



SPECIAL USE REPORT

▶ **FILE #:** 3-B-24-SU

AGENDA ITEM #: 27

AGENDA DATE: 3/7/2024

▶ **APPLICANT:** JAMES FOX / FOX PROPERTIES

OWNER(S): James B. Fox

TAX ID NUMBER: 69 A A 011 01

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 707 DELAPP DR

▶ **LOCATION:** Northwest side of Delapp Dr, southwest of Willoway Dr

▶ **APPX. SIZE OF TRACT:** 12273 square feet

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Delapp Drive, a local street with a 20-ft pavement width within a 40-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:** Agriculture/Forestry/Vacant Land

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

HISTORY OF ZONING: In 2023, the property was rezoned from RN-1 (Single-Family Residential Neighborhood) to RN-2 (Single-Family Residential Neighborhood) [10-M-23-RZ]. In 2013, this property was included in a governmental rezoning of the neighborhood from R-2 (General Residential) to R-1 (Low Density Residential) and R-1A (Low Density Residential) [8-C-13-RZ].

SURROUNDING LAND USE AND ZONING:
North: Multifamily - RN-5 (General Residential Neighborhood)
South: Single family residential - RN-1 (Single-Family Residential Neighborhood)
East: Single family residential - RN-1 (Single-Family Residential Neighborhood)
West: Single family residential - RN-1 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This neighborhood is comprised of a wide range of housing forms, from single family detached houses to townhomes and multifamily communities.

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.
- 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 a 12,273-sf vacant lot in the RN-2 district. The Planning Commission approved a rezoning request for this property from RN-1 to the RN-2 district (10-M-23-RZ). Each unit of the proposed one-story structure includes two bedrooms and an open dining/living space, and both units share a front porch.

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 North City Sector Plan's LDR (Low Density 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.
- 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.
- E. The Inskip Small Area Plan (2011) states that duplexes and apartment buildings make up 56 percent of the housing units in this area (p. 9). The neighborhood conservation concept of the small area plan indicates that a duplex is appropriate for this property if it meets the dimensional standards (p. 22 - 24).

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 property meets the 10,000-sf minimum lot size requirement for a two-family dwelling in the RN-2 district. The site plan and elevations conform to the dimensional standards for a two-family dwelling in the RN-2 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 numerous duplex developments in Inskip neighborhood, including a number of duplex subdivisions within 2000 ft of the subject lot on properties zoned RN-3. Additionally, there are several nearby multifamily structures on properties zoned RN3 through RN-5, including an apartment complex on the adjacent property to the northwest.
- B. The proposed one-story structure will be compatible in size and scale with the surrounding area, which is characterized by a wide range of housing forms. The duplex will be consistent with nearby single family houses in terms of height, footprint, and frontage.

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 duplex will provide a desirable buffer between the single-family houses and the higher density multifamily development on the northwest.

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.

