



USE ON REVIEW REPORT

▶ **FILE #:** 8-A-23-UR **AGENDA ITEM #:** 33
POSTPONEMENT(S): 8/10/2023 **AGENDA DATE:** 9/14/2023
▶ **APPLICANT:** AMY SHERRILL
OWNER(S): Paragon Development LP

TAX ID NUMBER: 122 O F 021.05 [View map on KGIS](#)
JURISDICTION: County Commission District 9
STREET ADDRESS: 2330 BELT RD
▶ **LOCATION:** East side of Belt Road, northeast of Ginn Drive
▶ **APPX. SIZE OF TRACT:** 1.16 acres
SECTOR PLAN: South County
GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)
ACCESSIBILITY: Access is via Belt Road, a local street with an 18-ft pavement width within a 40-ft to 45-ft right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
WATERSHED: Tennessee River

▶ **ZONING:** RA (Low Density Residential)
▶ **EXISTING LAND USE:** Single Family Residential
▶ **PROPOSED USE:** Duplexes
DENSITY PROPOSED: 5.17 du/ac
HISTORY OF ZONING: None noted
SURROUNDING LAND USE AND ZONING: North: Single family dwellings - A (Agricultural) and RA (Low Density Residential)
South: Single family dwellings - RA (Low Density Residential)
East: Single family dwellings - RA (Low Density Residential)
West: Single family dwellings - RA (Low Density Residential)
NEIGHBORHOOD CONTEXT: The area is characterized by low density residential development on lot sizes generally between 14,000 sqft (.32 acres) and 75,000 sqft (1.7 acres). Alcoa Hwy is approximately .65 miles to the west and Maryville Pike is .9 miles to the east.

STAFF RECOMMENDATION:

- ▶ **Approve the request for one duplex on lots 2 and 3 only, two duplexes total, subject to 10 conditions.**
- 1) Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
 - 2) Establishing a Shared Permanent Access Easement (SPAЕ) through 2324 Belt Road (parcel 122OF023). Lots 2 and 3 shall only have vehicular access via a driveway constructed in the SPAЕ.
 - 3) Provide a minimum of 25 ft of frontage on the Shared Permanent Access Easement for lot 3.

- 4) If a duplex is approved on lot 1 as requested, vehicular access must be provided via the Shared Permanent Access Easement and the connection to the shared driveway on 2336 Belt Road (parcel 122OF02107) must be removed.
- 5) Providing access for 2324 Belt Road (parcel 122OF023) via the Shared Permanent Access Easement or obtaining a waiver from Knox County Engineering and Public Works to allow access via the existing driveway to Belt Road, per Section 3.03.D.2. of the Knoxville-Knox County Subdivision Regulations.
- 6) In no case shall a vehicular connection between the existing shared driveway on 2336 Belt Road (parcel 122OF02107) and the proposed Shared Permanent Access Easement, either paved or unpaved, be permissible without approval from the Planning Commission.
- 7) Provide a turnaround at the end of the Shared Permanent Access Easement, if required by Knox County Engineering and Public Works and Knox County Fire Prevention Bureau during permit review.
- 8) Amending the setbacks for lots 2 and 3 to be consistent with lot 1. The front setback (southwest lot line) and rear setback (northeast lot line) are parallel to Belt Road, and the side setbacks are perpendicular to Belt Road.
- 9) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 10) Meeting all applicable requirements of Knox County Engineering & Public Works.

With the conditions noted, this plan meets the requirements for approval in the RA zoning district and the criteria for approval of a use on review.

COMMENTS:

The applicant requests approval for three new two-story duplex structures on 1.16 acres in the RA (Low Density Residential) zoning district. This results in a density of 5.17 du/ac, which exceeds the maximum density of 5 du/ac in the LDR (Low Density Residential) sector plan designation. Staff recommends approving the duplexes on lots 2 and 3 only. If a single-family house is constructed on lot 1, the density will be 4.3 du/ac. The RA zone requires a minimum 12,000 sqft lot size for a duplex, which the proposed lots meet.

The proposed access for lots 2 and 3 is via a Shared Permanent Access Easement (SPAЕ) through 2324 Belt Road (parcel 122OF023). The proposed access for lot 1 is via the existing permanent access easement across 2336 Belt Road (parcel 122OF02107). If the proposed duplex on lot 1 is approved, staff recommends that access to lot 1 be provided via the SPAЕ. The property that the SPAЕ crosses (2324 Belt Road) was formerly owned by the applicant and sold in May 2023. A portion of that property was added to the subject property in April 2013. The current property owner agrees to allow the SPAЕ to cross the property. An unplatted non-exclusive permanent access easement was established across the lot in May 2023, however, this does not meet the access standards of the subdivision regulations.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2).

The Planning Commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. If approved as recommended, the proposal is consistent with the LDR (Low Density Residential) land use classification in the South County Sector Plan, which allows consideration of up to 5 du/ac. The density for the three duplexes is 5.17 du/ac. As recommended, the density is 4.3 du/ac.

B. The site is located within the Urban Growth area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

C. General Plan, Development Policies:

a) Policy 8.1 -- Develop "infill" housing on vacant lots and redevelopment parcels. Infill housing should be compatible with neighboring residences in scale, design, and site layout. -- NOTE: The duplexes are two stories tall and have a total footprint of approximately 1,700 sqft, similar to a single-family house.

B) Policy 8.3 -- Focus on design quality and neighborhood compatibility in reviewing development proposals. -- NOTE: The architectural design includes pitched roofs with front-facing gables, front porches, and horizontal lap siding and board and batten siding.

