

▶ **FILE #:** 3-C-17-RZ

AGENDA ITEM #: 37

AGENDA DATE: 3/9/2017

▶ **APPLICANT:** ELIZABETH D. RAINES

OWNER(S): Elizabeth D. Raines

TAX ID NUMBER: 21 PT OF 05809 MAP ON FILE AT MPC

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 7637 Gibbs Rd

▶ **LOCATION:** West side Gibbs Rd., west of Clapps Chapel Rd.

▶ **APPX. SIZE OF TRACT:** 18190 square feet

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Gibbs Rd., a local street with 17' of pavement width within 40' of right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** RA (Low Density Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Residence

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residence / A (Agricultural)

South: Residence / A (Agricultural)

East: Gibbs Rd., residence / A (Agricultural)

West: Residence / A (Agricultural)

NEIGHBORHOOD CONTEXT: Gibbs Rd. is developed with agricultural and rural residential uses under A zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning.**

RA zoning is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. RA zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in

the area.

2. The proposed RA zoning is consistent with the Northeast County Sector Plan proposal for the site.
3. A large area of RA zoning is already in place to the south, developed as a subdivision.
4. The applicant proposes to establish a separate lot for the residence closer to Gibbs Rd. on the property. The proposed new lot will be about 18190 square feet, with the remainder of the parcel, containing another residence, having an area of 1.992 acres, more than adequate to meet the minimum lot size requirements in the A zone.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. RA zoning provides for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
2. Based on the above description, this site is appropriate for RA zoning.
3. If connected to sewer, the RA zone allows detached residential development with a minimum lot size of 10,000 sq. ft. Without sewer, the minimum lot size is 20,000 sq. ft., subject to approval by Knox County Health Department.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The applicant intends to subdivide the subject property into multiple residential lots. The site is not large enough to be subdivided under the current A zoning, which requires a minimum lot size of one acre. RA zoning will allow this 0.6 acre site to be resubdivided into two lots for residential uses.
2. The impact to the street system will be minimal. If a plat is submitted to subdivide the property, a right-of-way dedication will be required. Along this section of Gibbs Rd., this dedication will be 25 feet from the right-of-way centerline.
3. The proposed zoning is compatible with surrounding development, and there should be minimal impact to the surrounding area and no adverse affect to any other part of the County.
4. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
5. No other area of the County will be impacted by this rezoning request.

