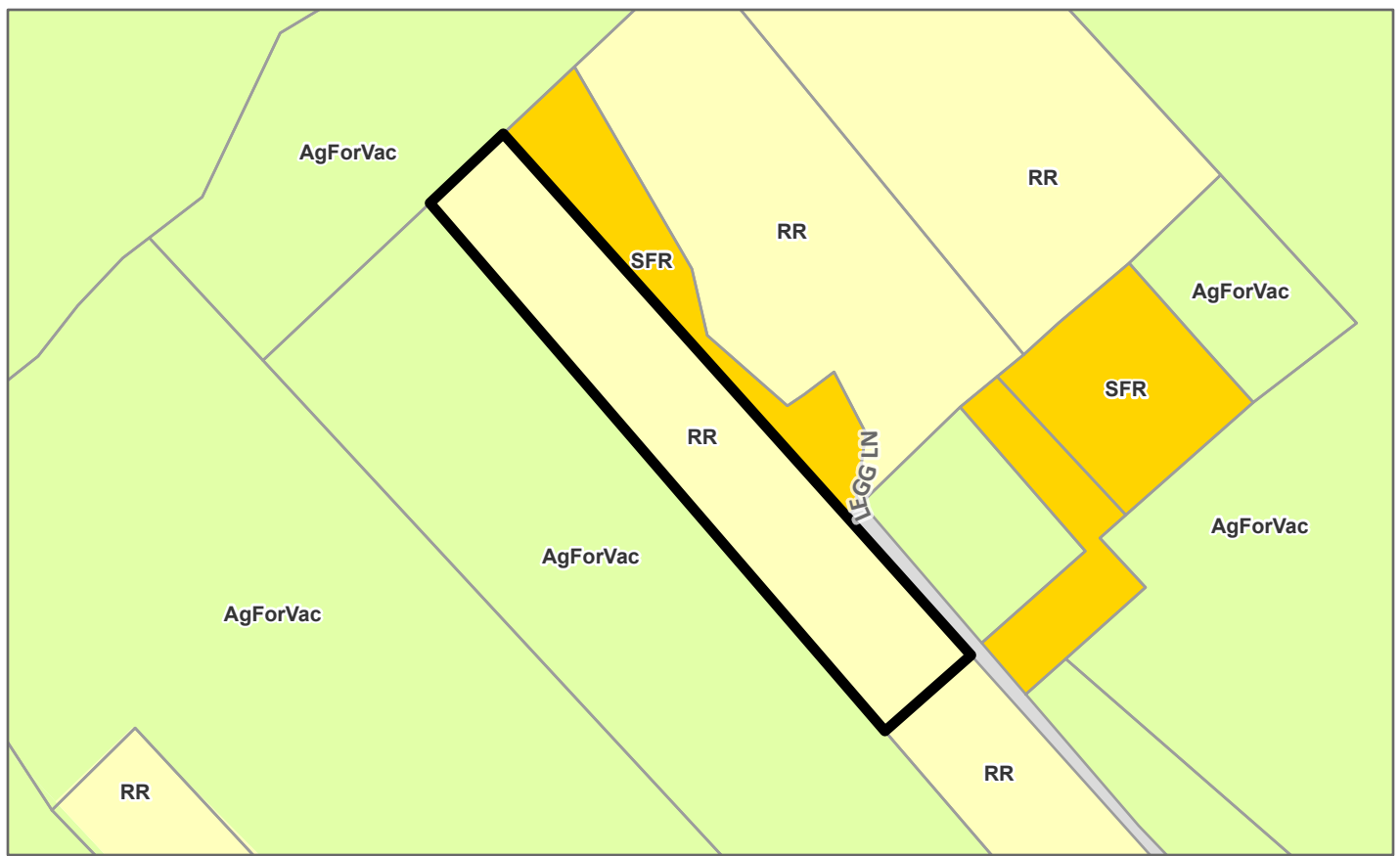
Original Print Date: 4/4/2023



Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	3.04		
Non-Hillside	0.63	N/A	
0-15% Slope	0.20	100%	0.20
15-25% Slope	0.96	50%	0.48
25-40% Slope	0.43	20%	0.09
Greater than 40% Slope	0.82	10%	0.08
Ridgetops			
Hillside Protection (HP) Area	2.41	Recommended disturbance budget within HP Area (acres)	0.85
		Percent of HP Area	0.35





Existing Land Use and Aerial Maps		4-F-23-DP
	Case boundary	 0 275 Feet
		

Certificate of Ownership and General Dedication.

