

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 8-A-15-UR **Related File Number:**  
**Application Filed:** 6/9/2015 **Date of Revision:**  
**Applicant:** WORLEY BUILDERS, INC.

## PROPERTY INFORMATION

**General Location:** East side of Bob Kirby Rd., north of Dutchtown Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 118 E L 001, 002 & 003 **Jurisdiction:** County  
**Size of Tract:** 1.09 acres  
**Accessibility:** Access is via Bob Kirby Rd., a minor collector street with a 70' right-of-way at the transition between a two lane street and a three lane section with a left turn southbound center lane.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant lots  
**Surrounding Land Use:**  
**Proposed Use:** Duplexes **Density:**  
**Sector Plan:** Northwest County **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located within an area of low density residential neighborhoods that has developed under RA (Low Density Residential), PR (Planned Residential) and A (Agricultural) zoning.

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

**Street:** 820 Bob Kirby 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.:

## **MPC ACTION AND DISPOSITION**

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the request for 3 duplexes with each duplex being on an individual lot as identified on the development plan subject to 3 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
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 Zone and the other criteria for approval of a Use on Review.

Comments:

The applicant is requesting approval for a duplex to be located on three adjoining lots that have frontage on the east side of Bob Kirby Rd, just north of the intersection with Dutchtown Rd. A duplex is only allowed in the RA (Low Density Residential) zoning district through a use on review approval. The three lots all exceed the minimum standards for approval of a duplex. The applicant has submitted a revised driveway layout for Lots 1 and 2 that has a separate driveway for each lot. The new layout will work with the location of the transition between the two lane and three lane sections for Bob Kirby Rd. in front of the lots. Each lot will have a driveway that will allow for an on-site turnaround area so that vehicles will not have to back out onto Bob Kirby Rd.

There is a sinkhole located on the rear portions of the three lots that places some restriction on the location of the duplex buildings. A geotechnical study has already been prepared and submitted to the Knox County Department of Engineering and Public Works. The results of the study would support some encroachment into the sinkhole buffer but construction would not be allowed in the closed depression and surrounding 5' easement.

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

1. All utilities are in place to serve this site.
2. The traffic generated from the duplex development will be only slightly higher than what would be expected with a detached residential subdivision.
3. The proposed development is similar in density to other residential development in the area.

### **CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. With the recommended conditions, the proposal meets all requirements of the RA zoning as well as the general criteria for approval of a use-on-review.
2. The proposed duplex development is consistent with the following general standards for uses permitted on review: The proposal 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 use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

### **CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northwest County Sector Plan designates low density residential uses for the site. The proposed development conforms with the Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth

Policy Plan map.

**Action:** Approved **Meeting Date:** 8/13/2015

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Health Department.
  2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  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 Zone and the other criteria for approval of a Use on Review.

**Summary of Action:** APPROVE the request for 3 duplexes with each duplex being on an individual lot as identified on the development plan subject to 3 conditions.

**Date of Approval:** 8/13/2015 **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:**