



SPECIAL USE REPORT

▶ **FILE #:** 8-D-23-SU

AGENDA ITEM #: 14

AGENDA DATE: 8/10/2023

▶ **APPLICANT:** **TIMOTHY JOSEPH**
OWNER(S): Qi Shujuan and Sumarriva Edmundo

TAX ID NUMBER: 109 I G 014 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 101 HENRY AVE

▶ **LOCATION:** **North side of Henry Ave, northwest side of Maryville Pike**

▶ **APPX. SIZE OF TRACT:** **12822 square feet**

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Henry Avenue, a local road with approximately 17 ft of pavement width within a 30-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **ZONING:** **RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)**

▶ **EXISTING LAND USE:** **Single family residential**

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

HISTORY OF ZONING: In 1983, this property was part of a large area rezoned from R-2 (General Residential) to R-1A (Low Density Residential) (11-E-83-RZ).

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant - AG (Agricultural), RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Single-family residential, agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood), O (Office), HP (Hillside Protection Overlay)

East: Public/quasi public land (vacant) - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: The area is adjacent to a commercial corridor along Chapman Highway. It has a mix of single family and multifamily residential dwellings.

STAFF RECOMMENDATION:

▶ **Approve the request for a two-family dwelling development in the RN-2 zoning district, subject to 2 conditions.**

- 1) Meeting all applicable requirements of the City of Knoxville Engineering Department.
- 2) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RN-2 zoning district and the special use criteria for a two-family dwelling.

COMMENTS:

The applicant is requesting approval for a two-family dwelling on a 12,822 sq. ft. lot in the RN-2 zoning district.

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 proposed two-family dwelling is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.

B. The proposed use is consistent with the South City Sector Plan's LDR (Low Density Residential) land use classification.

C. The proposed use complies with the One Year Plan's location criteria A.1 for duplexes as the access off Henry Avenue is adjacent to a major collector street, Maryville Pike, and it will not significantly affect the service demands or aesthetics of the area.

D. The proposed use also complies with the One Year Plan's location criteria A.2 for duplexes as the property is located at the edge of the neighborhood and it will provide a buffer between residential and non-residential areas.

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

A. The RN-2 zone is intended to accommodate low-density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. Two-family dwellings may also be allowed by special use approval.

B. The RN-2 district requires a minimum lot size of 10,000 sq. ft. for two-family dwellings and the subject property is larger than that, as mentioned above. The site plan and elevations as provided conform to the dimensional standards for a two-family dwelling in the RN-2 zoning district. The elevations as provided conform to the Principal Use Standards for a two-family dwelling (Article 9.3.J).

C. The property has an HP (Hillside Protection) overlay which intends to protect hillsides and hillside development. According to the slope analysis, the proposed site plan is compatible with the Density and Land Disturbance Limitations (Article 8.9.C., Table 8.6).

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. There is a two-family dwelling located within approximately 750-ft east of the subject property. There is also a higher-density multi-family development (on properties zoned RN-5 and O, with HP Overlay) on the opposite side of Maryville Pike.

B. The surrounding area is characterized by one- and two-story houses. The proposed two-story structures will be compatible in size and scale with the surrounding single-family houses and will provide a transition in density.

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 dwellings are considered low-density residential uses and are compatible with other low-density residential uses.

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

A. A duplex would be a minor increase in density for the area and would not significantly impact traffic on surrounding streets.

