



DEVELOPMENT PLAN REPORT

► **FILE #:** 6-H-23-DP

AGENDA ITEM #: 39

AGENDA DATE: 6/8/2023

► **APPLICANT:** DAVID HARBIN

OWNER(S): Alex Botezat

TAX ID NUMBER: 92 K L 046

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 CAIN RD

► **LOCATION:** North of the intersection of Cain Rd and Lee Rd

► **APPX. SIZE OF TRACT:** 0.62 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Cain Road, a local street with 19 ft. of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **ZONING:** PR (Planned Residential)

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

► **PROPOSED USE:** Duplex

DENSITY PROPOSED: 3 du/ac

HISTORY OF ZONING: The property was rezoned from A (Agricultural) to PR (Planned Residential) at a density up to 3.5 dwelling units per acre in November 2018. A development plan for up to 46 detached residential dwellings on individual lots, with a peripheral setback reduction on this lot from 35 ft. to 25 ft., was approved in May 2018. A revised concept plan was approved in April 2019, which resulted in two additional lots for the subdivision (46 to 48).

SURROUNDING LAND USE AND ZONING: North: Agriculture/Forestry/Vacant Land - PR (Planned Residential)

South: Single-Family Residential - RN-1 (Single-Family Residential Neighborhood)

East: Agriculture/Forestry/Vacant Land - AG (Agricultural)

West: Single-Family Residential - PR (Planned Residential)

NEIGHBORHOOD CONTEXT: The area is characterized by single-family residential development with agricultural properties on larger lots to the north and south.

STAFF RECOMMENDATION:

► **Approve the development plan for one duplex on an individual lot, subject to 2 conditions.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

2. Meeting all applicable requirements of the City of Knoxville Engineering Department and Knox County Engineering and Public Works.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the criteria for approval of a development plan.

COMMENTS:

This proposal is to construct a two-story duplex to an existing 0.62-acre lot on a 48-lot subdivision. The property is zoned PR (Planned Residential) up to 3.5 du/acre. Access to the property will extend north off Cain Road.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 3.5 du/ac:

A. The PR zone allows duplexes as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B. The PR zone district is approved for a maximum of 3.5 du/ac. The 48-lot subdivision on 16.43 acres was originally a density of 2.9 du/ac. With one the addition of one dwelling unit, the proposed density of 3 du/ac of the entire PR zone remains below the approved 3.5 du/ac.

2) GENERAL PLAN - DEVELOPMENT POLICIES

A. Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3). The proposed duplex will have a similar scale as the other residential development in the area.

B. Encourage a mixture of housing sizes and prices within planned residential developments (Policy 9.8). The proposed duplex will provide an additional housing form in a development of single-family residences.

3) NORTHWEST COUNTY SECTOR PLAN

A. The property is classified LDR (Low Density Residential), which allows residential uses at densities of less than five dwelling units per acre in the County. The proposed density is 3 du/ac.

