



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
USE ON REVIEW REPORT**

▶ **FILE #:** 9-K-06-UR

**AGENDA ITEM #:** 97

**AGENDA DATE:** 9/14/2006

▶ **APPLICANT:** VICTOR JERNIGAN

OWNER(S): BLUE RIBBON HOMES COMPANY, INC.

TAX ID NUMBER: 135 B B 026

JURISDICTION: City Commission District 9

▶ **LOCATION:** Northwest side of Smallwood Dr., southwest side of Wiley Ln.

▶ **APPX. SIZE OF TRACT:** 0.96 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Wiley Ln., a local street with a 40' right of way and a 16' pavement width.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

▶ **ZONING:** RA (Low Density Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Duplexes

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential / RA (Low Density Residential)

South: Residential / RA (Low Density Residential)

East: Residential / RA (Low Density Residential)

West: Residential / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is located in a low density residential area of the county.

**STAFF RECOMMENDATION:**

▶ **DENY the request for duplexes in the RA zoning district because duplexes are incompatible with surrounding low density detached residential development.**

**COMMENTS:**

Staff is recommending denial of this request because duplexes are not compatible with the character of the neighborhood where they are being proposed. Duplexes are a use permitted on review in the RA zoning district. The applicant is proposing to subdivide the existing 1-acre lot into two lots and to construct a duplex on each of those lots. The subject property currently has a dwelling on it; however, it appears to be in disrepair.

The subject property has access to Wiley Ln., which is a local street located directly off Smallwood Dr, which is a local, dead-end street. Regarding infill development within existing residential areas, staff believes that duplexes are more appropriate along collector streets due to the potential traffic impacts resulting from an

increased number of residents. The development of duplexes are also encouraged in areas where a buffer between residential and non-residential uses is desired. There are no existing non-residential uses or higher density residential uses in this area. The 3 other lots located on Wiley Ln. have detached dwellings on approximately 1-acre lots. In order to remain consistent with the character of the area, detached dwellings would be more appropriate at this location.

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

1. The proposed duplexes will place minimal additional demand on schools. They will, however, increase traffic on Smallwood Dr., which is a local, dead-end street.
2. The proposed duplexes will have minimal impact of local services since all utilities are in place to serve this site.
3. The proposed duplexes are not consistent in use with other residential development in the area. The predominant uses in the area are detached dwellings on large lots.