(I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I, am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat

Owner(s) Printed Name: DAVID IREYS & MARIA IREYS

Signature(s): _____ Date: _____
Signature(s): _____ Date: _____

Certification of Final Plat – All Indicated Markers, Monuments and Benchmarks Set.

I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and statements conform, to the best of my knowledge, to all applicable provisions of the Knoxville/Knox County Subdivision Regulations except as has been itemized, described and justified in a report filed with the Planning Commission, or for variances and waivers which have been approved as identified on the final plat. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the _____ day of _____, 20____.
Registered Land Surveyor _____
Tennessee License No. _____
Date: _____

Certification of Category and Accuracy of Survey

Survey accuracy shall meet the requirements of the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice. I hereby certify that this is a Category _____ survey and the ratio of precision of the unadjusted survey is not less than 1:_____, as shown hereon and that said survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice.
Registered Land Surveyor _____
Tennessee License No. _____
Date: _____

Zoning

Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission as follows:
Zoning Shown on Official Map _____
Date: _____
By: _____

Addressing Department Certification

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: _____

Taxes and Assessments. Certification that taxes and assessments have been paid shall be as follows:

This is to certify that all property taxes and assessments due on this property have been paid.
Knox County Trustee: Signed: _____ Date: _____

Certification of Approval of Public Water System – Minor Subdivisions

This is to certify that the subdivision shown hereon is approved subject to the installation of a public water system, and that such installation shall be in accordance with State and local regulations. It is the responsibility of the property owner to verify with the Utility Provider the availability of water system in the vicinity of the lot(s) and to pay for the installation of the required connections.

Utility Provider _____

Authorized Signature for Utility Date _____

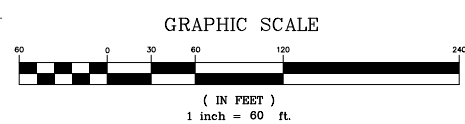
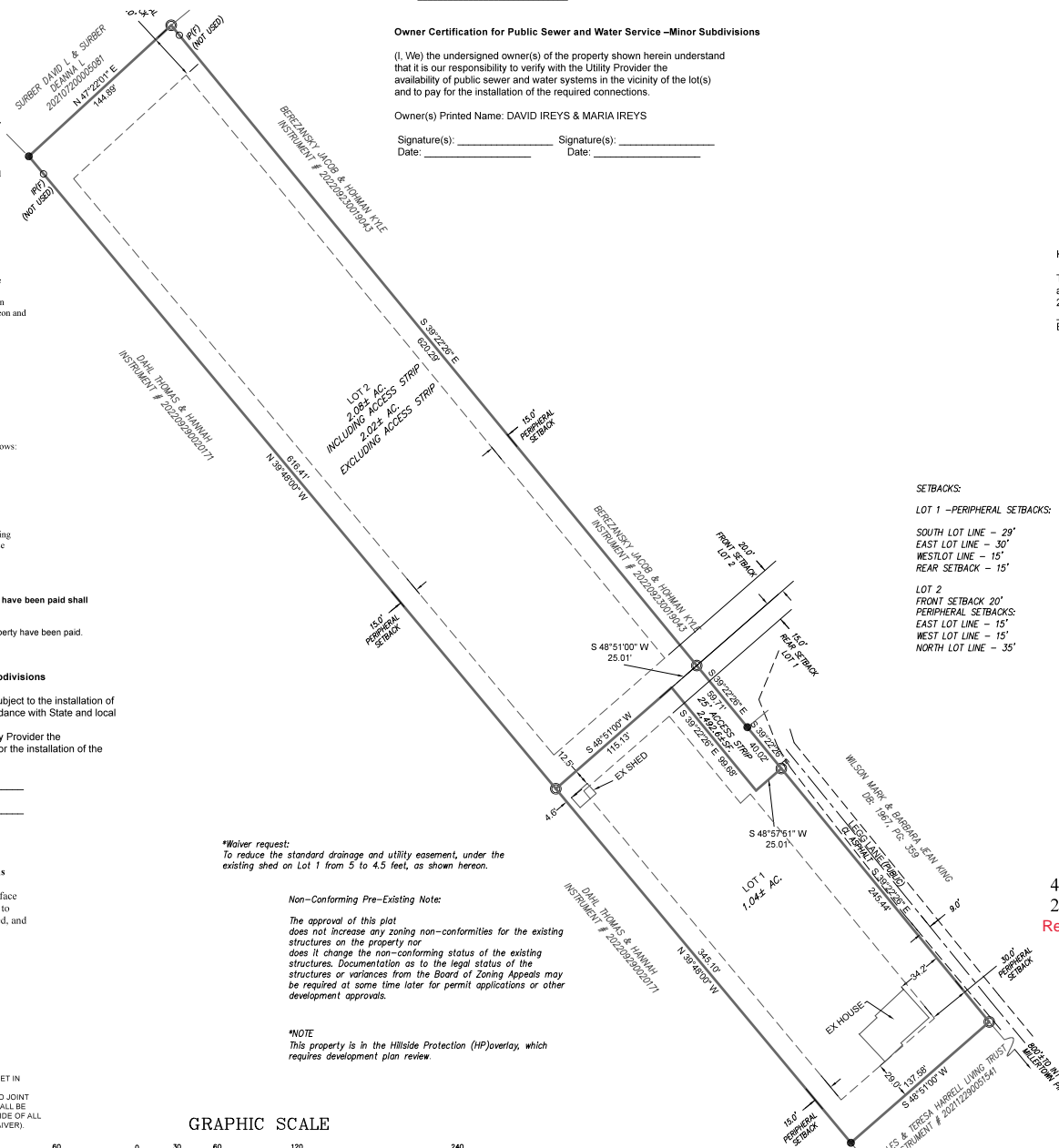
Certification of Approval of Subsurface Sewage Disposal Systems