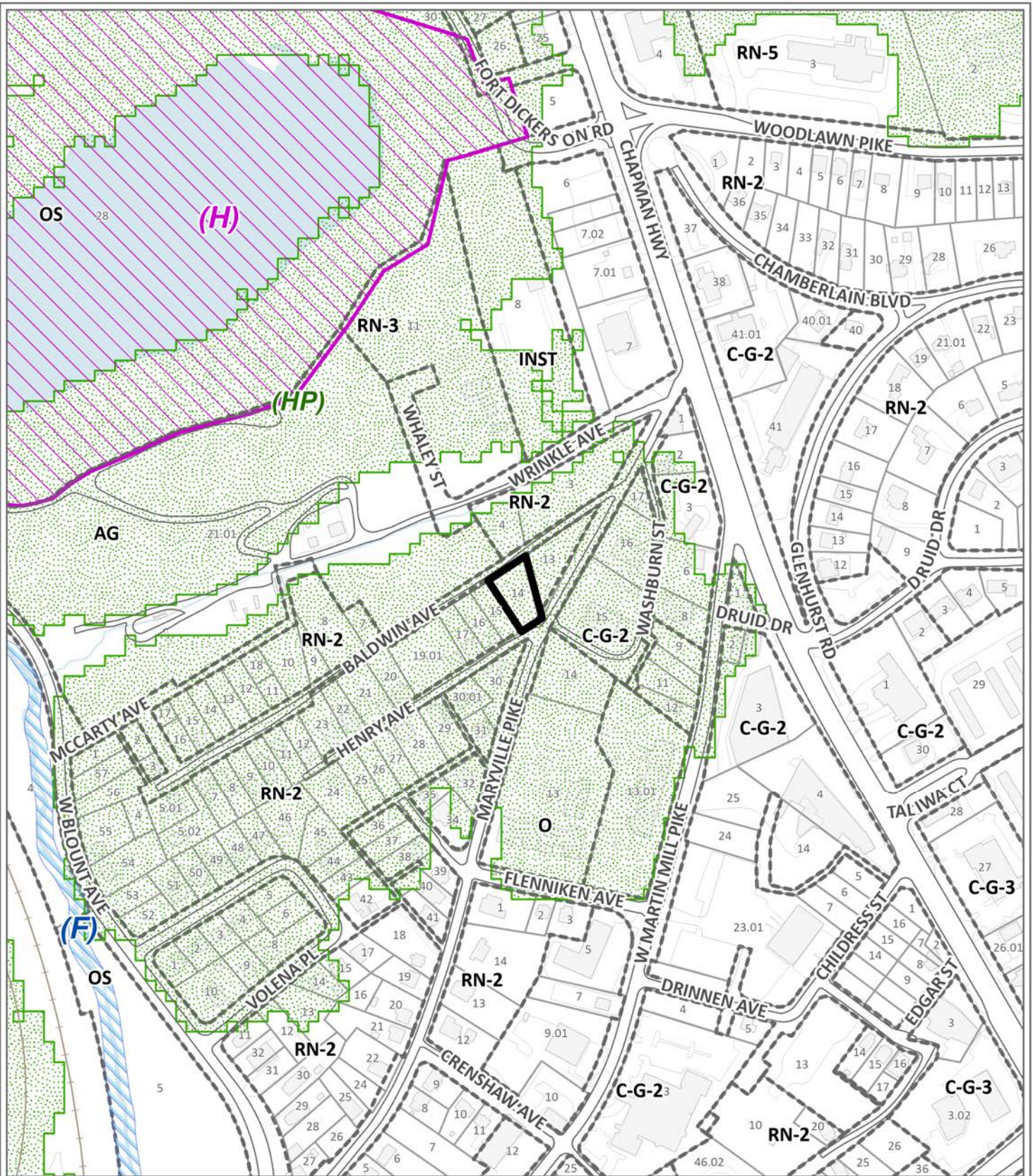
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses immediately surrounding the subject property that would pose a potential hazard or undesirable environment for the proposed use.

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.