C) Policy 9.3 -- Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. -- NOTE: If a duplex is constructed on lot 1, as proposed, it will be located between two single-family houses that are not associated with the applicant. The two duplexes that are recommended for approval are located behind a single-family house that was previously owned by the applicant and the current owner is agreeable to modifying the access easement through the property to allow the creation of the duplex lots.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE

A. The RA (Low Density Residential) zone is intended to provide for residential areas with low population densities. The proposed lots meet the minimum lot size for a duplex of 12,000 square feet in the RA zone.

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 surrounding area is characterized by single-family residential uses on varying lot sizes, generally between 14,000 sqft (.32 acres) and 75,000 sqft (1.7 acres).

B. The subject neighborhood features one- and two-story houses. The proposed duplex will be compatible in height, scale, and placement on the lot with the surrounding area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed duplex is considered a low-density residential use and is compatible with other low-density residential uses.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

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: 76 (average daily vehicle trips)

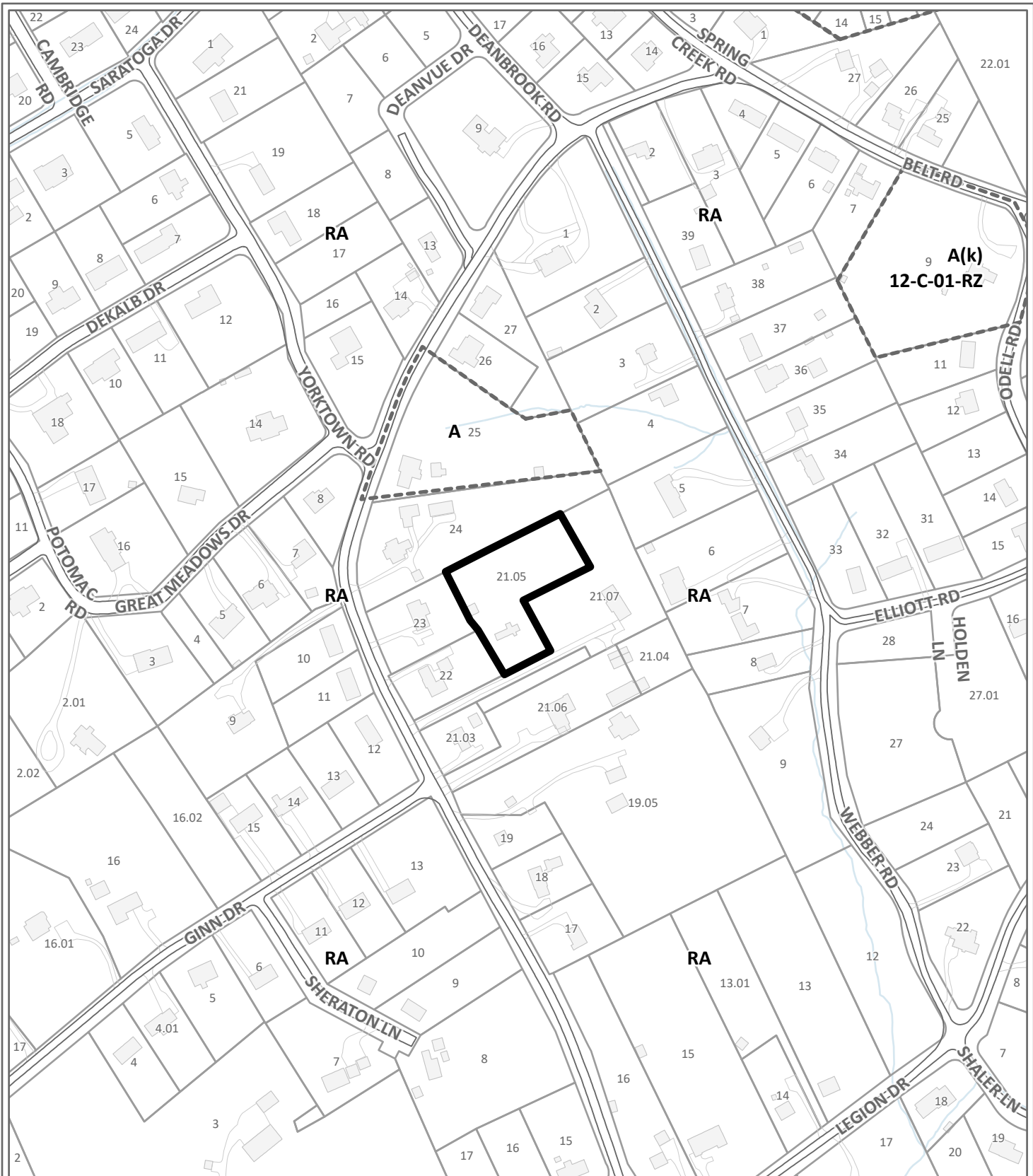
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

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

Schools affected by this proposal: Mount Olive Elementary, South Doyle Middle, and South Doyle 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 Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



