



USE ON REVIEW REPORT

▶ **FILE #:** 9-G-20-UR

AGENDA ITEM #: 26

AGENDA DATE: 9/10/2020

▶ **APPLICANT:** SHAMEEK & VICTORIA KONAR

OWNER(S): Konar & Victoria Shameek

TAX ID NUMBER: 163 02819

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 10608 Stoppard View Way

▶ **LOCATION:** South side of Stoppard View Way, south of Leonidas Meadow Way

▶ **APPX. SIZE OF TRACT:** 7.29 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Stoppard View Way, a private street with 18' of pavement within a 40' private right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

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

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Reduction west side setback from 30' to 10'

N/A

HISTORY OF ZONING: Property was rezoned from A to PR < 3 du/ac in 2005.

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

South: Tennessee River / F (Floodway)

East: House / PR (Planned Residential)

West: Vacant land / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: The neighborhood consists of large lots for detached houses on private roads.

STAFF RECOMMENDATION:

▶ **APPROVE the request to reduce the side setback along the western lot line from 30' to 10' for Lot 114, Arcadia - Phase 1A, subject to 2 conditions.**

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) Meeting all applicable requirements of the previously approved Concept Plan (1-SC-15-C) and Use on Review (1-F-15-UR).

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a Use on Review.

COMMENTS:

This proposal is to reduce the side setback along the western lot line from 30' to 10' for the subject property only. This is a private, gated community with their own design standards which will help ensure the house will be compatible with the neighborhood.

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

1. The proposed reduction of the side setback will have minimal impact on surrounding properties because the large lot sizes allow for a lot of space between houses.

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

- 1. The proposed setbacks with the recommended conditions meets the standards for development within a PR 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 development 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 proposal will not draw significant traffic through residential neighborhoods.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

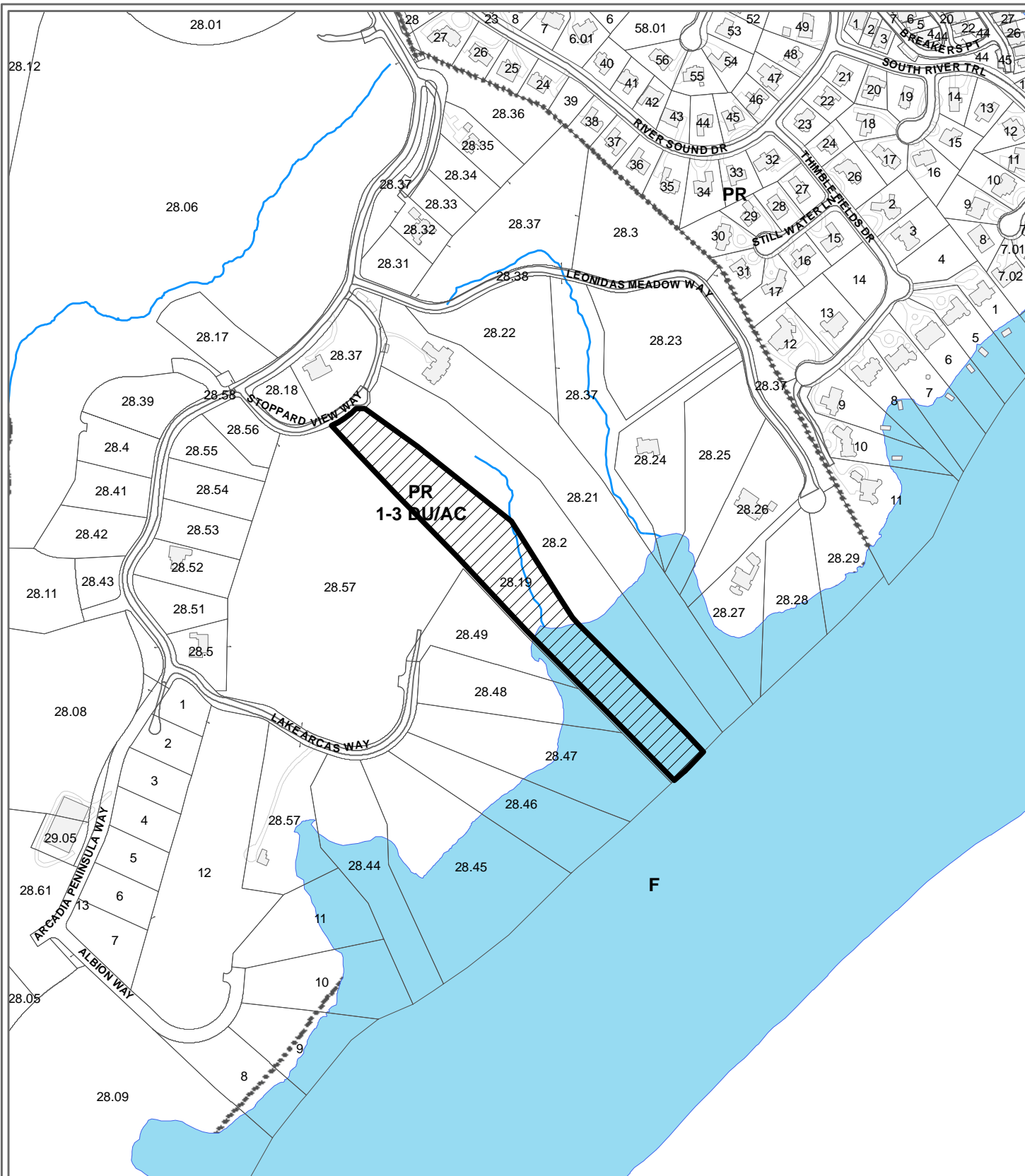
1. The Southwest County Sector Plan designates this property for rural residential use and is within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan. The proposal is consistent with both plans.

