



# SPECIAL USE REPORT

► **FILE #:** 2-B-23-SU

**AGENDA ITEM #:** 12

**AGENDA DATE:** 2/9/2023

► **APPLICANT:** BYRON GILMORE

OWNER(S): Byron Gilmore

TAX ID NUMBER: 83 A F 024

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 3840 SKYLINE DR

► **LOCATION:** South side of Skyline Dr, east of Verbena Street

► **APPX. SIZE OF TRACT:** 14479 square feet

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Skyline Drive, a minor collector, with a pavement width of 22-ft within a right-of-way width of 50-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston River

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

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **PROPOSED USE:** Request to build a duplex.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING:

North:	Single family residential - RN-2 (Single-Family Residential Neighborhood Zoning), HP (Hillside Protection)
South:	Agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood Zoning), HP (Hillside Protection)
East:	Single family residential - RN-2 (Single-Family Residential Neighborhood Zoning), HP (Hillside Protection)
West:	Single family residential - RN-2 (Single-Family Residential Neighborhood Zoning), HP (Hillside Protection)

NEIGHBORHOOD CONTEXT: This is primarily a single family residential area with some two-family dwellings near a neighborhood park.

## STAFF RECOMMENDATION:

► **Approve the request for a two-family dwelling in RN-2 (Single-Family Residential Neighborhood) and HP ( Hillside Protection Overlay) zoning district, subject to 3 conditions.**

1. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
2. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to

Section 9.3.J.3 related to minimum transparency standards of street-facing facades for two-family dwellings and the applicable off-street parking space and access and driveway design standards in Article 11 and zoning interpretations by the City's Plans Review and Inspections Department.

3. The structures Finished Floor Elevation (FFE) should be specified on the site plan during the permitting phase and should be adequately elevated to avoid possible stormwater flow into structure.

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

#### **COMMENTS:**

The applicant is requesting to construct a two-family dwelling on an RN-2 zoned parcel that has an area of 14,472 sq.ft. and is located adjacent to Skyline Drive, a minor collector.

#### **STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)**

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The One Year Plan and Central City Sector Plan designation for this site is LDR (Low Density Residential) and HP (Hillside Protection). The proposed duplex is consistent with the LDR land use classification, which allows two-family dwellings. Skyline Drive is a collector street, which meets the location criteria for the One Year Plan.

B. The subject property is within the HP area of the sector plan and one year plan and has been previously disturbed when a now-demolished house was on the site.

C. RN-2 zoning that the applicant is requesting to develop under is consistent with the plans.

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

A. Any proposed new uses will be required to be consistent the general purpose and intent of the zoning code.

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. The permitted uses in the RN-2 zone are compatible with the character of the neighborhood.

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 permitted uses in the RN-2 zone should not injure the value of adjacent property.

B. Other attached dwellings, including duplexes, are located along Skyline Drive.

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

A. The site is located along Skyline Drive, a collector street, and is a minor increase in residential density, so it will not draw substantial additional traffic through residential 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 in the area that could be a potential hazard or create an undesirable environment for future uses on this site.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