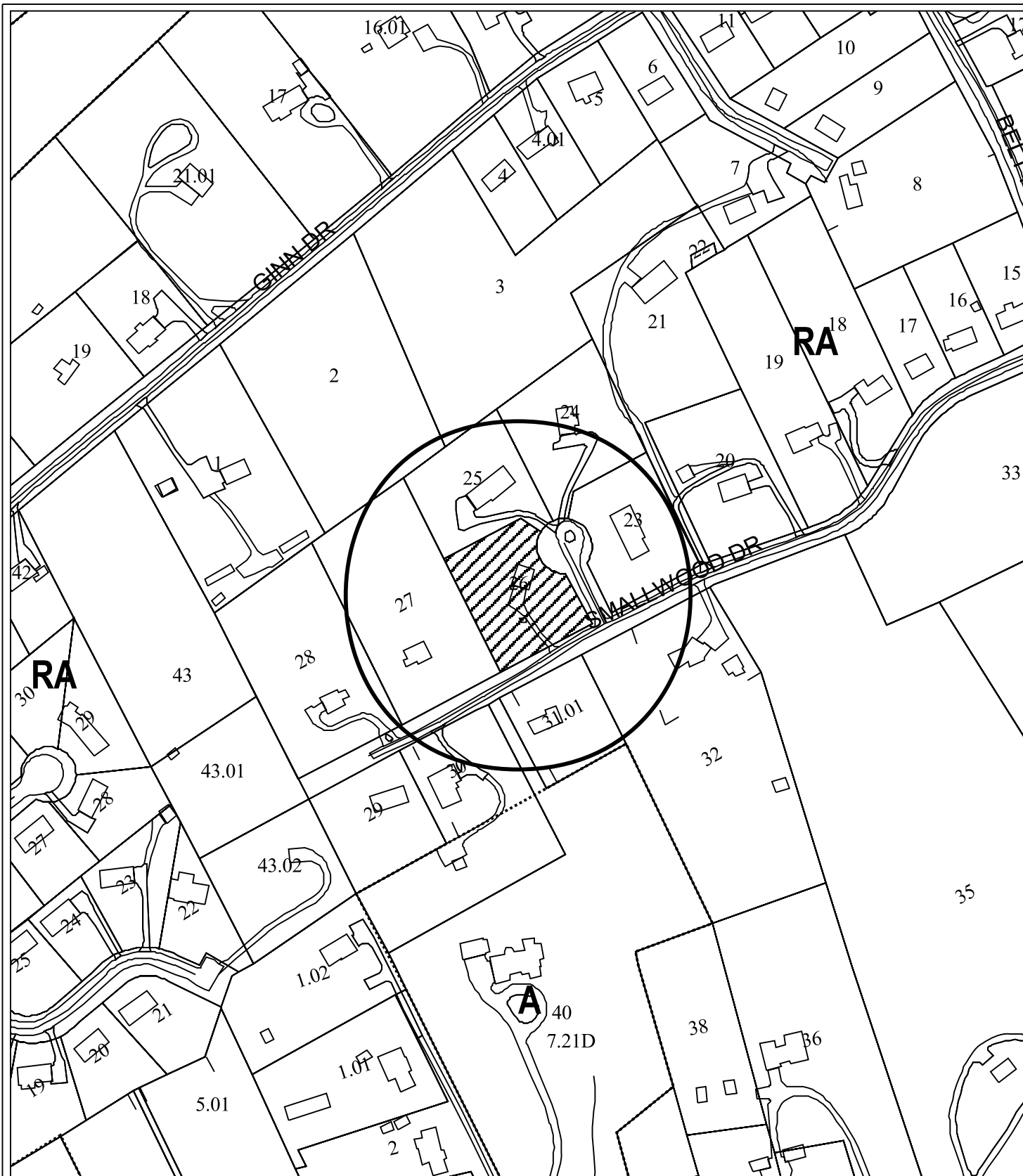
#### CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposal is not consistent with many of the general standards for uses permitted on review: Higher density residential uses, such as duplexes, are not compatible with the character of the neighborhood where they are being proposed. The use could injure the value of adjacent properties which are predominantly detached units on large lots developed under the RA zoning. The use will draw additional traffic onto Smallwood Dr., which is a local dead-end street.
2. If a one-lot subdivision is approved, the proposal would be consistent with all requirements for the RA zoning district.

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

1. The South County Sector Plan identifies this property as low density residential.
2. The current RA zoning of the property permits consideration of duplexes as a use on review.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Commission. The date of the Knox County Commission hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the City.



9-K-06-UR  
USE ON REVIEW



Duplexes in the RA zoning district in RA (Low Density Residential)

