



# USE ON REVIEW REPORT

▶ **FILE #:** 10-E-19-UR

**AGENDA ITEM #:** 47

**AGENDA DATE:** 10/10/2019

▶ **APPLICANT:** SCOTT WILLIAMS

OWNER(S): WBI Rentals

TAX ID NUMBER: 118 122

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 805 Bob Kirby Rd.

▶ **LOCATION:** West side of Bob Kirby Rd., north of Dutchtown Rd.

▶ **APPX. SIZE OF TRACT:** 1.3 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Bob Kirby Road, a minor collector with 36' of pavement width within 75' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

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

▶ **EXISTING LAND USE:** SFR (Single Family Residential)

▶ **PROPOSED USE:** Duplexes

4.4 du/ac

HISTORY OF ZONING: The property was rezoned from A to RA in September 2019 (8-E-19-RZ).

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

South: Single Family Residential / CN (Neighborhood Commercial)

East: Duplexes / RA (Low Density Residential)

West: Single Family Residential / A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area consists of mostly single family residential uses, with planned residential developments and low density residential uses nearby. There are duplexes across Bob Kirby Road and under construction on the adjacent property to the north.

## STAFF RECOMMENDATION:

▶ **APPROVE the development plan for 3 duplexes on individual lots, subject to 6 conditions.**

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
2. Providing landscape screening between parking on Lot 1 and Bob Kirby Road with review and approval by Planning staff before the issuance of building permits for Lot 1.
3. Certifying sight distance along Bob Kirby Rd. in accordance with the Knox County Access Control and Driveway Design Policy.

4. Submitting a geotechnical study for lots 1 & 2 for review and approval by the Knox County Department of Engineering and Public Works prior to approval of a plat.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

#### **COMMENTS:**

The applicant is requesting approval for duplexes to be located on 3 lots that share a driveway with access on the west side of Bob Kirby Road, just north of the intersection with Dutchtown Road. A duplex is only allowed in the RA (Low Density Residential) zoning district through a Use on Review approval and all three lots exceed the minimum standards for a duplex in that zone.

Duplexes require 2 parking spaces per unit. The proposed duplexes have surface parking as shown on the development plan. The parking area on lot 3 must have a turnaround that can accommodate a fire truck because the driveway is longer than 150' long. The parking area on lot 1 is proposed in the front yard of the duplex. Staff is recommending that landscape screening be provided between the parking on lot 1 and Bob Kirby Road. This is consistent with the Planning Commission requirement for the duplex development to the north.

There is a sinkhole located in the central portion of the property that places some restriction on the location of the duplex buildings. A geotechnical study must be prepared and submitted to the Knox County Department of Engineering and Public Works. The results of the study must support encroachment into the 50' sinkhole buffer to allow construction of the duplexes as shown on the development plan. If not, lot 2 may not be buildable and will need to be combined with one of the other lots.

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

1. All utilities are in place to serve this site.
2. The proposed duplexes are compatible with the duplexes under construction to the north of this property and those already completed to the east.
3. The recommended parking lot landscape screening for lot 1 is consistent with the requirement placed on the adjacent duplex development to the north and will help maintain the residential character of the area.

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

1. With the recommended conditions, the proposal meets all requirements of the RA zoning as well as the general criteria for approval of a Use on Review.
2. The proposed duplex development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

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

1. The Northwest County Sector Plan designates low density residential uses for the site. The proposed development conforms with the Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 76 (average daily vehicle trips)

