



# SPECIAL USE REPORT

► **FILE #:** 7-D-23-SU

**AGENDA ITEM #:** 26

**AGENDA DATE:** 7/13/2023

► **APPLICANT:** MODERN EXPANSION, LLC

OWNER(S): Stephen Goodson

TAX ID NUMBER: 69 J A 018.01

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 606 HEINS CT

► **LOCATION:** South side of Heins Ct, east of Bruhin Rd on the north side of the Inskip Pool and Park

► **APPX. SIZE OF TRACT:** 0.54 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Heins Ct, a local street with a 20-ft pavement width within a 30-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

► **ZONING:** RN-2 (Single-Family Residential Neighborhood)

► **EXISTING LAND USE:** Single Family Residential

► **PROPOSED USE:** Two duplexes on subdivided lot

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single-family residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Public Parks - OS (Open Space)

East: Public Parks - OS (Open Space)

West: Public Parks - OS (Open Space)

NEIGHBORHOOD CONTEXT: The area is comprised of single-family residential development to the north, with a public park immediately south and higher density residential uses to the south.

## STAFF RECOMMENDATION:

► **Approve the request for two two-family dwellings 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 two new two-family dwellings on two lots measuring 11,657 sq. ft. each 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 use of a two-family dwelling is consistent with the LDR (Low Density Residential) land use designation in the North City Sector Plan.

B. The subject property complies with the One Year Plan's criteria for a duplex as it will not significantly affect the service demands or aesthetics of the area. The access off Heins Court is approximately 240-feet from a major collector street.

**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 zone requires a minimum lot size of 10,000 sq. ft. for two-family dwellings. The lot will be subdivided into two lots measuring 11,657 sq. ft. The site plan and elevations as provided conform with 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).

**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 one two-family dwelling on Heins Court 0.1 miles away, and multi-family residential development on the south side of the adjacent park.

B. The surrounding area is characterized by one- and two-story Ranch houses with wide facades fronting the street. The proposed two-story structures are contemporary in style but feature fenestration patterns and materials compatible with the area. The two-family dwellings will be compatible in scale with the surrounding single-family houses.

**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.

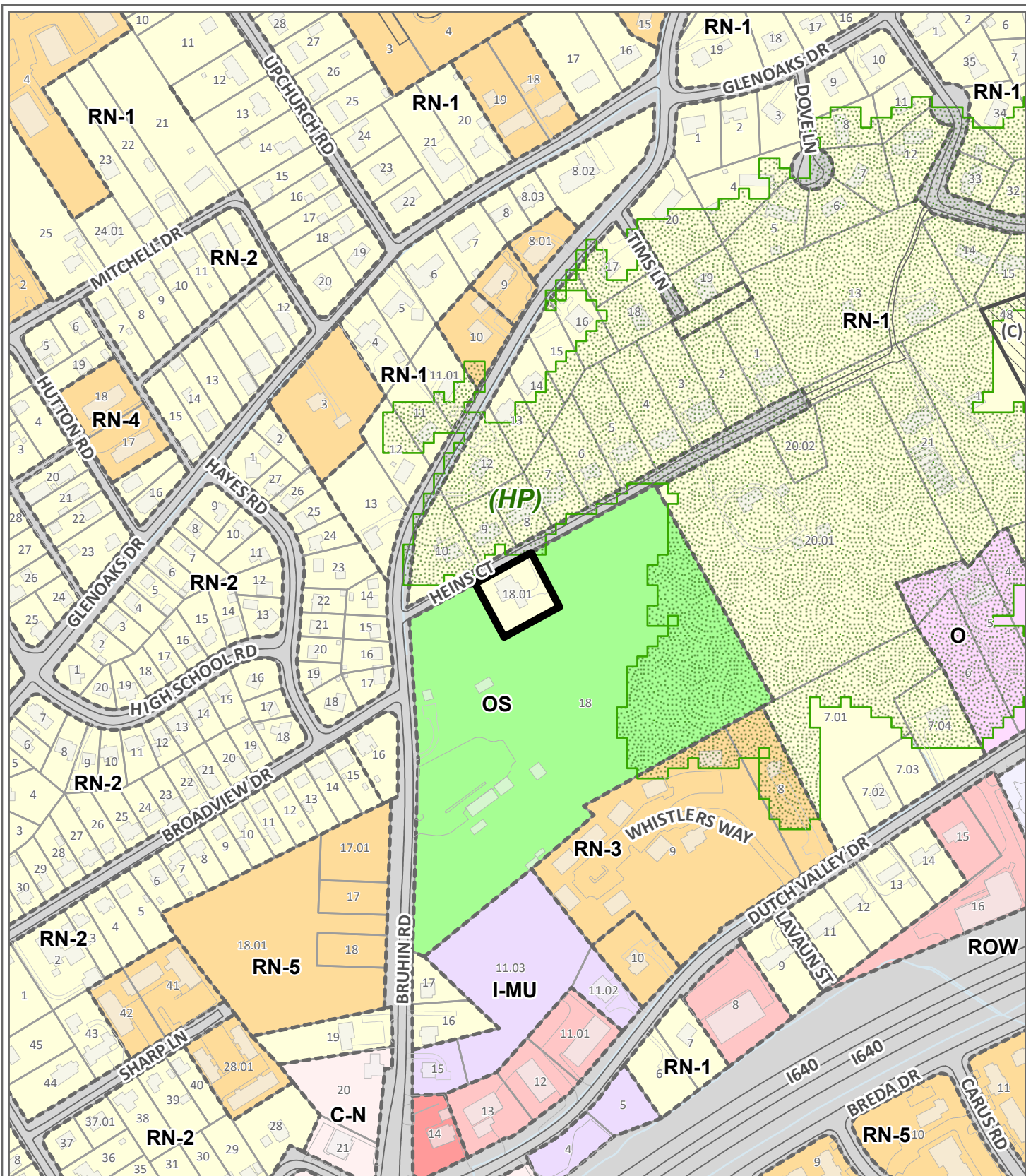
**6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.**

A. There are no known uses immediately surrounding the subject site 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 . The date of the hearing will depend on when the appeal application is filed.



## SPECIAL USE

7-D-23-SU

Petitioner: Modern Expansion, LLC

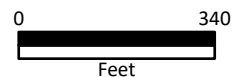


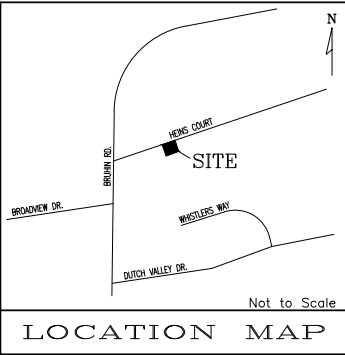
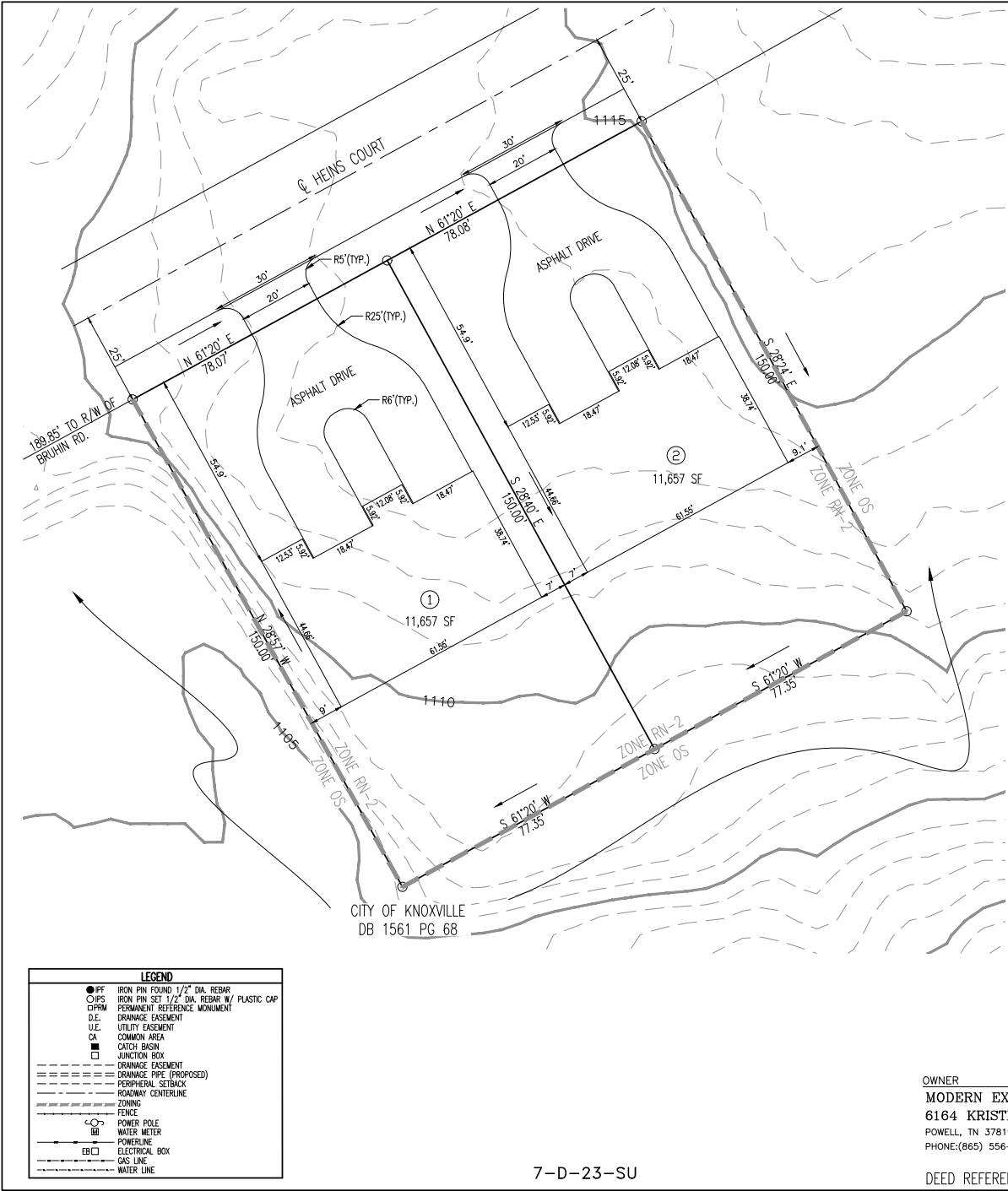
Two duplexes on subdivided lot in RN-2 (Single-Family Residential Neighborhood)

