



SPECIAL USE REPORT

▶ **FILE #:** 2-A-24-SU

AGENDA ITEM #: 15

AGENDA DATE: 2/8/2024

▶ **APPLICANT:** JOSH BRADEN

OWNER(S): Josh Braden Braden Family Properties, LLC

TAX ID NUMBER: 82 E K 015

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 3351 LAY AVE

▶ **LOCATION:** Northwest side of Lay Ave, southwest of S Andes St

▶ **APPX. SIZE OF TRACT:** 11830 square feet

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Lay Avenue, a local road with an approximate pavement width of 20 ft within a right-of-way that varies from 41 ft to 52 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Williams Creek

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

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

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

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-2 (Single-Family Residential Neighborhood)

South: Single family residential - RN-2 (Single-Family Residential Neighborhood)

East: Single family residential - RN-2 (Single-Family Residential Neighborhood)

West: Single family residential - RN-2 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This neighborhood is primarily composed of single family residences with lot sizes ranging from 7000 sf to 17500 sf.

STAFF RECOMMENDATION:

▶ **Approve the request for a two-family dwelling in the RN-2 (Single-Family Residential Neighborhood) district, subject to 3 conditions.**

1) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to Article 9.3.J.3 which mandates at least 15% transparency on all street-facing façades.

2) Meeting all applicable requirements of the City of Knoxville Engineering Department.

3) Meeting all applicable requirements of the City of Knoxville Department of Plans Review and Inspections Department.

COMMENTS:

This request is for a two-family dwelling on an 11,832-sf lot in the RN-2 district. Each unit of the proposed two-storied structure includes three bedrooms and an open family room/dining room.

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 TDR (Traditional Neighborhood Residential) land use classification.
- 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. The proposed duplex is required to meet the principal use standards of the zoning ordinance (Article 9.3.J), which protects neighborhood aesthetics by stipulating design elements for duplexes.

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. The proposed two-family dwellings are considered low-density residential uses, and it is consistent with the RN-2 district's intent.
- B. The property meets the 10,000-sf minimum lot size requirement for a two-family dwelling in the RN-2 district. The site plan conforms to the dimensional standards for a two-family dwelling in the RN-2 zoning district.
- C. The submitted elevations do not indicate any plinth height. The applicant also did not provide any transparency calculation per Article 9.3.J.3. However, meeting all applicable requirements of the zoning ordinance is a condition of this special use approval and this can be handled during the permitting phase.

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 a few duplexes within 0.25 miles of the property, on properties zoned RN-2. The surrounding area is characterized by one- and two-story houses. The proposed two-story structure will be compatible in size and scale with the surrounding single family dwellings.

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.

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.

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.

