

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 2-A-25-UR                      **Related File Number:**  
**Application Filed:** 12/23/2024              **Date of Revision:**  
**Applicant:** JUDY STOKES

## PROPERTY INFORMATION

**General Location:** North side of Bailey Farm Drive (formerly Ball Camp Pike), northwest of Ball Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 91 114    **Jurisdiction:** County  
**Size of Tract:** 0.52 acres  
**Accessibility:** Access is via Bailey Farm Drive, a major collector with a pavement width which varies from 20 ft to 40 ft within a right of way which varies in width from 55 ft to 75 ft.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential  
**Surrounding Land Use:**  
**Proposed Use:** Garage apartment    **Density:** 3.8 du/ac  
**Planning Sector:** Northwest County              **Plan Designation:** CMU (Corridor Mixed-use)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is characterized by residential land uses and railroad right-of-way. The residential uses are a mix of multi-family dwellings and single family dwellings on varying lot sizes.

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

**Street:** 2573 BAILEY FARM Dr.  
**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:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the request for a garage apartment with approximately 575 sqft of floor area, as shown in the development plan, subject to 2 conditions.

Staff Recomm. (Full):

- 1) Revising the site plan to accurately show the addition's overhang beyond the garage's existing block walls, with review and approval by Planning and Knox County Codes Administration and Enforcement staff before building permits are issued.
- 2) Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RA district and the criteria for approval of a use on review.

Comments:

This proposal is for a garage apartment in the RA (Low Density Residential) zone, which is listed as a use permitted on review. A garage apartment is defined as a dwelling unit above a private garage. The apartment will be in a second-story addition to the existing garage.

### **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. The property is designated as the CMU (Corridor Mixed-use) place type in the Comprehensive Plan. The CMU place type recommends multifamily and attached residential as a "secondary use." The RA (Low Density Residential) zone only allows houses, duplexes, and garage apartments. A garage apartment is an alternative residential dwelling type that is consistent with the intent of the CMU place type.
- B. The proposed garage apartment is consistent with the Comprehensive Plan's Implementation Policy 6 to promote attainable housing that meets the needs of future and current residents.

#### **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 garage apartment is permitted via the Use on Review process.
- B. The minimum lot area is 12,000 sqft to allow consideration of a garage apartment. The property is approximately 22,000 sqft.
- C. The allowable maximum height is 18 ft to the bottom of the ceiling joists of an accessory structure. The proposed structure is 18 ft to the bottom of the ceiling joists.
- D. The minimum side setback requirement is 8 ft for an accessory structure greater than one story. The existing 1-story garage is already nonconforming to the 5-ft side setback for a 1-story accessory structure. The second-story addition must meet the 8-ft side setback or obtain a variance from the Knox County Board of Zoning Appeals. A revised site plan must be approved by Planning and Knox County Codes Administration and Enforcement staff before permits are issued to ensure the addition meets the zoning standards.

#### **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 houses in this area are predominantly 1-story, including the house on the subject lot. The 2-story accessory structure is on the opposite side of the property from the nearest neighboring house and is adjacent to a rail line.
- B. As part of the Schaad Road construction, Ball Camp Pike has been realigned in front of the subject property, creating more space between the public road and the proposed garage apartment (see

Exhibit B).

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 garage apartment is considered a low-density residential use and is compatible with other low-density residential uses in the area.

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

A. The property has access to Bailey Farm Drive, a major collector street.

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. The property is adjacent to a rail line, but the proximity to the rail is not substantially different than the house on the subject site. There are no other 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:** 2/13/2025

**Details of Action:**

**Summary of Action:** Approve the request for a garage apartment with approximately 575 sqft of floor area, as shown in the development plan, subject to 2 conditions.

**Date of Approval:** 2/13/2025 **Date of Denial:** **Postponements:**

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville-Knox County Planning Commission

**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:**