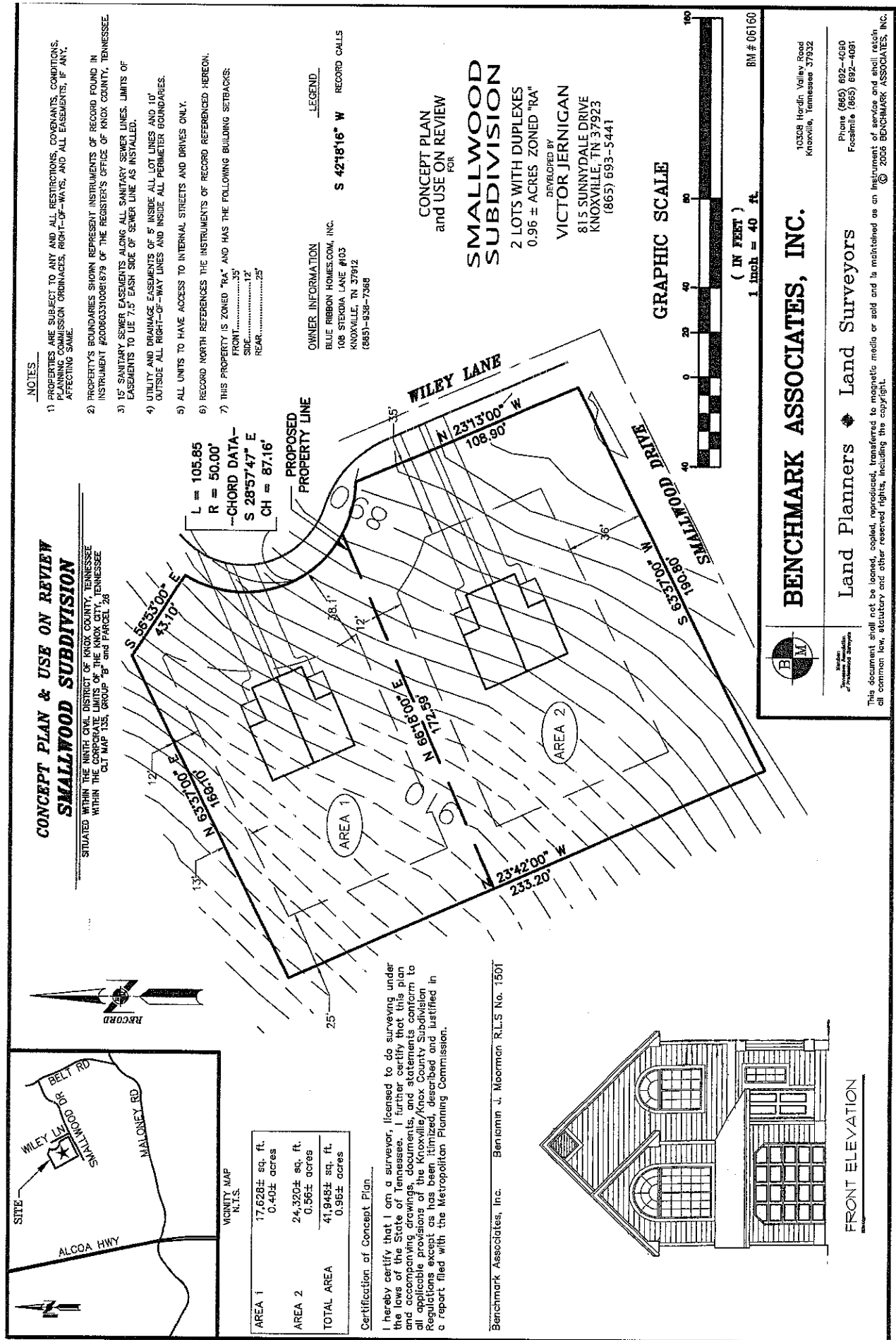
Original Print Date: 08/23/06    Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Victor Jernigan