SPECIAL USE

8-D-23-SU

Petitioner: Timothy Joseph



in RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

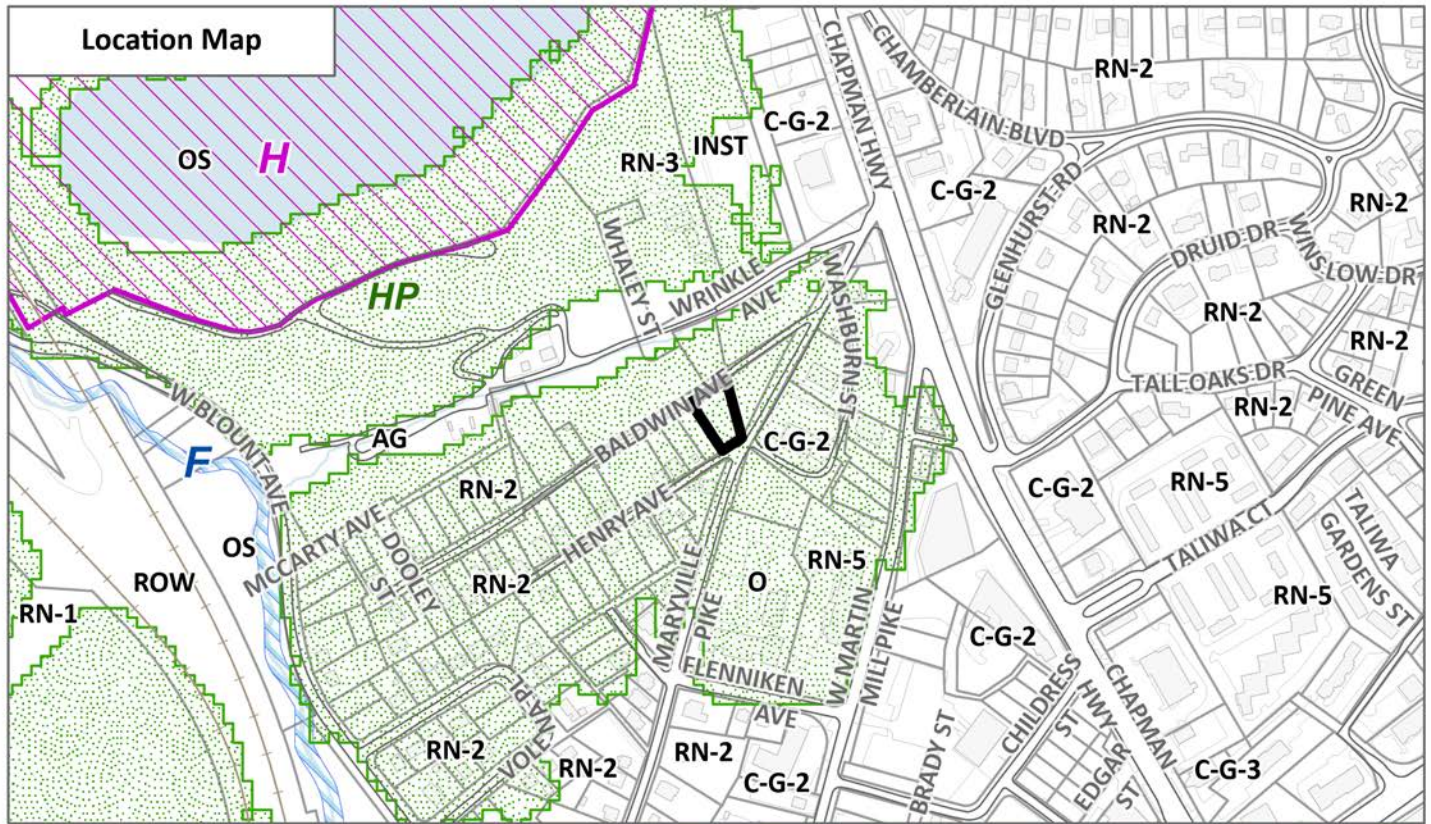
Map No: 109
Jurisdiction: City

Original Print Date: 7/18/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Exhibit A. Contextual Images