USE ON REVIEW

8-A-23-UR

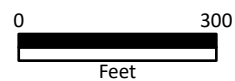
Petitioner: Amy Sherrill



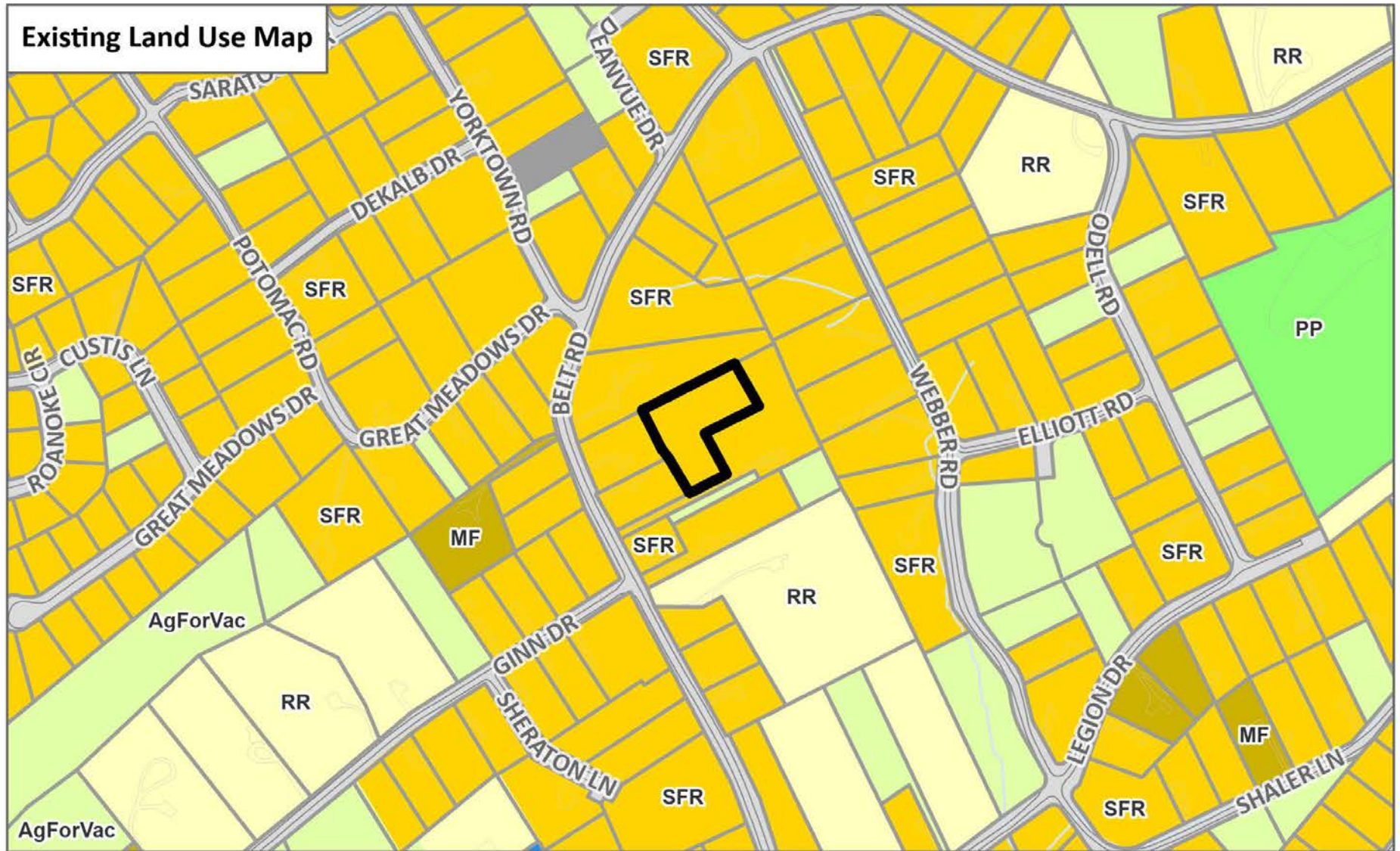
Duplexes in RA (Low Density Residential)

Map No: 122
Jurisdiction: County

Original Print Date: 8/18/2023
 Knoxville - Knoxville County Planning Commission * City / County Building * Knoxville, TN 37902



