

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 8-A-25-UR **Related File Number:**
Application Filed: 6/18/2025 **Date of Revision:**
Applicant: MARBLE CITY INVESTMENTS, LLC

PROPERTY INFORMATION

General Location: Northwest side of Cunningham Rd, northeast of Dry Gap Pike
Other Parcel Info.:
Tax ID Number: 47 E A 02301, 024 **Jurisdiction:** County
Size of Tract: 0.83 acres
Accessibility: Access is via Cunningham Road, a major collector with a pavement width which varies from 20 ft to 26 ft

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land, Single Family Residential
Surrounding Land Use:
Proposed Use: Two duplexes on individual lots **Density:**
Planning Sector: North County **Plan Designation:** SR (Suburban Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is comprised of attached and detached single family dwellings on small suburban lots. There is a commercial node at the intersection of E Beaver Road, Cunningham Road, and Dry Gap Pike which consists of commercial and service operations.

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

Street: 1515 CUNNINGHAM 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: The property was recently rezoned from A (Agricultural) to RA (Low Density Residential) (file 6-A-25-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:

Samiul Haque

Staff Recomm. (Abbr.):

Approve the request for two duplexes in the RA (Low Density residential) zone, subject to 5 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Subdividing the property into separate lots as shown on the site plan and meeting all applicable requirements of the plating process and Subdivision Regulations.
4. Installing a Class B buffer yard along the northwestern boundary of the property, as shown on the plan. Existing mature vegetation within the buffer area may be counted towards the landscaping requirement.
5. If during plat approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary as caused by this development, the developer will either enter into a Memorandum of Understanding with the County for these improvements or reimburse the County for their direct expenses (if competed by County crews) to make corrections deemed necessary.

Comments:

This request is for two duplexes on individual lots on a proposed 3-lot subdivision in the RA zone. The third lot will contain a house that is permitted by right. The 39,091-sq ft subject property currently comprises two parcels, which must be subdivided before the building permit phase. The proposed subdivision will be served by a 25-ft wide access easement, and the front of the structures will face the easement. The existing one-story, single-family structure on the property will be demolished.

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 USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE COMPREHENSIVE PLAN OF KNOX COUNTY.

- A. Attached dwellings are considered a secondary use in the SR (Suburban Residential) place type of the property, as defined in the Knox County Comprehensive Plan, and the proposal is consistent with the SR area's intent to provide a range of lot sizes and housing size and styles, including some small-scale attached dwellings.
- B. The SR place type encourages duplexes that have the scale of a single-family home and specifies a maximum building height of 2 stories and setbacks of 20-30 ft. The proposed 2-story duplexes have an approximate building footprint of 2,800 sf (including the front and rear porches), comparable with the range of nearby houses, such as those in the abutting northern subdivision.
- C. The proposed duplexes are consistent with the Comprehensive Plan's Implementation Policy 5 to create neighborhoods with a variety of housing types and amenities in close proximity. The property has nearby sidewalk connections to Brickey-McCloud Elementary School and is in close proximity to several community-serving commercial uses along Dry Gap Pike and Emory Road. Tommy Schumpert Park is located within 1.25 miles south of the subject property.
- D. The proposed development is also compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan, which encourages a reasonably compact pattern of development offering a wide range of housing choices.

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

- A. The RA zone is intended to provide for residential areas with low population densities. The proposed duplexes are permitted via the Use on Review process. The proposed lots meet the

minimum lot size requirement of 12,000 sf for a duplex in the RA zone.

B. The development utilizes the access easement to determine its front yards. The site plan and elevations as provided conform to the dimensional standards of the RA zone (Article 5.11.04 - 5.11.11) and off-street parking requirements (Article 3.50 - 3.51).

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATIONS OF BUILDINGS IN THE VICINITY.

A. The proposed duplexes are compatible with the mix of uses in the Dry Gap area. Within a 0.5-mile radius of the subject property, there are residential subdivisions of single-family dwellings and townhouses, a mobile home park, an elementary school, a small commercial node, a church, and a youth club.

B. The nearby residential structures in the immediate vicinity are characterized by one- and two-story houses. The proposed 2-story structures are comparable in size and scale to the houses in the neighboring Bridgehaven subdivision.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC CONGESTION OR OTHER IMPACTS WHICH MAY DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed duplexes are considered low-density residential uses and are compatible with other low-density residential uses in the area.

B. A Class B buffer yard is proposed along the northern side of the property, providing a visual screen for the adjoining houses to the north. This should mitigate glare from vehicular headlights on the proposed driveway shining into the abutting property.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The proposed development will share one driveway off Cunningham Road, a major collector street. Two duplexes would be a minor increase in density for the area and would not significantly impact traffic on any residential streets.

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 residential use.

Action: Approved with Conditions **Meeting Date:** 9/11/2025

Details of Action:

Summary of Action: Approve the request for two duplexes in the RA (Low Density residential) zone, subject to 5 conditions.

Date of Approval: 9/11/2025 **Date of Denial:** **Postponements:** 8/14/2025

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: