



SPECIAL USE REPORT

► **FILE #:** 11-A-21-SU

AGENDA ITEM #: 29

AGENDA DATE: 11/10/2021

► **APPLICANT:** GARY L. MILLER JR.

OWNER(S): Gary L. Miller Jr.

TAX ID NUMBER: 71 A A 011

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 5000 Obarr Dr.

► **LOCATION:** South side of Obarr Drive, east side of LeConte Road

► **APPX. SIZE OF TRACT:** 15460 square feet

SECTOR PLAN: East City

GROWTH POLICY PLAN:

ACCESSIBILITY: This property has access via Obarr Dr, a local road with 20-ft of pavement width within a 40-ft right-of-way, and LeConte Rd, a local road with 20-ft of pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

► **ZONING:** RN-1 (Single-Family Residential Neighborhood)

► **EXISTING LAND USE:** Multifamily Residential

► **PROPOSED USE:** Two-family dwelling

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Multi-family, Single-family residential - RN-1 (Single-family residential)

South: Single-family residential - RN-1 (Single-family residential)

East: Multi-family - RN-1 (Single-family residential)

West: Single-family residential - RN-1 (Single-family residential)

NEIGHBORHOOD CONTEXT: This property is located in a residential area of the City with a mix of multi-family and single-family dwellings on medium sized lots.

STAFF RECOMMENDATION:

► **Approve the request for a two-family dwelling in the RN-1 zone subject to 4 conditions.**

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance including but not limited to number of permissible driveways and number of minimum required parking spaces.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
3. Meeting all applicable Principal Use Standards for two-family dwellings (Article 9.3.J) of the City of Knoxville Zoning Ordinance.

4. That the existing accessory dwelling located on the south side of the property be removed and converted into an allowable accessory use.

With the conditions noted, this plan meets requirements for approval in the RN-1 District and the criteria for approval of a special use.

COMMENTS:

This request is to bring an existing two-family dwelling into conformance with the City of Knoxville Zoning Ordinance. There is also a non-conforming accessory dwelling unit within a detached structure that will be removed.

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 One Year Plan and East City Sector Plan both have this property designated as LDR (Low Density Residential) which allows consideration of up to 6 du/ac.

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

A. The RN-1 Single-Family Residential Neighborhood Zoning District is intended to accommodate traditional low density residential neighborhoods in the City of Knoxville, exhibiting a predominant development pattern of single-family homes on relatively large lots and with generous setbacks. Two-family dwellings may also be allowed by special use approval. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

B. The RN-1 zone does not allow more than one primary structure on a lot, and it requires a minimum lot size of 15,000 sq ft for two-family dwellings.

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. This property is near other multi-family dwellings located to the east.

B. The existing dwelling is similar in character to the surrounding development of the neighborhood.

C. The driveway for the two-family dwelling is proposed in the same location as the existing paved driveway located at the rear with access off of Leconte Rd.

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 dwelling is considered a low-density residential use and is permitted in the RN-1 zone as a Special Use.

B. This neighborhood is predominately residential in character with a mix of RN-1 and RN-2 zoning.

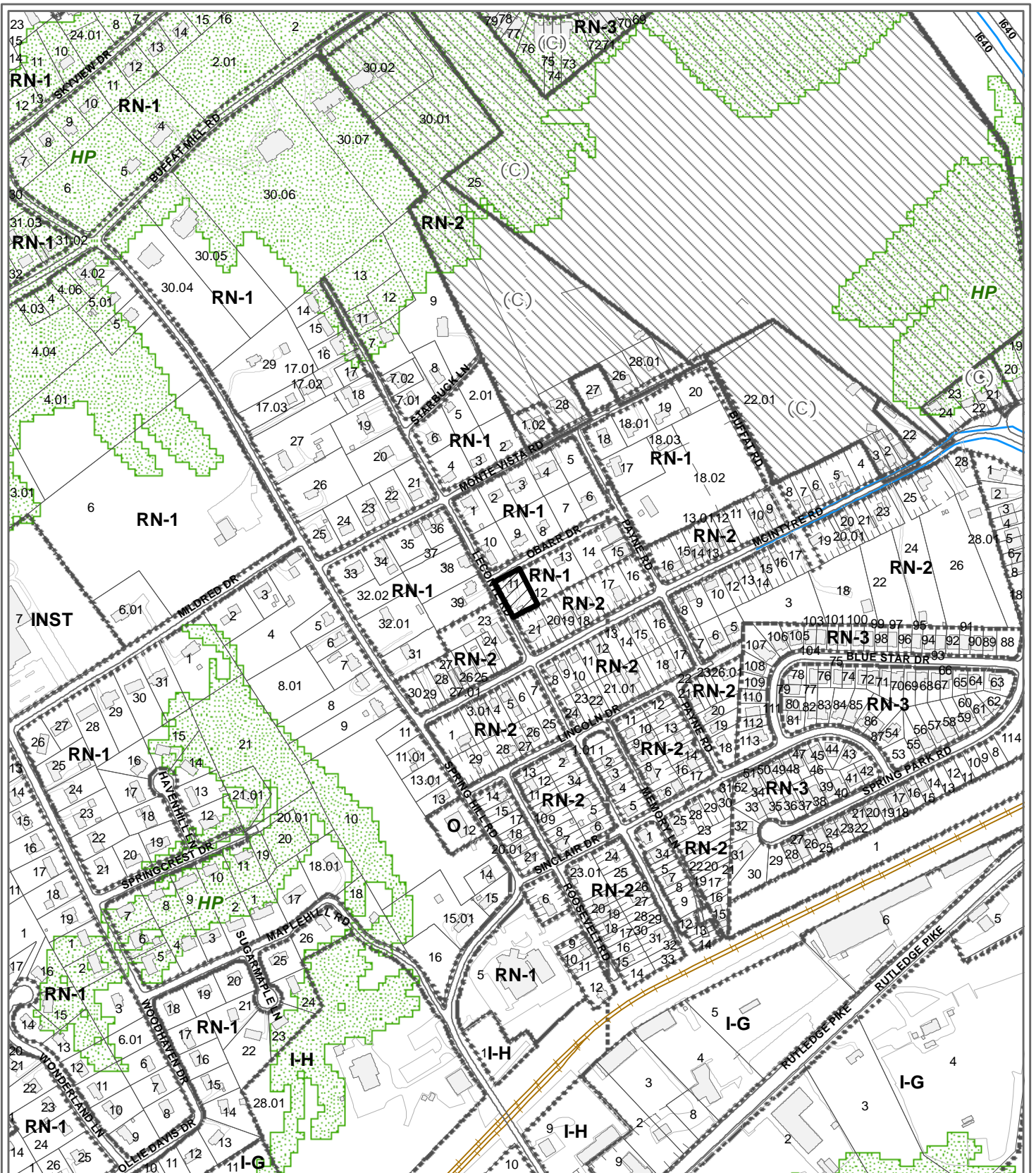
5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. It is anticipated that the conversion of the single-family dwelling into a two-family dwelling will not substantially increase traffic volumes in this neighborhood.

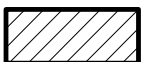
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**11-A-21-SU
SPECIAL USE**



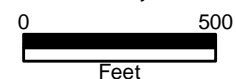
Two-family dwelling in RN-1 (Single-Family Residential Neighborhood)

