



**TO:** Knoxville-Knox County Planning Commission  
**FROM:** Samiul Haque, Planner  
**DATE:** February 26, 2026  
**SUBJECT:** Appeal of an administrative determination for a Middle Housing application  
**FILE #:** 3-A-26-0B; Agenda Item #17

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**SUMMARY OF RECOMMENDATION**

Staff recommends that the Planning Commission evaluate the proposed application based on the [Middle Housing Standards \(Article 4.6\)](#) for the property located at 1411 Moses Avenue. The Planning Commission should discuss whether the structure is a Middle Housing Type per Article 4.6.A with a building footprint and overall scale comparable to single-family houses and compatible with existing housing in the surrounding area, and whether the proposal will be injurious to the surrounding neighborhood.

Each application is reviewed on its own merits separately. Land use decisions are considered on a case-by-case basis, and they are not fully bound by precedent. Boards are free to make different decisions even on similar projects, as no two pieces of land are exactly the same. If the Planning Commission makes a different decision on a similar application, the Planning Commission should provide reasoning as to why the decision differs.

**APPEAL AND REQUEST SUMMARY**

The applicant is appealing Planning staff’s comments on a pending Middle Housing application for a proposed 3-unit structure at 1411 Moses Avenue (KnoxPlans project # IRC-NEW-25-0542).

The applicable review comments on the project are as follows:

- 9/11/25 - The development proposed is a slot house design. This is not a defined middle housing type and is not found in the immediately surrounding area of the neighborhood. A slot house does not meet the intent of Middle Housing as the buildings are oriented to the side lot line, where the front porches, doors, and windows open into the sides of neighboring structures, which can cause a reduction in privacy for abutting neighbors on this side of the lot.
- 7/29/25 - Article 4.6.A: The applicant describes the building as a triplex. The application does not propose units that are stacked on top of each other and does not meet the

definition of triplex. The building features three units oriented perpendicular to the street with the units separated by party walls/shared side walls, which meets the definition of a Dwelling Townhouse per Article 2.3 and partially meets the definition of Townhouse (small) per Article 4.6.A.

- 7/29/25 - Article 4.6.E.5.c: The proposed design does not meet the requirement that townhouses shall not be oriented perpendicular to the street. The narrow side of townhouse units must face the street.

The full record of staff review comments and applicant responses is provided in Exhibit B.

### **The Middle Housing Request**

The request is located on a vacant property in the Mechanicsville neighborhood. The property is zoned RN-2 (Single-Family Neighborhood) with the HP (Hillside Protection Overlay) and is in the Traditional Neighborhood Residential land use classification. It has a lot size of 3,425 sq ft and a lot width of 29.94 ft.

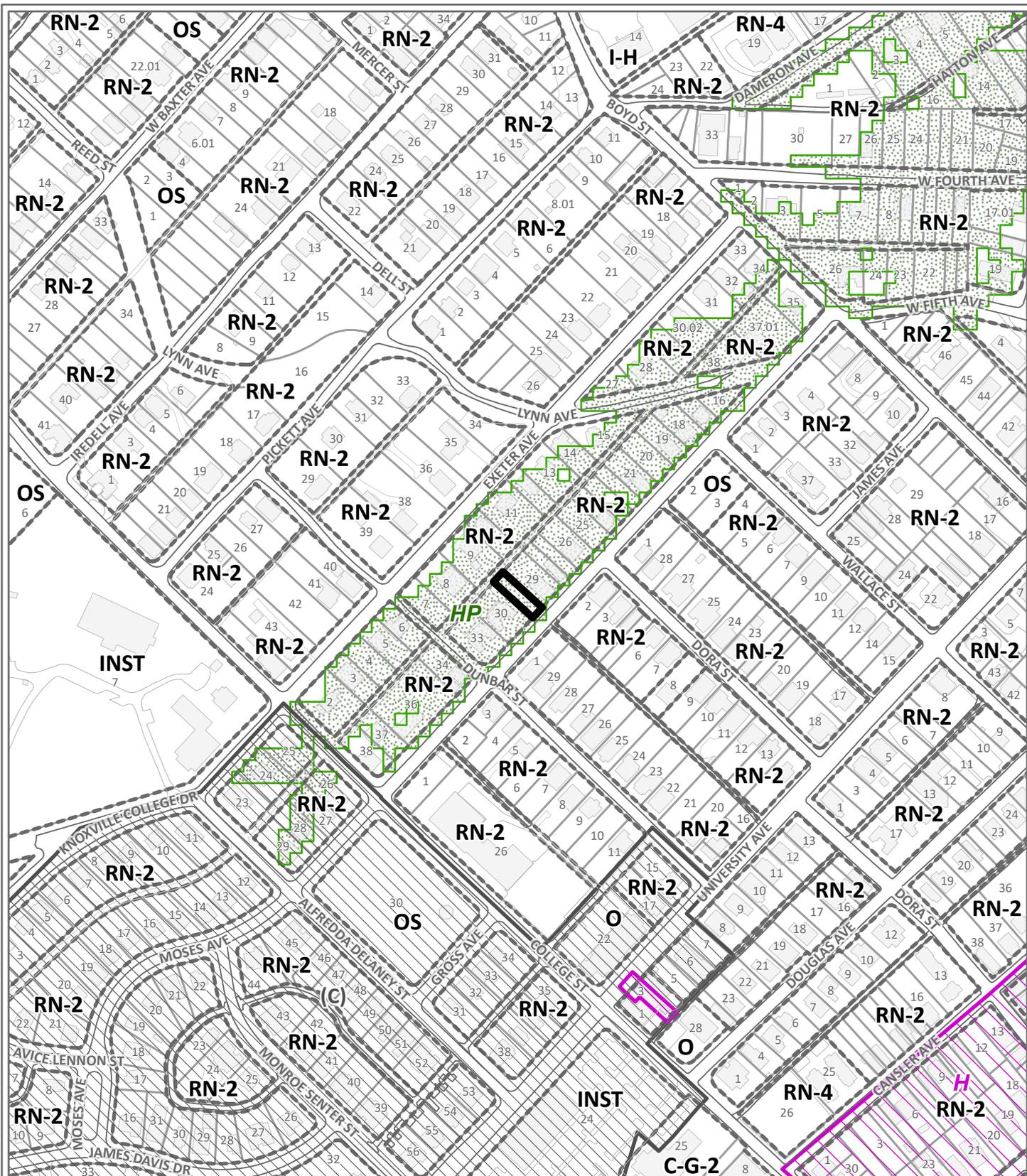
1411 Moses is located between a 2-story duplex and a 2-story house, with the basement level of both structures located at grade level. The proposed building features three units with two units oriented towards the side yard, with the units separated by party walls/shared side walls.