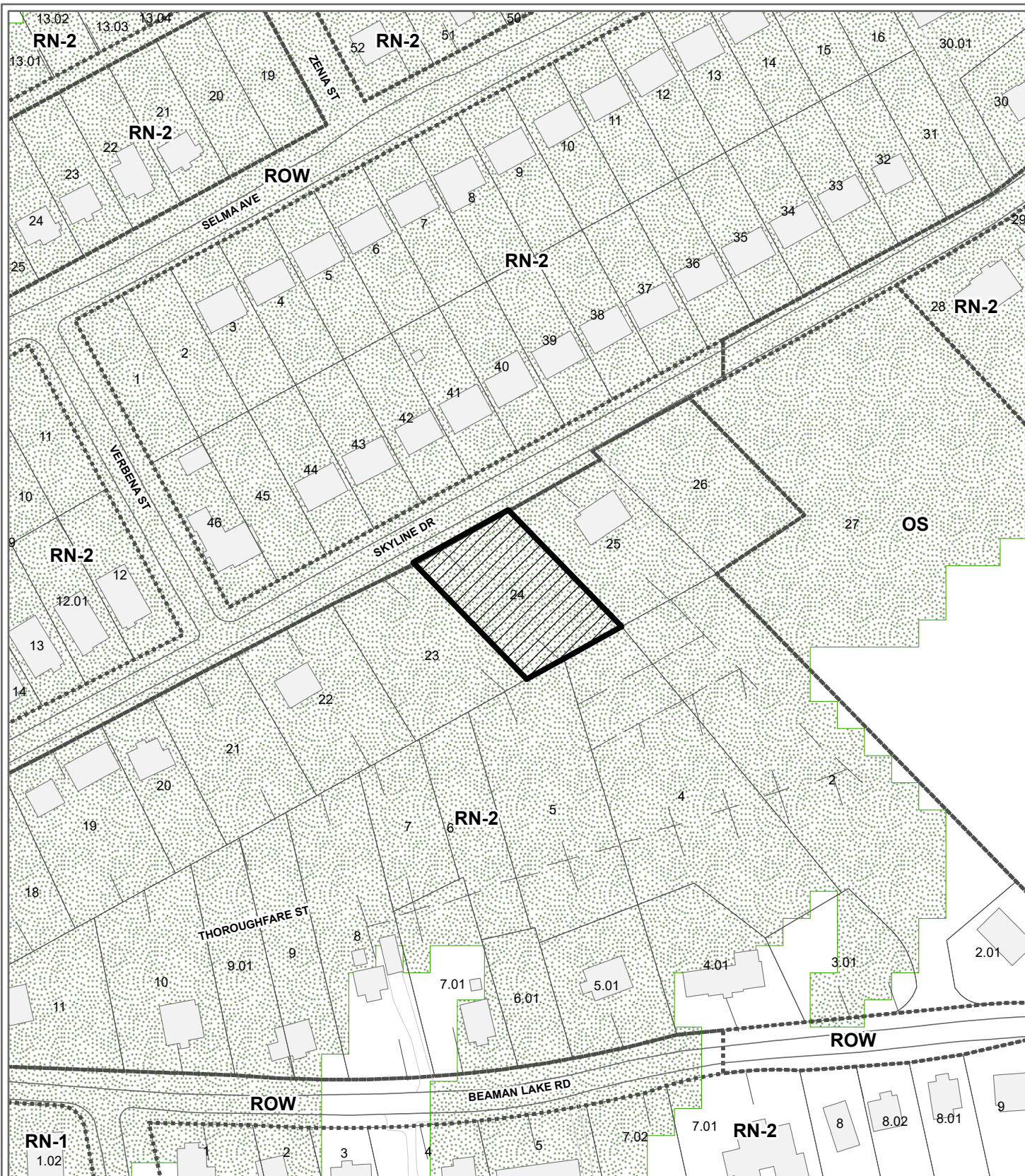
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

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

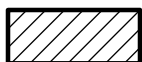
Schools affected by this proposal: Sarah Moore Greene Magnet, Holston Middle, and Austin East High.

- 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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



**2-B-23-SU  
SPECIAL USE**



Request to build a duplex with a 2-car garage or 2 carports in RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Original Print Date: 1/18/2023

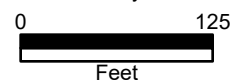
Revised:

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

Petitioner: Byron Gilmore

Map No: 83

Jurisdiction: City





- Purchaser: BYRON GILMORE

[illegible]

Due to costs and site variances from one location to another, the contractor and/or owner should consider an additional cost for the use of the contractor's own labor, equipment, and construction materials at alternate locations.

All workpiece positions for the workpiece should be to be built, so that the machine can move the workpiece into the workpiece. Small time differences between the workpiece, specified or implied in these drawings, it is the responsibility of the contractor to verify all dimensions, sizes, and details.

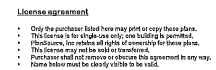
Great effort has been made in the production of these drawings. The contractor cannot guarantee that the drawings are correct and/or consistent.

NOTES

 ***PlanSource, Inc.***  
Home plans Duplex plans  
Small apartments  
[www.plansourceinc.com](http://www.plansourceinc.com)

PROJECT/PLAN #:	J0617-11D
JOB LOCATION:	
APPROVED BY:	
SCALE:	AS SHOWN
FILE:	
SHEET	
ELEVATIONS	

OPENINGS	SIZE	RIDGE	COUNT
<b>IDDORS</b>			
2050 HVAC Door	2'-0"	L	1
2050 HVAC Door	2'-0"	R	1
2065	2'-0"	L	4
2069	2'-0"	R	4
2468	2'-4"	L	2
2468	2'-4"	R	2
2665	2'-6"	L	3
2669	2'-6"	R	3
300B Exterior - 6 Panel	3'-0"	R	1
306B Exterior - 6 Panel	3'-0"	L	1
4' RHd	4'-0"	LR	2
5' RHd	5'-0"	LR	2
<b>WINOWS</b>			
3050	3'-4" x 9'-0"	N	10
Twin 3050	6'-0" x 9'-0"	NN	2