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

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 County.



**9-G-20-UR
USE ON REVIEW**



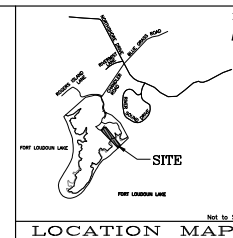
Reduction west side setback from 30' to 10' in PR (Planned Residential)

Original Print Date: 8/13/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Konar, Shameek & Victoria

Map No: 163
Jurisdiction: County





- NOTES:
- IRON PINS FOUND (IF) SHOWN ON PLAN. ALL OTHERS SET BY BINDER, UNLESS NOTED OTHERWISE ON PLAN.
 - 1/4" UTILITY, DRAINAGE AND CONSTRUCTION DIMENSIONS INSE ALL EXTERIOR LOT LINES AND ALONG ALL ROADS. 1/4" UTILITY, DRAINAGE AND CONSTRUCTION DIMENSIONS ALONG BOTH SIDES OF ALL ROADS TO BE PLACED PLUS DIMENSIONS AS SHOWN. UTILITY AND DRAINAGE DIMENSIONS TO BE CONTROLLED ACCORDING TO STRUCTURE AS INSTALLED. LOTS 114, 117 & 118-120 HAVE A 12" UTILITY EASEMENT ADJACENT TO USDAOUG MEADOW WAY.
 - SANITARY SEWER EASEMENT OF 15', 7.5' EACH SIDE OF SEWER AS INSTALLED (WHERE APPLICABLE).
 - QUALITY OF NORTH BASED ON TIA LAND ACQUISITION MAP NO. 106421K2 DATED JUNE 1941.
 - THIS PROPERTY IS ZONED PA.
 - FOR BUILDING SETBACKS SEE CHART ON THIS PLAN.
 - FOR APPROVED SUBMISSIONS UNLESS AND CONDITIONS OF APPROVAL OF THE CONCEPT AND THE PERMIT THEREON, REFER TO THE METROPOLITAN PLANNING COMMISSION FILES 1-50-15-C AND 11-118-10.
 - ALL STRUCTURES SHALL BE LOCATED AT LEAST 5' FROM THE EAST COASTED CONTOUR OF THE PROPERTY ON THE EAST COASTED SECTION WITHIN THE 50' SHINGLE BUFFER MAY BE ONLY BE SETBACKS TO A SPECIFIC SECTION WITHIN A 50' SHINGLE BUFFER AND SIZES THAT BUILDING WITHIN THE 50' SHINGLE BUFFER IS ACCEPTABLE AND THE SETBACK IS APPROVED BY ARCH COUNTY ENGINEERS. AN ENGINEERING REPORT WILL BE REQUIRED FOR ANY STRUCTURE TO BE PLACED WITHIN THE 50' SHINGLE BUFFER.
 - THE PROPERTY SHOWN ON THIS PLAN IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE COMMUNITY CHARTER FOR ARCADIA COMMUNITY ASSOCIATION, INC. (RECORDED IN ARCH COUNTY RECORDS FOR ARCH COUNTY, TENNESSEE, AS IT MAY BE SUPPLEMENTED BY OTHER COMMUNITY CHARTERS).
 - THE COMMUNITY CHARTER PROVIDES THAT THE OWNER OF A LOT ON THIS PLAN AND ALL OTHER OWNERS OF THE PROPERTY DESCRIBED IN THE COMMUNITY CHARTER BE WAIVER MEMBERS OF THE ARCADIA COMMUNITY ASSOCIATION, INC. ("ASSOCIATION").