Original Print Date: 10/13/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

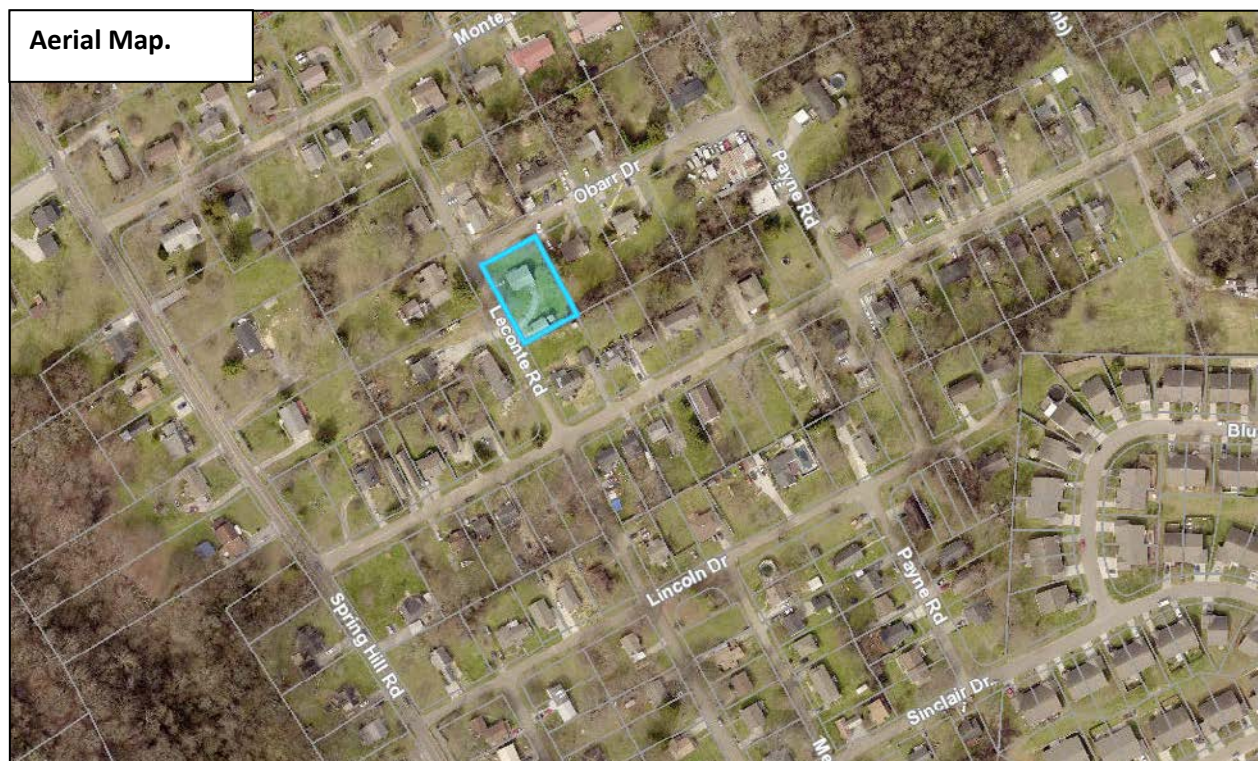
Petitioner: Miller Jr., Gary L.