2-B-23-SU  
1/5/2023

PROJECT/PLAN #:
J0617-11D
JOB LOCATION:
APPROVED BY:
SCALE:
AS SHOWN
FILE:
SHEET
FLOOR PLAN

# SITE PLAN

## FLOOD STATEMENT:

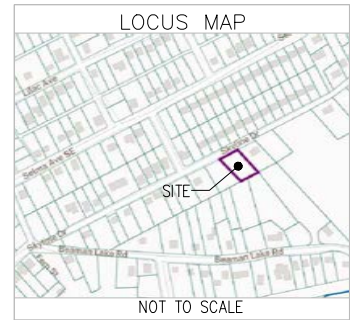
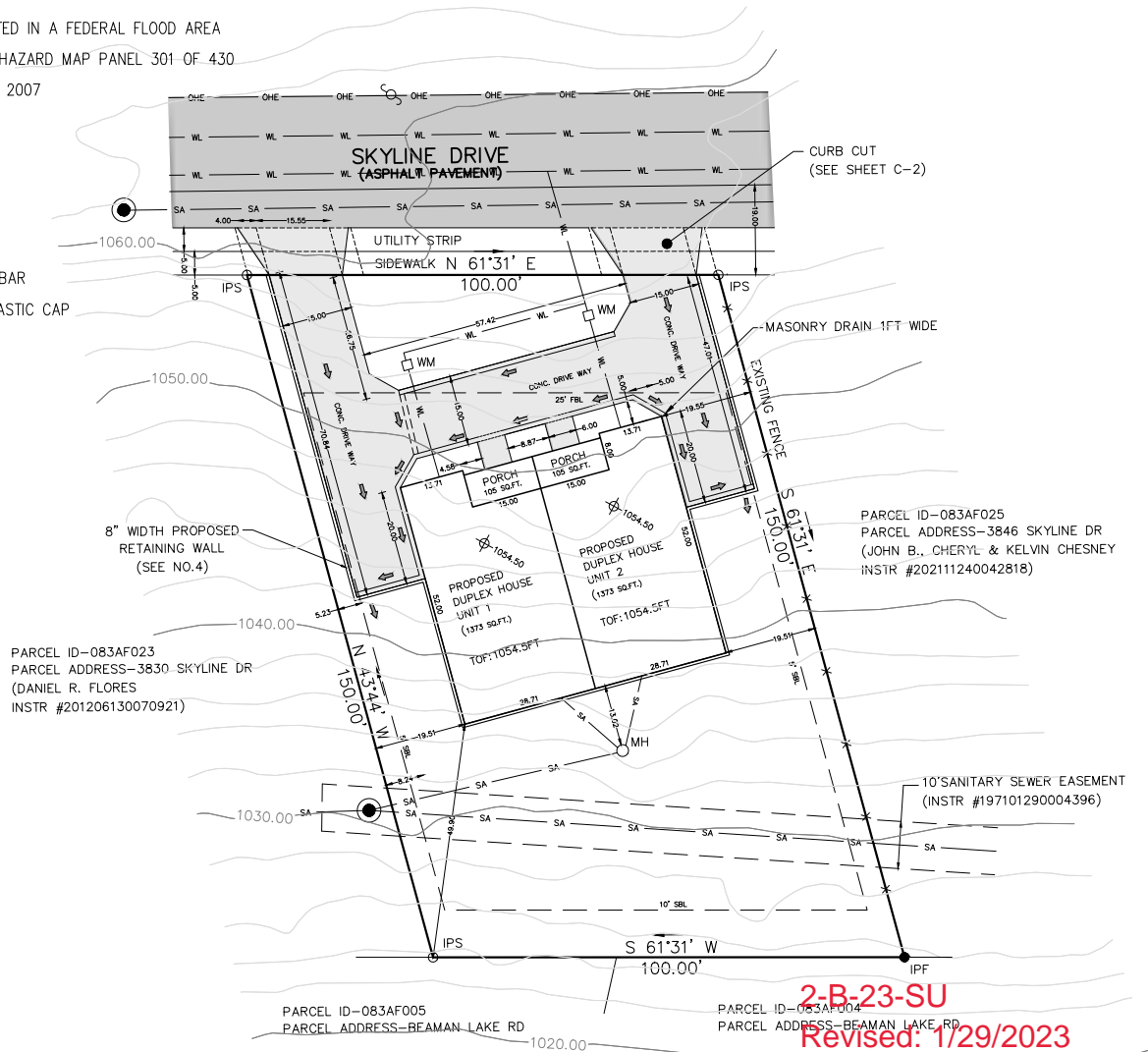
NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA  
AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAP PANEL 301-OF-430  
MAP NUMBER #47093C0301F DATE MAY 2, 2007