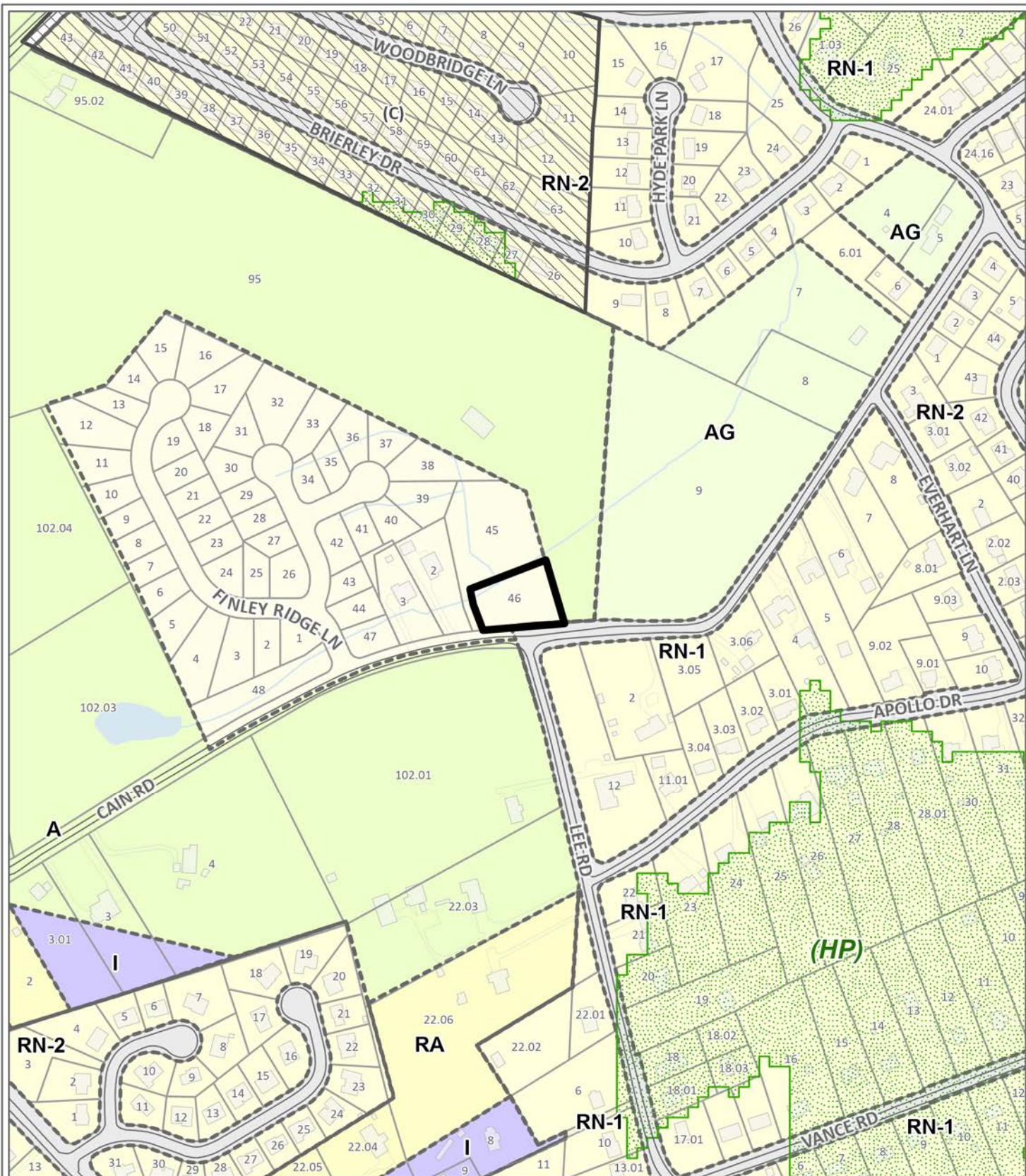
4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



DEVELOPMENT PLAN

6-H-23-DP

Petitioner: David Harbin



Duplex in PR (Planned Residential)