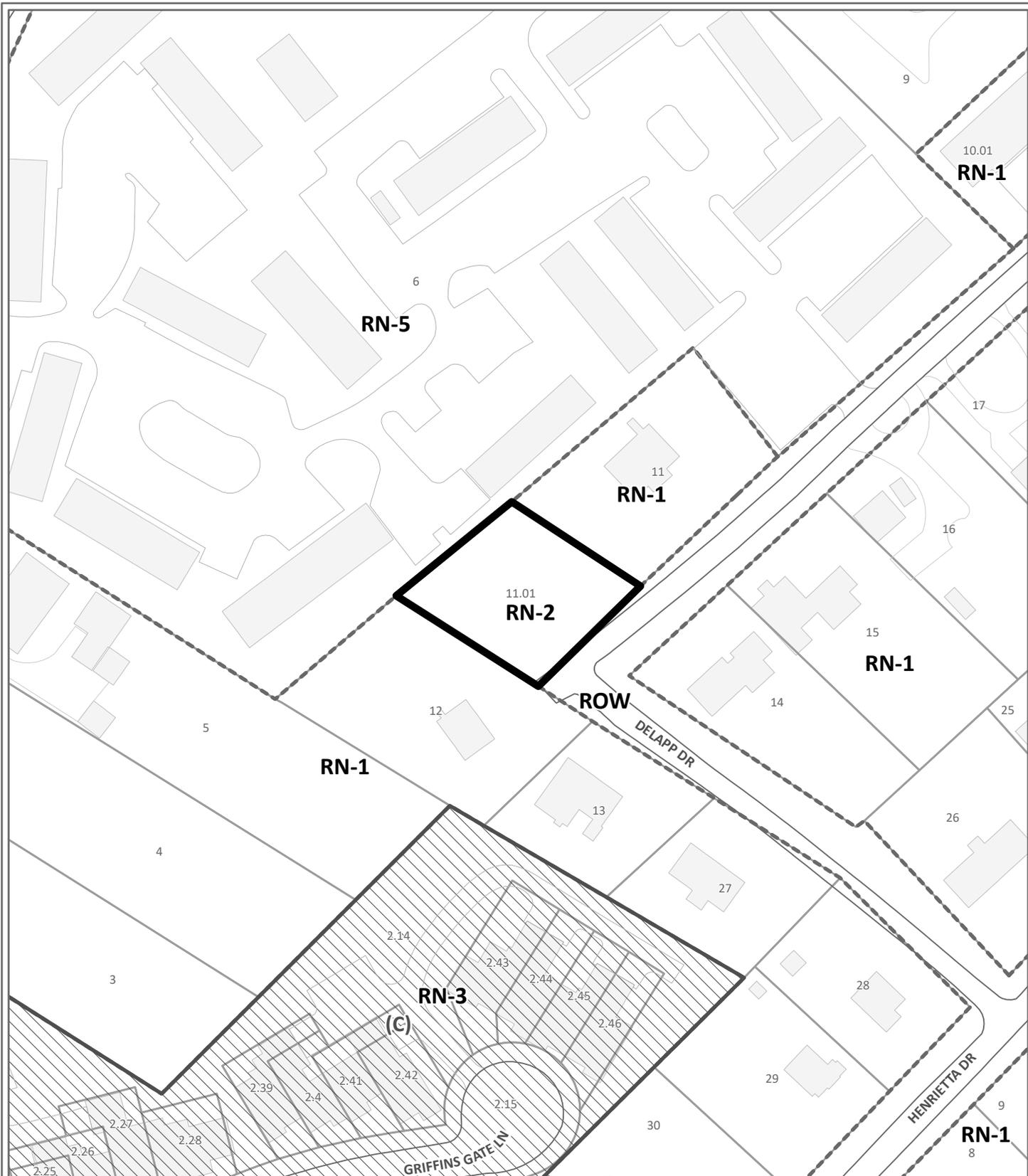
ESTIMATED TRAFFIC IMPACT: Not required.

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

Schools affected by this proposal: Inskip Elementary, Gresham Middle, and Central 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

3-B-24-SU

Petitioner: James Fox



Duplex in RN-2 (Single-Family Residential Neighborhood)

Map No: 69
Jurisdiction: City

Original Print Date: 2/2/2024
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