Original Print Date: 6/9/2023

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

Map No: 69  
Jurisdiction: City





- NOTES:
1. ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAT.
  2. A 10' DRAINAGE, UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
  3. A 15' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
  4. THIS PROPERTY CONSISTS OF 23,314 SF SUBDIVIDED INTO TWO DUPLEX LOTS.
  5. THIS PROPERTY IS ZONED RN-2.
  6. UTILITIES:  
WATER: KNOXVILLE UTILITIES BOARD  
SEWER: KNOXVILLE UTILITIES BOARD  
ELECTRIC: KNOXVILLE UTILITIES BOARD  
GAS: KNOXVILLE UTILITIES BOARD  
TELEPHONE: AT&T
  7. EXISTING HOUSE TO BE DEMOLISHED.
  8. LENGTH OF DUPLEX: 61.54' LENGTH OF GARAGE DOORS: 32' 52% OF FRONT FACADE.
  9. PROPERTY ADDRESS 606 HEINS COURT.

THE PURPOSE OF THIS PLAN IS TO  
APPROVE A DUPLEX ON EACH LOT.

SPECIAL USE PLAN  
OF  
MODERN EXPANSION, LLC  
ON HEINS COURT  
TAX MAP 69JA, PARCEL 18.01  
DISTRICT X, KNOX COUNTY, TN.  
CITY BLOCK 37600, 37TH WARD,  
CITY OF KNOXVILLE, TENNESSEE  
SCALE: 1" = 20' DATE: 05/26/23



BATSON, HIMES, NORVELL & POE  
REGISTERED ENGINEERS & LAND SURVEYORS  
4334 PAPERMILL DRIVE  
KNOXVILLE, TENNESSEE 37909  
PHONE (865) 588-6472  
FAX (865) 588-6473  
email@bhn-p.com

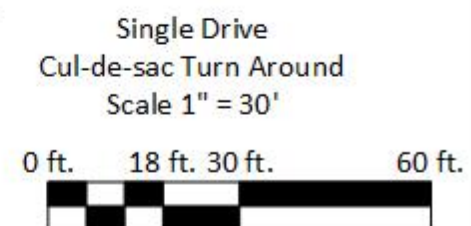
LEGEND	
●	IRON PIN FOUND 1/2" DIA. REBAR
○	IRON PIN SET 1/2" DIA. REBAR W/ PLASTIC CAP
□	PERMANENT REFERENCE MONUMENT
---	DRAINAGE EASEMENT
---	UTILITY EASEMENT
---	COMMON AREA
---	CATCH BASIN
---	JUNCTION BOX
---	DRAINAGE EASEMENT
---	DRAINAGE PIPE (PROPOSED)
---	PERIPHERAL SETBACK
---	ROADWAY CENTERLINE
---	ZONING
---	FENCE
---	POWER POLE
---	WATER METER
---	POWERLINE
---	ELECTRICAL BOX
---	GAS LINE
---	WATER LINE

