

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 1-B-22-UR **Related File Number:**
Application Filed: 11/24/2021 **Date of Revision:**
Applicant: MAPLE LANE HOMES LLC / JACK W. PIPER III

PROPERTY INFORMATION

General Location: At the terminus of Howard Bennett Way, north of W. Emory Road
Other Parcel Info.:
Tax ID Number: 77 L E 001 & 002 **Jurisdiction:** County
Size of Tract: 1.74 acres
Accessibility: Access is off of W. Emory Road, a major arterial with a 28-ft pavement width inside a 70-ft wide right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac (Agriculture/Forestry/Vacant Land)
Surrounding Land Use:
Proposed Use: Construction of a duplex on each parcel (two duplexes in total) **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area predominantly consists of single family residences on small lots (approximately 1/4 of an acre) along side roads off of W. Emory Road though there are also a few large residential and vacant properties along W. Emory Road.

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

Street: 7221 & 7227 Howard Bennett Way
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: This property was rezoned with other surrounding properties from A (Agricultural) to RA (Low Density Residential) in 1996 (Case # 11-E-96-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve the request to construct a duplex on each of the 2 lots, subject to 3 conditions.

Staff Recomm. (Full): 1) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
2) Obtaining approval of the proposed security gates from the Knox County Fire Marshal.
3) Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RA (Low Density Residential) zoning district and the other criteria for approval of a Use on Review.

Comments: This is a request to construct a duplex on both lots included on this application. The lots are existing and zoned RA (Low Density Residential). Both lots are a little over a half-acre in size, so they both meet the 12,000 square foot minimum lot size for a duplex in the RA zone. Access is off of Howard Bennett Way, a previously approved joint permanent easement (JPE).

A turnaround is required for rights-of-way longer than 150 feet. Howard Bennett Way is approximately 590 ft to the southern lot line of 7227 Howard Bennett Way. A short driveway apron is proposed between the two lots to provide a space for fire trucks to turn around, and it meets the requirements of the County's Fire Department.

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 Northwest County Sector Plan designates this property as LDR (Low Density Residential), which allows up to 5 du/ac. The parcels comprise 1.16 acres (not including the flag stem), so the density proposed by this development is 3.45 du/ac.

B. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

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

A. The RA (Low Density Residential) zone is intended to provide for residential areas with low population densities.

B. The LDR (Low Density Residential) land use class allows RA zoning, which permits duplexes as a use on review.

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. Surrounding development consists of single family detached dwellings and duplexes. There are two duplexes across Howard Bennett way that were approved in 1998 (Case # 1-B-98-UR). This proposal is compatible with the surrounding development.

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

A. The proposed number of dwellings is minimal and is not expected to injure the value of adjacent property.

B. The proposed duplexes are not expected to cause any adverse impacts or injure property values.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.
A. Access to these lots would be off of Howard Bennett Way, which connects directly to W. Emory Road, so traffic would not be drawn through residential areas.

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

Action: Approved **Meeting Date:** 1/13/2022

Details of Action:

Summary of Action: Approve the request to construct a duplex on each of the 2 lots, subject to 3 conditions.

Date of Approval: 1/13/2022 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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:**