

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION  
CONCEPT PLAN



File Number: 11-SK-24-C                      Related File Number: 11-E-24-DP  
Application Filed: 10/4/2024                      Date of Revision:  
Applicant: BENCHMARK ASSOCIATES, INC.

## PROPERTY INFORMATION

General Location: North of the corner of Garland and Hart Road  
Other Parcel Info.:  
Tax ID Number: 154 066                      Jurisdiction: County  
Size of Tract: 5.33 acres  
Accessibility: Access is via Garland Road, an unstriped local road with a pavement width of 17 ft within a 47-60 ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land  
Surrounding Land Use: North: Single family residential - PR (Planned Residential) up to 3 du/ac  
South: Single family residential - PR (Planned Residential) up to 5 du/ac  
East: Single family residential, multifamily residential - A (Agricultural), RA (Low Density Residential), PR (Planned Residential) up to 2.5 du/ac  
West: Single family residential - PR (Planned Residential) up to 2.5 du/ac  
Proposed Use: Subdivide 5.00 +/- acre tract into 5 residential lots at 2.5 du/ac.                      Density: 2.5 du/ac  
Planning Sector: Southwest County                      Plan Designation: SR (Suburban Residential)  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context:

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 1760 Garland Rd.  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 2.5 du/ac  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name: Magnolia Wood  
No. of Lots Proposed: 5 No. of Lots Approved: 0  
Variances Requested: None.  
S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Whitney Warner  
Staff Recomm. (Abbr.): Approve the Concept Plan subject to 9 conditions.  
Staff Recomm. (Full):  
1. Connection to sanitary sewer and meeting other relevant utility provider requirements.  
2. Provision of street names consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).  
3. Before certification of the final plat for the subdivision, establish a property owners association or other legal entity responsible for maintaining common facilities, such as common areas, amenities, private roads, and/or stormwater drainage systems.  
4. If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, the developer will either enter into a memorandum of understanding (MOU) with the County for these improvements or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.  
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
6. Certifying that the required sight distance is available along Garland Rd in both directions, with documentation provided to the Knox County Engineering and Public Works for review and approval during the design plan phase.  
7. Passive uses can be reviewed and approved by Planning staff in the Common Area.  
8. Paved area of the cul-de-sac shall have a radius of not less than 40 ft.  
9. Providing 30 ft buffer of non-disturbance on both sides of the stream during the design plan phase.

Comments: The applicant is proposing to subdivide this 4.61-acre tract into 5 single family residential lots at Hart Rd and Garland Rd.

The paved area of the cul-de-sac shall have a radius of not less than 40 ft per Subdivision Regulation 3.04.K.3.a. The plan is showing a 38 ft radius. A variance form has not been filled out, so a variance has not been requested. This approval is for a 40 ft radius.

The applicant may add a gazebo in the common area. It is not shown on the plan. Passive uses such as the gazebo can be reviewed and approved by the planning staff during the design plan phase.

This proposal will disturb most of the property. 30-ft non-disturbance stream buffers along both sides of the stream will be required. The recommended disturbance budget within the 1.31 acre Hillside Protection area is 0.7 acres. Some of the Hillside Protection area has been previously disturbed. The property lines adjacent to residential lots will establish a 15-ft vegetated buffer. Any existing vegetation that remains can count towards the requirement.

Action: Approved with Conditions Meeting Date: 11/14/2024

Details of Action:

Summary of Action: Approve the Concept Plan subject to 9 conditions.

Date of Approval: 11/14/2024 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?:  Action Appealed?:

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville-Knox County Planning Commission

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**