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
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 where 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.
Reduce the peripheral setback from 35 ft to 20 ft. in PR (Planned Residential)
USE-ON-REVIEW:

1. On 12 March 2020, the Knoxville/Knox County Planning Commission approved a reduction of the peripheral setback from 30' to 25'.

NOTES:

1. Minimum building setbacks:
   - Front: 20'
   - Side: 15'
   - Rear: 15'
   - Peripheral: 30'

2. 10' utility and drainage easement inside perimeter and road frontage lot lines, 2' each side of all interior lot lines.

3. This property is zoned PR.

4. 7.5' utility easement each side of water and sanitary sewer lines as installed.

5. All lots to have vehicular access to internal streets only.

6. Property recorded in Instrument #201912270043492 and Instrument #20071570337947.

7. Platted property lines do not define the exact location of gas line easement.

8. Maintenance Agreements for detention facilities recorded in Instrument #200710101030368.

9. For approved subdivision variances and conditions of approval of the Concept Plan and Use-On-Review, refer to the Metropolitan Planning Commission’s files 3-31-08-C and 3-31-08-U.

10. Property is subject to Restrictive Covenants, being of record in Instrument #201302090027375 of the Register’s Office of Knox County, Tennessee.

11. Record North references the subdivision plat of record referenced in Instrument #20071109003547 of record in the Register’s Office of Knox County, Tennessee.
PROPERTY CURVE TABLE

<table>
<thead>
<tr>
<th>CURVE</th>
<th>RADIUS</th>
<th>ARC LENGTH</th>
<th>CHORD LENGTH</th>
<th>CHORD BEARING</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>25'</td>
<td>39.27'</td>
<td>35.36'</td>
<td>N 43°08' E</td>
</tr>
</tbody>
</table>

NOTES
1. Minimum building setbacks:
   - Front: 20'
   - Side: 25'
   - Rear: 15'
   - Peripheral: 35'
2. 10' utility and drainage easement inside perimeter and rood.
3. This property is zoned PR.
4. 7.5' utility easement each side of water and sanitary sewer lines as installed.
5. All lots to have vehicular access to internal streets only.
6. Property recorded in instrument #20060084633476 and Instrument #20060080031031.
7. Platted property lines do not define the exact location of gas line easement.
8. Maintenance Agreements for detention facilities recorded in instrument #20071000003565.
9. For approved subdivision variances and conditions of approval of the Concept Plan on Use-in-Review, refer to the Metropolitan Planning Commission's files 5-SM-06-C and 5-M-06-UR.
10. Property is subject to Restrictive Covenants, being of record in Instrument #2013072900011775 of the Register's Office of Knox County, Tennessee.
11. Record North references the subdivision plat of record referenced in Instrument #20071100397401 of record in the Register's Office of Knox County, Tennessee.
# 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
- 16 January 2020
- 12 March 2020

### 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
- PO Box 23892
- Knoxville, Tennessee 37933

### Address
- Phone: 865-692-4090
- Email: bmoorman@bma-ks.com

### Current Property Info

<table>
<thead>
<tr>
<th>Hughston Homes of Tennessee, LLC</th>
<th>8219 N. Crossing Court, Fortson, GA 31808</th>
<th>706-568-7650</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (if different)</td>
<td>Owner Address</td>
<td>Owner Phone</td>
</tr>
<tr>
<td>1510 Mountain Hill Ln &amp; 0 Chesney Hills Ln</td>
<td>104MJ078 and 079</td>
<td></td>
</tr>
<tr>
<td>Property Address</td>
<td>Parcel ID</td>
<td></td>
</tr>
<tr>
<td>SE of Intersection of Mountain Hill Ln &amp; Chesney Hills Ln</td>
<td>40,000 +/- sq.ft.</td>
<td></td>
</tr>
<tr>
<td>General Location</td>
<td>Tract Size</td>
<td></td>
</tr>
<tr>
<td>W6</td>
<td>PR 1.28 DU/Acre</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Jurisdiction (specify district above)</th>
<th>☐ City ☐ County</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest County</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planning Sector</th>
<th>Sector Plan Land Use Classification</th>
<th>Growth Policy Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Septic (Y/N)</th>
<th>Sewer Provider</th>
<th>Water Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
REQUEST

☐ Development Plan  ☐ Use on Review / Special Use
☐ Residential  ☐ Non-Residential

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

☐ Proposed Subdivision Name

☐ Parcel Change
☐ Combine Parcels  ☐ Divide Parcel
Total Number of Lots Created:

☐ Other (specify):

☐ Attachments / Additional Requirements

☐ Zoning Change:
Proposed Zoning

☐ Plan Amendment Change:
Proposed Plan Designation(s)

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

☐ Other (specify):

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:  $400.00
FEE 2:  $500.00
FEE 3:  $450.00
TOTAL:  $1,350.00

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

Benjamin J. Moorman  16 January 2020
Applicant Signature  Date

865-692-4090  bmoorman@bma-Is.com
Phone Number  Email

Sherry Michienzi  1-16-20
Staff Signature  Date
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, 2020 (Wed) and March 13, 2020 (the day after the Planning Commission meeting)

(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Benjamin J. Moorman
Printed Name: Benjamin J. Moorman
Phone: 215-692-4020 Email: bmoorman@bma-llc.com
Date: 1-16-20
File Number: 3-D-20-UR

REVISED MARCH 2019