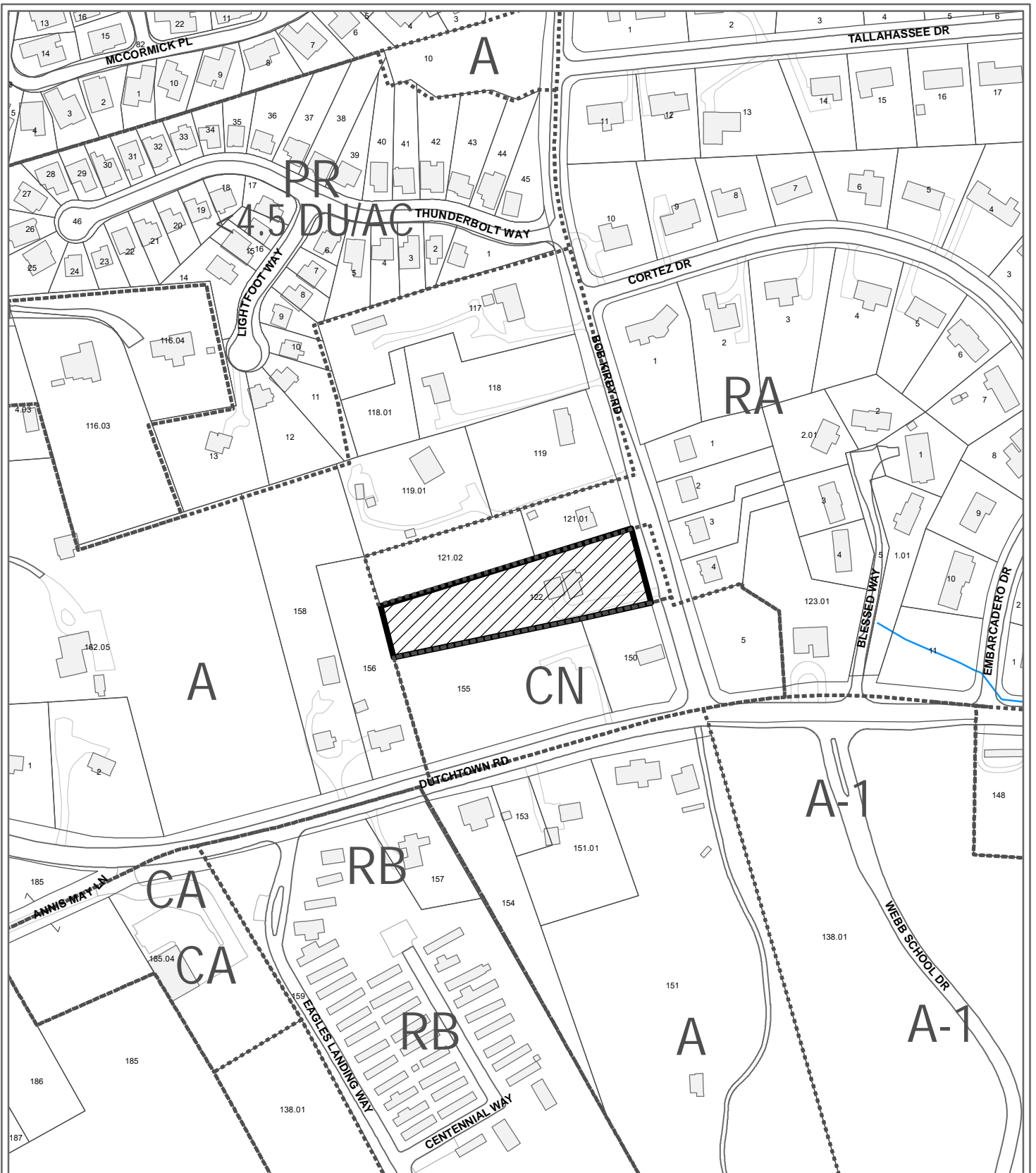
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 0 (public school children, grades K-12)

Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

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



**10-E-19-UR  
USE ON REVIEW**

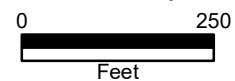
Petitioner: Scott Williams



Duplexes in RA (Low Density Residential) pending

Map No: 118

Jurisdiction: County



Original Print Date: 9/17/2019

Revised:

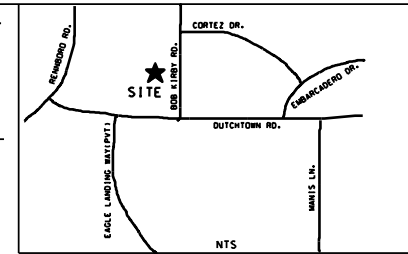
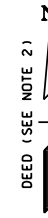
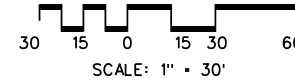
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**NOTES:**