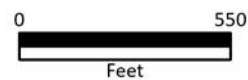


CONTEXTUAL MAPS 1

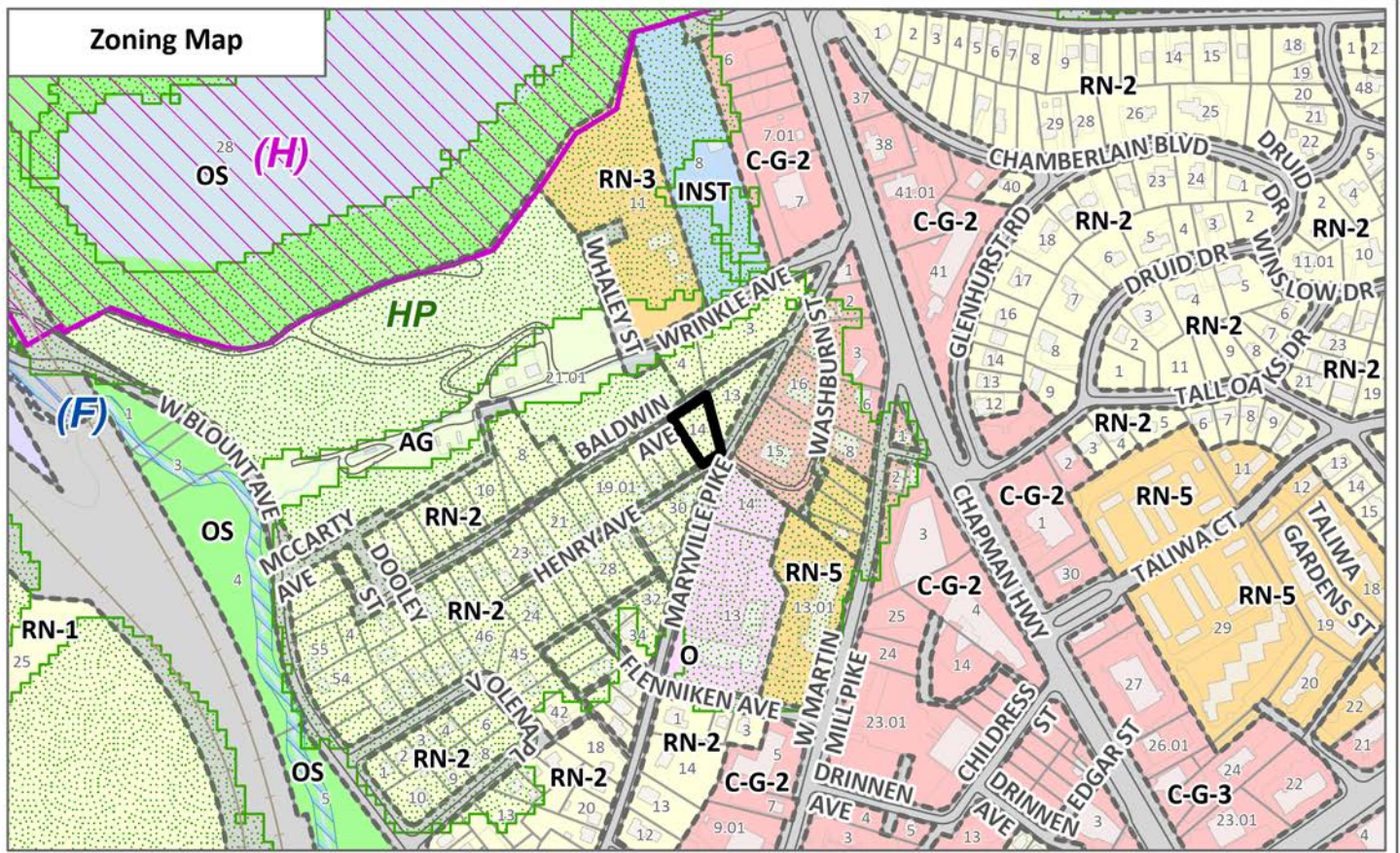
8-D-23-SU



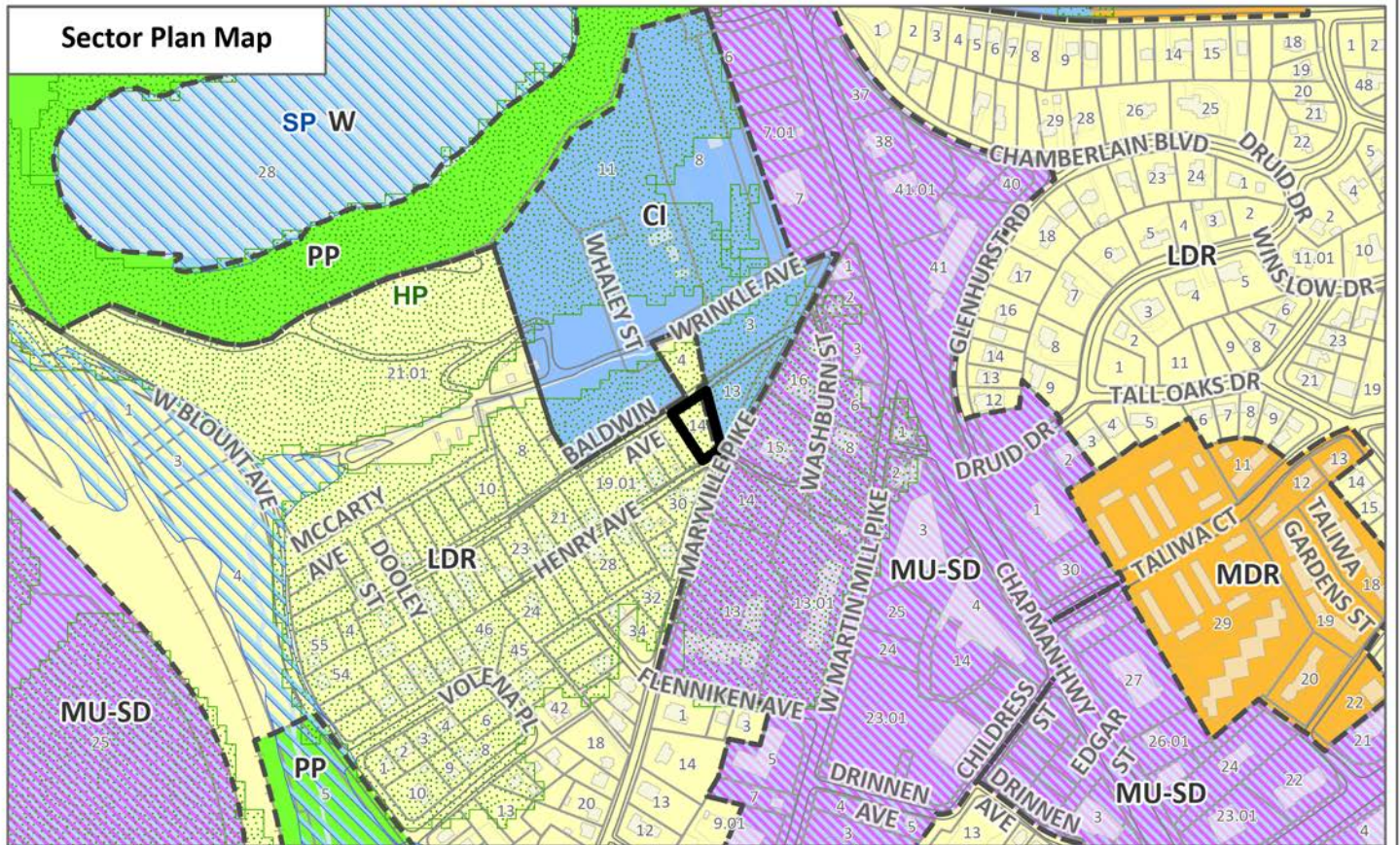
Case boundary



Zoning Map



Sector Plan Map

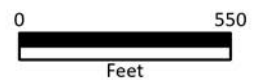


CONTEXTUAL MAPS 2

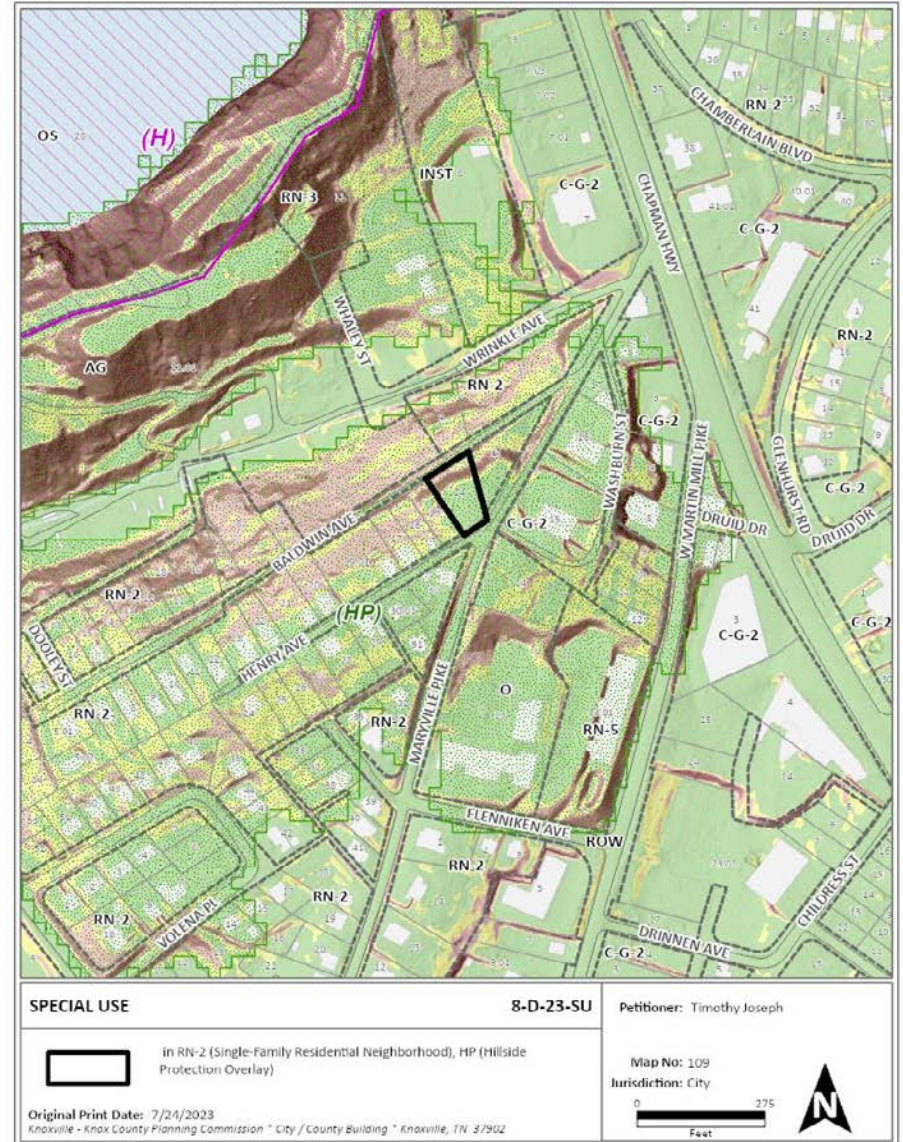