The proposed structure has characteristics of a slot house, since all but one of the units are oriented facing the side yard, and the overall structure utilizes the maximum building depth allowed. A slot house is not a housing type identified as a middle housing type in Article 4.6. The proposed structure has porches and doors opening into the sides of neighboring structures. This design can reduce privacy for abutting neighbors, potentially creating a negative impact that is amplified on this narrow lot, which is nonconforming to the RN-2 district's minimum lot width standards and has limited space between structures.

### **STANDARD OF REVIEW**

The application was submitted prior to the recent amendments to the City of Knoxville Zoning Code, Article 4.6, Middle Housing, which amended the appeal body to the Design Review Board, and is therefore subject to the previous zoning ordinance requirements, in which Middle Housing appeals were heard by the Knoxville-Knox County Planning Commission.

In accordance with Article 16.12.A.4.b under the applicable code, the Planning Commission must evaluate the application based upon the evidence presented at the public hearing. The Commission may affirm, modify, impose restrictions, or overrule the Planning staff determination.



**OTHER BUSINESS**

**3-A-26-OB**

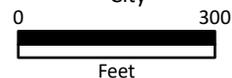
**Petitioner:** R. Bentley Marlow



Purpose of Request: Appeal of an administrative determination for a Middle Housing application.

**Map No:** 999

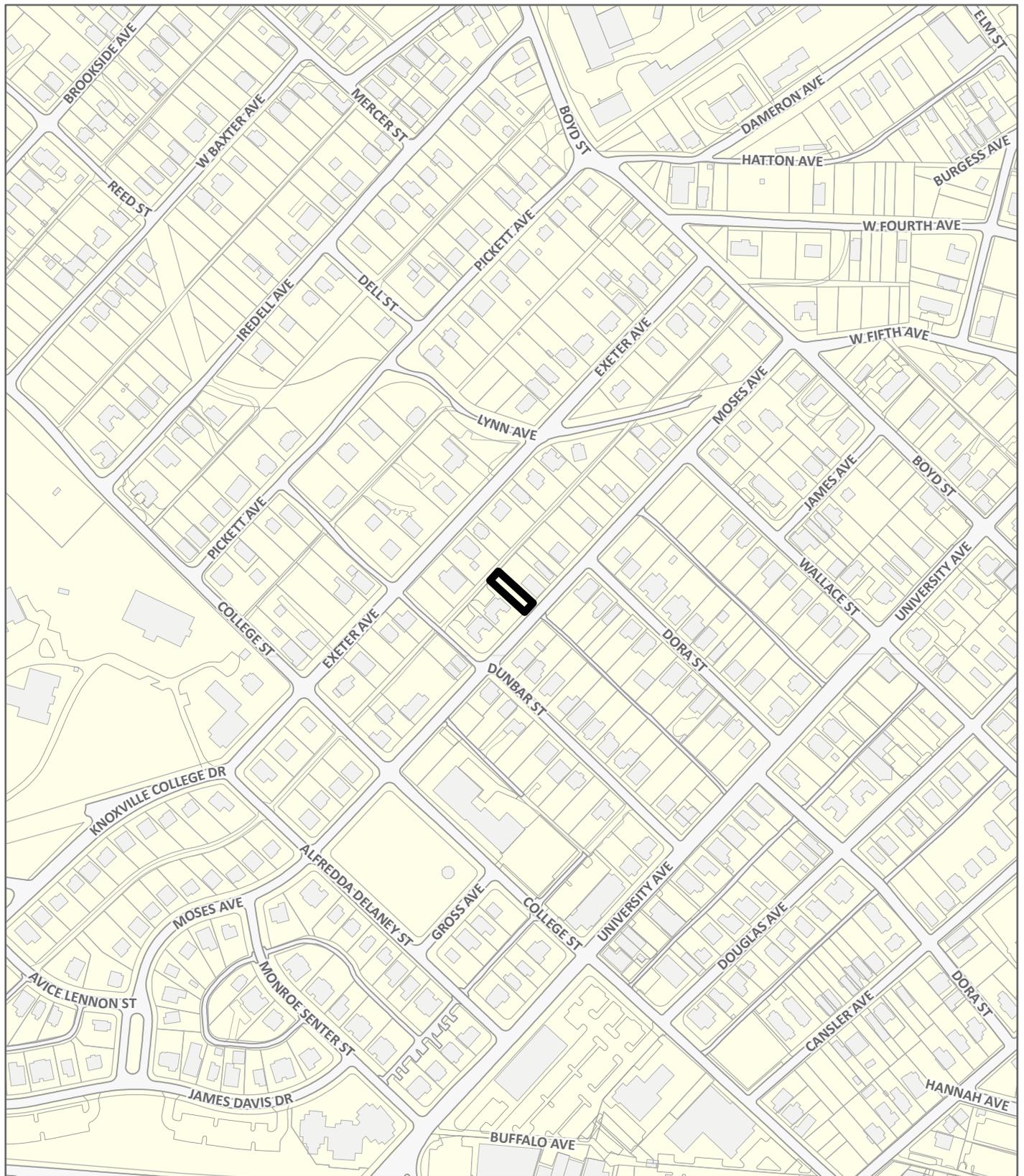
**Jurisdiction:** City



**Original Print Date:** 2/26/2026

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

# Exhibit A. Contextual Images

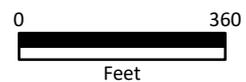


**LOCATION MAP**

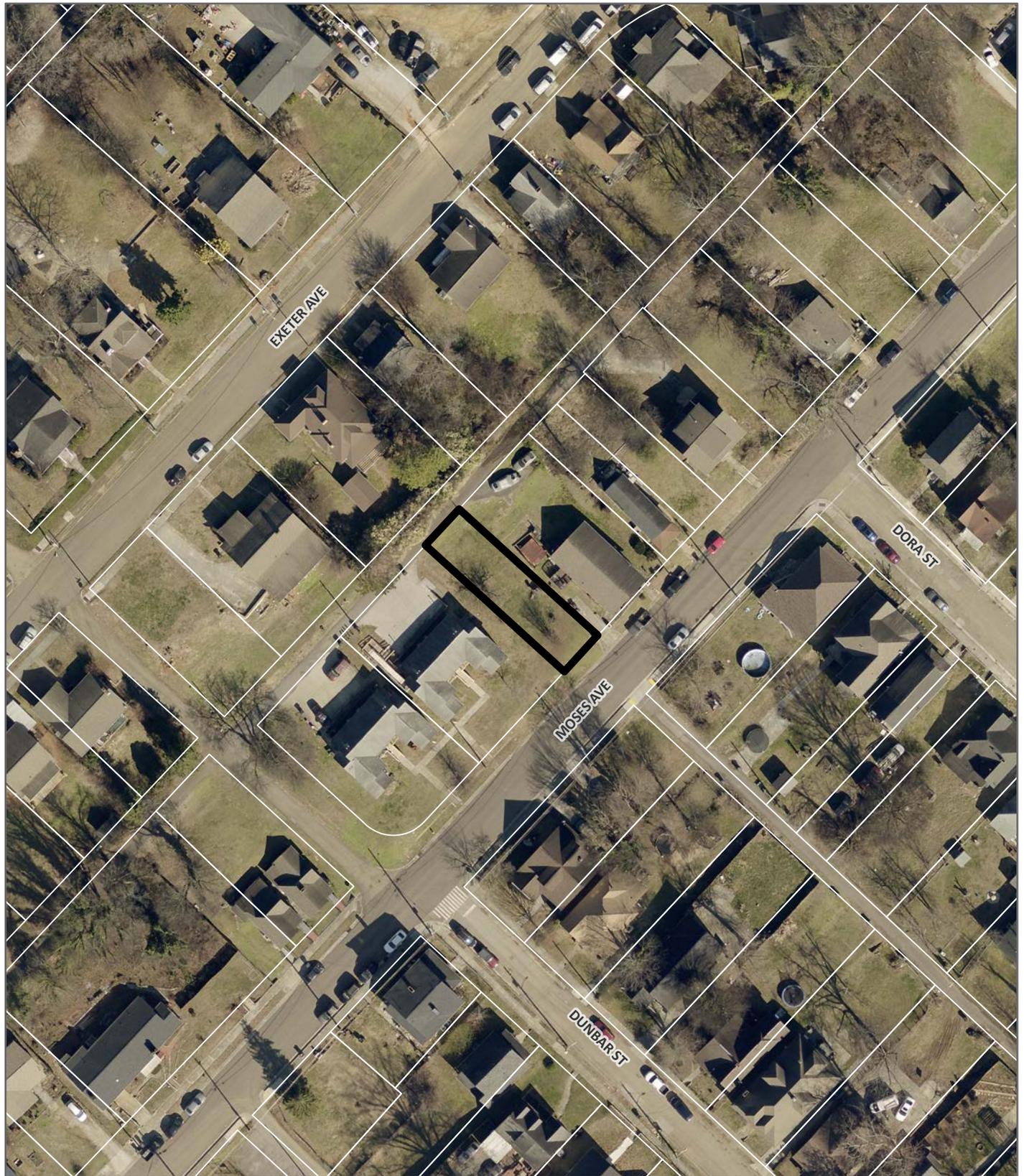
**3-A-26-OB**



Case boundary



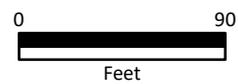
# Exhibit A. Contextual Images



## AERIAL MAP



Case boundary



# Exhibit A. Contextual Images



KGIS Pictometry View (2024)



Google StreetView (2015)

**PICTOMETRY AND STREETVIEW**

**3-A-26-OB**



Case boundary

(Please Note: Original application and staff report are made a part of this application.)

Type:  Plan Amendment  Rezoning  Certificate of Appropriateness

File #3-A-26-OB

Street Name Change  Other: \_\_\_\_\_

Decision By:  Planning Staff  Planning Commission  Other: \_\_\_\_\_  Date of Decision: \_\_\_\_\_

Jurisdiction:  City 6th \_\_\_\_\_ Council District  County \_\_\_\_\_ Commission District

IRC-NEW-25-0542

R. Bentley Marlow

Original File Number Being Appealed

Original Applicant Name

920 University LLC

~~094FV000001~~ 094FV03001

Name of Owner of Subject Property

Parcel Number of Subject Property

Denial of Middle Housing Approval

Property: 1411 Moses Ave

Decision Being Appealed

Reason for the Appeal:  
(Attach additional pages, if necessary.)

