



# SPECIAL USE REPORT

► **FILE #:** 4-B-24-SU

**AGENDA ITEM #:** 51

**AGENDA DATE:** 4/11/2024

► **APPLICANT:** BENJAMIN C. MULLINS

OWNER(S): Res Red LLC

TAX ID NUMBER: 121 G G 019 01

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 914 OAK GROVE LN

► **LOCATION:** North side of Oak Grove Ln, west of Lyons View Pk,

► **APPX. SIZE OF TRACT:** 17260 square feet

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Oak Grove lane, a local road with a pavement width of 15 ft within an approximate 30-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

► **ZONING:** RN-1 (Single-Family Residential Neighborhood)

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

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

HISTORY OF ZONING: In 2020, a rezoning request from RN-1 to RN-2 was denied by City Council [3-E-20-RZ]. In 1996, this parcel was part of a larger area rezoning from R-2 (General Residential) to R-1 (Low Density Residential) [3-P-96-RZ]

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-1 (Single-Family Residential Neighborhood), RN-6 (Multi-Family Residential Neighborhood)  
South: Public/quasi-public land (cemetery) - OS (Parks and Open Space)  
East: Agriculture/forestry/vacant Land, single family residential - RN-1 (Single-Family Residential Neighborhood)  
West: Agriculture/forestry/vacant Land, single family residential - RN-1 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: The Lyons View neighborhood comprises a mix of single-family and multifamily developments, offices, and a church. The East Tennessee State Veterans Cemetery is located south of the property and the Lakeshore Park is located southeast across Lyons View Pike.

## STAFF RECOMMENDATION:

► **Approve the request for a two-family dwelling in the RN-1 (Single-Family Residential Neighborhood) district, subject to 4 conditions.**

- 1) Providing a landscape buffer along the western boundary, as shown on the site plan.
- 2) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
- 3) Meeting all applicable requirements of the City of Knoxville Engineering Department.
- 4) Meeting all applicable requirements of the City of Knoxville Plans Review and Inspections Department.

#### **COMMENTS:**

This request is for a two-family dwelling on a 17,260-sq ft flag lot in the RN-1 district. The Planning Commission approved a similar request for this property in 2020 (Case # 6-A-20-SU). However, the previous application is past the 3-year vesting period and is not valid anymore. This application includes detailed drawings. Each unit of the proposed one-story structure includes three bedrooms, a great room, and an attached garage. The house primarily faces the western boundary, but there is a street-facing entrance with covered porch area.

#### **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 West City Sector Plan's LDR (Low Density Residential) land use classification since a duplex is considered a low density residential dwelling.
- C. The One Year Plan states that duplexes may be permitted in low density areas where their development will not significantly affect service demands or aesthetics of the area.
- D. Two additional units are not expected to significantly affect the service demand of this urbanized area. The principal use standards of the zoning ordinance (Article 9.3.J) intend to protect neighborhood aesthetics by stipulating design elements for duplexes, and the proposed duplex meets those standards.

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

- A. The RN-1 zone is intended to accommodate traditional low density residential neighborhoods in the City of Knoxville, exhibiting a predominant development pattern of single-family homes on relatively large lots and with generous setbacks. Two-family dwellings may also be allowed by special use approval.
- B. The property meets the minimum lot size requirement of 15,000 sq ft for a two-family dwelling in the RN-1 district. The site plan and elevations conform to the dimensional standards for a two-family dwelling in the RN-1 zoning district. The submitted drawings also conform to the principal use standards for a two-family dwelling, as mentioned above.

#### **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 are several multifamily developments in and nearby Lyons View neighborhood as well as a duplex within 300-ft north of the subject property. Additionally, there is an office use (nursing/rehabilitation center) to the east, on a property zoned RN-6.
- B. The proposed one-story structure will be compatible in size and scale with other houses in the surrounding area.

#### **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 residential uses in the vicinity.
- B. The landscape buffer along the western boundary should mitigate any vehicle headlights from the proposed garages directed towards the abutting property.

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

- A. A duplex is not expected to significantly impact traffic on surrounding streets. Traffic will be directed to Lyons View Pike, a minor arterial street.

#### **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.
- B. Proximity to Lakeshore Park makes this property a desirable location for a duplex development.

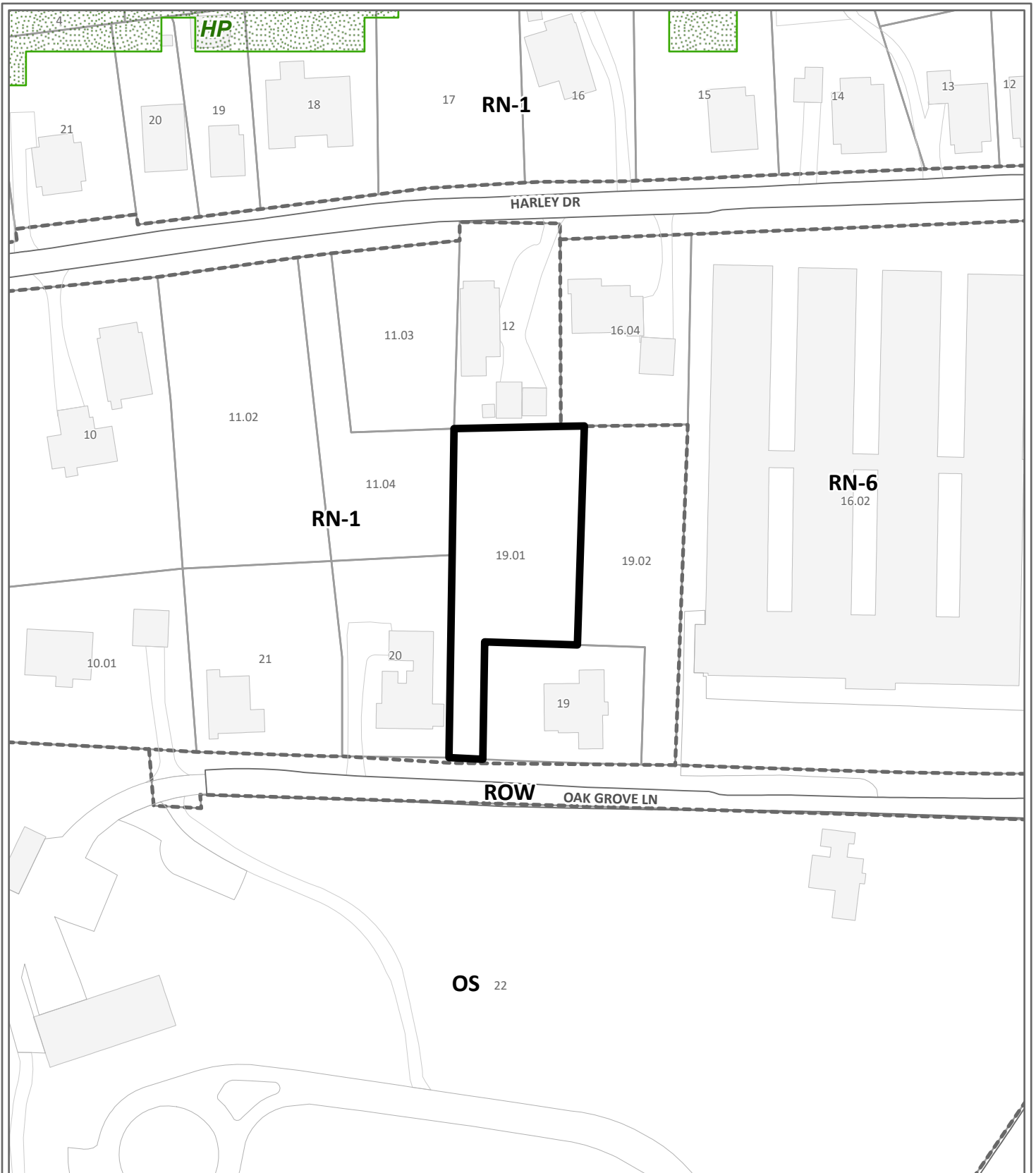
ESTIMATED TRAFFIC IMPACT: Not required.

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

Schools affected by this proposal: Bearden Elementary, Bearden Middle, and West 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.