 - THE ASSOCIATION'S CORPORATE CHARTER WAS RECORDED AS INSTR. #201003004788 IN THE REGISTER'S OFFICE FOR ARCH COUNTY, TENNESSEE, AS AMENDED BY INSTR. #20100310046333, AS IT MAY BE FURTHER AMENDED ("CORPORATE CHARTER").
 - ALL HOMEOWNERS SHOWN ON THIS PLAN ARE SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE COMMUNITY CHARTER FOR ARCADIA COMMUNITY ASSOCIATION, INC. (RECORDED IN ARCH COUNTY RECORDS FOR ARCH COUNTY, TENNESSEE, AS IT MAY BE SUPPLEMENTED BY OTHER COMMUNITY CHARTERS). ALL HOMEOWNERS SHOWN ON THIS PLAN ARE SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE COMMUNITY CHARTER FOR ARCADIA COMMUNITY ASSOCIATION, INC. (RECORDED IN ARCH COUNTY RECORDS FOR ARCH COUNTY, TENNESSEE, AS IT MAY BE SUPPLEMENTED BY OTHER COMMUNITY CHARTERS). ALL HOMEOWNERS SHOWN ON THIS PLAN ARE SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE COMMUNITY CHARTER FOR ARCADIA COMMUNITY ASSOCIATION, INC. (RECORDED IN ARCH COUNTY RECORDS FOR ARCH COUNTY, TENNESSEE, AS IT MAY BE SUPPLEMENTED BY OTHER COMMUNITY CHARTERS).
 - THE HOMEOWNERS WILL BE A JOINT PERMANENT EASEMENT AND WILL BE A PART OF THE COMMON AREA, OWNED BY THE ASSOCIATION. JOINT PERMANENT EASEMENT WILL ALSO FUNCTION AS A JOINT PERMANENT EASEMENT. THE JOINT PERMANENT EASEMENT ARE ESTABLISHED AND RECORDED AS INSTR. #2010030019103.
 - THE WORK IS PLANNED TO BE CONSTRUCTED WITHIN THE 50' SHINGLE BUFFER AS SHOWN ON THIS PLAN. NO FILLING IS ALLOWED BELOW THE 50' SHINGLE BUFFER OR TO CROSS THE BUFFER.
 - ALL SITE WORK, LANDSCAPING, STRUCTURES, IMPROVEMENTS AND OTHER ITEMS PLACED ON A LOT BY A MEMBER OR OWNER OF A HOMEOWNERS ASSOCIATION SHALL BE SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE COMMUNITY CHARTER. ALL IMPROVEMENTS TO THE LOTS SHALL BE SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE COMMUNITY CHARTER. THE PRIVATE ROADS WILL NOT BE MAINTAINED BY ARCH COUNTY, TENNESSEE.
 - THE OWNER'S FILLING EXISTING BELOW THE 50' SHINGLE BUFFER AS SHOWN ON THIS PLAN, SHALL BE LIMITED TO FILLING BELOW THE 50' SHINGLE BUFFER. NO FILLING IS ALLOWED BELOW THE 50' SHINGLE BUFFER WITHOUT PERMIT FROM ARCH COUNTY, TENNESSEE.