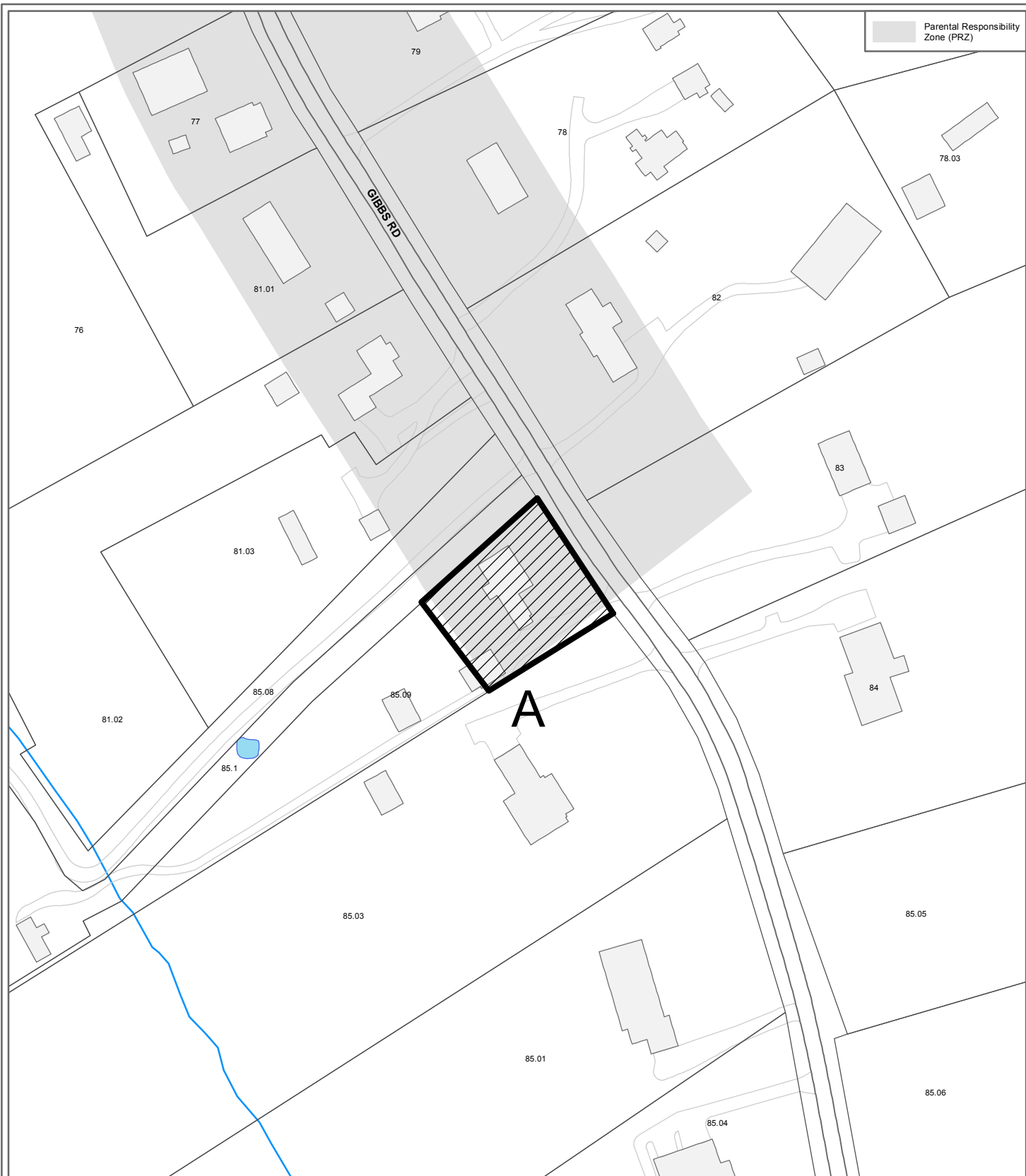
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northeast County Sector Plan proposes low density residential use for the site, consistent with the requested RA zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for RA zoning on surrounding properties zoned Agricultural, which is consistent with the sector plan proposal for low density residential uses in the area.
4. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 4/24/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



Parental Responsibility Zone (PRZ)

**3-C-17-RZ
REZONING**

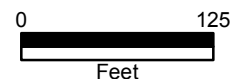
From: A (Agricultural)
To: RA (Low Density Residential)



Petitioner: Raines, Elizabeth D.

Map No: 21
Jurisdiction: County

Original Print Date: 2/15/2017
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Certificate of Ownership and General Dedication.

(I, We) _____, the undersigned owner(s) of the property shown hereon, hereby adopt (his or her, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.
Signature(s) _____

Certification of Final Plat - Construction Complete.

I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawing, documents, and statements conform to all applicable provisions of the Knoxville/Knox County Subdivision Regulations except as has been licensed, approved and justified in a report filed with the Metropolitan Planning Commission, or for variances for which application has been filed. The indicated monuments were in place on the ____ day of _____, 20____.

Registered Land Surveyor _____
Tennessee Certificate No. _____

Certification of Category and Adjustment of Survey.

I hereby certify that this is a category _____ survey and the ratio of precision of the unadjusted survey is not less than 1) _____
Registered Land Surveyor _____

Tenn. Reg. No. _____

In the City of Knoxville and General Areas of Knox County.

This is to certify that the subdivision shown hereon is approved subject to the installation of sanitary sewers and treatment facilities, and that such installation shall be in accordance with state and local regulations.

Date _____
Knox County Health Department _____

Zoning.
Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission as follows:
Zoning shown on Official Map _____
Date _____
By _____

Addressing Department Certification.

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

Signed: _____
Date: _____

Certification of Approval for Recording - Final Plat.

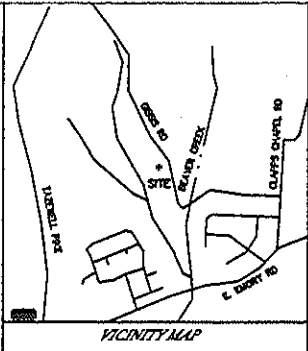
This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and stipulations noted on this plat and in the minutes of the Knoxville-Knox County Metropolitan Planning Commission, on this ____ day of _____, 20____, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds.