Arbitrary and Capricious Denial by Staff. Issues raised by Staff on 29 July 2025: 1) Article 4.6.A: The building is described as a triplex. The application does not propose units that are stacked on top of each other and does not meet the intent of the definition of triplex. The building features three units oriented perpendicular to the street with the units separated by party walls/shared side walls, which meets the definition of a Dwelling Townhouse per article 2.3 and partially meets the definition of Townhouse (small) per Article 4.6.A (definitions below for comparison); and, raised on 11 September 2025: 2) The development proposed is a slot house design. This is not a defined middle housing type and is not found in the immediately surrounding area of the neighborhood. A slot house does not meet the intent of Middle Housing as the buildings are oriented to the side lot line where the front porches, doors, and windows open into the sides of neighboring structures, which can cause a reduction in privacy for adjoining neighbors on this side of the lot. Planning Commission determined this design met the requirements of Art. 4.6 as a triplex upon appeal of an identical design, file number 6-C-25-05, Agenda Item 31, heard by Planning Commission on 14 August 2025; vote approving this design as triplex 8-3. Planning Staff seeks to re-litigate already decided designs.

## PETITIONER INFORMATION

R. Bentley Marlow



Name of Petitioner

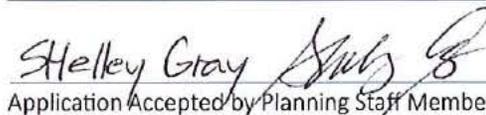
Signature of Petitioner

Petitioner's Interest in the Matter (Include a description of affected property owned by Petitioner):

Property owner and General Contractor

|                                       |                   |              |             |
|---------------------------------------|-------------------|--------------|-------------|
| All correspondence should be sent to: | R. Bentley Marlow | 865-607-4357 | [REDACTED]  |
|                                       | Name (Print)      | Phone        | Email       |
| 322 Douglas Avenue                    |                   | Knoxville    | Tenn. 37921 |
| Address                               |                   | City         | State ZIP   |

## STAFF USE ONLY

|  |                       |                      |
|--|-----------------------|----------------------|
|  | \$ 250. <sup>00</sup> | 2/16/2026            |
| Application Accepted by Planning Staff Member                                      | Appeal Fee Amount     | Date Appeal Received |

## APPEAL MEETING INFORMATION

|                       |                            |   |
|-----------------------|----------------------------|---|
| City Council - 6 p.m. | County Commission - 5 p.m. | Knoxville-Knox County Planning Commission - 1:30 p.m. |
| Month   Date   Year   | Month   Date   Year        | Month   Date   Year                                   |
|                       |                            | 03/05/26  |

