

# CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



**File Number:** 8-D-23-SU                      **Related File Number:**  
**Application Filed:** 6/23/2023              **Date of Revision:**  
**Applicant:** TIMOTHY JOSEPH

## PROPERTY INFORMATION

**General Location:** North side of Henry Ave, northwest side of Maryville Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 109 I G 014                      **Jurisdiction:** City  
**Size of Tract:** 12822 square feet  
**Accessibility:** Access is via Henry Avenue, a local road with approximately 17 ft of pavement width within a 30-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single family residential  
**Surrounding Land Use:**  
**Proposed Use:** Two-family dwelling                      **Density:**  
**Sector Plan:** South City                      **Sector Plan Designation:** LDR (Low Density Residential), CI (Civic and Instit  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:** The area is adjacent to a commercial corridor along Chapman Highway. It has a mix of single family and multifamily residential dwellings.

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

**Street:** 101 HENRY AVE  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** In 1983, this property was part of a large area rezoned from R-2 (General Residential) to R-1A (Low Density Residential) (11-E-83-RZ).

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential), CI (Civic and Institutional), HP (Hillside Protection)

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 a two-family dwelling development in the RN-2 zoning district, subject to 2 conditions.

Staff Recomm. (Full):

- 1) Meeting all applicable requirements of the City of Knoxville Engineering Department.
- 2) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RN-2 zoning district and the special use criteria for a two-family dwelling.

Comments:

The applicant is requesting approval for a two-family dwelling on a 12,822 sq. ft. lot in the RN-2 zoning district.

**STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)**

**1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.**

- A. The proposed two-family dwelling is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.
- B. The proposed use is consistent with the South City Sector Plan's LDR (Low Density Residential) land use classification.
- C. The proposed use complies with the One Year Plan's location criteria A.1 for duplexes as the access off Henry Avenue is adjacent to a major collector street, Maryville Pike, and it will not significantly affect the service demands or aesthetics of the area.
- D. The proposed use also complies with the One Year Plan's location criteria A.2 for duplexes as the property is located at the edge of the neighborhood and it will provide a buffer between residential and non-residential areas.

**2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.**

- A. The RN-2 zone is intended to accommodate low-density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. Two-family dwellings may also be allowed by special use approval.
- B. The RN-2 district requires a minimum lot size of 10,000 sq. ft. for two-family dwellings and the subject property is larger than that, as mentioned above. The site plan and elevations as provided conform to the dimensional standards for a two-family dwelling in the RN-2 zoning district. The elevations as provided conform to the Principal Use Standards for a two-family dwelling (Article 9.3.J).
- C. The property has an HP (Hillside Protection) overlay which intends to protect hillsides and hillside development. According to the slope analysis, the proposed site plan is compatible with the Density and Land Disturbance Limitations (Article 8.9.C., Table 8.6).

**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. There is a two-family dwelling located within approximately 750-ft east of the subject property. There is also a higher-density multi-family development (on properties zoned RN-5 and O, with HP Overlay) on the opposite side of Maryville Pike.
- B. The surrounding area is characterized by one- and two-story houses. The proposed two-story structures will be compatible in size and scale with the surrounding single-family houses and will provide a transition in density.

**4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS**

DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed two-family dwellings are considered low-density residential uses and are compatible with other low-density residential uses.

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

A. A duplex would be a minor increase in density for the area and would not significantly impact traffic on surrounding 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 immediately surrounding the subject property that would pose a potential hazard or undesirable environment for the proposed use.

**Action:** Approved with Conditions

**Meeting Date:** 8/10/2023

**Details of Action:**

**Summary of Action:**

**Date of Approval:** 8/10/2023

**Date of Denial:**

**Postponements:**

**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:**