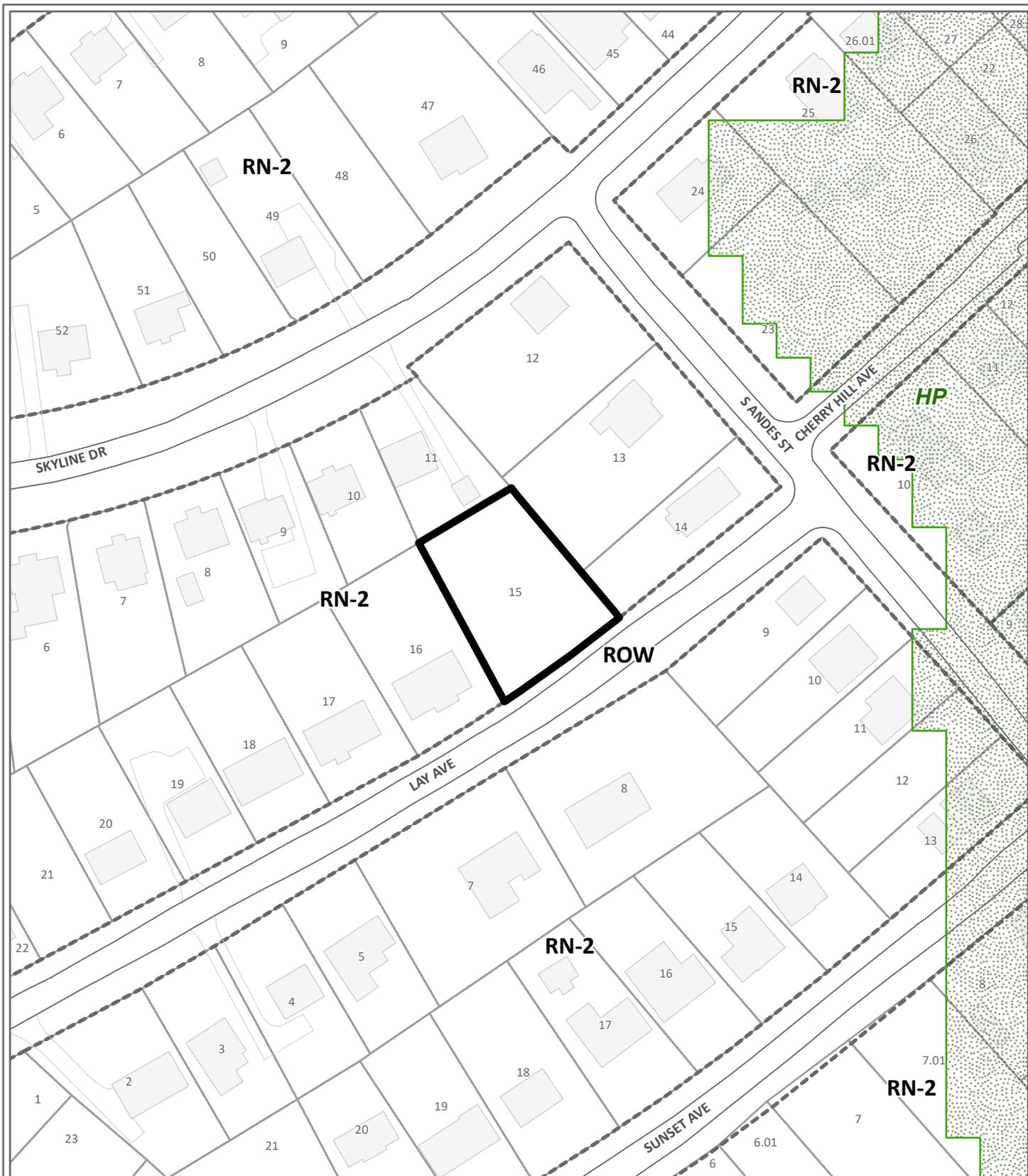
ESTIMATED TRAFFIC IMPACT: Not required.

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

Schools affected by this proposal: Spring Hill Elementary, Vine Middle Magnet, 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.



SPECIAL USE

2-A-24-SU

Petitioner: Josh Braden



in RN-2 (Single-Family Residential Neighborhood)

Map No: 82
Jurisdiction: City

Original Print Date: 1/8/2024
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