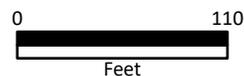
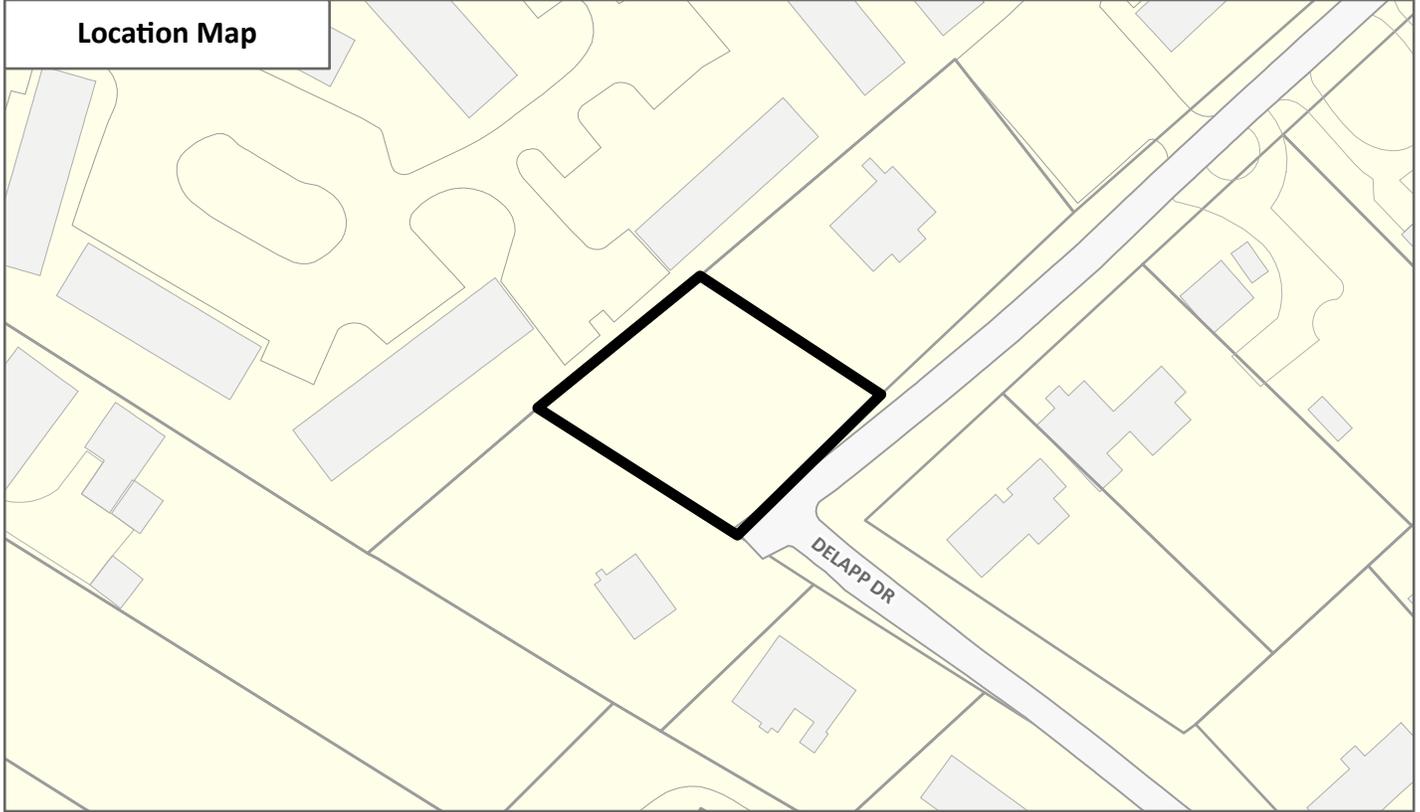


