

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 12-B-21-UR **Related File Number:**
Application Filed: 10/25/2021 **Date of Revision:**
Applicant: KENNETH R. HAMILTON / GOOD GUYS CONSTRUCTION, INC.

PROPERTY INFORMATION

General Location: Northeast quadrant of the intersection of Roderick Rd and Farmington Dr
Other Parcel Info.:
Tax ID Number: 105 N G 017 **Jurisdiction:** County
Size of Tract: 22600 square feet
Accessibility: Access is proposed off of Farmington Drive, a local road with a 25-ft pavement width inside a 46-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: SFR (Single Family Residential)
Surrounding Land Use:
Proposed Use: New garage with a dwelling unit above **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This property is located inside an established single family residential neighborhood. The neighborhood consists of detached dwellings on lots that average about 1/3 of an acre in area. The property is a little less than a mile south of Middlebrook Pike.

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

Street: 932 Roderick Rd.
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: None noted

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 development plan for a garage apartment in the RA (Low Density Residential) zone, subject to four conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
2. Meeting all applicable requirements of the Knox County Fire Prevention Bureau.
3. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
4. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a garage apartment as a use on review in the RA zone.

Comments:

This is a request to build a new garage with a dwelling unit above to the rear of an existing house in the RA (Low Density Residential) zone. Above-garage apartments are allowed as a use on review in the RA zone. The subject property is in the Crestwood Hills Subdivision, at the northeast quadrant of the intersection of Roderick Road and Farmington Drive, with frontage on both streets.

Accessory structures in the RA zone cannot extend into the front yard, so the proposed new structure must be at least the same distance as the house from Farmington Drive, the side street in this case. The proposed structure is located 40'-6" from Farmington Drive, which is aligned with the placement of the primary structure. The rear setback for garage apartments in the RA zone is 10 feet; the garage is proposed 30 feet from the rear property line.

The garage doors face Farmington Drive (the south-facing façade). This is a different orientation from the primary structure, which faces Roderick Road. A new driveway is proposed off of Farmington Drive providing access to the new garage. It is proposed as a circular drive that would connect the new garage to the former garage (now a part of the primary structure post-conversion). The driveway will be required to meet the requirements of the Knox County Department of Engineering and Public Works, and the details can be worked through during the permitting process.

The entry to the second-story dwelling is proposed on the right side of the structure (west elevation facing Roderick Road). A single run of stairs to the door is proposed.

Two parking spaces will be required for the garage apartment and two spaces are required for the existing house. The garage on the primary structure has been converted into a room and consequently no longer counts as parking for the existing primary structure. However, between the new garage and the proposed driveway, adequate space is provided to accommodate the number of spaces required.

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 property is designated LDR (Low Density Residential) on the Northwest County Sector Plan. The LDR (Low Density Residential) land use has the following description: "This land use is primarily residential in character at densities of less than 6 dwelling units per acre (city) and less than 5 dwelling units per acre (county)."

B. For this Use on Review application to be approved in the LDR land use classification, the Planning Commission must find that the proposed use is "consistent with, and not in conflict with" the sector plan.

C. The proposed dwelling above the garage is consistent with the sector plan and One Year Plan.

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

A. The RA (Low Density Residential) zone provides for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.

B. With the recommended conditions, the garage apartment meets the zoning standards.

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. The accessory structure will be taller than most, measuring approximately 20 feet in height. The RA zone allows accessory structures to exceed 18 feet to conform with the pitch of the primary structure. Both structures have a similar roof pitch, and the accessory building is slightly shorter than the main house, which measures approximately 24 feet in height.

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

A. The proposed use should have little impact on the adjacent property as it only adds one dwelling unit and is located 30 feet from the property line, which helps to preserve privacy for occupants on both properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The garage apartment would only add one dwelling unit, so the added traffic through residential streets would be negligible.

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 use.

Action: Approved **Meeting Date:** 12/9/2021

Details of Action:

Summary of Action:

Date of Approval: 12/9/2021 **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:**