Existing Land Use Map



CONTEXTUAL MAP

8-A-23-UR

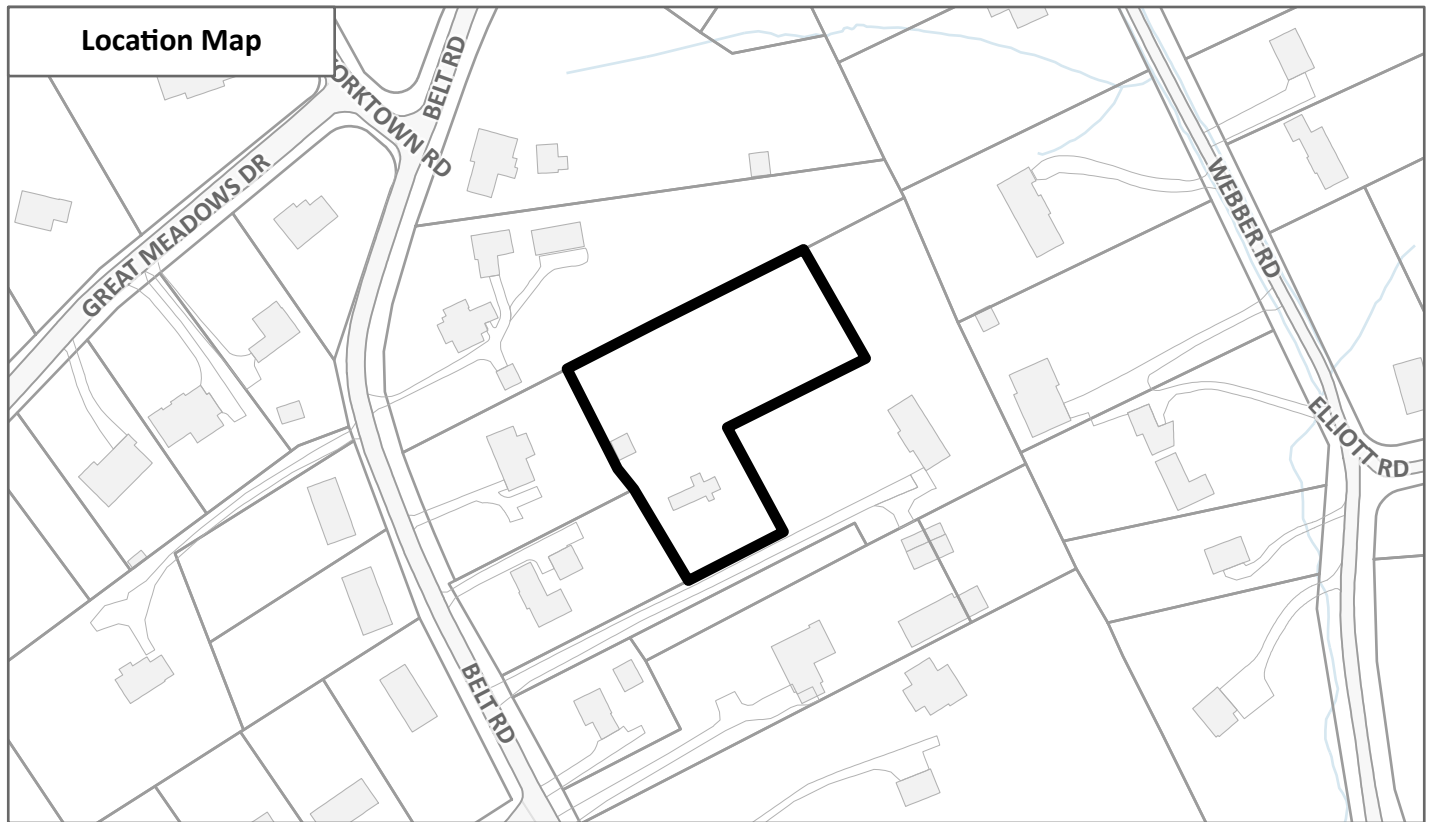


Case boundary



Exhibit A. Contextual Images

Location Map



Aerial Map

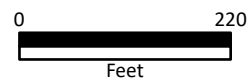


CONTEXTUAL MAPS 1