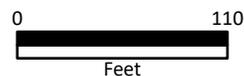
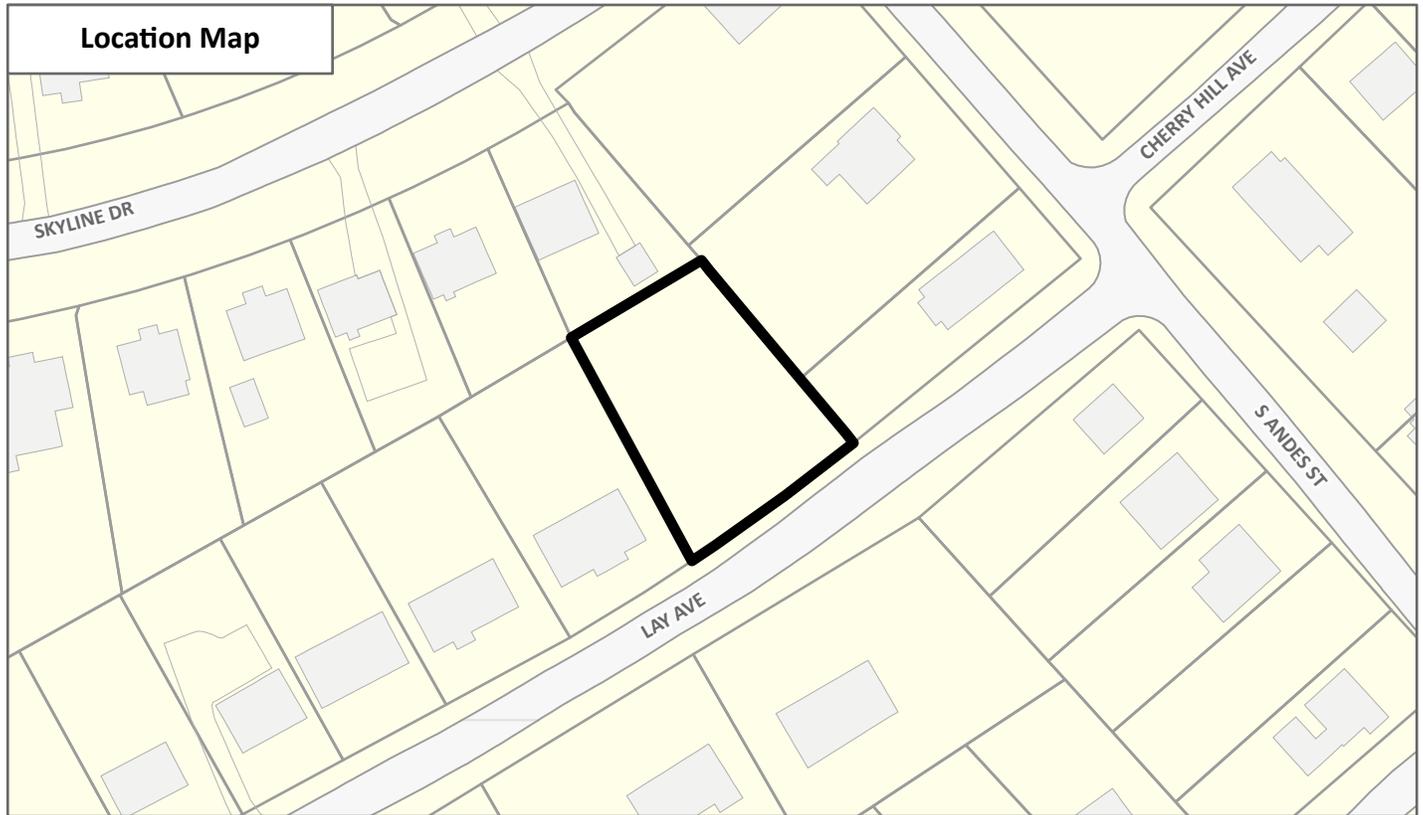