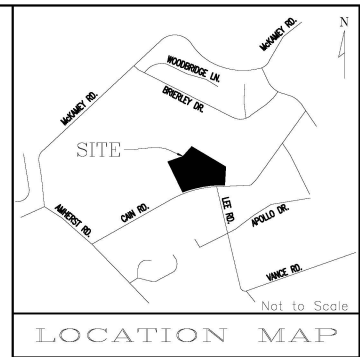
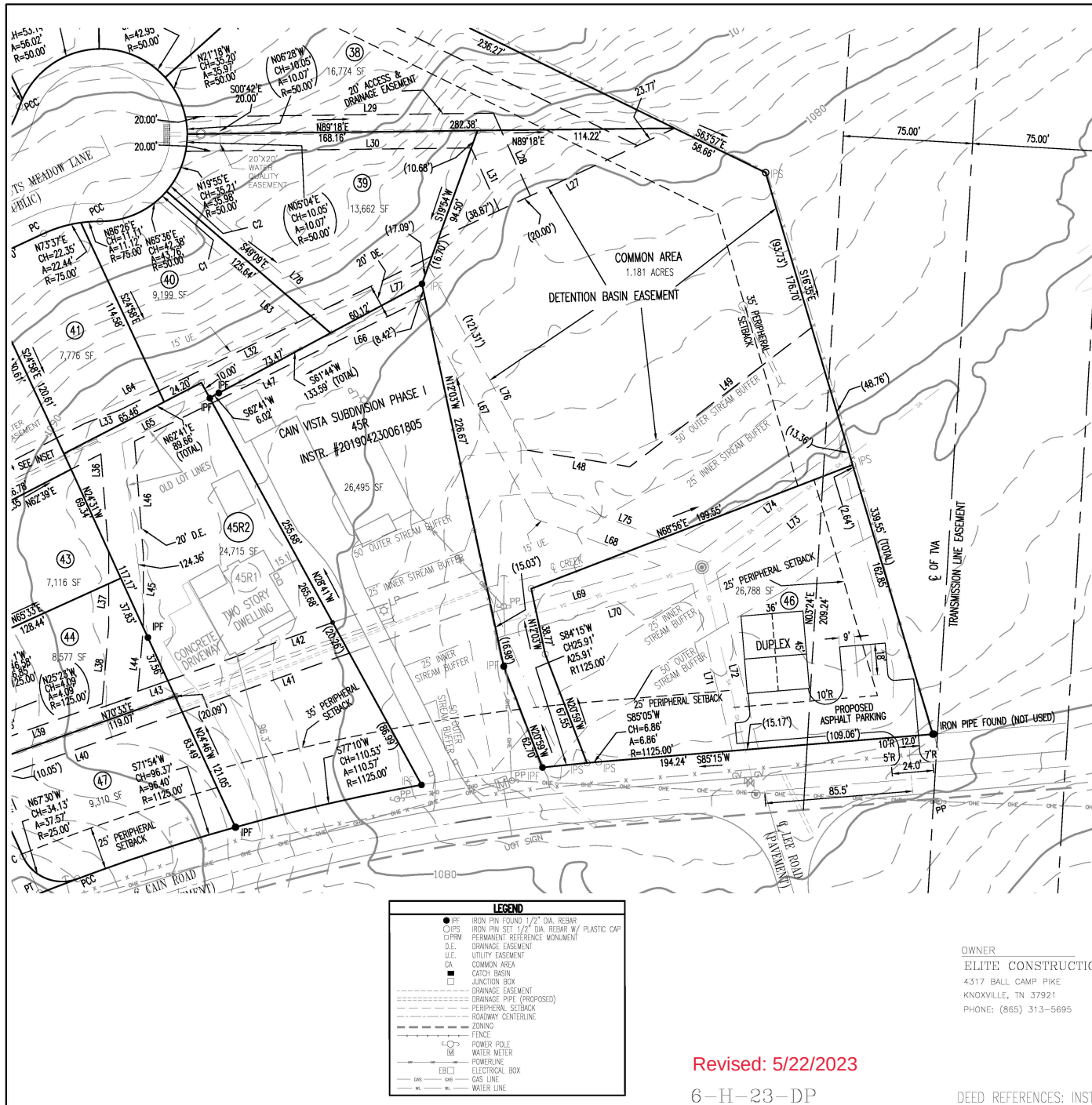
Original Print Date: 5/17/2023

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

Map No: 92

Jurisdiction: County





- 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 26,788 SF CONTAINING ONE DUPLEX.
 5. THIS PROPERTY IS ZONED PR.
 6. UTILITIES:
WATER: KNOXVILLE UTILITIES BOARD
SEWER: KNOXVILLE UTILITIES BOARD
ELECTRIC: KNOXVILLE UTILITIES BOARD
GAS: KNOXVILLE UTILITIES BOARD
TELEPHONE: AT&T
 7. EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON AVAILABLE INFORMATION. CONTRACTOR IS RESPONSIBLE TO FIELD LOCATE ALL UTILITIES, BOTH HORIZONTALLY AND VERTICALLY PRIOR TO CONSTRUCTION.