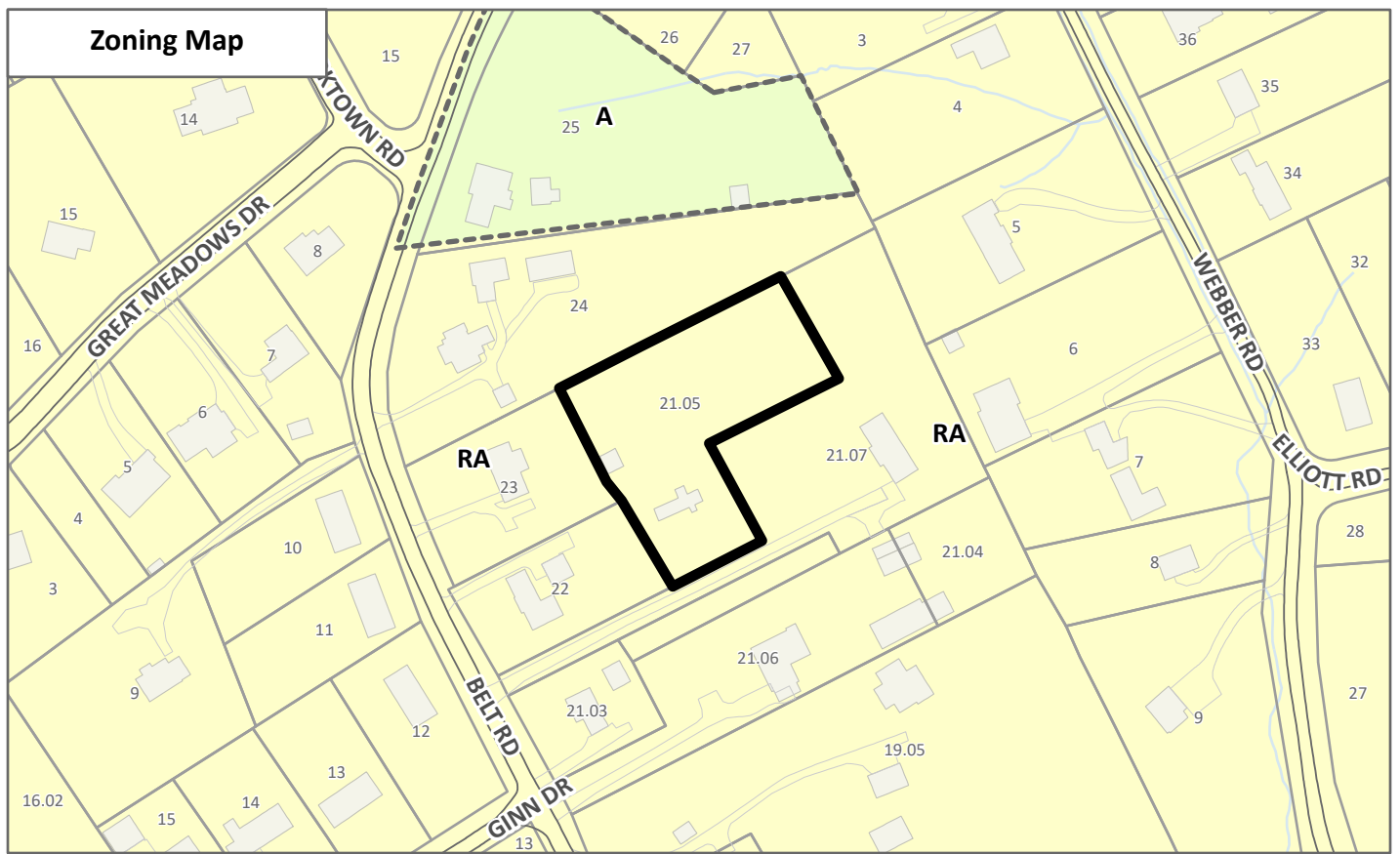
8-A-23-UR



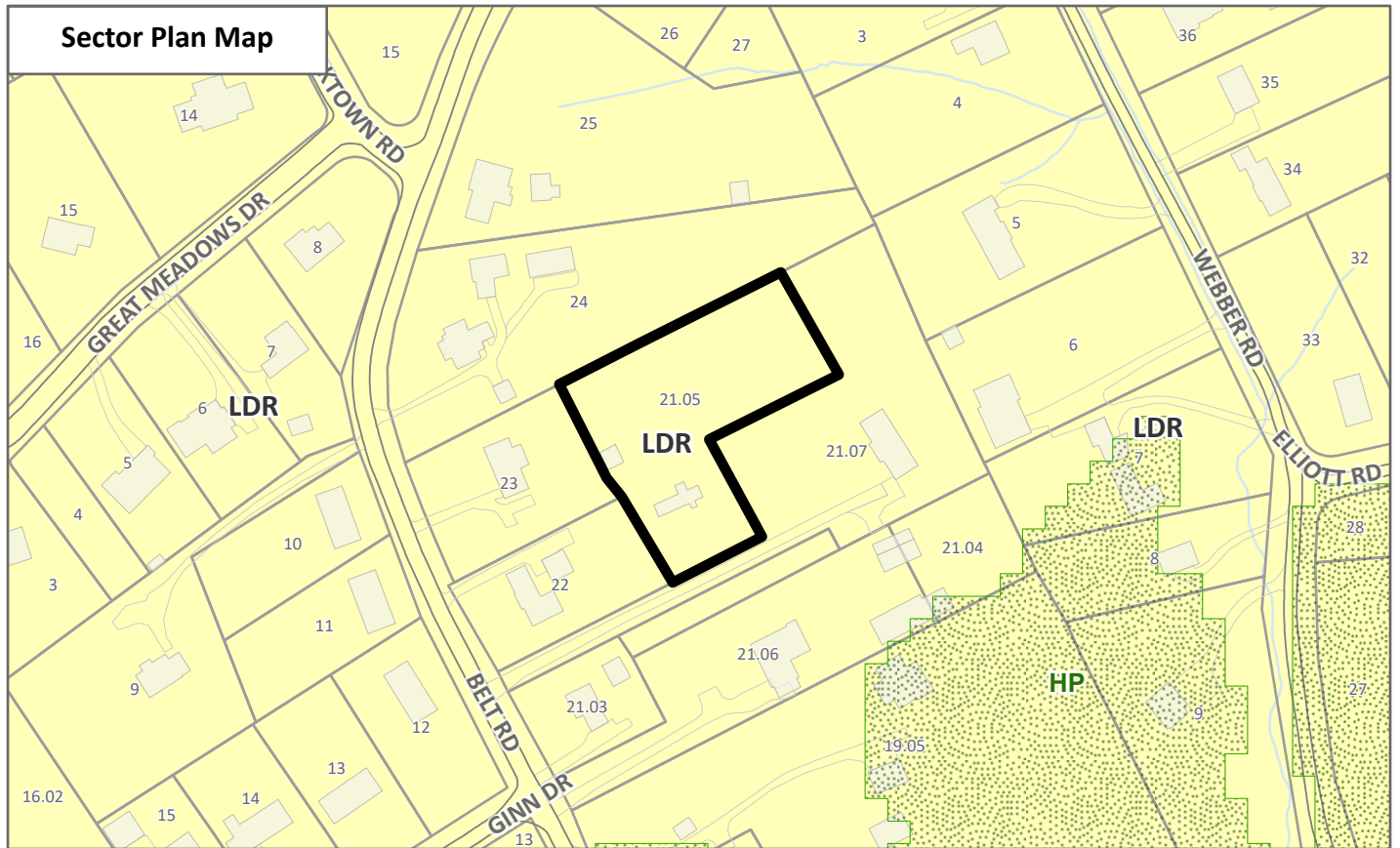
Case boundary



Zoning Map



Sector Plan Map

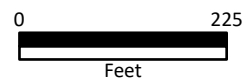


CONTEXTUAL MAPS 2

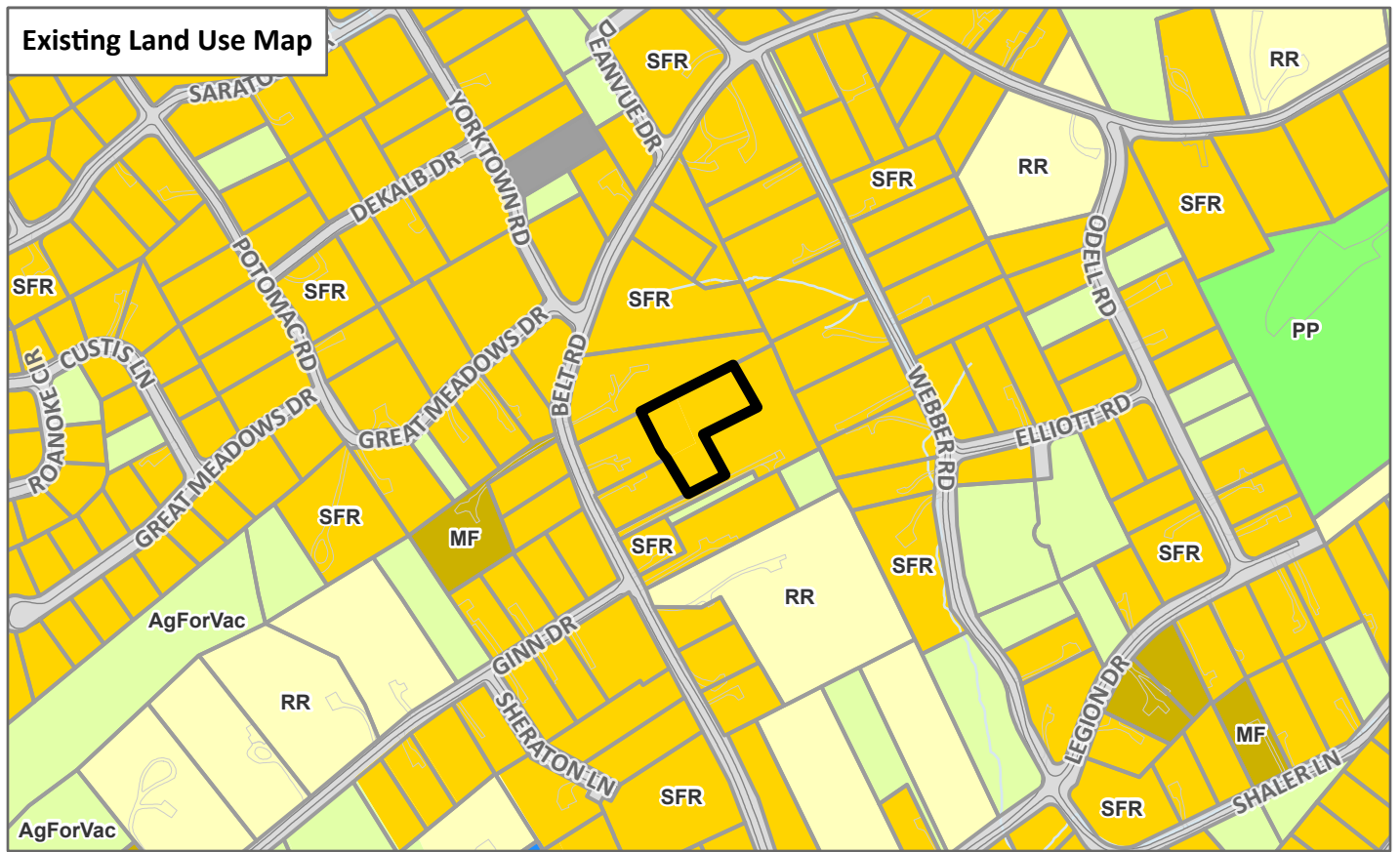