7-D-23-SU

OWNER  
MODERN EXPANSION, LLC  
6164 KRISTINS GATE WAY  
POWELL, TN 37819  
PHONE:(865) 556-7189

DEED REFERENCES: INSTR. #202104280088844

25055-C



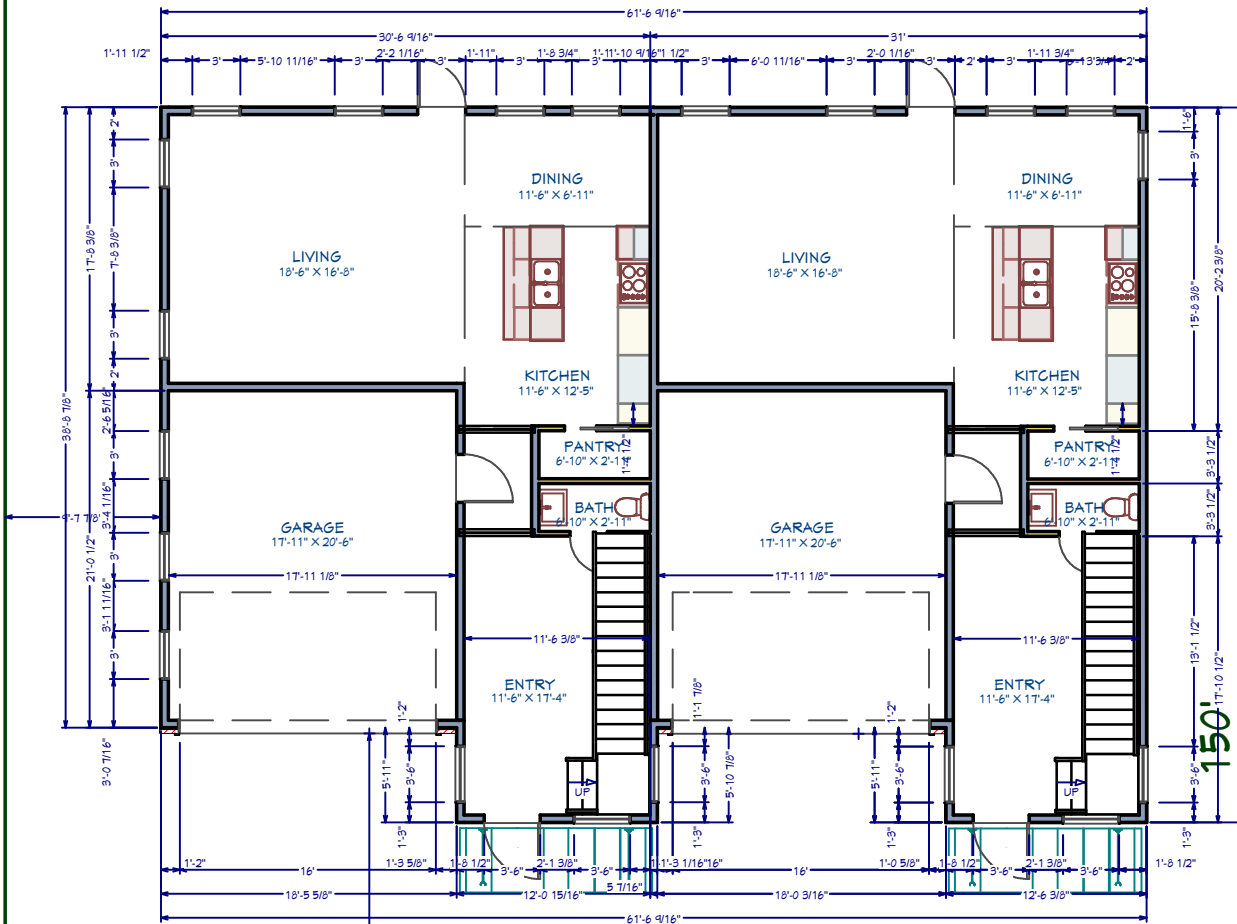






Modern Expansion LLC | 606 Heins Ct | Footprint

150'



150'



Modern Expansion LLC | 606 Heins Ct Project | Window Surface Area

	Width	Height	Area (sqft)	
Left side	38.90	19.33	752.07	6393.37
Windows			105.00	961.67
			14%	15.04% Window Su
left Garage	18.50	22.05	407.93	
Windows			46.00	
			11%	
Left Foyer left	5.11	24.10	123.15	
Windows			57.17	
			46%	
Left Foyer Front	12.83	25.80	330.89	
Windows			110.83	
			33%	
Left Foyer Right	5.11	27.40	140.01	
Windows			31.50	
			22%	
Right Garage	18.50	22.05	407.93	
Windows			42.00	
			10%	
Right Foyer left	5.11	24.50	125.20	
Windows			57.17	
			46%	
Right Foyer Front	12.83	25.80	330.89	
Windows			110.83	
			33%	
Right Foyer Right	5.11	27.40	140.01	
Windows			82.83	
			59%	
Right side	38.90	19.33	752.07	
Windows			60.00	
			8%	
Back	61.70	46.73	2883.24	
Windows			258.33	
			9%	

urface Area



# 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

**Modern Expansion, LLC**

Applicant Name

Affiliation

**6/1/2023**

Date Filed

**7/13/2023**

Meeting Date (if applicable)