# MOSES AVE TRIPLEX

## NEW RESIDENTIAL CONSTRUCTION

1411 Moses Ave, Knoxville, Tennessee 37921



8/18/2025

**DETAIL CALLOUT**



**ELEVATION MARKER**



**DETAIL SECTION MARKER**



**BUILDING SECTION MARKER**



**INTERIOR ELEVATION MARKER**



**NORTH INDICATOR**



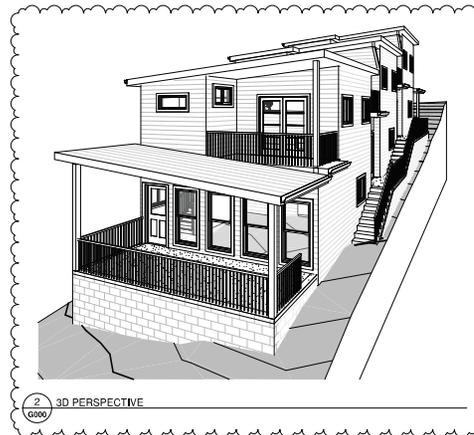
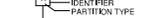
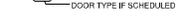
**ELEVATION MARKER**



**SPOT ELEVATION**



**FLOOR PLAN TAGS**



| SHEET NUMBER       | SHEET NAME                           | Sheet Issue Date | Current Revision Description | Current Revision Date |
|--------------------|--------------------------------------|------------------|------------------------------|-----------------------|
| 01 - GENERAL       |                                      |                  |                              |                       |
| G000               | PROJECT INFORMATION                  | 8/18/2025        |                              |                       |
| G001               | CONSTRUCTION NOTES                   | 8/18/2025        |                              |                       |
| G002               | CONSTRUCTION NOTES                   | 8/18/2025        |                              |                       |
| G003               | UL ASSEMBLIES                        | 8/18/2025        |                              |                       |
| 02 - ARCHITECTURAL |                                      |                  |                              |                       |
| A101               | ARCHITECTURAL SITE PLAN              | 8/18/2025        |                              |                       |
| A102               | FOUNDATION PLAN & FLOOR FRAMING PLAN | 8/18/2025        |                              |                       |
| A103               | FLOOR PLAN                           | 8/18/2025        |                              |                       |
| A104               | ROOF PLAN & ROOF FRAMING PLAN        | 8/18/2025        |                              |                       |
| A201               | EXTERIOR ELEVATIONS                  | 8/18/2025        |                              |                       |
| A302               | WALL SECTIONS & DETAILS              | 8/18/2025        |                              |                       |
| A304               | AIR SEALING DETAILS                  | 8/18/2025        |                              |                       |

**OWNER**

Marlow Builders, Inc.  
322 Douglas Ave  
Knoxville, TN 37921  
CONTACT: Bentley Marlow  
CELL PHONE: (865) 607-4357  
EMAIL: rbentley@marlow@gmail.com

**ARCHITECT**

oysk3 architects  
1545 Western Avenue, Suite 100  
Knoxville, TN 37921  
CONTACT: Kara Knapp  
OFFICE PHONE: (865) 523-8200  
EMAIL: office@oysk3architects.com

**FACILITY AND CODE COMPLIANCE**

**PARCEL DESCRIPTION** 094F03001  
**SUBDIVISION** MOSES FARMVIEW PT LOT 258  
**PROPERTY ZONE** RN-2  
**PROPERTY SIZE** 3,990 SF  
**BUILDING SQUARE FOOTAGE** MAIN FL: 1,203 SF  
SECOND FL: 1,203 SF  
**TOTAL** 2,405 SF  
**FLOOR LEVELS** TWO STORY  
**CONSTRUCTION CLASSIFICATION** V-8, UNPROTECTED, UNSPRINKLERED  
**OCCUPANCY CLASSIFICATION** RESIDENTIAL  
**OCCUPANT LOAD** 2405/200 = 12 OCCUPANTS  
**RATED WALLS** NONE  
**DETECTION AND ALARM SYSTEMS** LINE VOLTAGE INTERCONNECTED, SMOKE DETECTORS IN EACH BEDROOM AND OUTSIDE EACH BEDROOM IN CLOSE PROXIMITY, WITH BATTERY BACKUP, SMOKE ALARM TO BE PLACED NO LESS THAN 3'0" HORIZONTALLY FROM THE OUTSIDE OF A BATHROOM DOOR CONTAINING A BATH TUB/SHOWER.  
**EMERGENCY ILLUMINATION** NOT REQUIRED  
**MAX TRAVEL DISTANCE TO EXITS** < 75' OR < 100' IF SPRINKLERED  
**FIRE EXTINGUISHERS** PROVIDED BY OWNER

**BUILDING STANDARDS**

**SCOPE OF WORKS**  
2-STORY TRIPLEX, WOOD FRAME ON CMU FOUNDATION, WITH TYPICAL UTILITIES, SITE GRADING AS REQUIRED.  
**ADOPTED CODES:**  
ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH LOCAL CODES:  
2024 INTERNATIONAL RESIDENTIAL CODE  
2018 INTERNATIONAL ENERGY CONSERVATION CODE  
ALL MATERIALS USED ARE TO BE INSTALLED WITH STRICT ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDED DETAILS & INSTRUCTIONS.  
**FIRE RESISTANCE:**  
EXTERIOR WALLS: 0 HR. = 1 HR. (-5'0" FROM PROPERTY LINE)  
INTERIOR WALLS: 0 HR.  
ROOF CONSTRUCTION: 0 HR.  
FLOOR CONSTRUCTION: 0 HR.  
TOWNHOUSE SEPARATION: 2 HR.  
**DESIGN LOADS:**  
FLOOR, 1st: 40 PSF LIVE + 10 PSF DEAD  
FLOOR, 2nd: 40 PSF LIVE + 10 PSF DEAD  
ROOF: 20 PSF LIVE + 10 PSF DEAD  
SLEEPING AREAS: 30 PSF LIVE + 10 PSF DEAD  
INTERIOR STAIRS: 40 PSF LIVE + 10 PSF DEAD  
EXTERIOR DECKS: 60 PSF LIVE + 10 PSF DEAD  
\*REFERS TO SNOW LOAD & WIND LOAD PER SECTION R301 OF THE INTERNATIONAL RESIDENTIAL CODE (IRC).  
SEISMIC LOADING TO BE BASED ON REQUIREMENTS OF SECTION R301 OF THE IRC.