Map No: 71

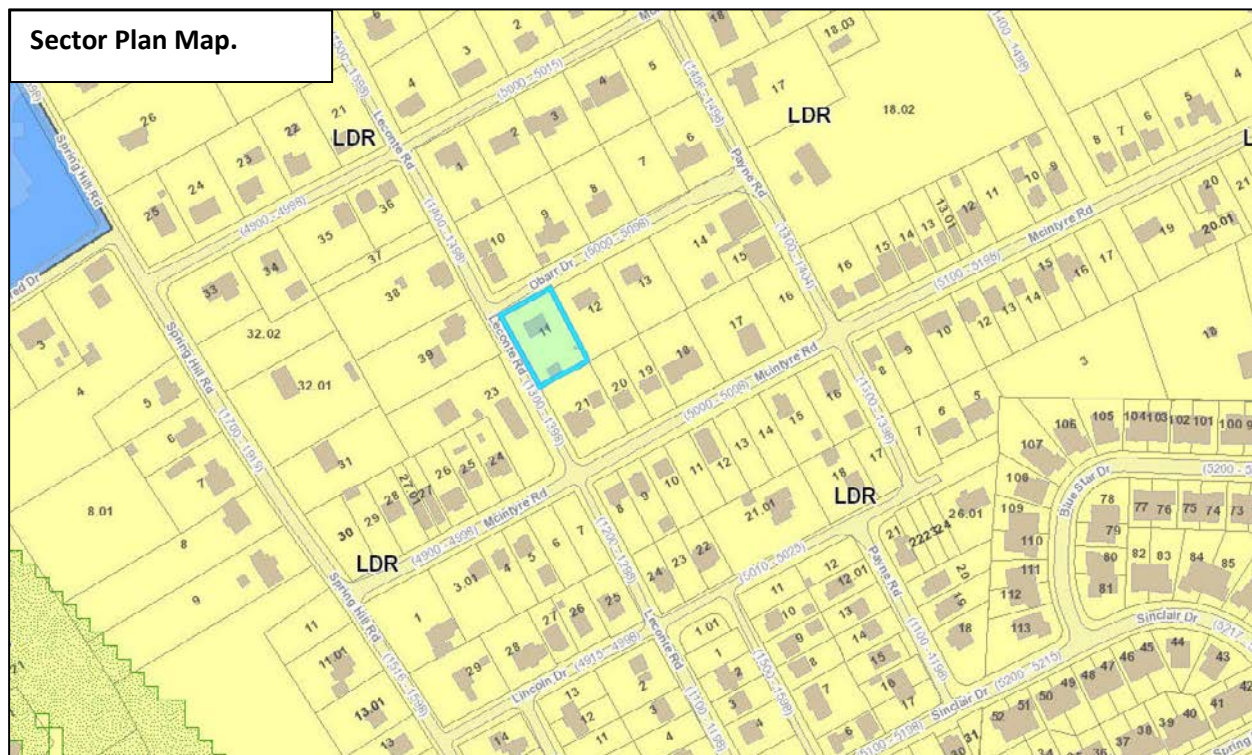
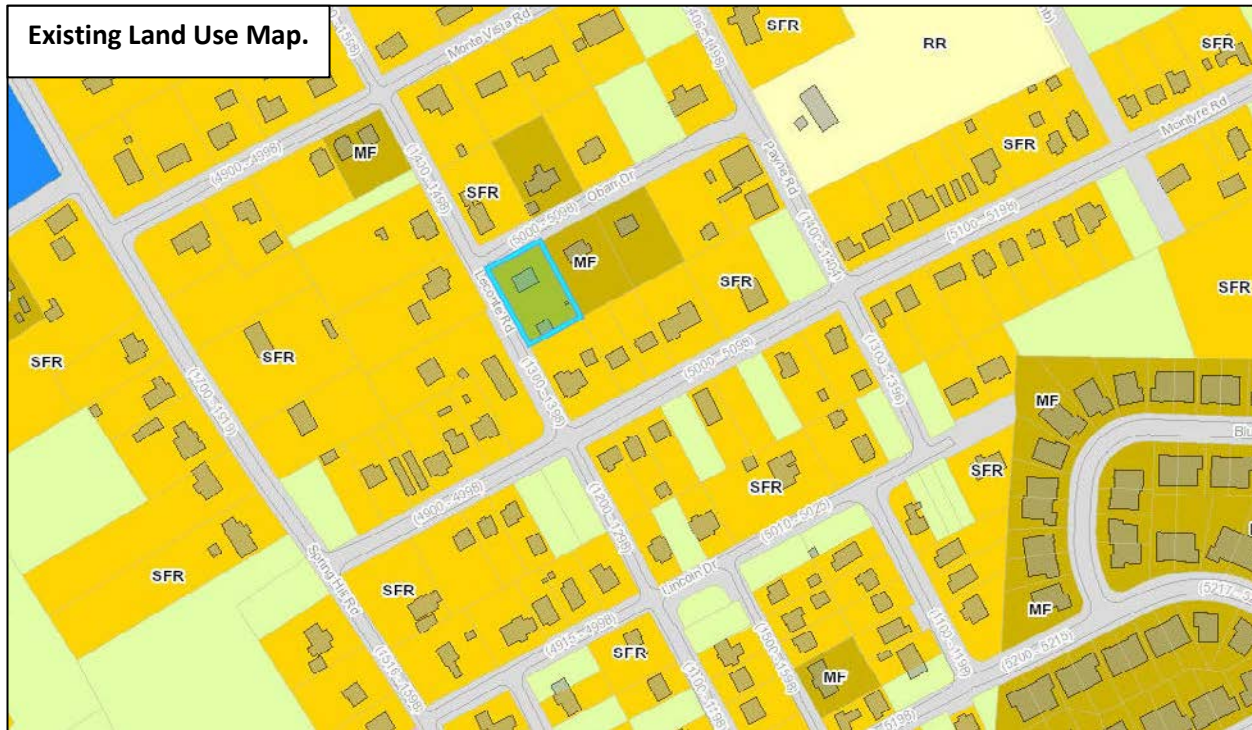
Jurisdiction: City