Exhibit A. Contextual Images

Location Map



Aerial Map

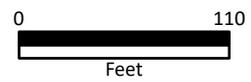


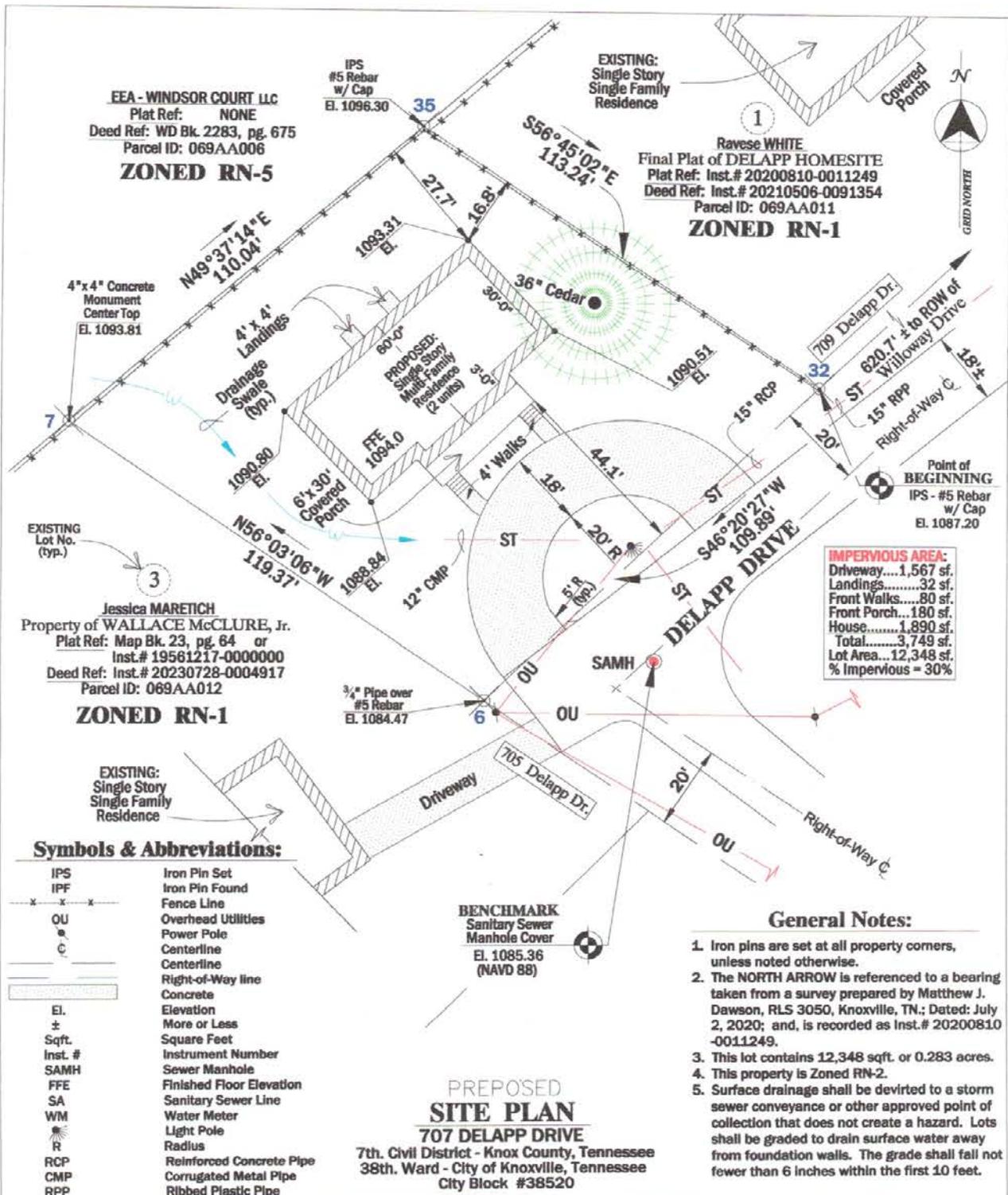
CONTEXTUAL MAPS 1

3-B-24-SU



Case boundary





EEA - WINDSOR COURT LLC
 Plat Ref: NONE
 Deed Ref: WD Bk. 2283, pg. 675
 Parcel ID: 069AA006
ZONED RN-5

Ravese WHITE
 Final Plat of DELAPP HOMESITE
 Plat Ref: Inst.# 20200810-0011249
 Deed Ref: Inst.# 20210506-0091354
 Parcel ID: 069AA011
ZONED RN-1