**7-D-23-SU**

File Number(s)

## CORRESPONDENCE

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

**David Harbin Batson, Himes, Norvell and Poe**

Name / Company

**4334 Papermill Dr. Dr. Knoxville TN 37909**

Address

**865-588-6472 / harbin@bhn-p.com**

Phone / Email

## CURRENT PROPERTY INFO

**Stephen Goodson**

Owner Name (if different)

**6164 Kristin Gate Way Powell TN 37819**

Owner Address

**865-556-7189**

Owner Phone / Email

**606 HEINS CT**

Property Address

**69 J A 018.01**

Parcel ID

**0.54 acres**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**South side of Heins Court, east of Bruhin Rd on the north side of the Inskip Pool and Park**

General Location

☒ City

**Council District 5**

**RN-2 (Single-Family Residential Neighborhood)**

**Single Family Residential**

☐ County District

Zoning District

Existing Land Use

**North City**

Planning Sector

**LDR (Low Density Residential)**

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) <b>Two duplexes on subdivided lot</b>			

## SUBDIVISION REQUEST

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

## ZONING REQUEST

<input type="checkbox"/> Zoning Change	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> 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	Total
<b>\$450.00</b>	
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	Modern Expansion, LLC	6/1/2023
	Please Print	Date

Phone / Email

Property Owner Signature	Stephen Goodson	6/1/2023
	Please Print	Date



# 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

Modern Expansion LLC

Applicant Name

Affiliation

5/30/23

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

DAVID HARBIN

Name

BATSON Himes Horvath + Poe

Company

4334 PAPERMILL DR

Address

Knoxville

City

TN

State

37909

ZIP

865-588-6472

Phone

harbin@bhn-p.com

Email

## CURRENT PROPERTY INFO

Property Owner Name (if different)

6164 KRISTINS GATEWAY  
POWELL, TN 37819

Property Owner Address

865-556-7189

Property Owner Phone

Heins Court

Property Address

TAX MAP 69JA, PARCEL 18.01

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

NO

Septic (Y/N)

## STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

May 1, 2023

## DEVELOPMENT REQUEST

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

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

Other (specify) A Duplex on each lot

Related City Permit Number(s)

## SUBDIVISION REQUEST

Proposed Subdivision Name \_\_\_\_\_

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created \_\_\_\_\_

☐ Other (specify) \_\_\_\_\_

☐ Attachments / Additional Requirements \_\_\_\_\_

Related Rezoning File Number

## ZONING REQUEST

☐ Zoning Change  
Proposed Zoning \_\_\_\_\_

☐ Plan Amendment Change  
Proposed Plan Designation(s) \_\_\_\_\_

Pending Plat File Number

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

David Harbin  
Applicant Signature

DAVID HARBIN  
Please Print

5.30.23  
Date

865-588-6472  
Phone Number

harbin@bhn-p.com  
Email

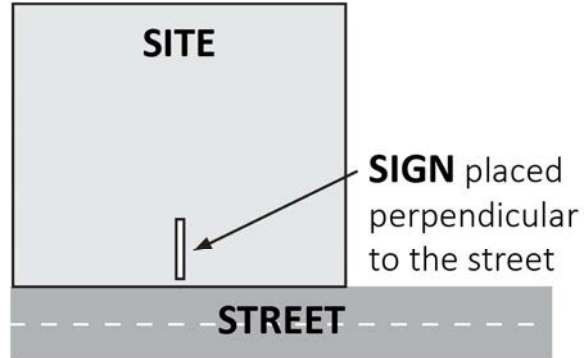
Stephen Goodson  
Property Owner Signature

dotloop verified  
05/30/23 3:24 PM EDT  
EKEB-1X4Y-SAN7-MRMR

Stephen Goodson

Date Paid

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:***

\_\_\_\_\_ **6/30/2023** \_\_\_\_\_ and \_\_\_\_\_ **7/14/2023** \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Modern Expansion, LLC

**Date:** 6/9/2023

**File Number:** 7-D-23-SU



Sign posted by Staff



Sign posted by Applicant