11-A-21-SU
EXHIBIT A. Contextual Images



11-A-21-SU
EXHIBIT A. Contextual Images



11-A-21-SU

EXHIBIT A. Contextual Images

Eagle-Eye View of Property



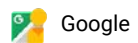
**Accessory dwelling to be converted
into conforming accessory use.**



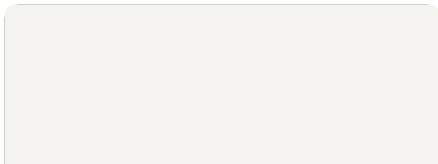


Image capture: Dec 2015 © 2021 Google

Knoxville, Tennessee



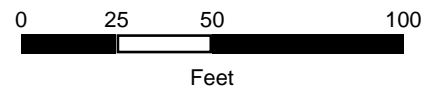
Street View - Dec 2015



11-A-21-SU
9/15/2021



Two-family dwelling in existing house



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11-A-21-SU
9/15/2021



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Applicant Name

Gary L. Miller JR.

Owner

Affiliation

File Number(s)

Date Filed

9/15/2021

Meeting Date (if applicable)

11/10/2021

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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

Name

Gary L. Miller JR.

Company

Address

9242 Asheville Hwy

City Knoxville

State TN

ZIP 37924

Phone

865-806-9450

Email

GMLMER@gmail.com

CURRENT PROPERTY INFO

Owner Name (if different)

Same as above

Owner Address

Owner Phone

Property Address

5000 O'barr Dr
Knoxville, TN, 37914

Parcel ID

071AA011

Sewer Provider

Y

Water Provider

Y

Septic (Y/N)

STAFF USE ONLY

General Location

South side of O'barr Dr, east side of Leconte Rd.

Tract Size

15,960 sq ft

☒ City ☐ County

4th
District

RV-1
Zoning District

Multi-family
Existing Land Use

East City
Planning Sector

LDR
Sector Plan Land Use Classification

N/A
Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☒ Use on Review / Special Use ☐ Hillside Protection COA
☒ Residential ☐ Non-Residential
Home Occupation (specify)

Related City Permit Number(s)

Other (specify)

*Two-family dwelling***SUBDIVISION REQUEST**

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number

- ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify)☐ Attachments / Additional Requirements**ZONING REQUEST**

Pending Plat File Number

☐ Zoning Change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify)**STAFF USE ONLY****PLAT TYPE**

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

- ☐ Design Plan Certification (*Final Plat*)
☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1

Total

0402

Fee 2

\$450.⁰⁰

Fee 3

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Gary L Miller Jr

Please Print

Gary L. Miller, JR.