MOSES AVE TRIPLEX  
NEW RESIDENTIAL CONSTRUCTION  
1411 Moses Ave, Knoxville, Tennessee 37921

|             |                    |
|-------------|--------------------|
| PROJECT NO. | 1411 MOSES TRIPLEX |
| DATE        | 8/18/2025          |
| SCALE       | AS SHOWN           |
| DRAWN BY    | MB                 |
| CHECKED BY  |                    |
| DATE        |                    |

PROJECT INFORMATION

G000

PROJECT : 25055  
© COPYRIGHT 2025

**NOTE:**  
 GENERAL CONTRACTOR TO DETERMINE THE FINAL LOCATION OF THE STRUCTURE ON THE SITE BASED ON SETBACK REQUIREMENTS OF THE LOCAL JURISDICTION.

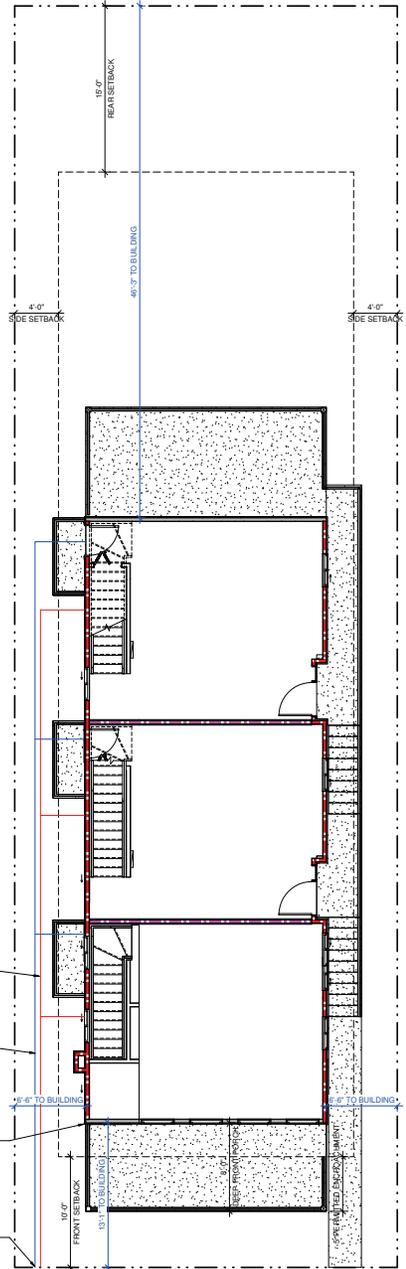
**NOTE:**  
 SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION THAT DOES NOT CREATE A HAZARD. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM THE FOUNDATION WALLS. THE GRADE SHALL FALL NOT FEWER THAN 6 INCHES WITHIN THE FIRST 10 FEET.

APPROXIMATE LOCATION OF SEWER LINE

APPROXIMATE LOCATION OF WATER LINE

SINGLE MAST W/ SCHEDULE 40 PVC FEEDERS BELOW SLAB TO EACH UNIT

3 METER WELL, FINAL LOCATION TO BE DETERMINED BY UTILITY COMPANY



1 ARCHITECTURAL SITE PLAN  
 A101 3/16" = 1'-0"



8/18/2025

**MOSES AVE TRIPLEX  
 NEW RESIDENTIAL CONSTRUCTION**  
 1411 Moses Ave., Knoxville, Tennessee 37921

|       |           |
|-------|-----------|
| DATE: | REVISION: |
|       |           |

DRAWN BY: MB

ARCHITECTURAL SITE PLAN

A101

PROJECT : 25055  
 © COPYRIGHT 2025

**NOTE:**  
VENTING FOR GAS APPLIANCES TO BE RAN IN CHIMNEY.

**WALL LEGEND**

- 2x4 WOOD STUDS @ 16" O.C. WITH R-20 BATT INSULATION
- 1/2" GYP BOARD INTERIOR SIDE
- 1/2" PLYWOOD SHEATHING, TYVEK WEATHER BARRIER & 3/8" GYP BOARD EXTERIOR SIDE (SEE EXTERIOR ELEVATIONS)
- 2x4 WOOD STUDS @ 16" O.C.
- 1/2" GYP BOARD BOTH SIDES
- 8" CMU FOUNDATION WALL
- 2 HR. SEPARATION 2x4 WALL - UL 1201
- 1 HR. EXTERIOR 2x4 WALL - GR-EWFW-02

**WINDOW LEGEND:**

- SH SINGLE HUNG
- S SLIDING
- T TRANSOM

**FLOOR PLAN NOTES:**

**TYPICAL BLOCKING NOTE:**  
PROVIDE WOOD BLOCKING IN THE WALLS AS REQUIRED TO SUPPORT & ATTACH ALL WALL HUNG ITEMS SUCH AS CABINETS, BRACKETS, HAND RAILS, GRAB BARS, ETC. THE BLOCKING & ITS ATTACHMENTS SHALL CARRY THE MINIMUM WEIGHT. VERIFY WITH MANUFACTURER.

**TYPICAL WINDOW NOTE:**  
GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING CONDITIONS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION:

- THE EXPOSED AREA OF AN INDIVIDUAL PANE IS LARGER THAN 9 SQUARE FEET
- THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18 INCHES ABOVE THE FLOOR
- THE TOP EDGE OF THE GLAZING IS MORE THAN 36 INCHES ABOVE THE FLOOR
- ONE OR MORE WALKING SURFACES ARE WITHIN 36 INCHES, MEASURED HORIZONTALLY AND IN A STRAIGHT LINE, OF THE GLAZING

SEE R308.4.3 GLAZING IN WINDOWS FOR EXCEPTIONS (E.G. DECORATIVE GLAZING)