**SPECIAL USE**

**4-B-24-SU**

**Petitioner:** Benjamin C. Mullins



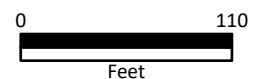
Two-family dwelling in RN-1 (Single-Family Residential Neighborhood)

**Map No:** 121

**Jurisdiction:** City

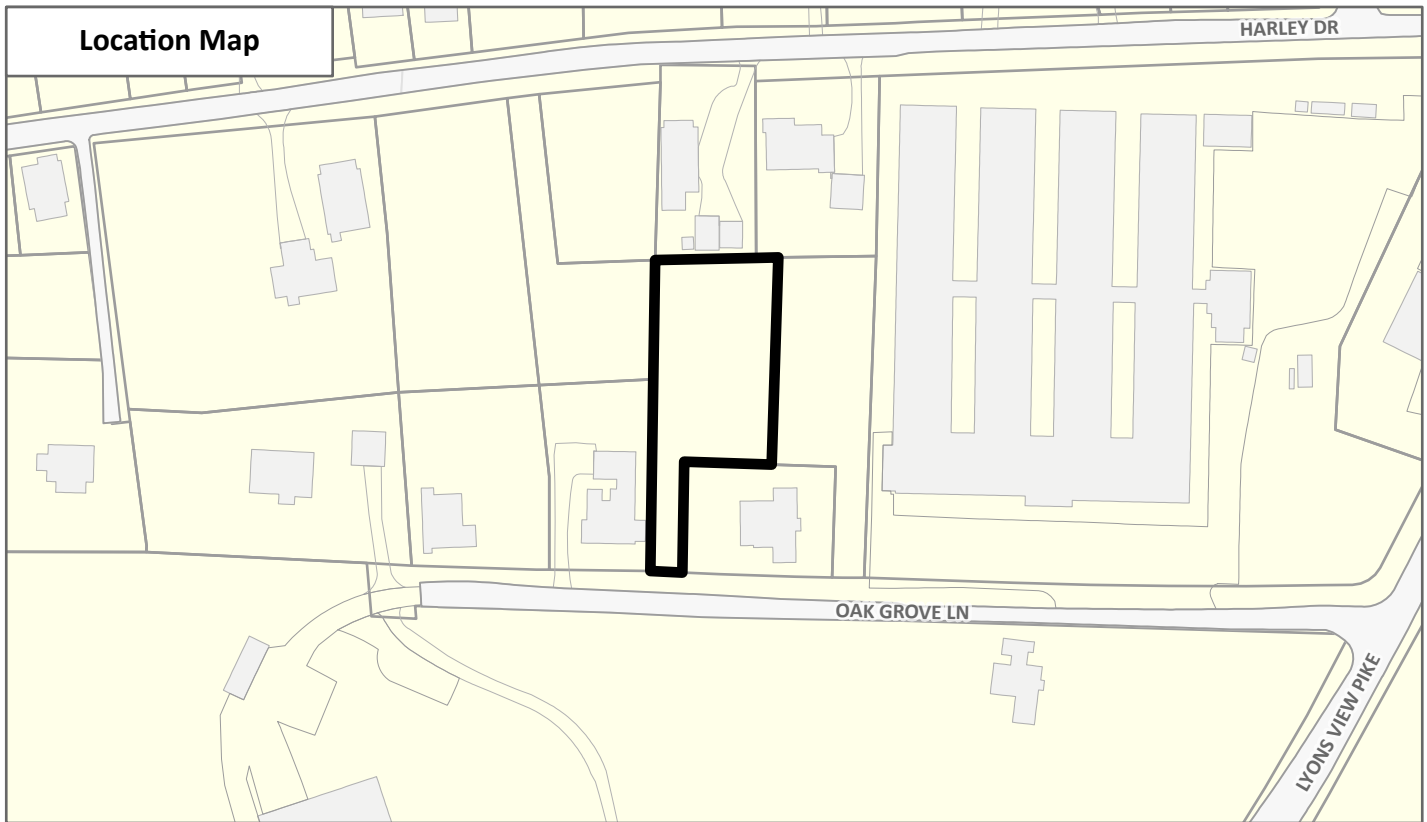
**Original Print Date:** 3/6/2024

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



## Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

4-B-24-SU



Case boundary







---


Project Name: \_\_\_\_\_

Oak Grove  
Duplex  
Project

Consultants:

Contact Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

 COPYRIGHT Stankenship & Partners, LLC  
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& Partners, LLC and shall not be reproduced in  
whole or in part. It shall not be used for any  
other project. This drawing is an instrument of  
service only and shall be returned to the  
Architect upon request.