Jessica MARETICH
 Property of WALLACE McCLURE, Jr.
 Plat Ref: Map Bk. 23, pg. 64 or
 Inst.# 19561217-0000000
 Deed Ref: Inst.# 20230728-0004917
 Parcel ID: 069AA012
ZONED RN-1

IMPERVIOUS AREA:

Driveway.....	1,567 sf.
Landings.....	32 sf.
Front Walks.....	80 sf.
Front Porch.....	180 sf.
House.....	1,890 sf.
Total.....	3,749 sf.
Lot Area.....	12,348 sf.
% Impervious =	30%

Symbols & Abbreviations:

IPS	Iron Pin Set
IPF	Iron Pin Found
x	Fence Line
OU	Overhead Utilities
C	Centerline
	Centerline
	Right-of-Way line
	Concrete
El.	Elevation
±	More or Less
Sqft.	Square Feet
Inst. #	Instrument Number
SAMH	Sewer Manhole
FFE	Finished Floor Elevation
SA	Sanitary Sewer Line
WM	Water Meter
LP	Light Pole
R	Radius
RCP	Reinforced Concrete Pipe
CMP	Corrugated Metal Pipe
RPP	Ribbed Plastic Pipe

PREPOSED SITE PLAN

707 DELAPP DRIVE
 7th. Civil District - Knox County, Tennessee
 38th. Ward - City of Knoxville, Tennessee
 City Block #38520

General Notes:

1. Iron pins are set at all property corners, unless noted otherwise.
2. The NORTH ARROW is referenced to a bearing taken from a survey prepared by Matthew J. Dawson, RLS 3050, Knoxville, TN.; Dated: July 2, 2020; and, is recorded as Inst.# 20200810-0011249.
3. This lot contains 12,348 sqft. or 0.283 acres.
4. This property is Zoned RN-2.
5. 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 foundation walls. The grade shall fall not fewer than 6 inches within the first 10 feet.

Date: 8 January 2024
Scale: 1" = 30'
Deed Ref: Inst.# 20230622-0068266
Plat Ref: NONE
TAX Map: 069"A" Group "A", Parcel 011.01
Surv'd By: GFB **Rev1:**
Dwg. By: GFB **Rev2:**
Proj. No: 240108 **Rev3:**



I hereby certify that this is a Category I Survey and that the unadjusted error of field closure found was: 1' in 28,652'.