Exhibit A. Contextual Images

Location Map



Aerial Map

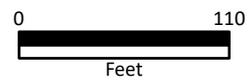


CONTEXTUAL MAPS 1

2-A-24-SU



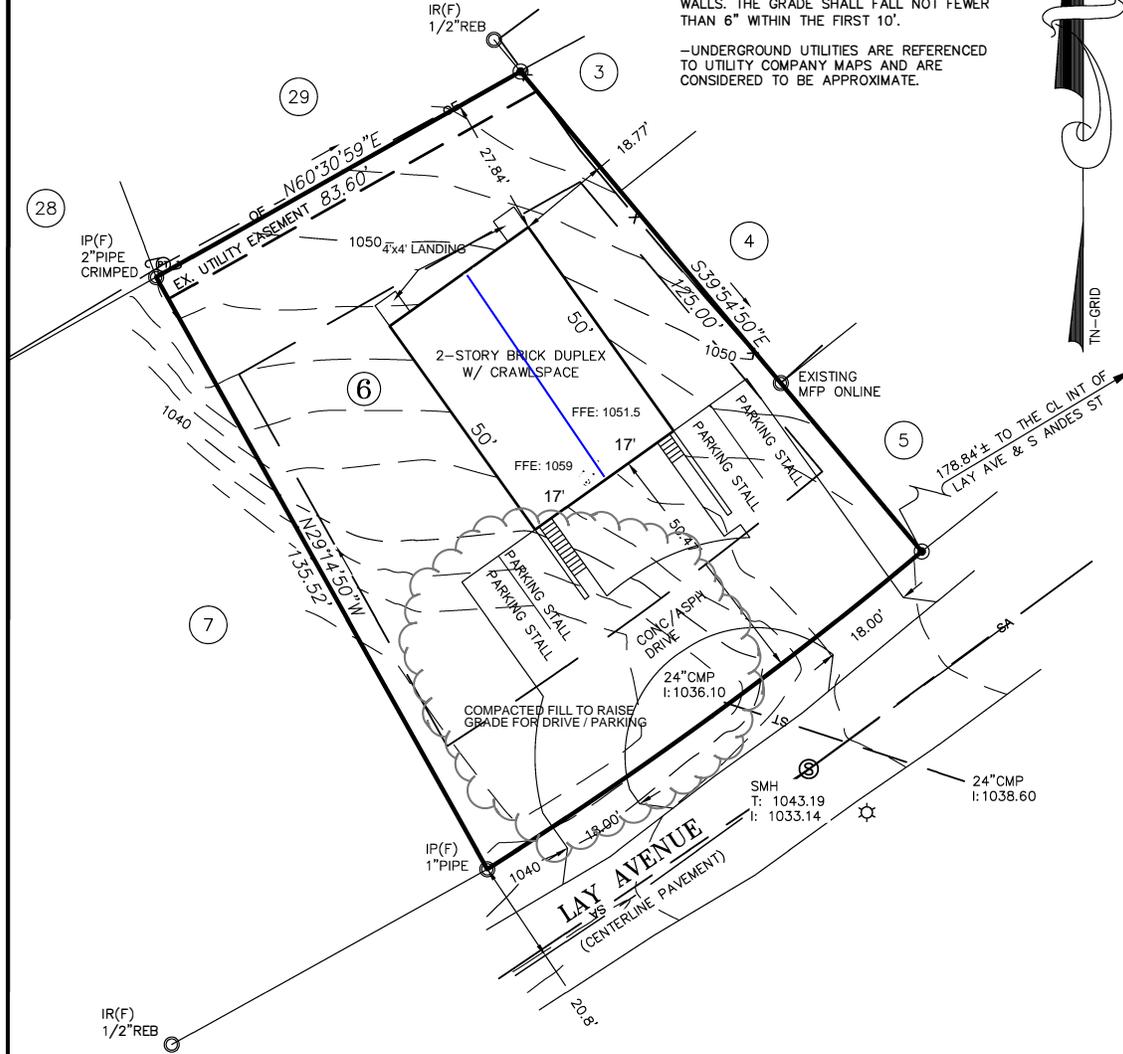
Case boundary



FOR/OWNER:
BRADEN FAMILY PROPERTIES LLC
7400 N RUGGLES FERRY PK
KNOXVILLE, TENNESSEE 37924
PHONE: 865-696-7343

NOTES:

- TOTAL LOT AREA: 12,499 SQ. FT.
- HOUSE AREA: 1700 SQ. FT.
- DRIVEWAY AREA: 2740 SQ. FT.
- ZONING: RN-2
25' FRONT SETBACK (PLAT B-139D)
5' SIDE SETBACKS
25' REAR SETBACK
- SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION THAT DOES NOT CREATE A HAZARD. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM THE FOUNDATION WALLS. THE GRADE SHALL FALL NOT FEWER THAN 6" WITHIN THE FIRST 10'.
- UNDERGROUND UTILITIES ARE REFERENCED TO UTILITY COMPANY MAPS AND ARE CONSIDERED TO BE APPROXIMATE.



PLOT PLAN OF:
Third Unit, Oakland Park Addition
LOT 6, BLOCK "E"
3351 Lay Avenue
Knoxville, Tennessee 37914

Ward <u>13</u>	City <u>KNOXVILLE</u>
District <u>1</u>	County <u>KNOX</u>
Plat Cab: <u>B</u>	Slide <u>139D</u>
Deed Book <u>202308100007394</u>	Page <u>-</u>
CLT # <u>082 E "K"</u>	Parcel <u>015</u>
Scale <u>1"=30'</u>	Date <u>11/20/2023</u>
Drawn By <u>C. VITKUS</u>	City Block <u>13583</u>
Project # <u>4862</u>	

LYNCH SURVEYS LLC

SUBDIVISIONS | AS-BUILTS | SITE DESIGN
4405 COSTER RD. KNOXVILLE, TENN. 37912
865-584-2630 FAX 865-584-2801 WWW.LYNCHSURVEY.COM

THIS SURVEY WAS DONE UNDER AUTHORITY OF TCA 62-18-126. THIS SURVEY IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-07.