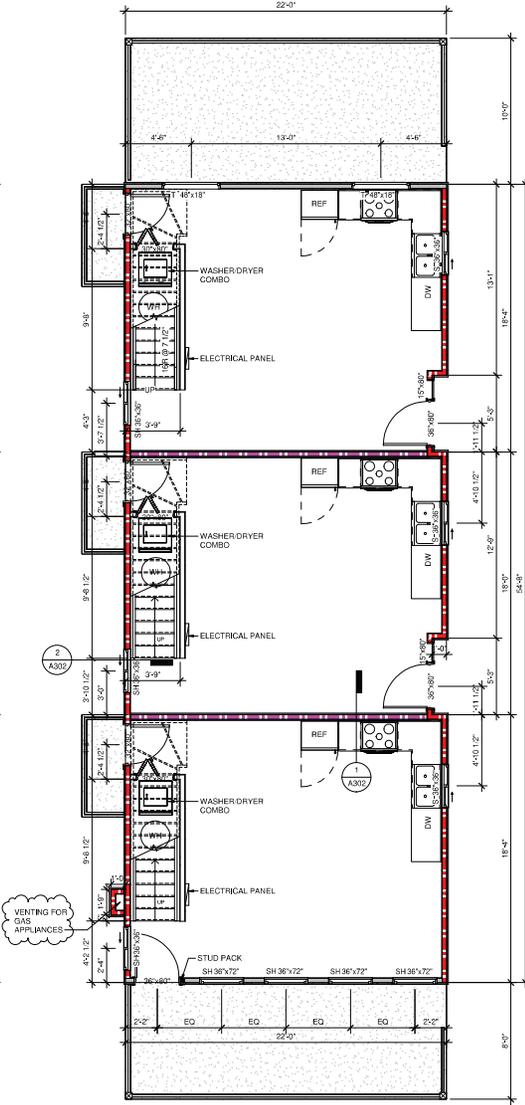
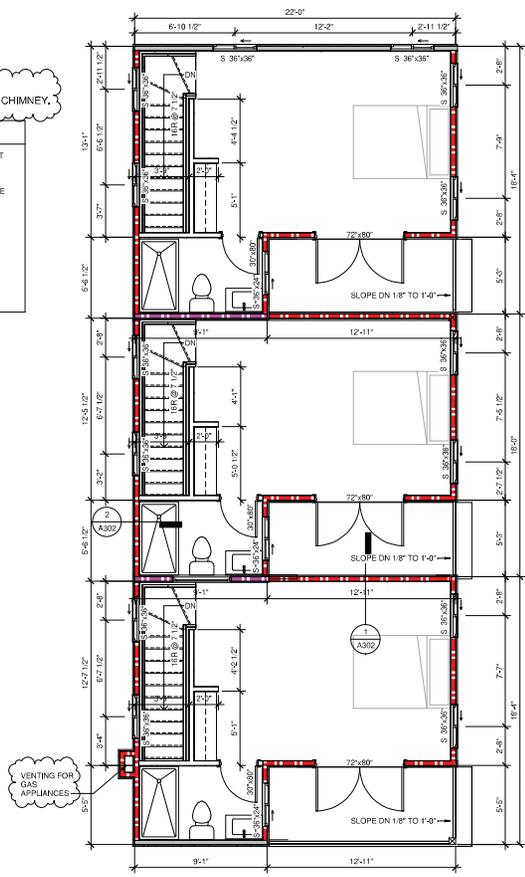
**PLAN NOTE:**  
CABINETRY AND FURNITURE IS SHOWN FOR PLANNING PURPOSES ONLY. CONTRACTOR TO COORDINATE WITH OWNER.

ALL EXTERIOR DOORS TO BE INSULATED, AND HAVE WEATHER STRIPPING AND APPROPRIATE THRESHOLD.

**TYPICAL DECKS, PATIOS & PORCHES:**  
DECKS, PATIOS & PORCHES TO BE 1/2" BELOW ADJACENT FINISHED FLOOR. PROVIDE FLASHING AT ALL FLOOR TRANSITIONS AT DECK, PATIOS, & PORCHES.

IF THE FINISHED FLOOR HEIGHT OF THE DECK IS 30" ABOVE GRADE, STAIRS AND RAILINGS TO GRADE MUST BE ADDED. RAILINGS TO BE 36" TALL WITH A MINIMUM OF 4" TOP AND BOTTOM RAILS WITH 2" PICKETS SPACED AT NO MORE THAN 3 7/8".

IMPERVIOUS SURFACES TO BE SLOPED AWAY FROM STRUCTURE @ 1/8" PER FOOT.



8/18/2025

**MOSES AVE TRIPLEX**  
**NEW RESIDENTIAL CONSTRUCTION**  
1411 Moses Ave, Knoxville, Tennessee 37921

|      |             |
|------|-------------|
| DATE | DESCRIPTION |
|      |             |
|      |             |

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FLOOR PLAN

A103

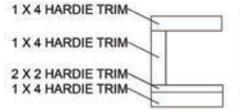
**NOTE:**  
ALL GUARDRAILS AND HANDRAILS SHALL BE INSTALLED IN ACCORDANCE WITH APPLICABLE CODE REQUIREMENTS. GUARDRAILS SHALL BE A MINIMUM OF 36 INCHES IN HEIGHT, MEASURED VERTICALLY ABOVE THE WALKING SURFACE OR FINISHED FLOOR, AND SHALL BE CONSTRUCTED TO RESIST A SPHERE GREATER THAN 4 INCHES IN DIAMETER FROM PASSING THROUGH ANY OPENING. MAXIMUM CLEAR SPACING BETWEEN BALUSTERS OR INTERMEDIATE MEMBERS SHALL NOT EXCEED 3 7/8 INCHES.

**EXTERIOR ELEVATION KEYNOTES**

- 1 FIBER CEMENT SIDING, TBS BY OWNER
- 2 PARGE COAT ON EXPOSED CMU
- 3 6x6 P.T. WD POST ON GALVANIZED SIMPSON STRONG TIE POST BASE
- 4 FIBER CEMENT FASCIA W/ PREFINISHED DRP EDGE
- 5 METAL GUTTER TO DOWNSPOUT, TYP.
- 6 METAL ROOF, COLOR & STYLE TBS BY OWNER
- 7 PREFABRICATED AWNING