Seal

FOR  
PRICING  
NOT FOR  
CONSTRUCTION

Date: 6-14-23

Drawn By: SN

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Project Number 22-xx

## Revisions

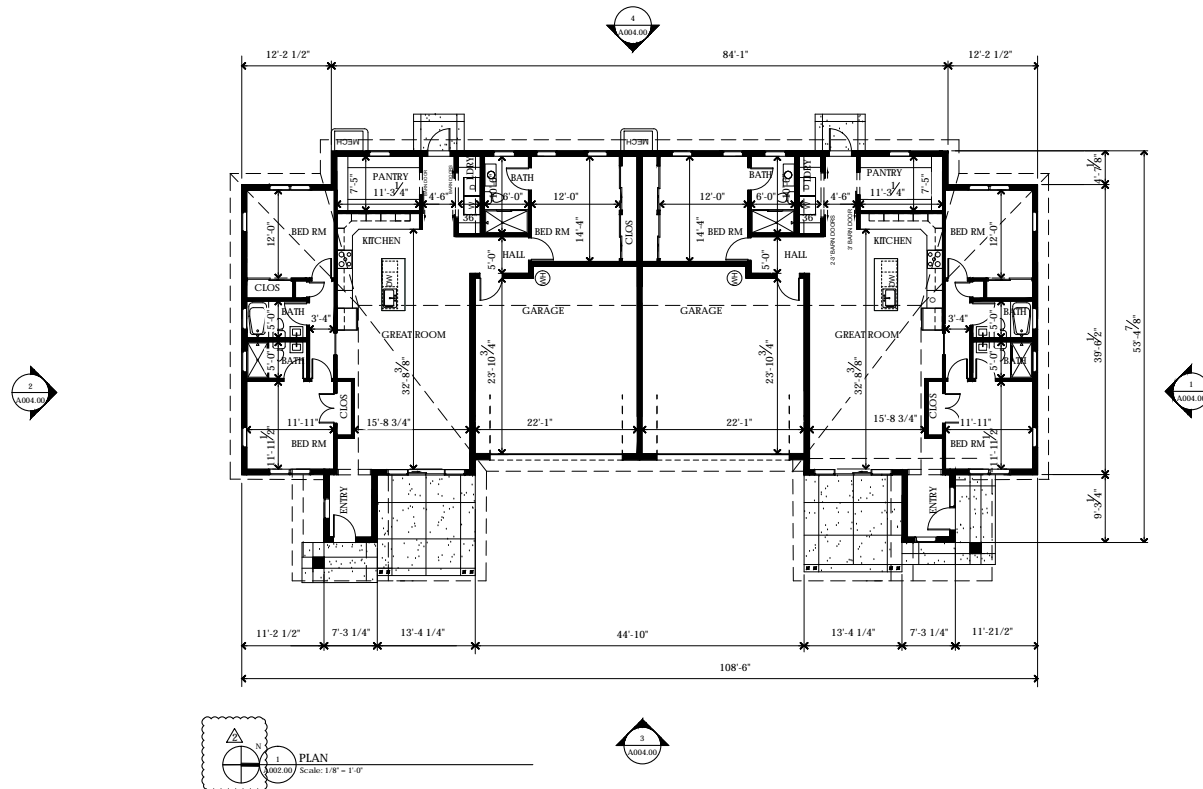
No. \_\_\_\_\_ Date: \_\_\_\_\_

Drawing Title:

### Floor Plan

Drawing No.:

A002.00



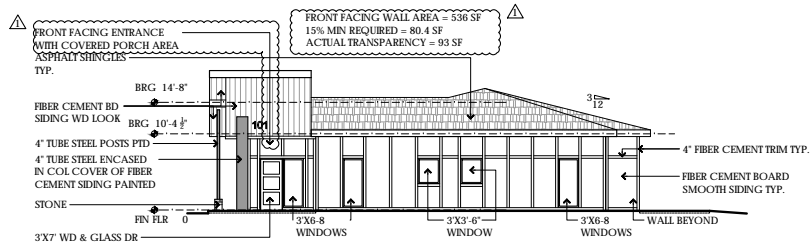
## GENERAL NOTES

1. TURN DOWN SLAB ON GRADE FOUNDATION.
2. EXTERIOR WALL CONSTRUCTION CONSIST OF  
2X6 WD STUDS WITH BATT INSULATION R 20, SHEATHING,  
AIR GAP, AND FIBER CEMENT BOARD SIDING WITH TRIM.  
AND ½" GYPSUM BOARD INTERIOR FINISH.
3. INTERIOR WALL CONSIST OF 2X4 WD STUD @ 16" O.C.  
WITH ½" GYPSUM BOARD EACH SIDE.
4. CEILINGS ARE ALL ½" GYPSUM BOARD ATTACHED TO WD  
TRIM.
5. CEILING HEIGHTS ARE 10'-4" MINUS CEILING AND FLOOR FINISH.
6. ROOF STRUCTURE CONSIST OF WOOD TRUSSES ATTACHED  
WITH HURRICANE STRAPS, ½" PLYWOOD SHEATHING, 30# FELT,  
AND ASPHALT SHINGLES. CEILING INSULATION R 49.

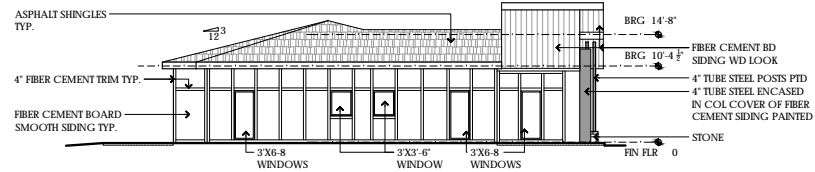
 NORTH ARROW CHANGED  
TO CORRECT DIRECTION

4-B-24-SU  
3/22/2024

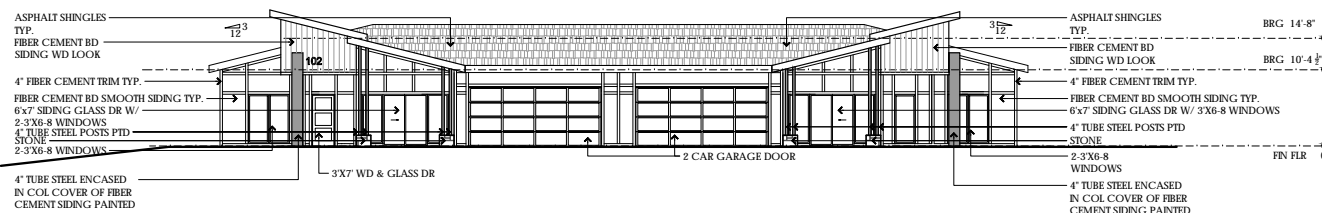




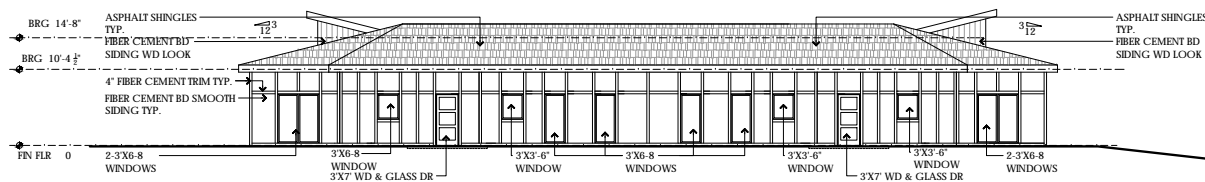
1 FRONT ELEVATION  
A004.00 Scale: 1/8" = 1'-0"



2 REAR ELEVATION  
A004.00 Scale: 1/8" = 1'-0"



3 SIDE ELEVATION  
A004.00 Scale: 1/8" = 1'-0"



4 SIDE ELEVATION  
A004.00 Scale: 1/8" = 1'-0"

4-B-24-SU  
3/7/2024



Blankenship & Partners, LLC  
Architects and Planners

1112 E. Weagather Rd., 2nd Floor, Knoxville, TN 37918

Office: 865.521.2585 Fax: 865.521.7911

Contact Name: William R. Blankenship

Owner:

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Seal

FOR  
PRICING  
NOT FOR  
CONSTRUCTION

Date: 6-14-23

Drawn By: SM

Checked By: MB

Project Number: 23-04

Revisions:

No. 3-7-24 Date:

Drawing Title:

Elevations

Drawing No.:

A004.00





# 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

**Benjamin C. Mullins**

Applicant Name

Affiliation

**2/27/2024**

Date Filed

**4/11/2024**

Meeting Date (if applicable)

**4-B-24-SU**

File Number(s)