NOTE:
NO TITLE REPORT WAS FURNISHED TO THIS SURVEYOR AND OTHER EASEMENTS AND/OR EXCEPTIONS NOT APPARENT IN THE FIELD MAY OR MAY NOT EXIST AND MAY BE REVEALED BY A TITLE SEARCH BY A TITLE ATTORNEY.



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

Josh Braden

Applicant Name

Affiliation

12/8/2023

Date Filed

2/8/2024

Meeting Date (if applicable)

2-A-24-SU

File Number(s)

CORRESPONDENCE

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

Josh Braden Braden Family Properties, LLC

Name / Company

303 Bob Smith Lane Dr. Strawberry Plains TN 37871

Address

865-696-7343 / joshuabradens4@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Josh Braden Braden Family Properties, L 303 Bob Smith Lane Dr. Strawberry Plains TN 37871 865-696-7343 / joshuabradens4

Owner Name (if different)

Owner Address

Owner Phone / Email

3351 LAY AVE

Property Address

82 E K 015

Parcel ID

Part of Parcel (Y/N)?

11830 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Lay Ave, southwest of S Andes St

General Location

City

Council District 6

RN-2 (Single-Family Residential Neighborhood)

Agriculture/Forestry/Vacant Land

Count

District

Zoning District

Existing Land Use

East City

Planning Sector

TDR (Traditional Neighborhood 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) Duplex	

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	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	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$450.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<input type="checkbox"/> COA Checklist (Hillside Protection)		
<input type="checkbox"/> Design Plan Certification (Final Plat)		
<input checked="" type="checkbox"/> Site Plan (Development Request)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		

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.

Josh Braden	12/8/2023
Applicant Signature	Date
Please Print	

Josh Braden Braden Family Properties, LLC	12/8/2023
Property Owner Signature	Date
Please Print	

Reset Form



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

Josh Braden Managing Member

Applicant Name Affiliation

12/05/23 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

Josh Braden Braden Family Properties, LLC.

Name Company

303 Bob Smith Lane Knoxville TN 37924

Address City State ZIP

865.696.7343 joshuabradens4@gmail.com

Phone Email

CURRENT PROPERTY INFO

Braden Family Properties, LLC. 303 Bob Smith Lane, Knox, TN 37924 865.696.7343

Property Owner Name (if different) Property Owner Address Property Owner Phone

3351 Lay Avenue, Knoxville TN 37914 082EK015

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

<input checked="" type="checkbox"/> Development Plan <input checked="" type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____ Other (specify) Duplex in the RN-2 district	Related City Permit Number(s)
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SUBDIVISION REQUEST

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

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

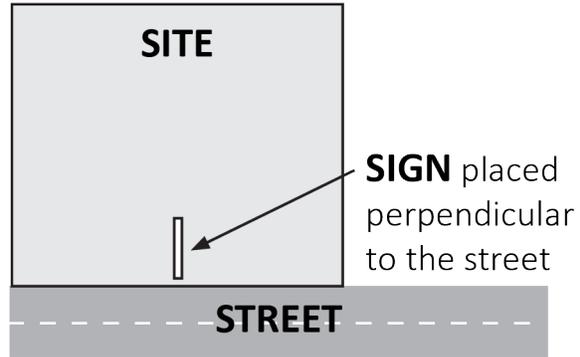
PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat</i>) <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>)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Fee 1</td> <td style="width:40%; text-align: center;">Total</td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> <tr> <td>Fee 2</td> <td> </td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> <tr> <td>Fee 3</td> <td> </td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> </table>	Fee 1	Total			Fee 2				Fee 3			
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

 Applicant Signature	Josh Braden Please Print	12/06/23 Date
865.696.7343 Phone Number	joshuabradens4@gmail.com Email	
 Property Owner Signature	Josh Braden Please Print	12/06/23 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:

_____ and _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

- Sign posted by Staff
 Sign posted by Applicant