8-A-23-UR



Case boundary



Existing Land Use Map

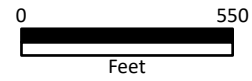


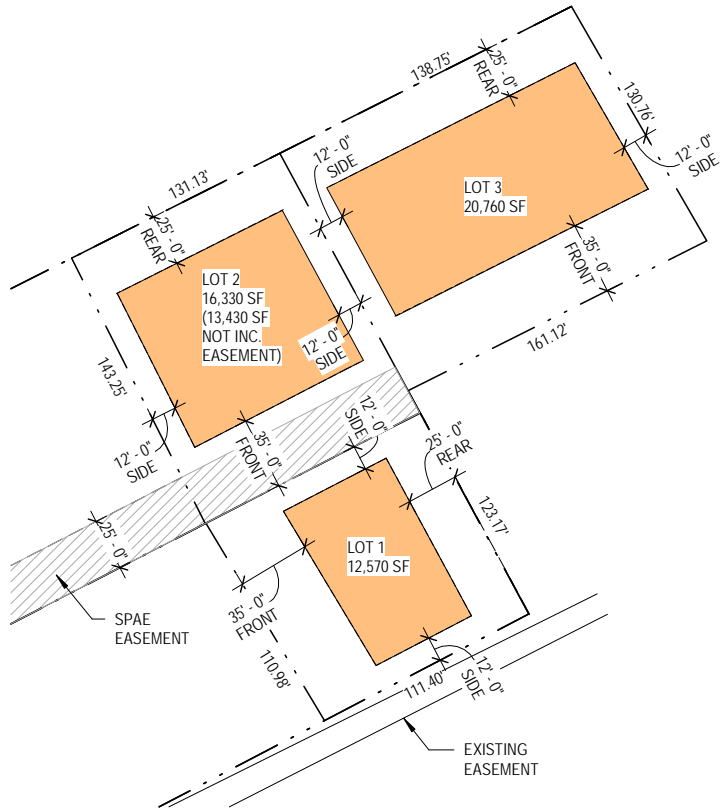
CONTEXTUAL MAPS 3

8-A-23-UR

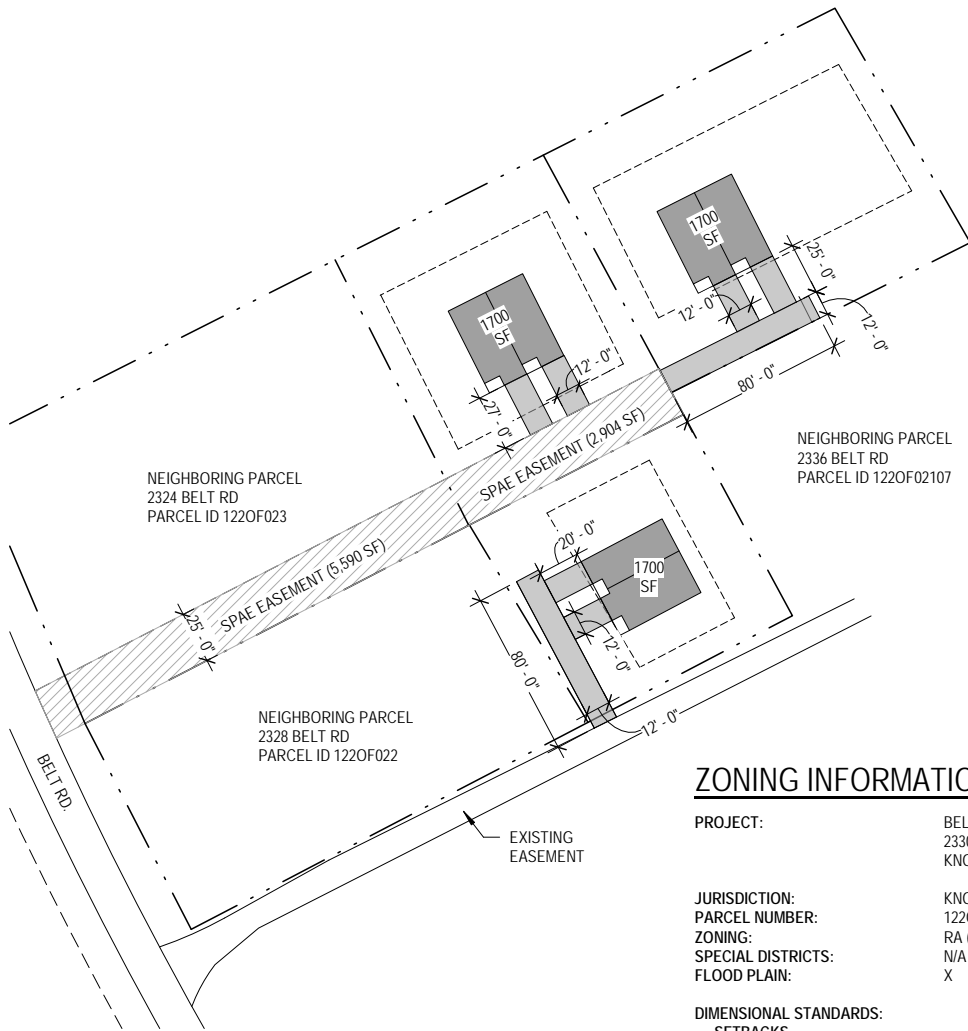


Case boundary