## REFERENCE

- IPS ● IRON PIN FOUND 1/2" DIA. REBAR  
IPS ○ IRON PIN SET 1/2" DIA. W/PLASTIC CAP  
PP ○ POWER POLE  
—OHE— OVERHEAD UTILITY LINE  
—WL— WATER LINE  
—SA— SANITARY SEWER  
—X— FENCE  
WM WATER METER  
MH MANHOLE  
— EXISTING SURFACE CONTOURS  
← WATER FLOW DIRECTION

## LEGEND

01. PARCEL ID: 083AF024  
02. ADDRESS: 3840 SKYLINE DR  
03. CITY: KNOXVILLE  
04. COUNTY: KNOX COUNTY  
05. STATE: TENNESSEE  
06. ZONE: RN-2  
07. LEGAL DATA: TAX MAP 83AF, PARCEL 024 30TH WARD, CITY BLOCK 30300, DISTRICT #7  
08. TOTAL AREA: 14472 SQ.FT. / 0.332 ACRE



REVISION DATE

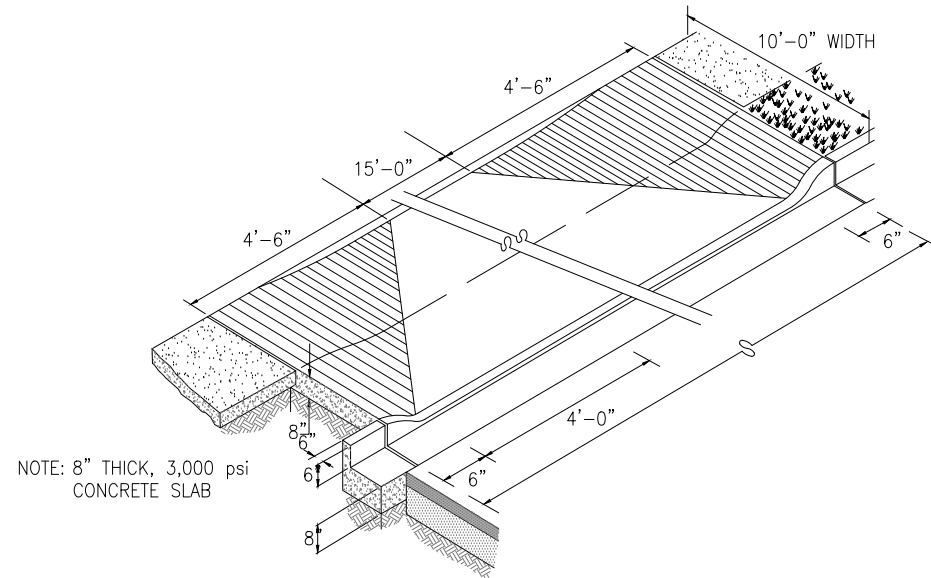
PROJECT  
3840 SKYLINE DR  
KNOXVILLE  
TN