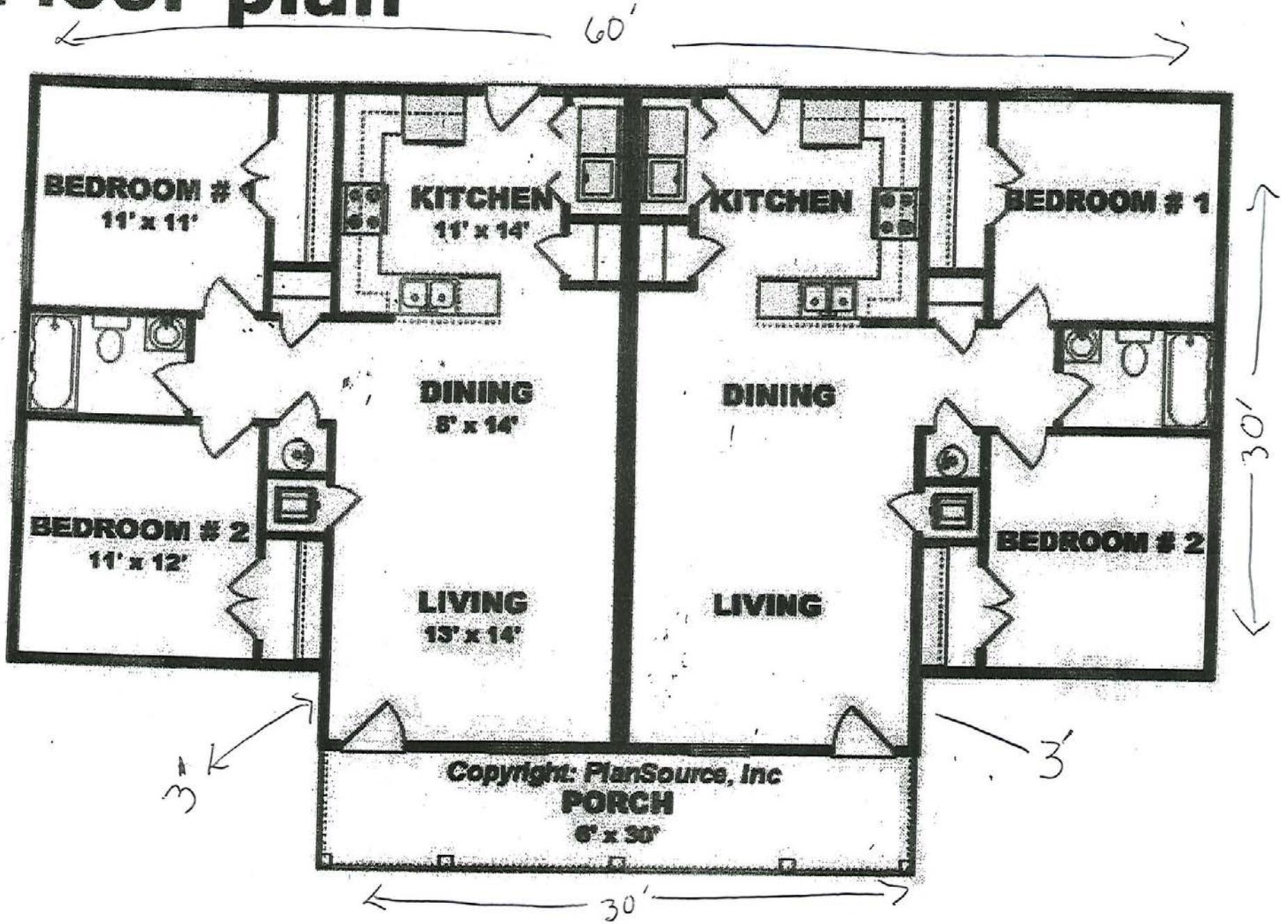
By: *Glenn F. Biggs, Jr.*
 Glenn F. Biggs, Jr. RLS 712 TN
 Date: 1/08/24

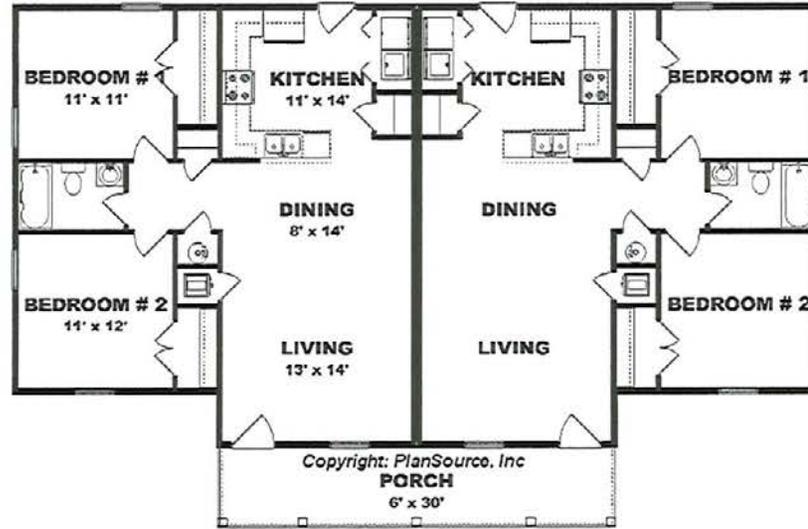
OWNERS:
James FOX
 6237 McNeely Road
 Knoxville, TN. 37721
 (865) 363-8881