BUILDABLE AREA DIAGRAM
1" = 60'-0"



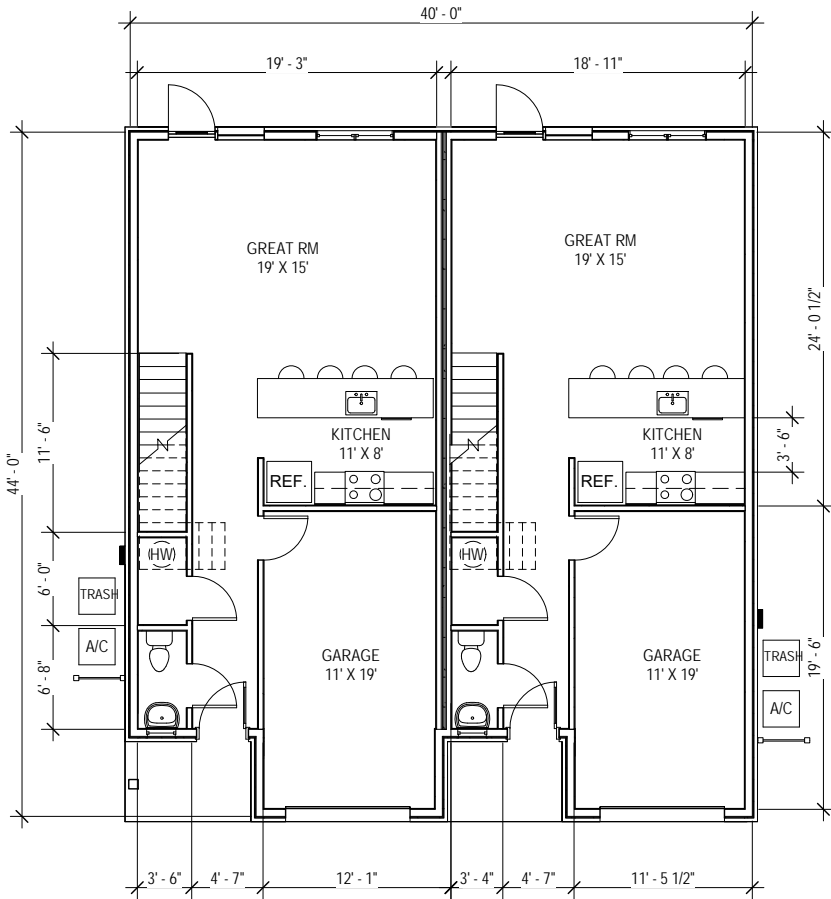
SITE PLAN - DUPLEX
1" = 60'-0"

8-A-23-UR
Revised: 7/21/2023

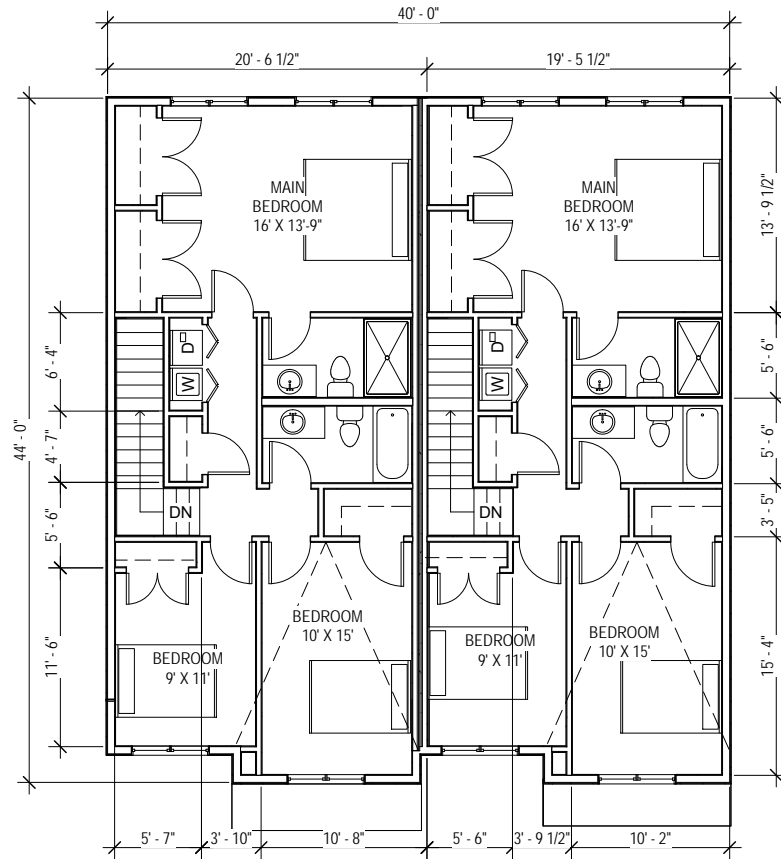
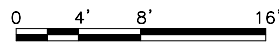
ZONING INFORMATION