SITE PLAN

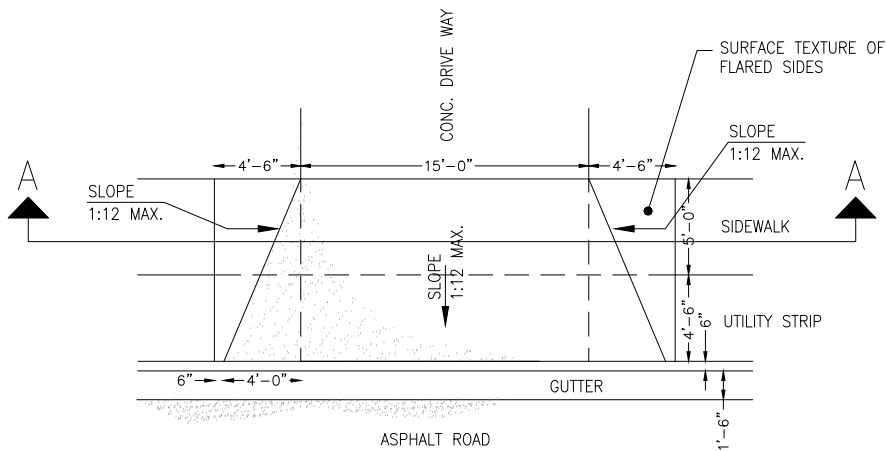
SCALE 1" = 20'  
SHEET 17X22 IN

C-1

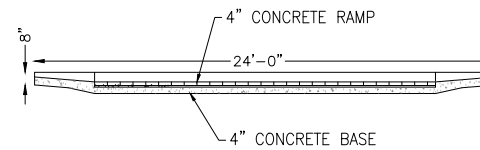
# CURB CUT PLAN



1 PERSPECTIVE VIEW  
SCALE: NTS



2 TOP VIEW  
SCALE: 1"=5'



2-B-23-SU  
Revised: 1/29/2023

3 SECTION VIEW A-A  
SCALE: 1"=5'

REVISION DATE

PROJECT  
3840 SKYLINE DR  
KNOXVILLE  
TN

CURB CUT PLAN

SCALE 1"=5'  
SHEET 17X22 IN

0' 5' 10' 20'

C-2



# STORMWATER PLAN

## FLOOD STATEMENT:

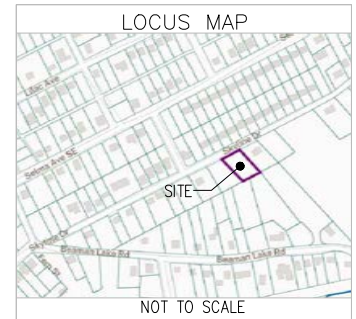
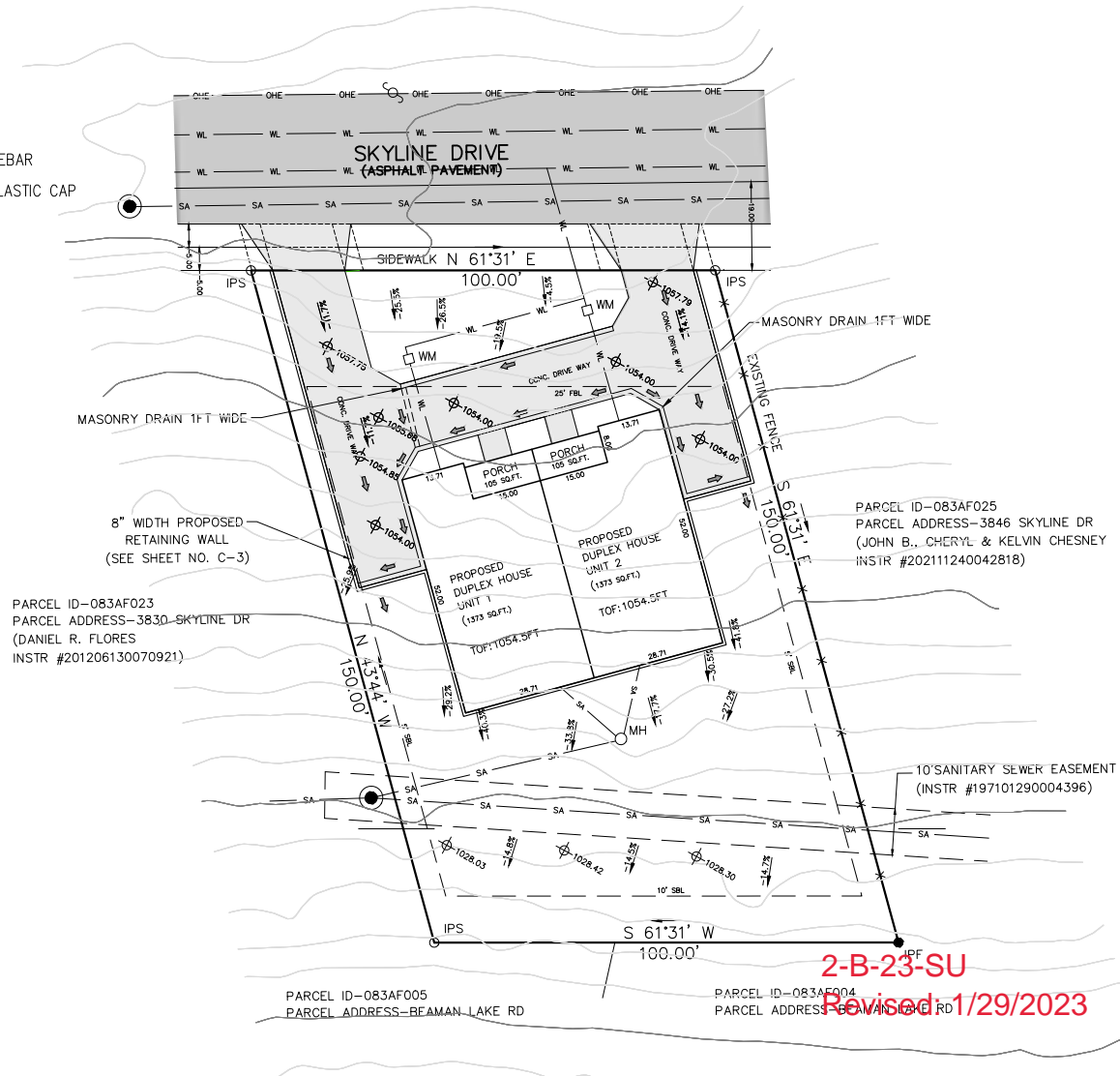
NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA  
AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAP PANEL 301 OF 430  
MAP NUMBER #47093C0301F DATE MAY 2, 2007