Map No: 135

Jurisdiction: City



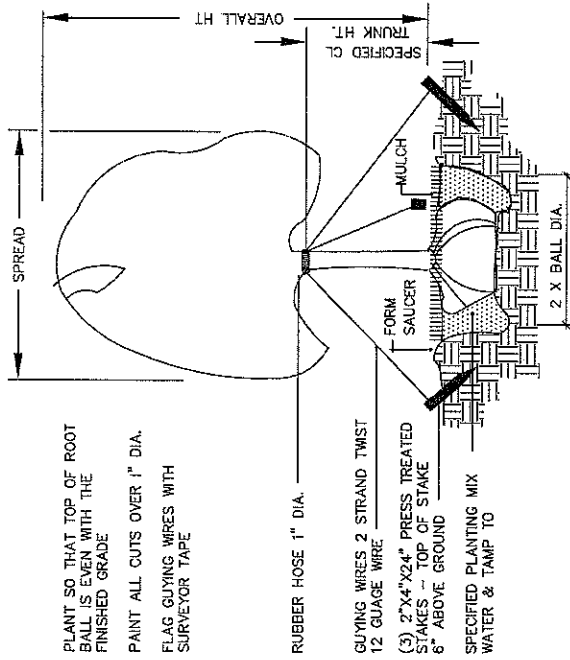


REVISED

9-K-06-WR

**CONCEPT PLAN & USE ON REVIEW  
SMALLWOOD SUBDIVISION**

SITUATED WITHIN THE NINTH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE  
WITHIN THE CORPORATE LIMITS OF THE KNOX CITY, TENNESSEE  
CLT MAP 135, GROUP "B" and PARCEL 26



PLANT SO THAT TOP OF ROOT BALL IS EVEN WITH THE FINISHED GRADE  
PAINT ALL CUTS OVER 1" DIA.  
FLAG GUYING WIRES WITH SURVEYOR TAPE

RUBBER HOSE 1" DIA.  
GUYING WIRES 2 STRAND TWIST  
12 GAUGE WIRE  
(3) 2"x4"x24" PRESS TREATED STAKES, TOP OF STAKE 6" ABOVE GROUND  
SPECIFIED PLANTING MIX WATER & TAMP TO