8-D-23-SU

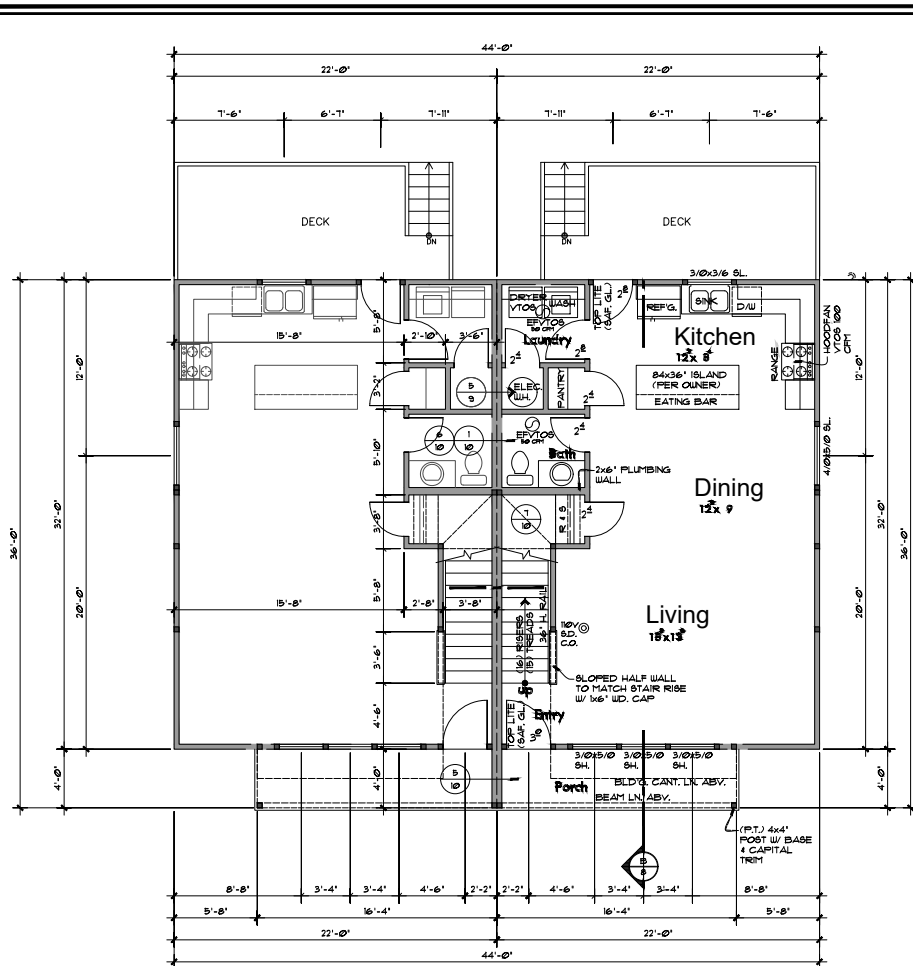


Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	12,537	0.29			
Non-Hillside	0.00	0.00	N/A		
0-15% Slope	7,376	0.17	100%	7,376	0.17
15-25% Slope	1,060	0.02	50%	530	0.01
25-40% Slope	1,207	0.03	20%	241	0.01
Greater than 40% Slope	2,894	0.07	10%	289	0.01