## REFERENCE

- IPS ● IRON PIN FOUND 1/2" DIA. REBAR  
IPS ○ IRON PIN SET 1/2" DIA. W/PLASTIC CAP  
PP ○ POWER POLE  
—OHE— OVERHEAD UTILITY LINE  
—WL— WATER LINE  
—SA— SANITARY SEWER  
—X— FENCE  
WM WATER METER  
MH MANHOLE  
— EXISTING SURFACE CONTOURS  
← WATER FLOW DIRECTION

## LEGEND

01. PARCEL ID: 083AF024  
02. ADDRESS: 3840 SKYLINE DR  
03. CITY: KNOXVILLE  
04. COUNTY: KNOX COUNTY  
05. STATE: TENNESSEE  
06. ZONE: RN-2  
07. LEGAL DATA: TAX MAP 83AF, PARCEL 024 30TH WARD, CITY BLOCK 30300, DISTRICT #7  
08. TOTAL AREA: 14472 SQ.FT. / 0.332 ACRE



REVISION DATE

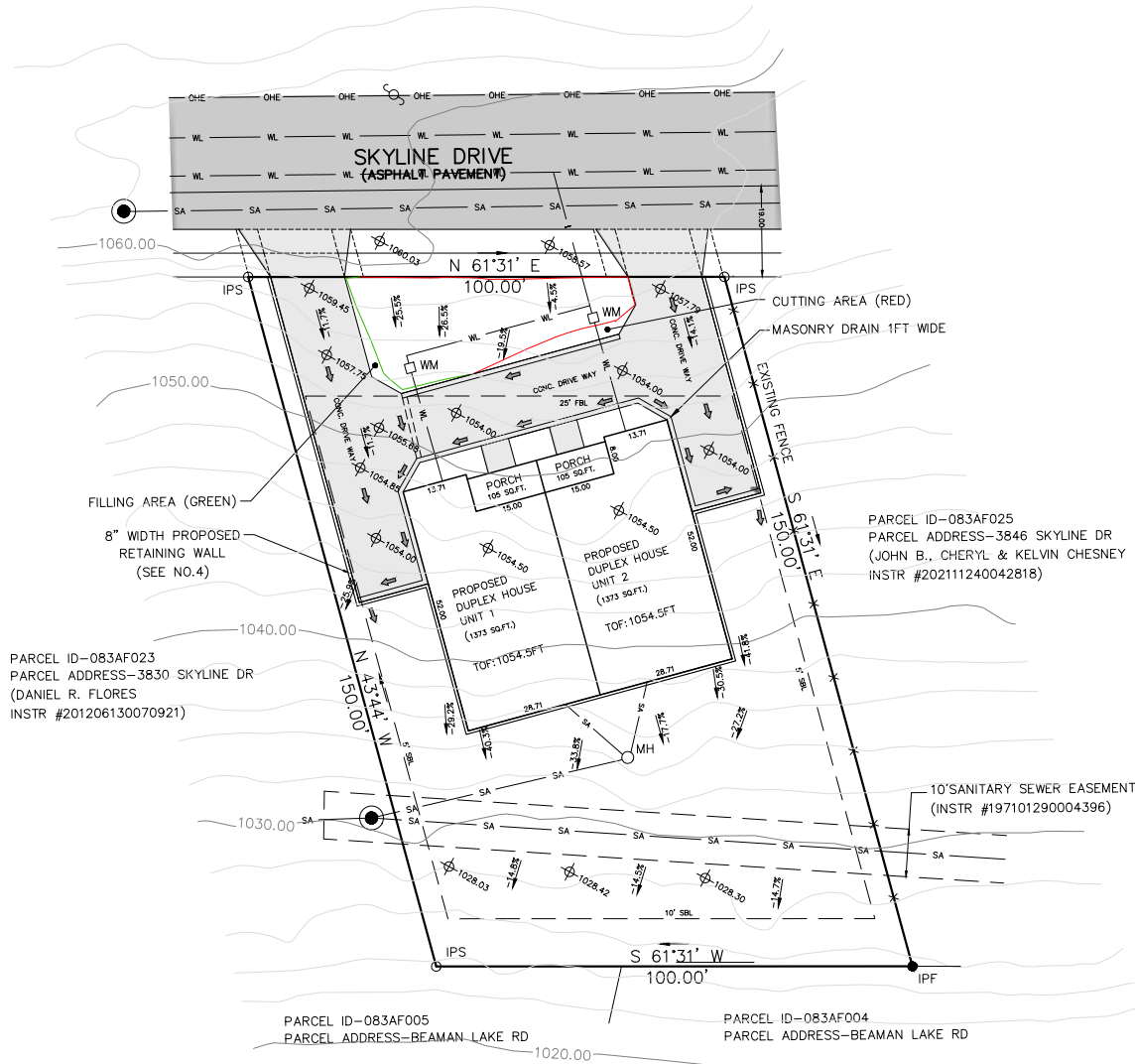
PROJECT  
3840 SKYLINE DR  