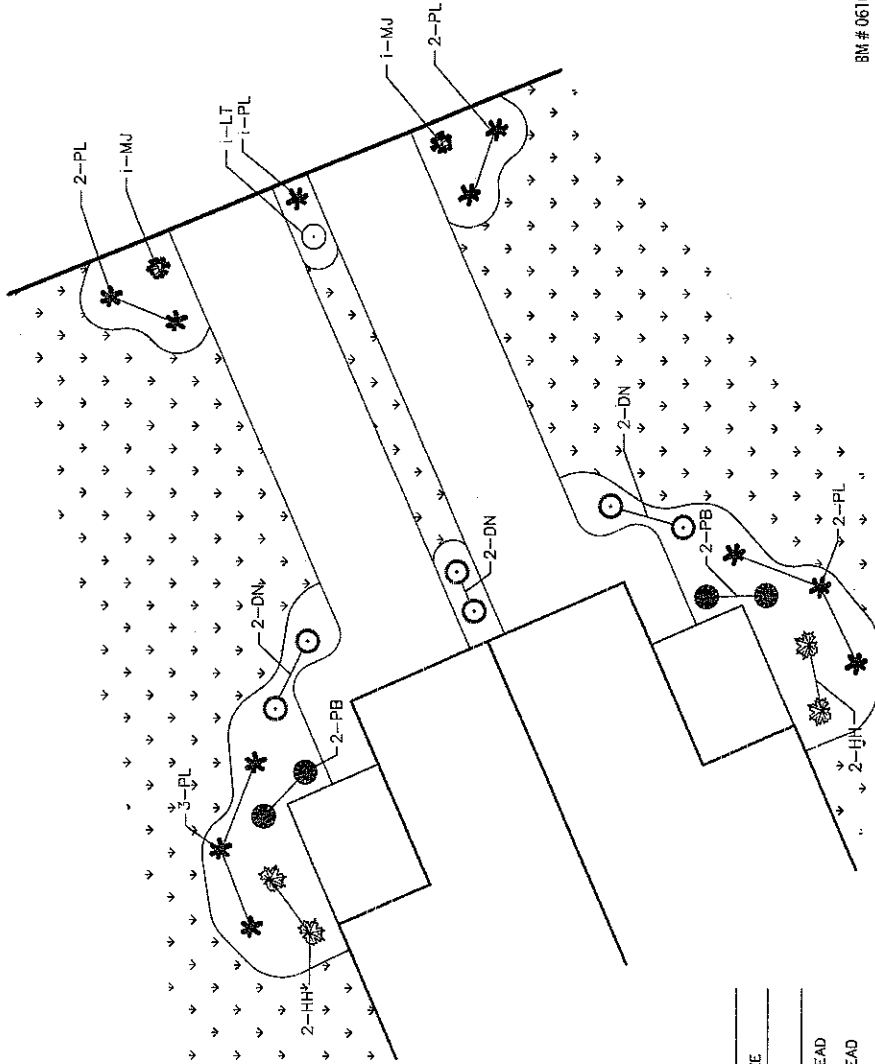
**TREE PLANTING**

SCALE: NOT TO SCALE

**PLANTING SCHEDULE**

MARK	SYMBOL	COMMON NAME	BOTANICAL NAME	MIN. SIZE
PL		PLANTAIN LILY	HOSTA FORTUNEI "AUROMARGINATA"	8" SPREAD
MJ		MINT JULEP JUNIPER	JUNIPERUS CHINENSIS "MINT"	15" SPREAD
PB		CRIMSON PYGMY BARBERRY	BERBERIS THUNBERGII ATROPURPUREA	18" HEIGHT
LT		ULYTURF	INANA CRISOM PYGMY LIROPE MUSCARI	15" SPREAD
DN		DWARF NANDINA	NANDINA DOMESTICA "FIREPOWER"	15" SPREAD
HH		HELLERI HOLLY	ILEX CRENATA HELLERI HOLLY	15" SPREAD
TURF				
SOD		FALCON FESCUE		

SEE NOTE NUMBER 6



BM # 06160

**BENCHMARK ASSOCIATES, INC.**  
Land Planners & Land Surveyors

10308 Hardin Valley Road  
Knoxville, Tennessee 37932

Phone (865) 662-4000  
Facsimile (865) 692-4091

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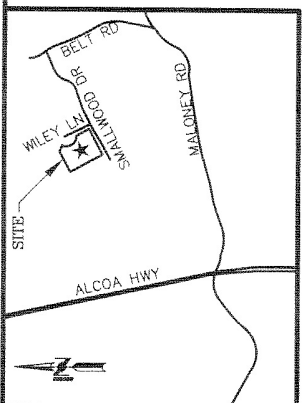
**REVISED** 9-k-06-UR

**NOTES:**

- 1) PROPERTIES ARE SUBJECT TO ANY AND ALL RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS, ENCUMBRANCES, RIGHTS-OF-WAYS, AND ALL EASEMENTS, IF ANY, AFFECTING SAME.
- 2) PROPERTY'S BOUNDARIES SHOWN REPRESENT INSTRUMENTS OF RECORD FOUND IN INSTRUMENT #200603310081879 OF THE REGISTER'S OFFICE OF KNOX COUNTY, TENNESSEE.
- 3) 15' SANITARY SEWER EASEMENTS ALONG ALL SANITARY SEWER LINES. LIMITS OF EASEMENTS TO BE 7.5' EACH SIDE OF SEWER LINE AS INSTALLED.
- 4) UTILITY AND DRAINAGE EASEMENTS OF 5' INSIDE ALL LOT LINES AND 10' OUTSIDE ALL RIGHT-OF-WAY LINES AND INSIDE ALL PERMETER BOUNDARIES.
- 5) ALL UNITS TO HAVE ACCESS TO INTERNAL STREETS AND DRIVES ONLY.
- 6) RECORD NORTH REFERENCES THE INSTRUMENTS OF RECORD REFERENCED HEREON.
- 7) THIS PROPERTY IS ZONED "RA" AND HAS THE FOLLOWING BUILDING SETBACKS:  
 FROM.....35'  
 SIDE.....12'  
 REAR.....25'

**USE ON REVIEW  
SMALLWOOD SUBDIVISION**

SITUATED WITHIN THE NINTH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE WITHIN THE CORPORATE LIMITS OF THE KNOX CITY, TENNESSEE (CL-1 MAP-135, GROUP 'B' and PARCEL 26)