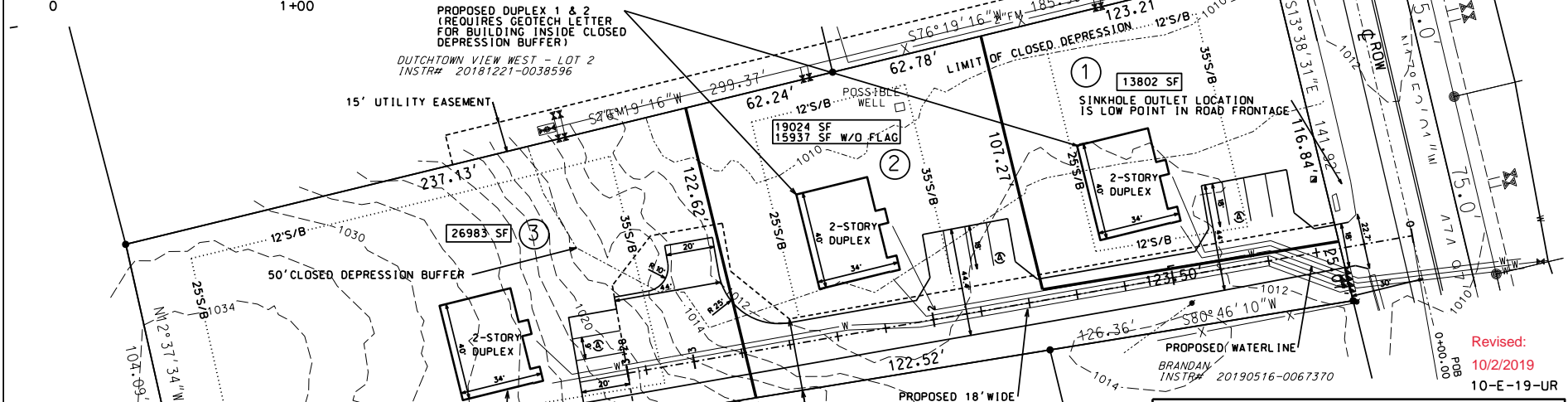
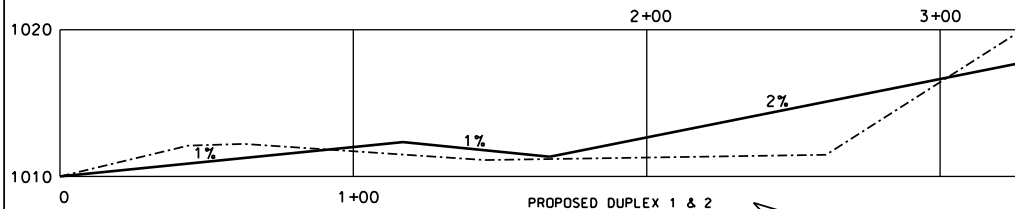
1. THIS PLAN IS TO SHOW PROPOSED LOCATIONS FOR 3 DUPLEX BUILDINGS (6 UNITS).
2. BEARINGS SHOWN HEREON ARE BASED ON DEED INST.NO.20160829-0013556 HORIZONTAL CONTROL IS ASSUMED AND NOT ON TN GRID. BENCHMARK ELEVATION BASED ON NAVD 88.
3. THIS PROPERTY IS ZONED A WITH A REZONE TO RA PENDING.
4. BUILDING SETBACKS: FRONT: 35', SIDE: 8' ONE-STORY, 12' FOR TWO STORY, 20' TOTAL BETWEEN BLDG. REAR 25'.
5. ALL UTILITIES SHOWN ARE LOCATED BY FIELD OBSERVATION OR ASBUILT MAPS PROVIDED BY THE RESPONSIBLE AGENCY, UTILITY, DRAINAGE, AND CONSTRUCTION EASEMENTS OF 10' INSIDE ALL EXTERIOR PROPERTY AND ROAD RIGHT-OF-WAYS AND 5' EACH SIDE OF INTERIOR LOT LINES PLUS OTHER EASEMENTS SHOWN.
6. THIS PROPERTY IS FOUND ON FEMA FLOOD INSURANCE RATE MAPS NUMBER 47093C0261F. NOT IN PRINT.
7. CONSTRUCTION WITHIN THE 50' BUFFER MAY BE PERMITTED WITH AN ACCEPTED GEOTECHNICAL STUDY AND ENGINEERED FOOTINGS. THE GEOTECHNICAL STUDY MUST BE APPROVED BY KNOX COUNTY PRIOR TO FINAL PLAT APPROVAL.

**KNOX COUNTY PUBLIC WORKS NOTES:**

1. Maximum allowable impervious footprint is 3333 square feet per lot (10000 sf total) without prior Public Works Engineering approval. Existing imp. - 4300 sf. Proposed imp. - 13375 sf. Net new imp. - 9075 sf
2. A geotechnical engineer must be retained to oversee installation of foundation subgrade for any structure proposed within the sinkhole buffer.