Parcel 76
GIBBS SCHOOL
DB 268, PG 232
DB 268, PG 230
DB 793, PG 447
DB 1392, PG 488

City Tax Clerk Signed: _____ Date: _____
Knox County Trustee Signed: _____ Date: _____

NOTES

1. PURPOSE OF THIS PLAT IS TO DIVIDE INTO TWO LOT SUBDIVISION.
2. HIGH PAVES AT ALL CORNERS, UNLESS OTHERWISE NOTED.
3. EASEMENTS OF FIVE (5) FEET IN WIDTH, SPACED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES IN A SUBDIVISION, SHALL BE DEEDDED TO THE PUBLIC AND TO APPROPRIATE UTILITIES AGENCIES. THESE REQUIRED EASEMENTS SHALL BE TEN (10) FEET IN WIDTH UNLESS ALL CORNER LOT LINES INCLUDING FRONT AND/OR REAR, BACK, AND/OR SIDE LOT PROPERTY IS NOT SUBJECT TO A SIMILAR EASEMENT AT LEAST FIVE (5) FEET IN WIDTH. OTHER SPECIAL DRAINAGE AND UTILITY EASEMENTS MAY BE REQUIRED, WHICH DECISIONS SHALL BE NOTED ON THE FINAL PLAT OF A SUBDIVISION.
4. TOTAL NUMBER OF 2 LOTS, TOTAL ACRES 104842.3 SQUARE FEET OR 2.4 ACRES.
5. THIS IS TO CERTIFY THAT I EXAMINED THE FEDERAL FLOODING RATE MAP AND FOUND THAT THE SUBJECT PROPERTY IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. THIS IS TO BE DONE AS AND WHEN I AM SHOWN ON MAP NUMBER 400000001 EFFECTIVE DATE MAY 24, 2002.
6. THIS PROPERTY IS SUBJECT TO DRAINAGE TO KNOXVILLE UTILITIES BOARD AS A NEIGHBORHOOD SERVICE CONNECTION.