This is to certify that this subdivision is generally suitable for subsurface sewage disposal systems; and this is to notify that all lots are subject to Sections 68-13-401 thru 68-13-413 of the Tennessee Code, Annotated, and the regulations promulgated thereto.

Knox County Health Department
Date: _____

SITE NOTES

- CORNER MONUMENTS AS SHOWN HEREON
- VERIFY EXACT SIZE, DEPTH AND LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION
- THE REQUIRED UTILITY AND DRAINAGE EASEMENTS SHALL BE TEN (10) FEET IN WIDTH INSIDE ALL EXTERIOR LOT LINES ADJOINING
- STREETS AND PRIVATE RIGHTS-OF-WAY, INCLUDING PREVIOUSLY APPROVED JOINT PERMANENT EASEMENTS (LINES), EASEMENTS OF FIVE (5) FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES (EXCEPT AS MODIFIED BY THE SUBDIVISION WAIVER).
- DEED REFERENCE INSTRUMENT # 202206101079699
- PROPERTY SHOWN ON MAP 41 PARCEL 174
- RESTRICTIONS OF RECORD.
- TOTAL LOTS: 2
- TOTAL AREA: 3.12 ACRES
- PROPERTY ZONE: A
- NO CERTIFICATION IS MADE REGARDING ZONING CONFORMANCE.



Planning Staff 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 waivers noted on this plat, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 13-3-405 of Tennessee Code, Annotated, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the City of Knoxville or Knox County of the dedication of any street or other ground upon the plat.
Signed: _____
Date: _____

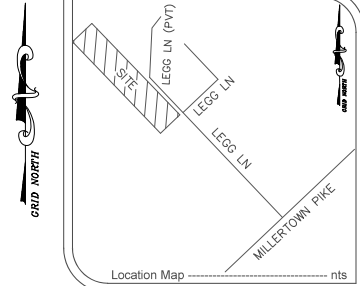
Owner Certification for Public Sewer and Water Service –Minor Subdivisions

(I, We) the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

Owner(s) Printed Name: DAVID IREYS & MARIA IREYS
Signature(s): _____ Date: _____
Signature(s): _____ Date: _____

Knox County Property Assessor

Signature: _____
Date: _____



- LEGEND**
- IP(O) IRON PIN (OLD)
 - ⊙ IP(S) IRON PIN (SET)
 - IP(F) IRON PIN (FOUND)-NOT USED (UNKNOWN ORIGIN)