**VICINITY MAP**



Revised:  
10/2/2019  
10-E-19-UR

**LEGEND**

- 5/8" IRON PIN SET (NEW)
- IPF● 5/8" IRON PIN FOUND (OLD)
- LOT LINE / ROW
- x - FENCE
- OVERHEAD ELECTRIC
- - - - - CLOSED DEPRESSION
- - - - - CENTERLINE R.O.W.
- - - - - EXISTING STRUCTURES
- - - - - EASEMENT LINES
- ⊣ SEWER VALVE
- ⊠ WATER METER
- ② LOT NO.
- Ⓧ PARKING SPACES

SITE PLAN OF:  
**DUTCHTOWN VIEW WEST 2**  
805 BOB KIRBY RD  
KNOXVILLE, TN. 37923  
CLT MAP 118 PARCEL 122  
DISTRICT 6  
DATE: 9/23/2019

*Scott Williams*  
*and Associates*

4530 ANNALIEE WAY  
KNOXVILLE, TENNESSEE 37921  
PHONE: (865) 692-9809  
FAX: (865) 692-9809  
E-MAIL: wscottwill@comcast.net

CONSULTING  
CIVIL ENGINEERING  
LAND SURVEYING

**OWNER:**  
W&J RENTALS  
6911 NEAL CHASE WAY  
KNOXVILLE, TN 37938  
PHONE (865) 922-2600

FIGGINS PROPERTY  
INSTR# 201206070069505

30' PERMANENT INGRESS/  
EGRESS AND UTILITY EASEMENT  
11429 SF  
BRANDAN  
INSTR# 20190516-0067370

PROPOSED DUPLEX 1 & 2  
(REQUIRES GEOTECH LETTER  
FOR BUILDING INSIDE CLOSED  
DEPRESSION BUFFER)  
DUTCHTOWN VIEW WEST - LOT 1  
INSTR# 20181221-0038596

DUTCHTOWN VIEW WEST - LOT 2  
INSTR# 20181221-0038596



# Planning

KNOXVILLE | KNOX COUNTY

## DEVELOPMENT REQUEST

### DEVELOPMENT

- Development Plan
- Use on Review / Special Use

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
- Rezoning

SCOTT WILLIAMS

Applicant

8/26/19

Date Filed

10/10/19

Meeting/Date (if applicable)

10-E-19-UR

File Numbers(s)

## CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

SCOTT WILLIAMS

Name

W. SCOTT WILLIAMS & ASSOC.

Company

4530 Annalee Way

Address

Knoxville

City

TN

State

37921

Zip

865-692-9809

Phone

WSCOTTWILL@comcast.net

Email

## CURRENT PROPERTY INFO

(option holder)

WBI Rentals

Owner Name (if different)

mail to: PO Box 71022 Knoxville, TN 37938

6911 Neal Chase Way Knox, TN 37938

Owner Address

(865)

922-2600

Owner Phone

805 Bob Kirby Rd. Knox, TN 37923

Property Address

CLT Map 118 Parcel 122

Parcel ID

230 Ft on <sup>W/S</sup> Bob Kirby from <sup>north of</sup> Dutchtown Rd. intersection

General Location

1.30 AC + 3087'

Tract Size

SF of Flag

3

Jurisdiction (specify district above)

- City
- County

A with rezone to RA pending

Zoning District

Northwest county

Planning Sector

LDR

Sector Plan Land Use Classification

planned growth

Growth Policy Plan Designation

SFR

Existing Land Use

N

Septic (Y/N)