KNOXVILLE  
TN

STORMWATER  
PLAN

SCALE 1" = 20'  
SHEET 17X22 IN

C-4

# GRADING PLAN



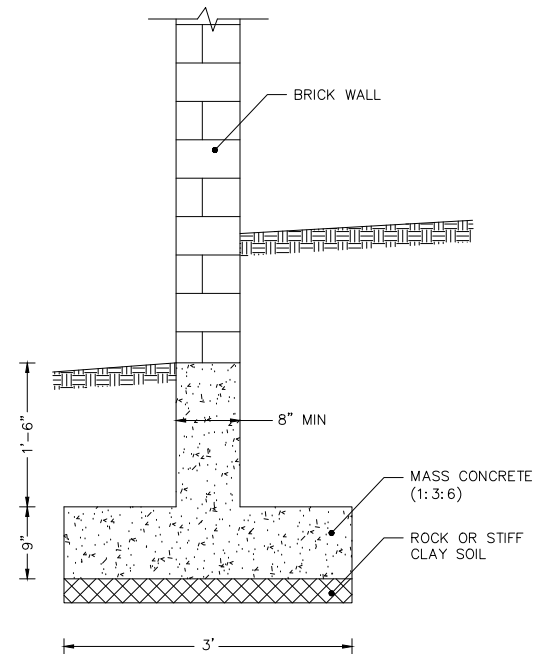
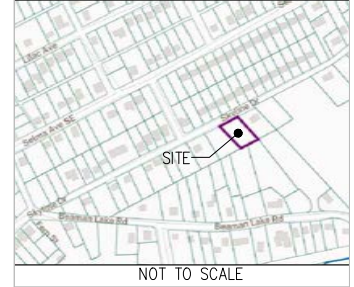
## LEGEND

01. PARCEL ID: 083AF024
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03. CITY: KNOXVILLE
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- IPS ● IRON PIN FOUND 1/2" DIA. REBAR
- IPS ○ IRON PIN SET 1/2" DIA. W/PLASTIC CAP
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- X— FENCE
- WM WATER METER
- MH MANHOLE
- — — EXISTING SURFACE CONTOURS
- ← WATER FLOW DIRECTION

## LOCUS MAP



2-B-23-SU  
 Revised: 1/29/2023  
 FOUNDATION DETAIL  
 SCALE: 1/4" = 1'-0"