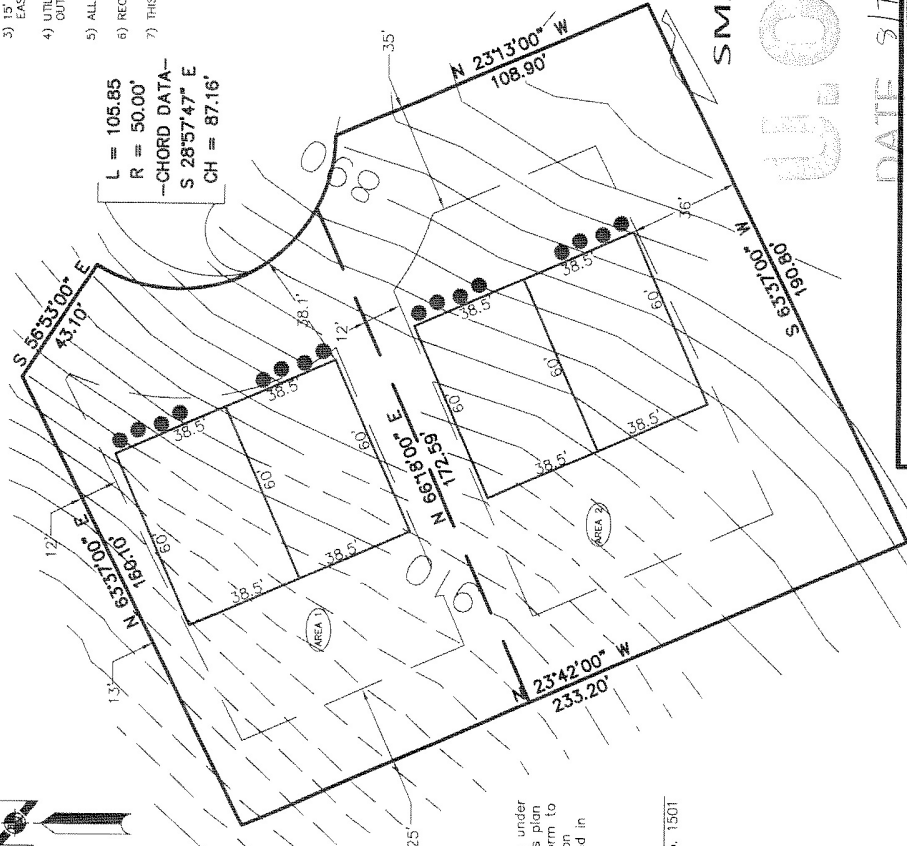


TOTAL AREA	41,946.62 sq. ft. 0.9522 ACRES	AREA 1	17,828.81 sq. ft. 0.4062 ACRES
		AREA 2	24,117.81 sq. ft. 0.5520 ACRES
		AREA 3	41,946.62 sq. ft. 0.9522 ACRES

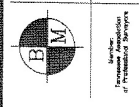
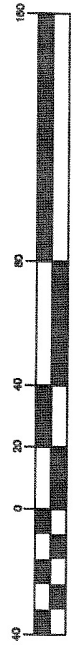
**Certification of Concept Plan.**  
 I hereby certify that I am a surveyor, licensed to do surveying under the laws of the State of Tennessee. I further certify that this plan and accompanying drawings, documents, and statements conform to all applicable provisions of the Knoxville/Knox County Subdivision Regulations, except as has been limited, described and justified in a report filed with the Metropolitan Planning Commission.

