

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 2-A-22-UR                      **Related File Number:**  
**Application Filed:** 8/30/2021              **Date of Revision:**  
**Applicant:** GEORGES BRANDAN

## PROPERTY INFORMATION

**General Location:** Northwest side of the Dutchtown Rd. & Bob Kirby Rd. intersection  
**Other Parcel Info.:** these 2 parcels have since been combine into 1 parcel (150)  
**Tax ID Number:** 118 150                      **Jurisdiction:** County  
**Size of Tract:** 2.1 acres  
**Accessibility:** Access is via Dutchtown Rd, a minor arterial road with 40 ft of pavement width within 70 ft of right-of-way, and Bob Kirby Rd, a minor collector road with 35 ft of pavement width within 70 ft of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single-family dwelling  
**Surrounding Land Use:**  
**Proposed Use:** Attached residential dwellings                      **Density:** 5  
**Sector Plan:** Northwest County              **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The surrounding area consists of mostly of single family residential uses, though a mobile home park and Webb School are on the opposite side of Dutchtown Road.

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

**Street:** 801 Bob Kirby Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** CN (Neighborhood Commercial) to PR (Planned Residential) up to 5 du/ac in October 2020 (4-E-20-RZ); A (Agricultural) to CN (Neighborhood Commercial) in 2009 (11-B-09-RZ); A (Agricultural) to CA (General Commercial) denied in 2008 (6-E-08-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:** Levan King Cranston

**Staff Recomm. (Abbr.):** Approve the request to develop 5 duplexes on the property, subject to 2 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 Zoning Ordinance.

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

**Comments:**

This is a request to construct 5 single-story duplexes on the subject property. The property will not be subdivided, so the units will be on the same lot with common area surrounding them. A retaining wall wraps around the units on the west side of the property. Existing vegetation on the north side of the site will be retained and will act as a buffer for the single family residence to the north.

Each unit is equipped with a garage with additional parking available in the driveway. A total of 6 guest parking spaces are available in a common driveway area near the center of this development. The applicant has provided a landscape plan identifying a range of plantings for this development.

The lot is zoned PR (Planned Residential) with up to 5 du/ac, which allows duplexes as a permitted use. Access is off of Dutchtown Road and Bob Kirby Road.

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 density proposed in this development is 4.55 du/ac.

B) This property 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 PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.

B) The PR zone allows duplexes as a permitted use; however, plans require Planning Commission approval.

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 with some duplexes located along Bob Kirby Rd. These duplexes were approved between 2015 and 2019 (Case #'s 8-A-15-UR, 1-D-16-UR, 5-G-18-UR, and 10-E-19-UR). They are two-stories tall and have an approximate building footprint of 1,550-sq ft each. The 5 proposed single-story duplexes total 1,427-sq ft, which is compatible to what exists along Bob Kirby Rd.

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

A) The proposed development of 5 duplexes is not expected to injure the value of adjacent property since it is similar to other uses in the area.

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 this lot is off of Dutchtown Road, a minor arterial, and Bob Kirby Road, a minor collector, so traffic will not be drawn through residential areas to reach this development.

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 PORPOSED 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:** 2/10/2022

**Details of Action:**

**Summary of Action:** Approve the request to develop 5 duplexes on the property, subject to 2 conditions.

**Date of Approval:** 2/10/2022 **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:**