**TRANSPARENCY CALCULATIONS:**

FRONT FACADE: 90% SOFT  
TRANSPARENCY: 9% SOFT  
31% TRANSPARENCY PROVIDED

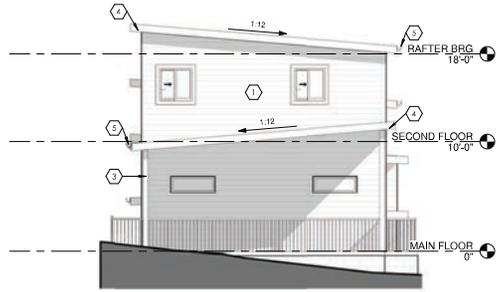


**EXTERIOR ELEVATION NOTES**

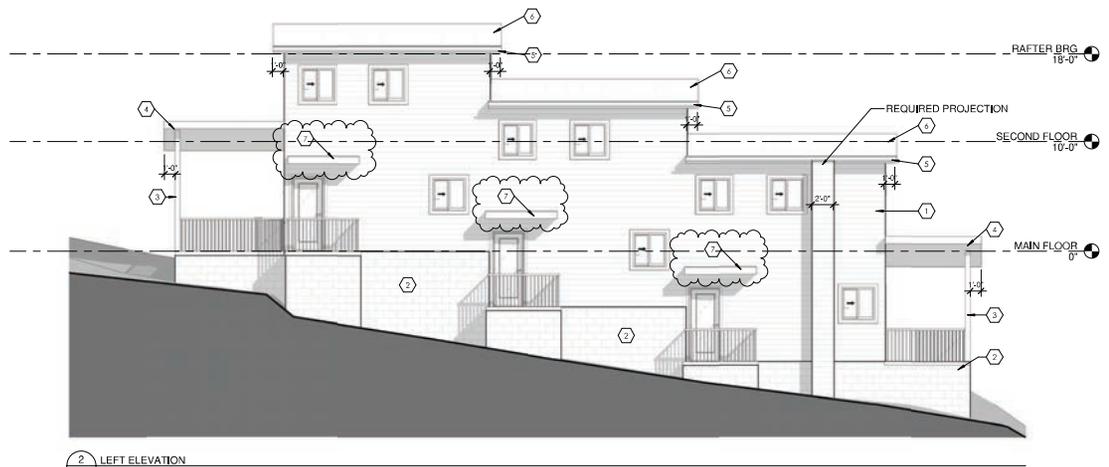
APPROXIMATE SITE LOCATION AND TOPOGRAPHY. GENERAL CONTRACTOR TO WORK WITH CIVIL AND STRUCTURAL TEAM TO CLARIFY HOME LOCATION ON PROPOSED SITE AND ANY RETAINING REQUIREMENTS. CONFIRM ANY BUILDING ADJUSTMENTS WITH ARCHITECT BASED ON LOCATION WITHIN SETBACK REQUIREMENTS AND ANY CITY, CODE OR SEPTIC REQUIREMENTS PRIOR TO SUBMISSION.

**DESIGN ELEMENTS:**  
4.6.E.4.A.8. ROOF: ARTICULATED; 2 PITCHES WITH 2 RIDGELINE DIRECTIONS VISIBLE FROM THE FRONT.  
4.6.E.4.B. (MASONRY FENCE DIVIDING PATIOS ON ONE SIDE; CANTILEVERED OVERHANGS AND CONCRETE STAIRS ON THE OTHER SIDE)  
4.6.E.4.C. # DEEP PORCH SPANNING THE ENTIRE WIDTH OF BUILDING; # EAVE OVERHANGS 12" V.; PROJECTING ENTRY FEATURE # COVERED PORCH; # ARTICULATED WINDOW AND DOOR TRIM.  
4.6.E.5 ONE UNIT FACES THE STREET.

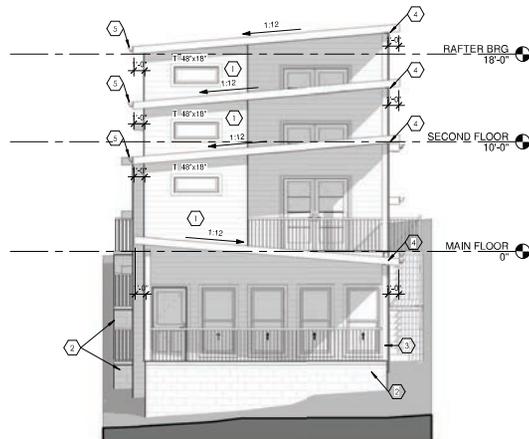
5 ARTICULATED WINDOW & DOOR TRIM DETAIL  
NTS



3 REAR ELEVATION  
A201 3/16" = 1'-0"



2 LEFT ELEVATION  
A201 3/16" = 1'-0"



4 FRONT ELEVATION  
A201 3/16" = 1'-0"



1 RIGHT ELEVATION  
A201 3/16" = 1'-0"

# Exhibit B. KnoxPlans Review Comments



## CITY OF KNOXVILLE ELECTRONIC DOCUMENT REVIEW

[Home](#)

Project:

[All Tasks](#)

[Logout](#)

[Tasks](#) [Files](#) [Status](#) [Info](#) [Reports](#) [Discuss](#)

**Reviews**

**IRC-NEW-25-0542:** Dwelling - Townhouse, \$200000 , 1411 Moses Triplex

**Dept:**  ▼

**Status:**  ▼

**Response:**  ▼

**Search:**

**Type:**  ▼

**Cycle:**  ▼

**Time:**  ▼

[Refresh](#)