THE PURPOSE OF THIS PLAN IS TO APPROVE A DUPLEX ON LOT 46

USE ON REVIEW PLAN
OF
LOT 46 OF CAIN VISTA SUBDIVISION
TAX MAP 92KL, PARCEL 46
DISTRICT 5, KNOX COUNTY, TENNESSEE
REVISED 5/22/23: KKCP COMMENTS
SCALE: 1" = 40' DATE: 04/24/2023

OWNER
ELITE CONSTRUCTION, LLC
4317 BALL CAMP PIKE
KNOXVILLE, TN 37921
PHONE: (865) 313-5695

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PAPERMILL DRIVE
KNOXVILLE, TENNESSEE 37909
PHONE (865) 586-6472
FAX (865) 586-6473
email@bhn-p.com

Revised: 5/22/2023

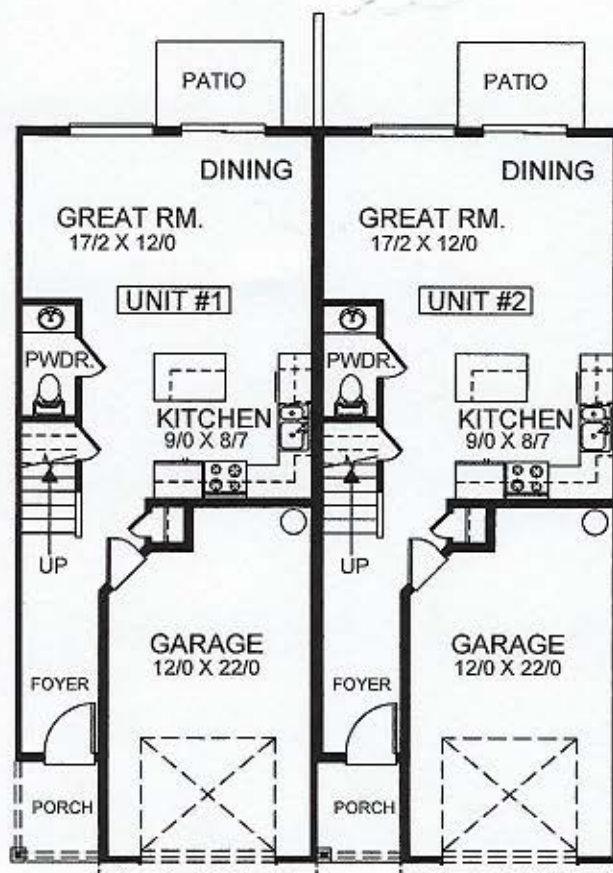
6-H-23-DP

DEED REFERENCES: INSTR. #20108260016389

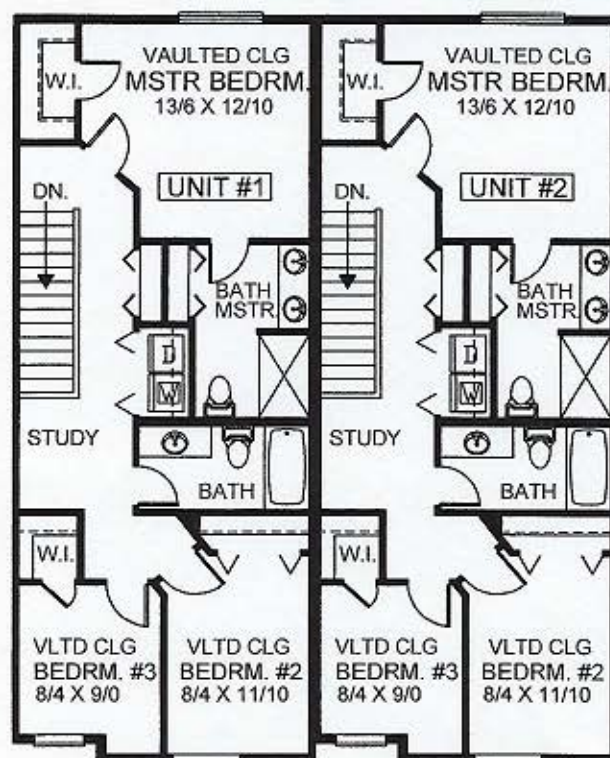
25077-46-PP



18' wide unit



LOWER FLR. PLAN



UPPER FLR. PLAN

Bldg. Width = 36'-0"
 Per unit = 18'-0"
 Depth = 45'-0"
 1,283 Sq. Ft. / unit
 2 units shown

Building Designs By Stockton
 residential • multi-family • marketing
 OFFICE# 1-800-368-0821
 E-MAIL: stockton@wa-net.com
 Web Site: <http://www.stocktondesign.com>

2-21052-3



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

David Harbin

Applicant Name

Affiliation

4/25/2023

Date Filed

6/8/2023

Meeting Date (if applicable)

6-H-23-DP

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

Alex Botezat

Owner Name (if different)

4317 Ball Camp Pike Knoxville TN 37909

Owner Address

865-313-5695

Owner Phone / Email

0 CAIN RD

Property Address

92 K L 046

Parcel ID

0.62 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North of the intersection of Cain Rd and Lee Rd

General Location

☐ City

Commission District 3

PR (Planned Residential)

Agriculture/Forestry/Vacant Land

☒ County District

Zoning District

Existing Land Use

Northwest County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

☒ Development Plan	☐ Planned Development	☐ Use on Review / Special Use	Related City Permit Number(s)
☐ Hillside Protection COA	☒ Residential	☐ Non-residential	