Ridgetops					
Hillside Protection (HP) Area	12,537	0.29	Recommended disturbance budget within HP Area	8,436	0.19
			Percent of HP Area	0.67	

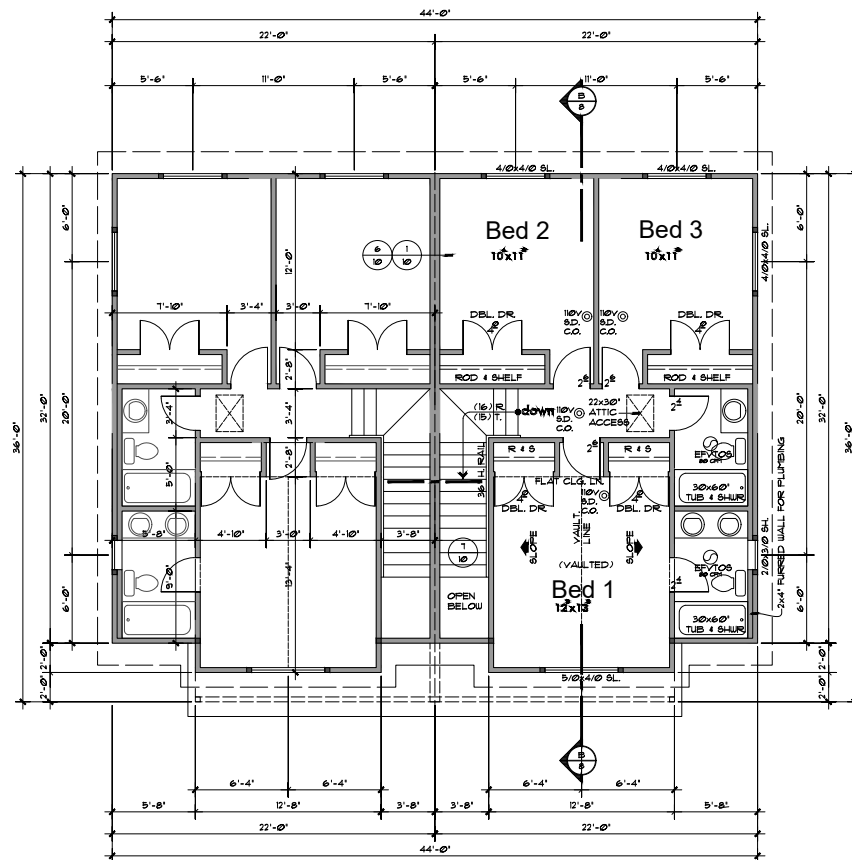




NOTE:
ALL NOTES AND DIMENSIONS TYPICAL EACH UNIT

Main Floor Plan

SCALE: 1/4"=1'-0"