REVISION DATE

PROJECT  
 3840 SKYLINE DR  
 KNOXVILLE  
 TN

GRADING PLAN

SCALE 1" = 20'  
 SHEET 17X22 IN

C-3



# 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

**Byron Gilmore**

Applicant Name

Affiliation

**12/2/2022**

Date Filed

**2/9/2023**

Meeting Date (if applicable)

**2-B-23-SU**

File Number(s)

## CORRESPONDENCE

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

**Byron Gilmore**

Name / Company

**2721 Lay Ave Knoxville TN 37916**

Address

**865-352-3128 / gbyron3716@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

**Byron Gilmore**

Owner Name (if different)

**2721 Lay Ave Knoxville TN 37916**

Owner Address

**865-352-3128 / gbyron3716@g**

Owner Phone / Email

**3840 SKYLINE DR**

Property Address

**83 A F 024**

Parcel ID

Part of Parcel (Y/N)?

**14479 square feet**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**S of Skyline Dr, east of Verbana St-Skyline Dr intersection**

General Location

☒ City

**Council District 6**

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

**Agriculture/Forestry/Vacant Land**

☐ Count

District

Zoning District

Existing Land Use

**East City**

Planning Sector

**LDR (Low Density Residential), HP (Hillside Protection)**

Sector Plan Land Use Classification

**N/A (Within City Limits)**

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

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

Home Occupation (specify) \_\_\_\_\_

Other (specify) **Request to build a duplex with a 2-car garage or 2 carports**

Related City Permit Number(s)

## SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

## ZONING REQUEST

- ☐ Zoning Change

Proposed Zoning

Pending Plat File Number

- ☐ Plan

Amendment

Proposed Plan Designation(s)

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

**\$450.00**

Total

Fee 2

Fee 3

## AUTHORIZATION

**Byron Gilmore**

**12/2/2022**

Applicant Signature

Please Print

Date

Phone / Email

**Byron Gilmore**

**12/2/2022**

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



# 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

Byron Gilmore

Applicant Name

Affiliation

File Number(s)

12/02/2022  
Date Filed

Meeting Date (If applicable)

2-B-23-SU

## 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

Byron Gilmore

Name

Company

2721 lay ave

Knoxville

TN

37916

Address

City

State

ZIP

(865)352-3128

gbyron3716@gmail.com

Phone

Email

## CURRENT PROPERTY INFO

Property Owner Name (If different)

3840 Skyline Dr

Property Owner Address

(865)352-3128

Property Owner Phone

3840 Skyline Dr

Property Address

083AF024  
Parcel ID

KUB

KUB

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

S of Skyline Dr; east of Skyline Dr - Verbena St Intersection  
General Location

Tract Size

☒ City ☐ County 6 District

RN-2, HP  
Zoning District

Ag For UAC  
Existing Land Use

East City  
Planning Sector

LDR, HP  
Sector Plan Land Use Classification

N/A  
Growth Policy Plan Designation

August 29, 2022

**DEVELOPMENT REQUEST**

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

☐ Residential ☐ Non-Residential

Home Occupation (specify)

Other (specify) **Build a duplex with a 2 car garage or a 2 carports and with a U driveway**

Related City Permit Number(s)

**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

Fee 2

Fee 3

*By*  
Applicant Signature

Byron Gilmore  
Please Print

12/02/2022  
Date

(865)352-3128  
Phone Number

gbyron3716@gmail.com  
Email

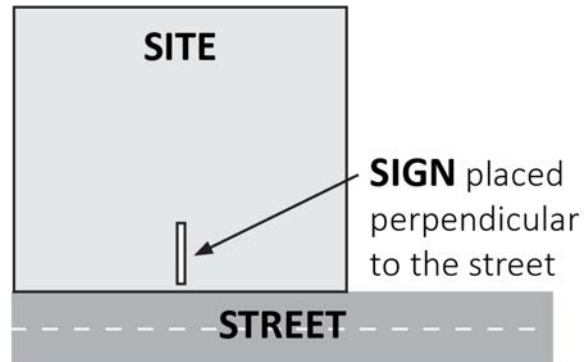
*Byron Gilmore*  
Property Owner Signature

Byron Gilmore  
Please Print

12/02/2022  
Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:***

\_\_\_\_\_ 1/27/2023 \_\_\_\_\_ and \_\_\_\_\_ 2/10/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Byron Gilmore

**Date:** 12/2/22

**File Number:** 2-B-23-SU

☐

Sign posted by Staff

☒

Sign posted by Applicant