Benchmark Associates, Inc. Benjamin J. Moorman R.L.S. No. 1501

L = 105.85  
 R = 50.00'  
 -CHORD DATA-  
 S 28°57'47" E  
 CH = 87.16'



**GRAPHIC SCALE**



**BENCHMARK ASSOCIATES, INC.**  
 10308 Hardin Valley Road  
 Knoxville, Tennessee 37932

Land Planners & Land Surveyors

Phone (865) 682-4090  
 Facsimile (865) 692-4091

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# Memorandum

**To:** MPC – Kelly S  
**From:** Smallwood Drive / Wiley Lane Neighborhood  
**Date:** 9/6/2006  
**Fax:** 215-2068  
**Re:** Use on Review – Victor Jernagin application

9-K-06-UR

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Attached is a petition from the neighborhood regarding the use on review application for the property at 2903 Smallwood Drive (corner of Smallwood Drive and Wiley Lane). We are opposed to the proposed multi-family use. This neighborhood is a single family community on an extremely narrow dead-end street with a single access route and blind hill at the entrance. We feel that the addition of 4 dwelling units (8 vehicles??) on a one acre lot would be detrimental and should not be allowed.

Thank you for your consideration

Patty Boles  
2909 Smallwood Drive  
865-212-3765

We, the undersigned, hereby express opposition to the proposed use on review allowing duplexes on the properties at the corner of Smallwood Drive and Wiley Lane. We feel that multi-family use of this property would be unfavorable to the surrounding single family neighborhood.

Print name CONRAD LOY  
Address 2905 SMALLWOOD DR  
Signature Conrad Loy

Print name MARY EVELYN LOY  
Address 2905 Smallwood Dr  
Signature KN, TN 37920

Print name Howard Johnson  
Address 2904 Smallwood Dr.  
Signature Howard Johnson

Print name Eva O Graves  
Address 2726 Smallwood D  
Signature Eva O Graves

Print name Leroy Graves  
Address 2726 Smallwood D  
Signature Leroy Graves

Print name CARL J EDMONSON  
Address 2721 SMALLWOOD  
Signature Carl J Edmonson

Print name STEVE TWIGLE  
Address 2717 Smallwood  
Signature Steve Twigle

Print name Emma M Edmonson  
Address 2721 Smallwood Rd  
Signature Emma Edmonson

Print name Paul Vadeboncoeur  
Address 2701 SMALLWOOD  
Signature Paul Vadeboncoeur

Print name GEN VADEBONCOEUR  
Address 2701 SMALLWOOD  
Signature Gen Vadeboncoeur

Print name JV Russell  
Address 5201 Wiley Ln.  
Signature JV Russell

Print name Tommy K. Ford  
Address 2726 ~~Smallwood~~ SMALLWOOD DR  
Signature Tommy K. Ford

Print name ROBERT SHARP  
Address 2912 Smallwood, DR  
Signature Robert H. Sharp

Print name Patricia Bales  
Address 2909 Smallwood  
Signature Patricia Bales

Print name CASEY Guinan  
Address 2705 Smallwood Drive  
Signature Casey Guinan

Print name Richard Bales  
Address 2909 Smallwood Drive  
Signature Richard Bales



We, the undersigned, hereby express opposition to the proposed use on review allowing duplexes on the properties at the corner of Smallwood Drive and Wiley Lane. We feel that multi-family use of this property would be unfavorable to the surrounding single family neighborhood.

Print name Dorothy N. Duggan  
Address 2723 Smallwood Lane  
Signature Dorothy N. Duggan  
MRS CHARLES P. DUGGAN

Print name \_\_\_\_\_  
Address \_\_\_\_\_  
Signature \_\_\_\_\_

Print name SALLY L. EDMANSON  
Address 2721 SMALLWOOD DR.  
Signature KNOXVILLE TN 37920  
Sally L. Edm

Print name \_\_\_\_\_  
Address \_\_\_\_\_  
Signature \_\_\_\_\_

Print name DOROTHY LINE  
Address 2713 SMALLWOOD DR.  
Signature Dorothy Line

Print name \_\_\_\_\_  
Address \_\_\_\_\_  
Signature \_\_\_\_\_

Print name \_\_\_\_\_  
Address \_\_\_\_\_  
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