NOTE:
ALL NOTES AND DIMENSIONS TYPICAL EACH UNIT

Upper Floor Plan

SCALE: 1/4"=1'-0"

E.B ARCHITECTURE & DESIGN

ARCHITECTURE, PLANNING & DESIGN

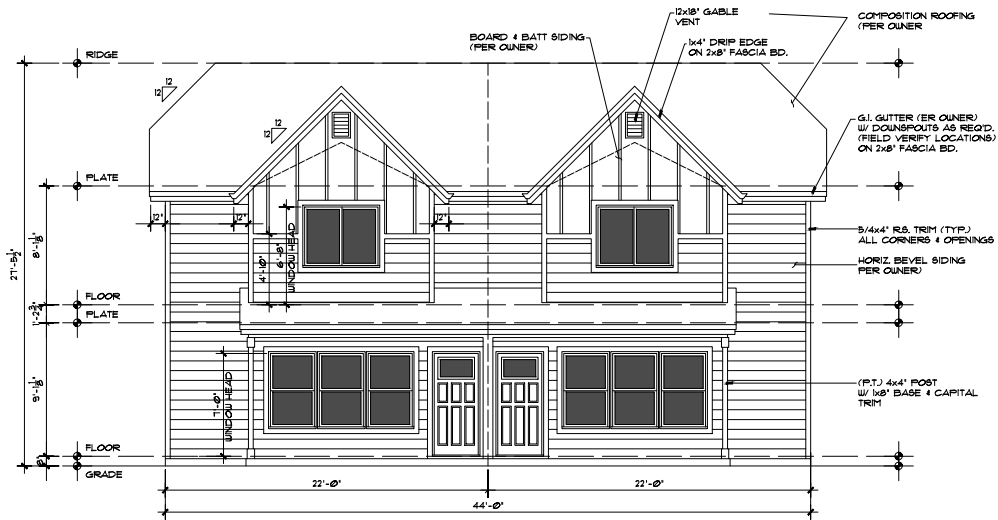


REVISIONS		
No.	Date	Revisions

Drawn By:

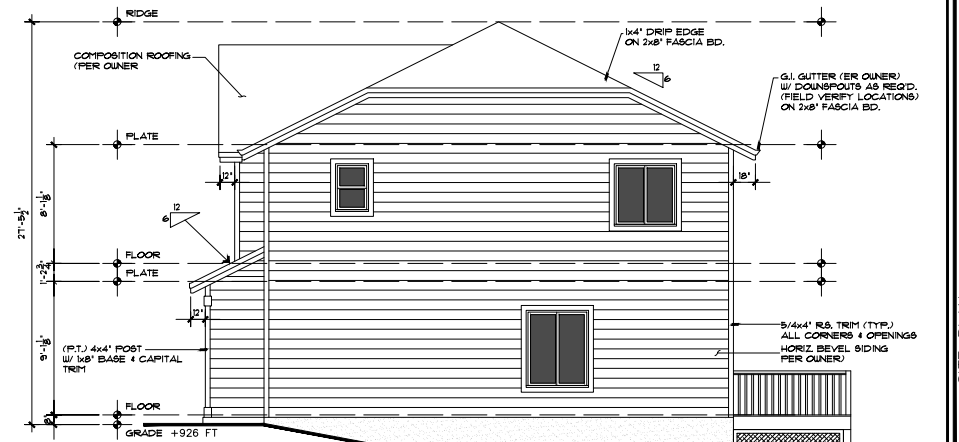
Project: **TIMOTHY JOSEPH**
Proposed Alterations[®]
101 Henry Ave
Knoxville, TN 37923
Dwg. Title:
FLOOR PLANS

Drawing No.
A-101
JUNE 2023



Front Elevation

SCALE: 1/4"=1'-0"



Right Side Elevation

SCALE: 1/4"=1'-0"

SITE_PLAN

E.B ARCHITECTURE & DESIGN

ARCHITECTURE, PLANNING & DESIGN



REVISIONS

No.	Date	Revisions

Drawn By:

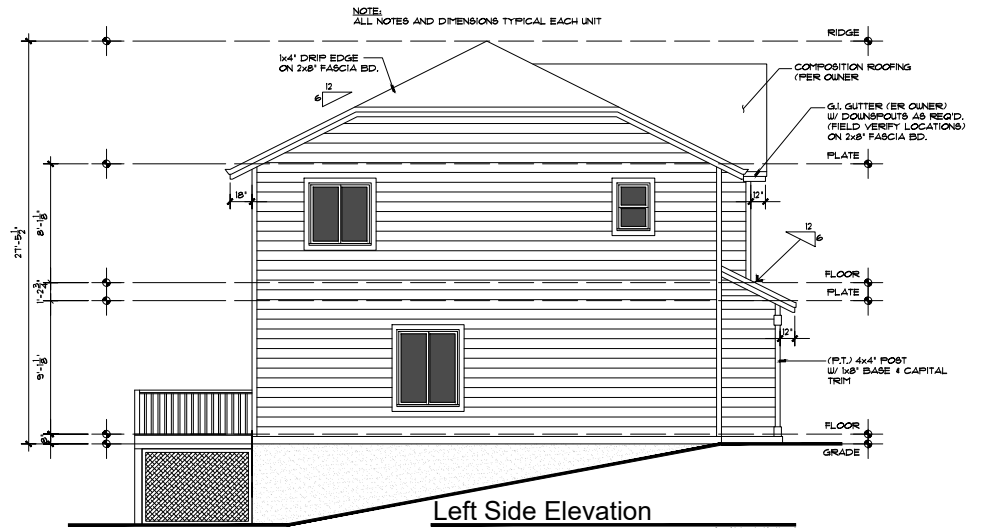
Project. **TIMOTHY JOSEPH**
 Proposed Alterations®
 101 Henry Ave
 Knoxville, TN 37923
 Dwg. Title.
 ELEVATIONS

Drawing No.
A-200
 JUNE 2023



Rear Elevation

SCALE: 1/4"=1'-0"



Left Side Elevation

SCALE: 1/4"=1'-0"

E.B ARCHITECTURE & DESIGN

ARCHITECTURE, PLANNING & DESIGN



REVISIONS		
No.	Date	Revisions

Project: **TIMOTHY JOSEPH**
 Proposed Alterations[®]
 101 Henry Ave
 Knoxville, TN 37923

Dwg. Title:
ELEVATIONS

Drawing No.
A-201
 JUNE 2023



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Timothy Joseph

Applicant Name

Affiliation

6/23/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-D-23-SU

File Number(s)

CORRESPONDENCE

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

Timothy Joseph

Name / Company

1524 Paxton Dr Knoxville TN 37918

Address

865-382-1112 / tijoseph12@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Qi Shujuan and Sumarriva Edmundo

Owner Name (if different)

436 Gwinhurst Rd Knoxville TN 37934

Owner Address

865-335-5657

Owner Phone / Email

101 HENRY AVE

Property Address

109 I G 014

Parcel ID

Part of Parcel (Y/N)?

12822 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Henry Avenue, northwest side of Maryville Pike

General Location

City

Council District 1

RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Single Family Residential, Public/Quasi Public Land

County District

Zoning District

Existing Land Use

South City

Planning Sector

LDR (Low Density Residential), CI (Civic and Institutional),

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____ requesting special use for duplex	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment		
Proposed Density (units/acre) Previous Zoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
\$450.00	
Fee 2	
Fee 3	

AUTHORIZATION

- I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Timothy Joseph Please Print	6/23/2023 Date
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Phone / Email		
Property Owner Signature	Qi Shujuan and Sumarriva Edmundo Please Print	6/23/2023 Date

1) Download and fill out this form at your convenience.
2) Sign the application digitally (or print, sign, and scan).

3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

Timothy Joseph

Applicant Name
June 22, 2023

Affiliation

Date Filed

Meeting Date (if applicable)

File Number(s)

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

- Applicant
 - Property Owner
 - Option Holder
 - Project Surveyor
 - Engineer
 - Architect/Landscape Architect
- Timothy Joseph

Name	Company	State	ZIP
1524 Paxton Drive	Knoxville	TN	37918

Address	City	State	ZIP
865-382-1112	tijoseph12@gmail.com		

Phone	Email

CURRENT PROPERTY INFO

Qi Shujuan & Sumarriva Edmundo	436 Gwinhurst Rd, Knoxville, TN 37934	+1 (865) 335-5657
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Property Owner Name (if different)	Property Owner Address	Property Owner Phone
101 Henry Ave	109IG014	

Property Address	Parcel ID	
KUB	KUB	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

General Location	Tract Size

<input type="checkbox"/> City <input type="checkbox"/> County	District	Zoning District	Existing Land Use

Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST

Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential
Home Occupation (specify) **Zoned RN-2, requesting special use for duplex**

Related City Permit Number(s)

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

Unit / Phase Number Combine Parcels Divide Parcel Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

ZONING REQUEST

Zoning Change Proposed Zoning _____

Pending Plat File Number

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
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature

865-382-1112

Phone Number

Property Owner Signature

Timothy Joseph

Please Print

tijoseph12@gmail.com

Email

Sumarriva Edmundo

Please Print

6/23/23

Date

Date Paid