Glenn F. Biggs, Jr.
REGISTERED LAND SURVEYOR
 2855 Gibbs Drive, Knoxville, Tennessee 37918
 PHONE: (865) 688-1843
 e-MAIL: dtcgb@comcast.net

PREPARED FOR:
FOX CONSTRUCTION COMPANY
 6237 McNeely Road
 Knoxville, TN. 37721
 (865) 363-8881

Floor plan





Exterior view

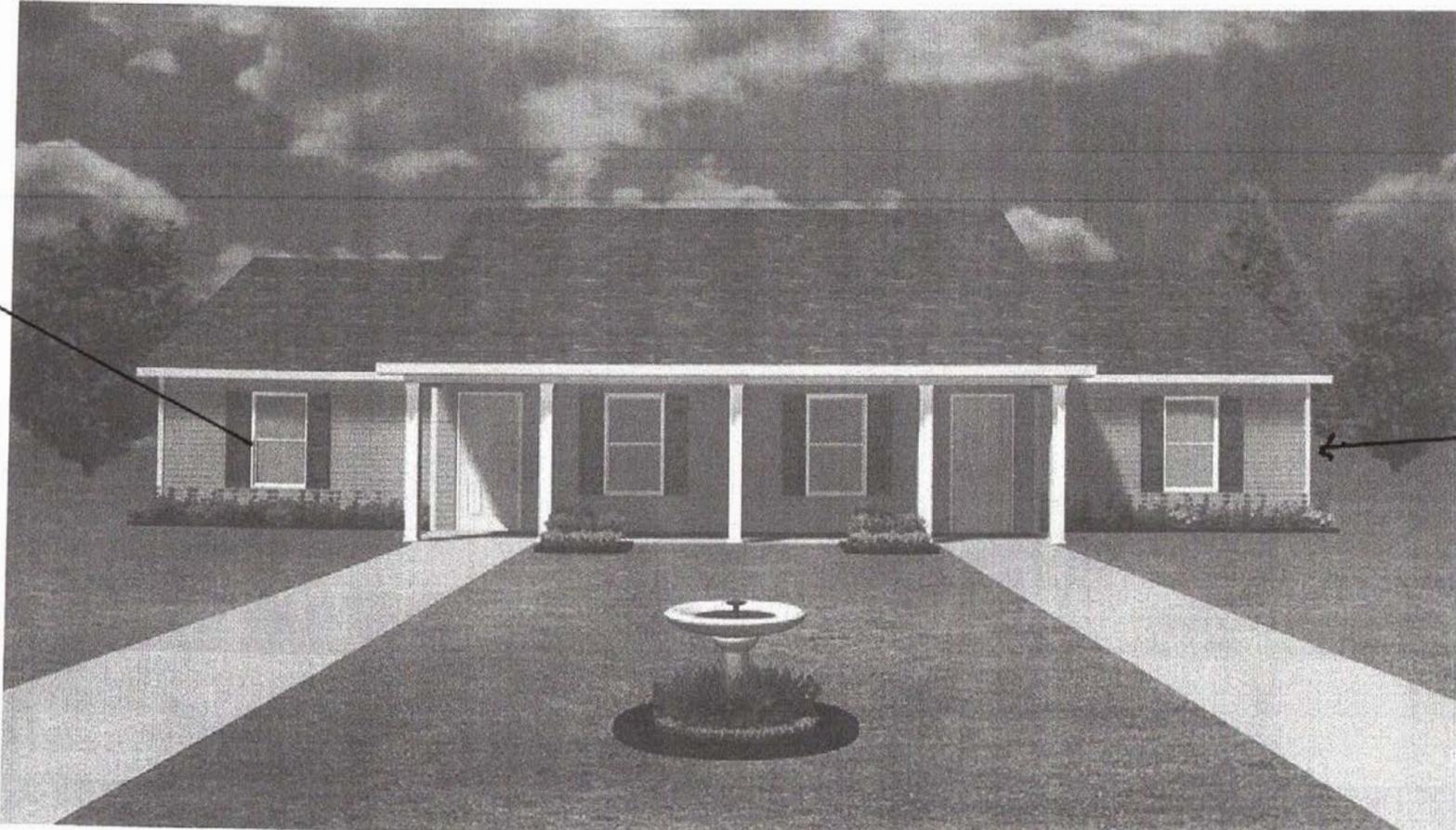


Rear elevation



1. House frontage 60 ft width x 8.5 ft height = 510 sq ft
2. Plinth 60 ft x 2.5 ft = 150 sq ft
3. Windows will be 6ft x 5ft = 30 square feet x 4= 120 square feet

660 square feet of frontal facade – including plinth
120 square feet of windows == 18% of transparency



All FRONT
WINDOWS will
Be 6'x 5'
IN FRONT OF
PLINCH

FRONT
Facade
8.5' tall



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

James Fox Fox Properties

Applicant Name Affiliation

1/22/2024

Date Filed

3/7/2024

Meeting Date (if applicable)

3-B-24-SU

File Number(s)

CORRESPONDENCE

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

James B. Fox

Name / Company

6237 McNeely Rd Corryton TN 37721

Address

865-363-8881 / jbfox1264@gmail.com

Phone / Email

CURRENT PROPERTY INFO

James B. Fox

Owner Name (if different)

6237 McNeely Rd Corryton TN 37721

Owner Address

865-363-8881 / jbfox1264@gmail.com

Owner Phone / Email

707 DELAPP DR

Property Address

69 A A 011 01

Parcel ID

Part of Parcel (Y/N)?

12273 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Delapp, Northeast of Griffins Gate Lane

General Location

City

Council District 5

RN-2 (Single-Family Residential Neighborhood)

Agriculture/Forestry/Vacant Land

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) Duplex	

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	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