PROJECT:	BELT ROAD DUPLEXES 2330 BELT ROAD KNOXVILLE, TENNESSEE, 37920
JURISDICTION:	KNOX COUNTY, TENNESSEE
PARCEL NUMBER:	1220F02105
ZONING:	RA (LOW DENSITY RESIDENTIAL)
SPECIAL DISTRICTS:	N/A
FLOOD PLAIN:	X
DIMENSIONAL STANDARDS:	
SETBACKS	
MIN. FRONT SETBACK:	35 FT
MIN. INTERIOR SIDE SETBACK:	12 FT
MIN. REAR SETBACK:	25 FT
MAX. LOT COVERAGE	30%
MIN. LOT SIZE (DUPLEX W/ SEWER):	12,000 SF
PARKING:	2 SPACES PER DWELLING UNIT

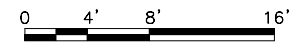




FIRST FLOOR PLAN
1/8" = 1'-0"



SECOND FLOOR PLAN
1/8" = 1'-0"



8-A-23-UR
6/26/2023

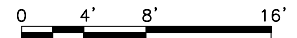


FRONT ELEVATION
1/8" = 1'-0"



EXTERIOR 3D

8-A-23-UR
6/26/2023





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

Amy Sherrill

Applicant Name

Affiliation

6/26/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-A-23-UR

File Number(s)

CORRESPONDENCE

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

Amy Sherrill Benefield Richters

Name / Company

902 N Central Street Knoxville TN 37917

Address

865-637-7009 / asherrill@benefieldrichters.com

Phone / Email

CURRENT PROPERTY INFO

Paragon Development LP Paragon Devel 105 Center Park Dr # 104 Knoxville TN 37992

Owner Name (if different)

Owner Address

816-719-9989

Owner Phone / Email

2330 BELT RD

Property Address

122 O F 021.05

Parcel ID

Part of Parcel (Y/N)?

1.16 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Belt Road, northeast of Ginn Drive

General Location

City **Commission District 9 RA (Low Density Residential)**

Single Family Residential

County District

Zoning District

Existing Land Use

South County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit)

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) Duplexes	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<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 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
\$500.00	
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: Amy Sherrill Date: 6/26/2023
Please Print

Phone / Email: _____
Property Owner Signature: Paragon Development LP Paragon Development LP Date: 6/26/2023
Please Print



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

Amy Sherrill

Architect

Applicant Name

Affiliation

6/21/2023

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

Amy Sherrill

The Benefield Richters Company

Name

Company

902 N Central St

Knoxville

TN

37917

Address

City

State

ZIP

(865)637-7009

team@benefieldrichters.com

Phone

Email

CURRENT PROPERTY INFO

Paragon Development LP

105 CENTER PARK DR #104 KNOXVILLE, TN 3 (816)719-9989

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

2330 BELT RD

1220F02105

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

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

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Use on Review for duplexes in RA (low density residential) zone.

Other (specify) _____

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) _____

Proposed Density (units/acre) Previous Rezoning Requests

Other (specify) _____

Pending Plat File Number

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

Amy Sherrill

Applicant Signature

Amy Sherrill

Please Print

6/21/2023

Date

(865)637-7009

Phone Number

asherrill@benefieldrichters.com

Email

Oded shainin

Property Owner Signature

Please Print

Date Paid


6-23-2023

To whom it may concern

2324 Belt access easement onto 2330 Belt road

As the new owner of the property at 2324 Belt Road, I will agree to adjust and modify the existing 25' wide easement for the benefit of Paragon Development L.P, the owner of 2330 Belt Road to be shared Permanent Access Easement, I will cooperate with any document they may need during the process.

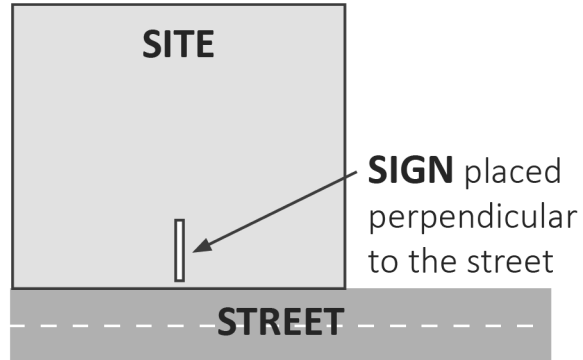
LOPEZ DIUSMEL BARRIOS

DocuSigned by:

DIUSMEL BARRIOS LOPEZ
C63FE6FFD8054E1...
6/23/2023

Cell:954-850-9372

Email: diusmelbarrios12@gmail.com

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:

_____ **July 28, 2023** _____ and _____ **August 11, 2023** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Amy Sherill

Date: 6/26/2023

File Number: 6-A-23-UR

- Sign posted by Staff
- Sign posted by Applicant