## Exhibit B. KnoxPlans Review Comments

|   |                 |   |         |                                 |
|---|-----------------|---|---------|---------------------------------|
| □ | <b>Ref.# 29</b> | Planning Review    Jake Beaumier    7/25/25 10:35 AM  | Cycle 1 | <i>No response required.</i>    |
|   | Info Only       | This property is exempt from HP Overlay regulations per article 8.9.B.4 of the City of Knoxville zoning ordinance. "Lots that have been previously legally disturbed or developed would also be excepted provided that any new/additional disturbance does not exceed the previously-disturbed area."   |         |                                 |
|   | Comment         | Site Disturbance is documented in the 2018 historic aerial.<br><br>If you have any questions, please contact Jake Beaumier with Knoxville-Knox County Planning. (865)215-3085 or jake.beaumier@knoxplanning.org   |         |                                 |
| □ | <b>Ref.# 30</b> | Planning Review    Lindsay Lanois    7/29/25 1:10 PM  | Cycle 1 |                                 |
|   | Resolved        | Article 4.6: The property is zoned RN-2/HP within the TDR land use area. The lot frontage on Moses Avenue is 35 wide with an alley. The proposed lot does not meet the minimum lot width for a triplex (or any Middle Housing Type) in Table 4-4 of Article 4.6. The application aims to use Article 17.3.E, "lot created by deed," to qualify for a non-conforming lot of record. Per Engineering Ref 13, Engineering requires a plat of the property to create a legal lot of record.   |         |                                 |
|   | Comment         | <p><i>Responded by: MARLOW BUILDERS - 10/28/25 1:26 PM</i><br/>Plat is recorded. Instrument No. 20251024-0023856.</p> <hr/> <p><i>Reviewer Response: Samiul Haque - 9/11/25 11:27 PM</i><br/>This review comment will be resolved upon the Engineering department's approval of the item.</p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 9/4/25 10:56 AM</i><br/>A new survey and plat will be submitted to Knox Planning by end of today. Submission by Matt Dawson, Smoky Mtn Land Surveying. The parcel is currently unplatted and therefore has no U&amp;D easements. This plat requests U&amp;D easement waivers to zero as required based upon the submitted site plan for this parcel. Additionally, applicant objects to U&amp;D easements being forced upon the property as it is tantamount of a takings by the government without compensation.</p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 8/19/25 10:20 AM</i><br/>MH Approved by Planning Commission 8-3 on 14 August 2024. Agenda item 31; file 8C25OB.</p>   |         |                                 |
| □ | <b>Ref.# 31</b> | Planning Review    Lindsay Lanois    7/29/25 1:10 PM  | Cycle 1 | <i>Type your response here.</i> |
|   | Unresolved      | Article 4.6.A: The building is described as a triplex. The application does not propose units that are stacked on top of each other and does not meet the intent of the definition of triplex. The building features three units oriented perpendicular to the street with the units separated by party walls/shared side walls, which meets the definition of a DwellingTownhouse per article 2.3 and partially meets the definition of Townhouse (small) per Article 4.6.A (definitions below for comparison).  |         |                                 |
|   | Comment         | <p><i>Responded by: MARLOW BUILDERS - 11/7/25 2:18 PM</i><br/>Applicant maintains the appeal before Planning Commission on 14 August 2025, vote 8-3 resolved the Middle Housing issue. Forthcoming legal proceedings will ultimately resolve that issue. See Marlow Builders, Inc. v Knoxville-Knox County Planning, Knox County Chancery Court, No. 212010-2.</p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 10/28/25 1:25 PM</i><br/>Applicant maintains the appeal before Planning Commission on 14 August 2025, file 8-3-C-25-OB, vote 8-3 resolved the Middle Housing issue. Forthcoming legal proceedings will ultimately resolve that issue. See Marlow Builders, Inc. v Knoxville-Knox County Planning, Knox County Chancery Court, No. 212010-2.</p> <hr/> <p><i>Reviewer Response: Samiul Haque - 9/11/25 11:28 PM</i><br/>The development proposed is a slot house design. This is not a defined middle housing type and is not found in the immediately surrounding area of the neighborhood. A slot house does not meet the intent of Middle Housing as the buildings are oriented to the side lot line where the front porches, doors, and windows open into the sides of neighboring structures, which can cause a reduction in privacy for abutting neighbors on this side of the lot.</p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 9/3/25 5:36 PM</i><br/>Planning Commission determined this design met the requirements of Art. 4.6 as a triplex upon appeal of an identical design, file number 8-C-25-OB, Agenda Item 31, heard by Planning Commission on 14 August 2025; vote approving this design as triplex 8-3. See <a href="https://www.youtube.com/watch?v=nl2UodcbZEo&amp;list=PLHG8_5NdPaHaPC8FQ_0UBHKx3g1VzxBFc">https://www.youtube.com/watch?v=nl2UodcbZEo&amp;list=PLHG8_5NdPaHaPC8FQ_0UBHKx3g1VzxBFc</a></p> |         |                                 |

## Exhibit B. KnoxPlans Review Comments

|   |                 |   |                |                 |         |                       |
|---|-----------------|---|----------------|-----------------|---------|-----------------------|
|   |                 | <p><i>Responded by: MARLOW BUILDERS - 8/19/25 10:20 AM</i><br/>                 MH Approved by Planning Commission 8-3 on 14 August 2024. Agenda item 31; file 8C25OB.</p>  |                |                 |         |                       |
| □ | <b>Ref.# 32</b> | Planning Review   | Lindsay Lanois | 7/29/25 1:10 PM | Cycle 1 |                       |
|   | Resolved        | <p>Article 4.6.E.5.c: The proposed design does not meet the requirement that townhouses shall not be oriented perpendicular to the street. The narrow side of townhouse units must face the street.</p>   |                |                 |         |                       |
|   | Comment         |   |                |                 |         |                       |
|   |                 | <p><i>Reviewer Response: Samiul Haque - 9/11/25 11:27 PM</i><br/>                 See Ref. # 31</p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 9/3/25 5:36 PM</i><br/>                 Planning Commission determined this design met the requirements of Art. 4.6 as a triplex upon appeal of an identical design, file number 8-C-25-OB, Agenda Item 31, heard by Planning Commission on 14 August 2025; vote approving this design as triplex 8-3. See <a href="https://www.youtube.com/watch?v=n12UodcbZEo&amp;list=PLHG8_5NdPaHaPC8FQ_0UBHKx3g1VzxBFc">https://www.youtube.com/watch?v=n12UodcbZEo&amp;list=PLHG8_5NdPaHaPC8FQ_0UBHKx3g1VzxBFc</a></p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 8/19/25 10:20 AM</i><br/>                 MH Approved by Planning Commission 8-3 on 14 August 2024. Agenda item 31; file 8C25OB.</p>   |                |                 |         |                       |
| □ | <b>Ref.# 33</b> | Planning Review   | Lindsay Lanois | 7/29/25 1:11 PM | Cycle 1 |                       |
|   | Resolved        | <p>Article 4.6.G: The application requests an administrative variation, reducing the required 5 interior side setback to 4. Administrative variations on side setbacks may only be granted if approved by Engineering; Engineering has not approved without a plat.</p>   |                |                 |         |                       |
|   | Comment         |   |                |                 |         |                       |
|   |                 | <p><i>Responded by: MARLOW BUILDERS - 10/28/25 1:25 PM</i><br/>                 This comment is misleading and incorrect. Arguably evidence of malicious intent by Planning Staff. Engineering has no legal authority to grant or deny side setbacks easements. Engineering's sole role on this matter concerns utility and drainage easements -- which at the time of submission did not exist on this parcel. Moreover, having no legal basis to enforce utility and drainage easements against the property owner's objection Engineering agreed to the reduction as evidenced by the email from Chris Howley and no shown on the signed and recorded plat. Instrument No. 20251024-0023856.</p> <hr/> <p><i>Reviewer Response: Samiul Haque - 9/11/25 11:27 PM</i><br/>                 This review comment will be resolved upon the Engineering department's approval of the item.</p> <hr/> <p><i>Responded by: MARLOW BUILDERS - 8/19/25 10:20 AM</i><br/>                 MH Approved by Planning Commission 8-3 on 14 August 2024. Agenda item 31; file 8C25OB.</p> |                |                 |         |                       |
| □ | <b>Ref.# 34</b> | Planning Review   | Lindsay Lanois | 7/29/25 1:11 PM | Cycle 1 | No response required. |
|   | Info Only       | <p>Article 4.6.D (Parking Standards): The application includes no parking spaces. No spaces are required as the property is within a quarter mile of a transit route.</p>   |                |                 |         |                       |
|   | Comment         |   |                |                 |         |                       |