\$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	James Fox Fox Properties	1/22/2024
	Please Print	Date

Property Owner Signature	James B. Fox	1/22/2024
	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

JAMES FOX OWNER
 Applicant Name Affiliation

1-22-24 MARCH 7, 2024 File Number(s)
3-B-24-SU
 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

JAMES B. FOX FOX PROPERTIES
 Name Company

6237 McNeely Rd CORRYTON TN 37721
 Address City State ZIP

865-363-8881 JBFOX1264@GMAIL.COM
 Phone Email

CURRENT PROPERTY INFO

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

707 Delapp Dr. 069AA01101
 Property Address Parcel ID

KUB KUB
 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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) **Duplex**

SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Combine Parcels
 Divide Parcel

Unit / Phase Number

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

Proposed Zoning

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s)

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
0401	\$450.00	\$450.00
Fee 2		
Fee 3		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

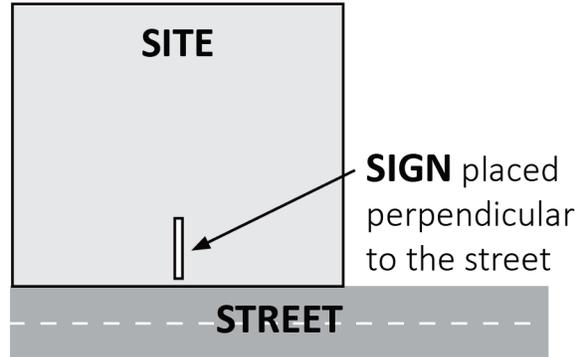
1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature: 
 Please Print: James Fox
 Date: 1-22-24

Phone Number: 865-363-8881
 Email: SBFOX1264@GMAIL.COM

Property Owner Signature: 
 Please Print: JAMES FOX
 Date Paid: 01/22/2024, SG 1-22-24

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:

_____ 02/23/2024 _____ and _____ 03/08/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: James Fox

Date: 01/22/2024

File Number: 3-B-24-SU

- Sign posted by Staff
- Sign posted by Applicant