WKUD

Sewer Provider

WKUD




Water Provider

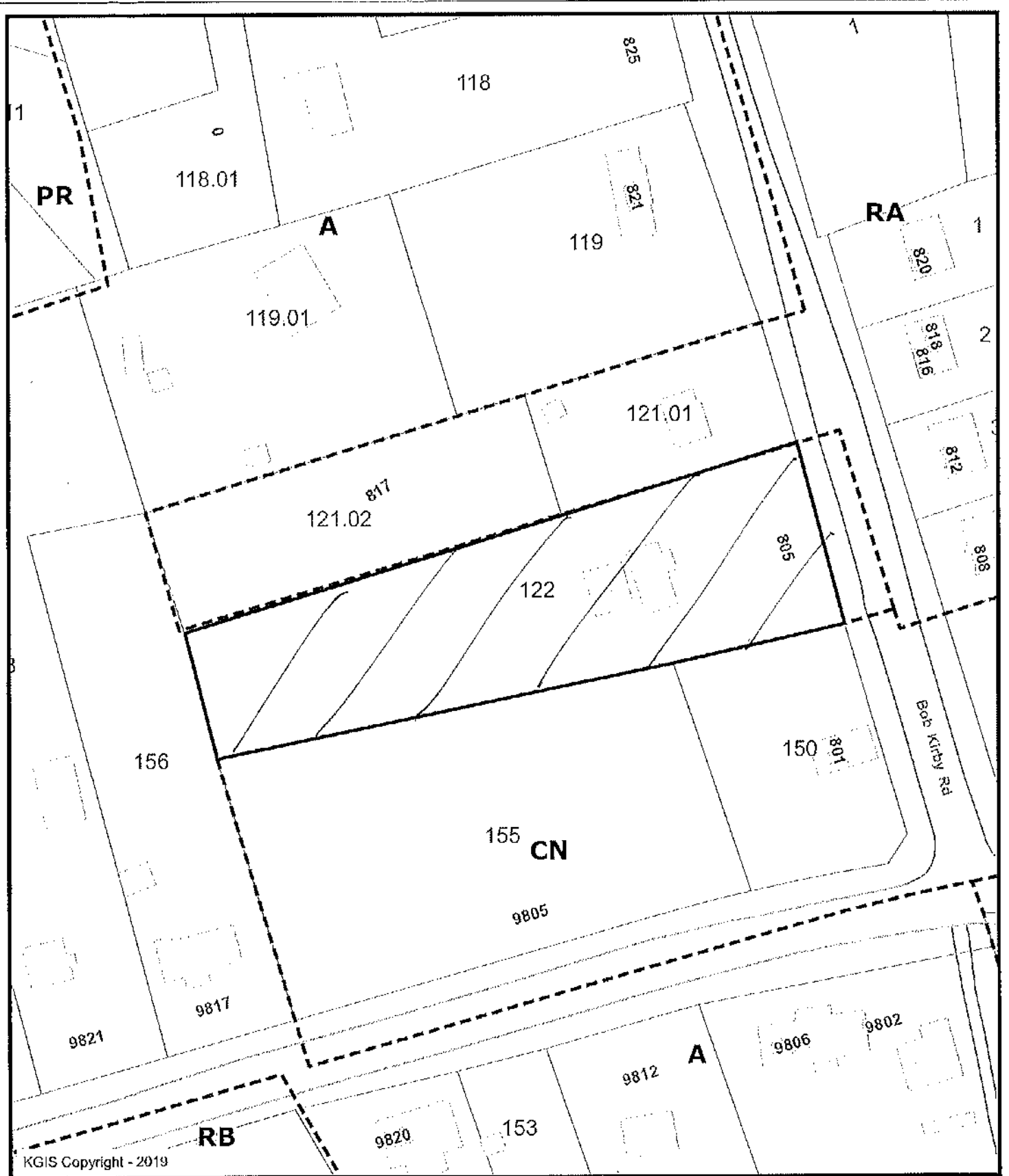
# REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input checked="" type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential
	<input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____
SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel    Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements
	<input type="checkbox"/> Zoning Change: _____ Proposed Zoning _____
	<input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____
ZONING	<input type="checkbox"/> Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify): _____

STAFF USE ONLY	<b>PLAT TYPE</b>	<b>FEE 1:</b>	<b>TOTAL:</b>
	<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	1,200.00	
	<b>ATTACHMENTS</b>	<b>FEE 2:</b>	
	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study	<b>FEE 3:</b>	
		1,200.00	

## AUTHORIZATION

 Staff Signature	 Please Print	8/26/19 Date
 Applicant Signature	W. SCOTT WILLIAMS Please Print	8-26-19 Date



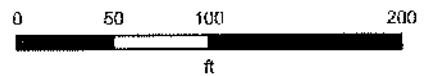
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### Letter Portrait

### Knoxville - Knox County - KUB Geographic Information System



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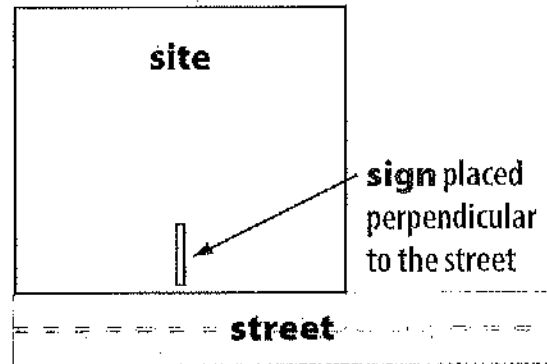
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

9/25/19 and 10/11/19  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Stacey Cox

Printed Name: Stacey Cox

Phone: 692-9809 Email: Accounting@wscottwilliams.com

Date: 8/26/19

MPC File Number: 10-E-19-UR