BUILDING SETBACKS

FRONT.....50'
SIDE.....30' (EAST SIDE)
SIDE.....10' (WEST SIDE - PROPOSED)
REAR.....30'

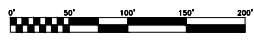
USE ON REVIEW REQUEST
 REVISOR PREVIOUS BUILDING SETBACKS AS FOLLOWS:
 SIDE SETBACK FROM 30' TO 10' ALONG THE WESTERN
 PROPERTY LINE

ADDRESS:
 10608 STOPPARD VIEW WAY
 KNOXVILLE, TN 37922

9-G-20-UR
 7/27/2020

BATSON, HIMES, NORVELL & POE
 REGISTERED ENGINEERS & LAND SURVEYORS
 4334 PAPERSHILL DRIVE
 KNOXVILLE, TENNESSEE 37909
 PHONE: (865) 588-6472
 FAX: (865) 588-6473
 email@bhn-p.com

DESIGNED	DBH				
DRAWN	JSM				
CHECKED	DBH				
	NO.	DATE	REVISION	APPR.	



SCALE
 1"=50'
 DATE
 07-27-2020

OWNER:
SHAMBEK & VICTORIA KONAR
 4610 BRADSTON ST.
 HOUSTON, TX 77067
 DEED REFERENCE: INSTR.#2020031200680484
 PLAT REFERENCE: INSTR.#201510230025631

USE ON REVIEW FOR
ARCADIA - PHASE IA
 LOT 114
 CLT MAP 163, PARCEL 26.19, DISTRICT 6
 KNOX COUNTY, TENNESSEE

24000-LOT 114UR
 SHEET 1 OF 1 SHEET(S)



DEVELOPMENT REQUEST

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

SHAMEEK & VICTORIA KONAR

Applicant Name

Affiliation

7/27/20

Date Filed

9/10/20

Meeting Date (if applicable)

9-6-20-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

DAVID HARBIN

Name

BATSON, HIMES, NORVELL & POE

Company

4334 PAPERMILL DRIVE

Address

KNOXVILLE

City

TN

State

37909

Zip

588-6472

Phone

harbin@bhn-p.com

Email

CURRENT PROPERTY INFO

Konar & Victoria Shameek

Owner Name (if different)

4510 STAUNTON ST

Owner Address HOUSTON, TX 77027

Owner Phone

10608 STOPPARD VIEW WAY

Property Address

MAP 163 PARCEL 28.19

Parcel ID

S. SIDE OF STOPPARD VIEW WAY, S. OF LEONIDAS
MEADOW WAY

General Location

7.29 AC

Tract Size

5/16 Jurisdiction (specify district above)

- City
- County

PR
Zoning District

SOUTHWEST COUNTY

Planning Sector

RR & HP

Sector Plan Land Use Classification

Rural Area
Growth Policy Plan Designation

VACANT

Existing Land Use

N

Septic (Y/N)

FUD

Sewer Provider

FUD

Water Provider

REQUEST

DEVELOPMENT

Development Plan Use on Review / Special Use

Residential Non-Residential

Home Occupation (specify):

Other (specify): *Reduction west side setback from 30' to 10'*

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 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:

TOTAL:

0402

FEE 2:

\$450.⁰⁰

FEE 3:

AUTHORIZATION

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

David Harbin

Applicant Signature

DAVID HARBIN

Please Print

7/27/20

Date

588-6472

Phone Number

harbin@bhn-p.com

Email

Michael Reynolds

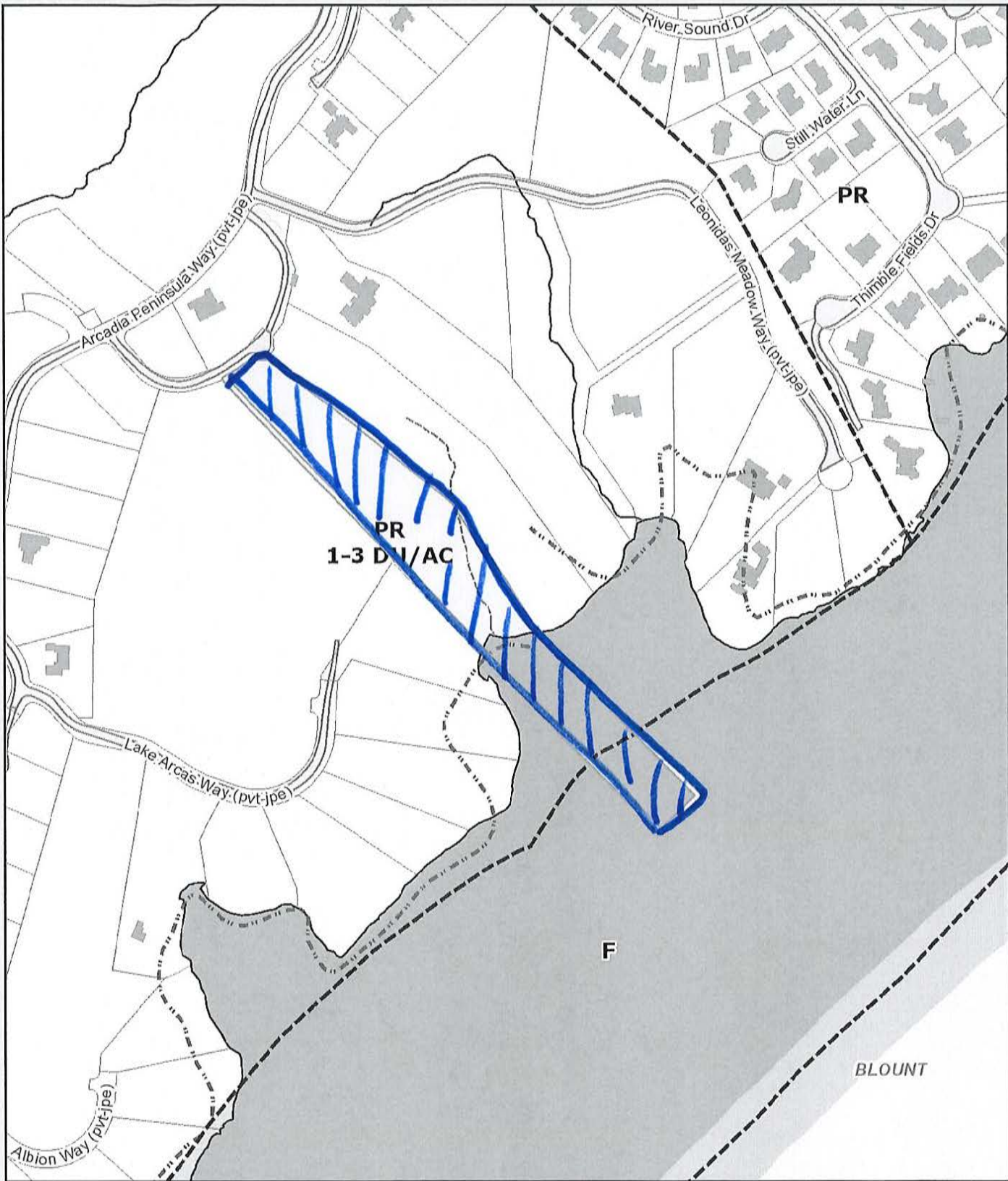
Staff Signature

Michael Reynolds

Please Print

7/27/2020

Date



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