Knox County Department of Engineering and Public Works
The Knox County Department of Engineering and Public Works hereby approves this plat on this the _____ day of _____, 20____.
Engineering Director _____



SETBACKS:
LOT 1 – PERIPHERAL SETBACKS:
SOUTH LOT LINE – 29’
EAST LOT LINE – 30’
WEST LOT LINE – 15’
REAR SETBACK – 15’
LOT 2
FRONT SETBACK 20’
PERIPHERAL SETBACKS:
EAST LOT LINE – 15’
WEST LOT LINE – 15’
NORTH LOT LINE – 35’

I hereby certify that the survey shown hereon is a category 1 survey and that the ratio of precision of the unadjusted survey is not less than 1:10,000 as shown hereon. No title opinion was furnished to this surveyor and easements shown and or not apparent in the field may or may not be discovered by a title search by a title attorney.

Surveyor
Tenn. Reg. No. 769

4-F-23-DP
2/28/2023
Revised: 4/12/2023

OWNER:
DAVID IREYS & MARIA IREYS
3029 LEGG LN
KNOXVILLE, TN 37924
(619) 271-0689

PLANNING # 10-M-22

FINAL PLAT OF		
HILLSIDE GARDENS		
Scale: 1"= 60'	Approved by: Rel	Drawn by: Rel jr
DATE: 10-5-2022	LATEST REVISION: 4-12-23	
DISTRICT 8 * KNOX COUNTY * TENNESSEE		
PARCEL ID: 041 174	DRAWING NO.: 6241	

LeMAY AND ASSOCIATES CONSULTING ENGINEERS

PH: (865) 671-0183
FAX: (865) 671-0213
10916 KINGSTON PIKE
KNOXVILLE, TENNESSEE 37934



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

David Ireys

Applicant Name

Affiliation

2/28/2023

Date Filed

4/13/2023

Meeting Date (if applicable)

4-F-23-DP

File Number(s)

CORRESPONDENCE

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

David Ireys

Name / Company

2121 Pleasant View Rd Knoxville TN 37914

Address

865-722-3347 / davidireys7@gmail.com

Phone / Email

CURRENT PROPERTY INFO

David Ireys

Owner Name (if different)

2121 Pleasant View Rd Knoxville TN 37914

Owner Address

865-722-3347 / davidireys7@g

Owner Phone / Email

3029 LEGG LN

Property Address

41 174

Parcel ID

3.06 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Northeast Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

SW of Legg Ln, northwest of Millertown Pk

General Location

City

Commission District 8

PR (Planned Residential)

Rural Residential

County District

Zoning District

Existing Land Use

Northeast County

Planning Sector

AG (Agricultural), HP (Hillside Protection)

Sector Plan Land Use Classification

Rural Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input checked="" type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment		
Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Zoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$500.00	
Fee 2	
Fee 3	

AUTHORIZATION

David Ireys	2/28/2023
Applicant Signature	Date
Please Print	

Phone / Email

David Ireys	2/28/2023
Property Owner Signature	Date
Please Print	

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

David Ireys

Applicant Name

Affiliation

2-28-23

Date Filed

4/13/2023 @ 1:30 pm

Meeting Date (if applicable)

Main Assembly Room
City County Bldg.

File Number(s)

4-F-23-DP

CORRESPONDENCE

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

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

David Ireys

Name

Company

2121 Pleasant View

Address

Knoxville

City

TN

State

37914

ZIP

(865) 722-3347

Phone

Davidireys7@gmail.com

Email

CURRENT PROPERTY INFO

David Ireys

Property Owner Name (if different)

2121 Pleasant View Rd

Property Owner Address

865-722-3347

Property Owner Phone

3029 Legg Lane

Property Address

Knoxville, TN 37924

Parcel ID

Septic

Sewer Provider

KUB

Water Provider

X

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) Detached residential subdivision

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel 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	Fee 2	Fee 3	Total
8402	500-		500 ⁰⁰
			PAID 2/28/23
			<i>[Signature]</i>

AUTHORIZATION

[Signature]

David IREYS

2-28-23

Applicant Signature

Please Print

Date

865-722-3347

Davidireys7@gmail.com

Phone Number

Email

Same

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.