## CORRESPONDENCE

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

**Benjamin C. Mullins Frantz, McConnell and Seymour, LLP**

Name / Company

**550 W. Main St. St. Suite 500 Knoxville TN 37902**

Address

**865-546-9321 / bmullins@fmsllp.com**

Phone / Email

## CURRENT PROPERTY INFO

**Res Red LLC**

Owner Name (if different)

**229 Sherway Rd Knoxville TN 37922**

Owner Address

Owner Phone / Email

**914 OAK GROVE LN**

Property Address

**121 G G 019 01**

Parcel ID

**17262 square feet**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**North side of Oak Grove Ln, west of Lyons View Pk,**

General Location

☒ City

**Council District 2**

**RN-1 (Single-Family Residential Neighborhood)**

**Agriculture/Forestry/Vacant Land**

☐ County District

Zoning District

Existing Land Use

**West City**

Planning Sector

**LDR (Low Density Residential)**

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) **two-family dwelling**

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

- ☐ 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.

**Benjamin C. Mullins**

**2/27/2024**

Applicant Signature

Please Print

Date

Phone / Email

**Res Red LLC**

**2/27/2024**

Property Owner Signature

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

Benjamin C. Mullins

Owner

Applicant Name

Affiliation

2-26-24

4-11-24

File Number(s)

Date Filed

Meeting Date (if applicable)

4-B-24-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

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street, Suite 500

Knoxville

TN

37902

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

## CURRENT PROPERTY INFO

Res Red, LLC

229 Sherway Rd

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

914 Oak Grove Lane

121GG01901

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

North Side of Oak Grove Ln., West of Lyons View Pk.

~.4 acres

General Location

Tract Size

☒ City ☐ County

2

RN-1

District

Zoning District

Existing Land Use

West City

LDR

Urban Growth (in city limits)

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

May 1, 2023

## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Residential Home Occupation (specify) _____ Two-family dwelling (duplex) Other (specify) _____	<input checked="" type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Non-Residential	<input type="checkbox"/> Hillside Protection COA	Related City Permit Number(s) _____
_____			

## SUBDIVISION REQUEST

		Related Rezoning File Number
Proposed Subdivision Name		
_____ Unit / Phase Number	<input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel	
<input type="checkbox"/> Other (specify) _____		Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements		

## ZONING REQUEST

<input type="checkbox"/> Zoning Change <div>Proposed Zoning</div>		Pending Plat File Number
<input type="checkbox"/> Plan Amendment Change <div>Proposed Plan Designation(s)</div>		
Proposed Density (units/acre)	Previous Rezoning Requests	
<input type="checkbox"/> Other (specify)		


**STAFF USE ONLY**

<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input checked="" type="checkbox"/> Planning Commission  <b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request  <b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Design Plan Certification ( <i>Final Plat</i> ) <input type="checkbox"/> Use on Review / Special Use ( <i>Concept Plan</i> ) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist ( <i>Hillside Protection</i> )	Fee 1	Total   <div>\$450.00</div>
	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

	Benjamin C. Mullins	2-26-24
Applicant Signature	Please Print	Date
865-546-9321	bmullins@fmsllp.com	
Phone Number	Email	

Victor Jernigan

Slightly signed by: Victor Jerrigan  
2024-02-22 15:06:48 -0500  
G = USO = RUST (LO)  
OU = Member Manager  
Date: 2024-02-22 15:06:48 -0500  
Reason: This signature has expired

Victor Jernigan

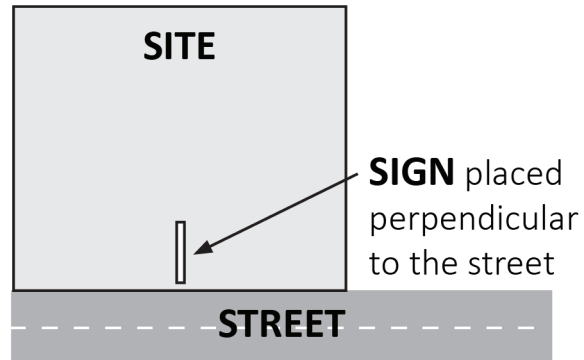
02/26/2024, SG

Property Owner Signature

Please Print

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:*

\_\_\_\_\_ **03/29/2024** \_\_\_\_\_ and \_\_\_\_\_ **04/12/2024** \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Benjamin C. Mullins

**Date:** 02/27/2024

**File Number:** 2-B-24-SU



Sign posted by Staff



Sign posted by Applicant