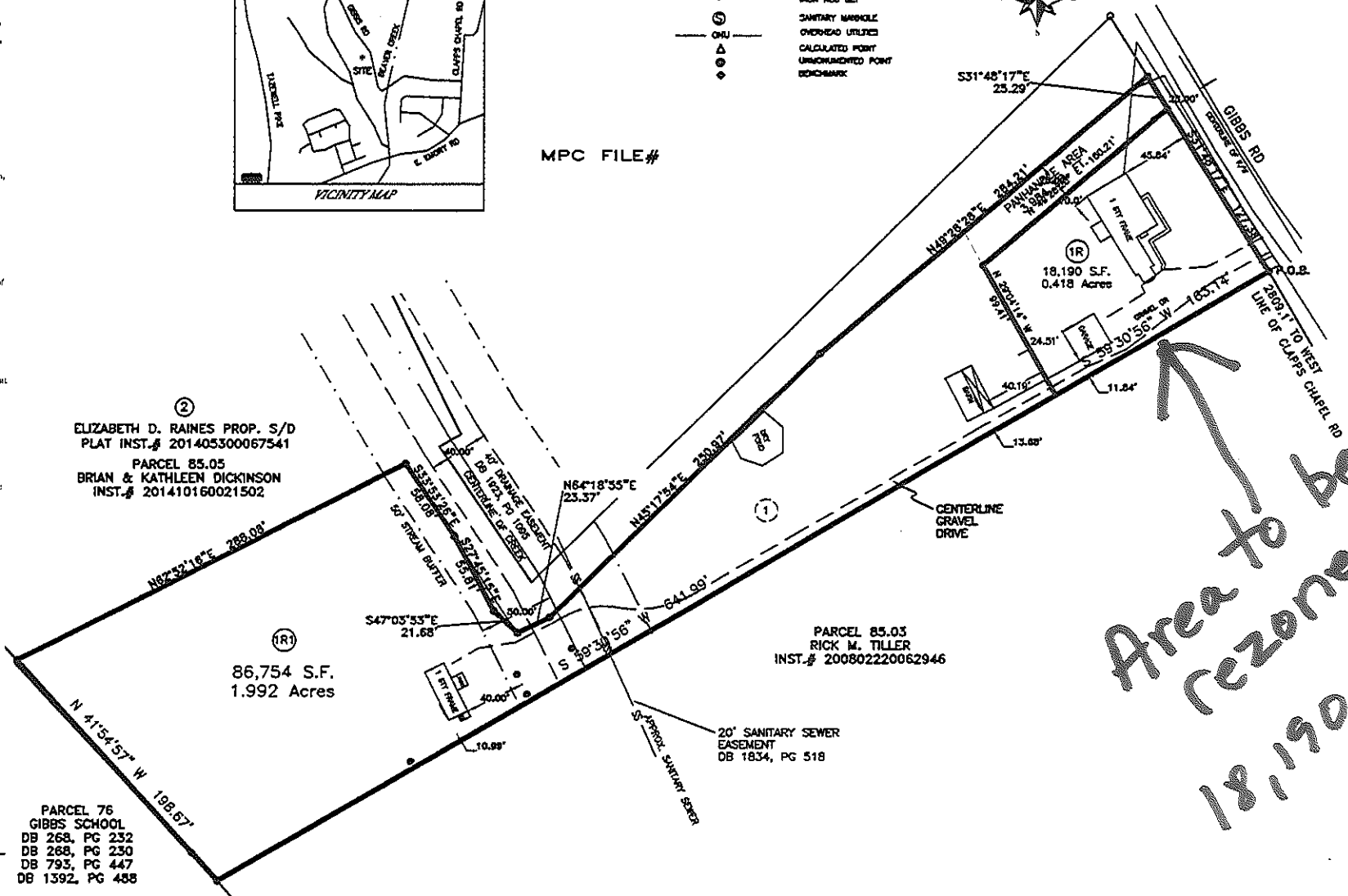


MPC FILE# _____

SYMBOL LEGEND

- IRON ROD FOUND
- IRON ROD SET
- SANITARY MANHOLE
- OVERHEAD UTILITY
- △ CALCULATED POINT
- UNMONUMENTED POINT
- BENCHMARK

2015 MAGNETIC



Area to be rezoned
18,190 S.F.

FINAL PLAT OF:
RESUB. OF LOT 1 OF ELIZABETH D. RAINES PROPERTY
8th Civil District, Knoxville, Tennessee

DEED BOOK: DB 1923, PG 1095
TAX MAP: 021 GROUP: PARCEL: 085.07
DISTRICT: 8th WARD: CITY BLOCK:
DATE: 09/28/15 PLAT REFERENCE: 201405300067541
SCALE: 1" = 50'
DRAWING NUMBER: GIBBS RD
DRAWN BY: SWA

SURVEYOR
ABBOTT LAND SURVEYING LLC
STEVEN W. ABBOTT JR, RLS
1109 E. WOODSHIRE DRIVE
KNOXVILLE, TN 37922
OFFICE: (865) 671-1149
FAX: (865) 671-1149
EMAIL: survey@abbs.net

OWNER
ELIZABETH D. RAINES
7637 GIBBS ROAD
KNOXVILLE, TN 37721
PHONE: (865) 719-0330

Exhibit Attached

KNOXVILLE-KNOX COUNTY

MPC

METROPOLITAN PLANNING COMMISSION

TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: Elizabeth D. Raines

Date Filed: January 2017 Meeting Date: March 9th, 2017

Application Accepted by: Emily

Fee Amount: 500.00 File Number: Rezoning 3-C-17-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 7637 Gibbs Rd

General Location: West Gibbs
N. S. Emory Rd

Parcel ID Number(s): 021 08509 part of

Tract Size: 0.1418 Ac 18,190 S.F.

Existing Land Use: Agricultural

Planning Sector: TPC Northeast Co.

Growth Policy Plan: Planned

Census Tract: 64102

Traffic Zone: 1B8

Jurisdiction: City Council _____ District
 County Commission 8th District

Requested Change

REZONING

FROM: Ag

TO: RA

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

same as presently being used.

Density Proposed _____ Units/Acre

Previous Rezoning Requests: none

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Elizabeth D. Raines

Company: _____

Address: 7637 Gibbs Rd

City: Knoxville State: TN Zip: 37121

Telephone: 865-719-0330

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Steve Abbott

Company: Abbott Land Surveying LLC

Address: 1109 E. Woodshire Dr

City: Knoxville State: TN Zip: 37922

Telephone: 865.671.1149

Fax: _____

E-mail: survmap@tds.net

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Steven W. Abbott Jr

PLEASE PRINT

Name: Steven W. Abbott Jr

Company: Abbott Land Surveying LLC

Address: 1109 E. Woodshire Dr

City: Knoxville State: TN Zip: 37922

Telephone: 865.671.1149

E-mail: survmap@tds.net