Home Occupation (specify) _____			
Other (specify) Duplex			

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	Pending Plat File Number
Proposed Zoning	
☐ 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
\$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	David Harbin	4/25/2023
	Please Print	Date

Phone / Email

Property Owner Signature	Alex Botezat	4/25/2023
	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

ELITE CONSTRUCTION LLC

Applicant Name

Affiliation

File Number(s)

Date Filed

Meeting Date (if applicable)

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 HINES NOVELL + POE

Company

4334 PAPER MILL

Address

KNOXVILLE

City

TN

State

37909

ZIP

865-588-6472

Phone

harbin@bhn-p.com

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

4317 Ball Camp Pike
KNOXVILLE TN 37921

Property Owner Address

865-313-5695

Property Owner Phone

Property Address

Cain RD

TAX MAP 92KL

Parcel ID

PARCEL 46

Sewer Provider

KUB

KUB

Water Provider

X10

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

August 29, 2022

DEVELOPMENT REQUEST

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

☐ Residential ☐ Non-Residential

Home Occupation (specify) Duplex on LOT 46

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number

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

Applicant Signature

DAVID HARBIN

Please Print

4.24.23

Date

Phone Number

865.588.6472

harbin@bhn-p.com

Email

Alex BOTEZAT

Please Print

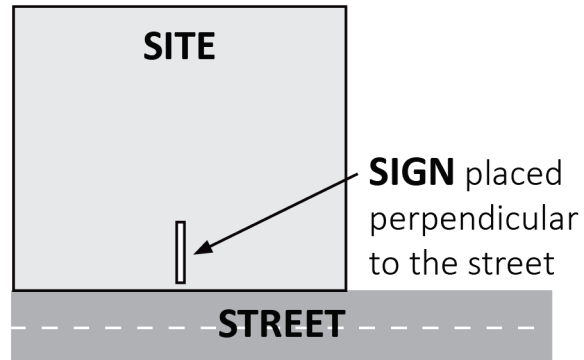
4.24.23

Date

Property Owner Signature

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:

_____ **May 26, 2023** _____ and _____ **June 9, 2023** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: David Harbin

Date: 4/25/2023

File Number: 6-H-23-DP



Sign posted by Staff



Sign posted by Applicant