Date

8/30/21

Phone Number

865-806-9450

Email

GMSMER@gmail.com

Staff Signature

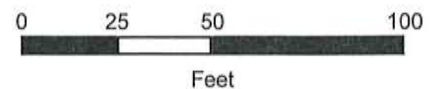
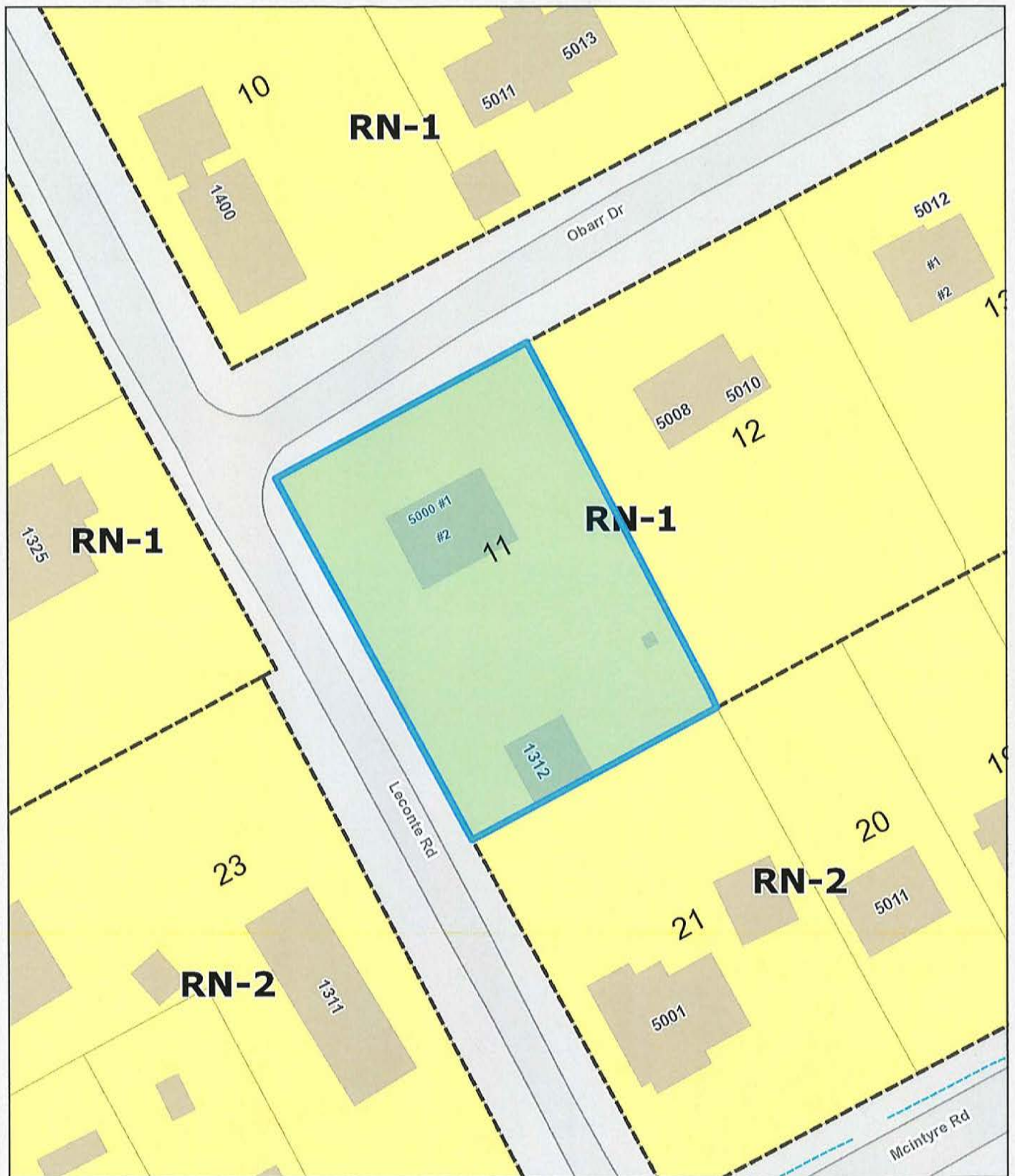
Michael Reynolds

Please Print

Michael Reynolds

Date

9/16/21 AR

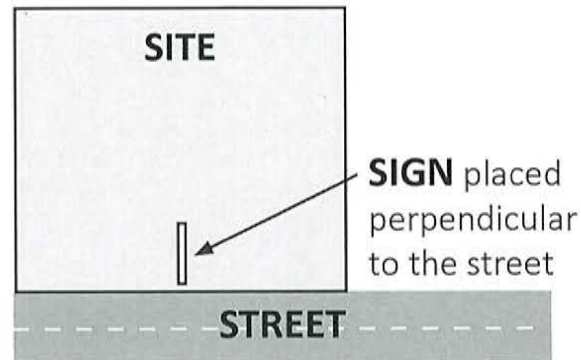


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

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

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Gary L Miller Jr

Date: 9/16/2021

File Number: 11-A-21-SU



Sign posted by Staff



Sign posted by Applicant