

▶ **FILE #:** 12-F-18-RZ

**AGENDA ITEM #:** 43

**AGENDA DATE:** 12/13/2018

▶ **APPLICANT:** LUKE BOZEMAN

OWNER(S): Luke & Argile Bozeman

TAX ID NUMBER: 42 G A 002

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 9035 Hillside Ave

▶ **LOCATION:** North of Hillside Ave., west of Wyrick Rudder Dr.

▶ **APPX. SIZE OF TRACT:** 0.56 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Accessed via Hillside Ave, a local street with 14' of pavement within a 30' right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Roseberry Creek

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

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

▶ **EXISTING LAND USE:** Single-Family Residential

▶ **PROPOSED USE:** 2 dwellings

EXTENSION OF ZONE: No - but there is RA zoning to the east and south

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: Agricultural and Rural Residential / A (Agricultural) zoning

South: Agricultural and Rural Residential / RA (Low Density Residential) and A (Agricultural) zoning

East: Agricultural and River / A (Agricultural) zoning

West: Agricultural and Rural Residential / RA (Low Density Residential) and A (Agricultural) zoning

NEIGHBORHOOD CONTEXT: Single family area with surrounding rural residential.

**STAFF RECOMMENDATION:**

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

Staff recommends RA (Low Density Residential), consistent with the sector plan land use recommendation.

**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:

Four parcels within 600 feet have been rezoned A (Agricultural) to RA (Low Density Residential) in the past 31

years. The most recent rezoning occurred in 2002, northeast of Shipetown Rd. Although most of the land in this area is zoned A (Agricultural) there is very little agricultural use and most of the properties are used for single-family dwelling units.

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

Zoning this tract to RA meets the intent described in Knox County's Zoning Ordinance. The Ordinance states that RA zoning is a district was developed for low population densities. RA areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.

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:

The tract is currently used for single-family residential use and would not have an adverse impact on the surrounding area, if it were zoned RA.

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:

The proposed rezoning is consistent with the General Plan, Northeast County Sector Plan, and Growth Policy Plan.

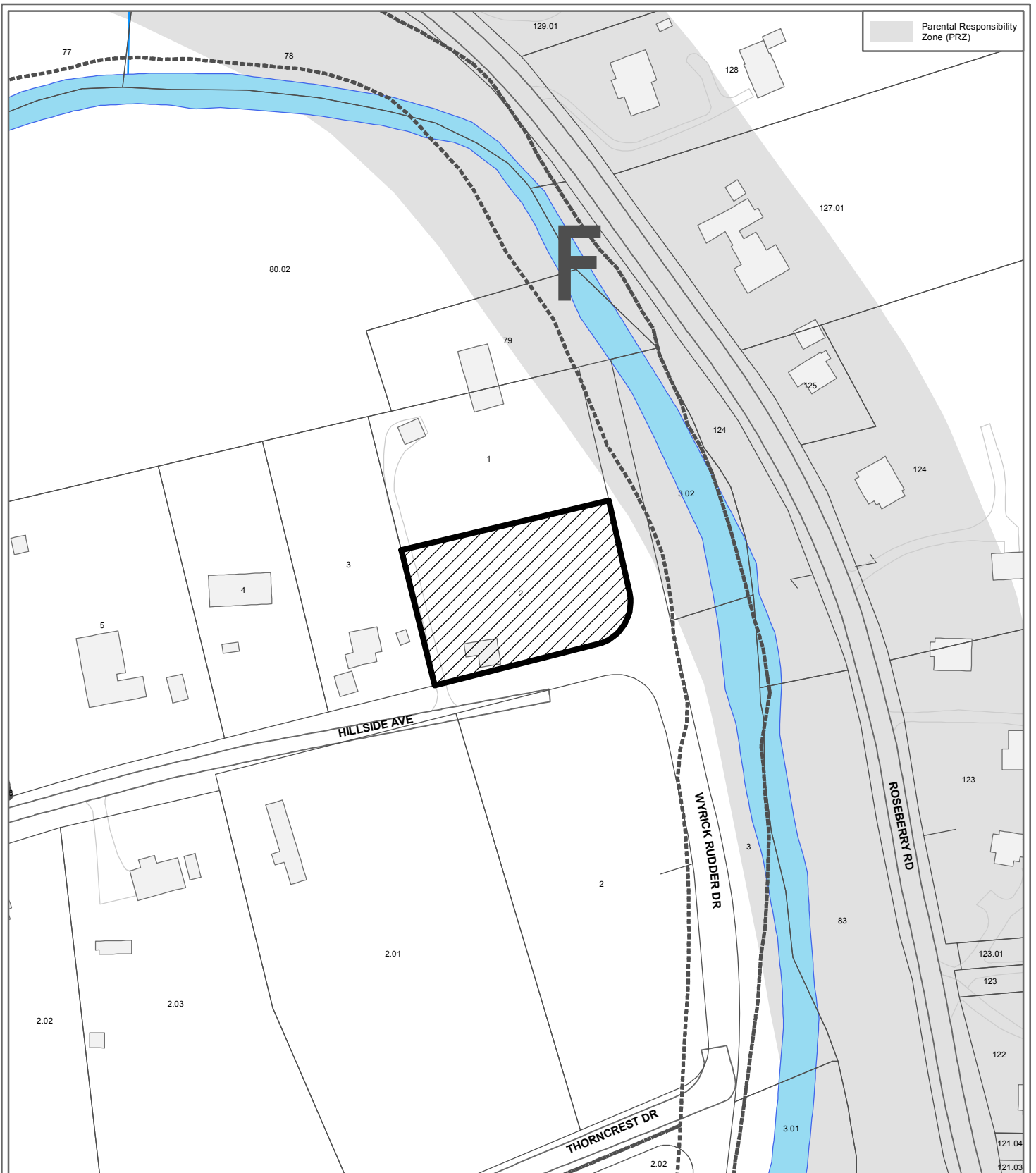
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 1 (public school children, ages 5-18 years)

Schools affected by this proposal: East Knox County Elementary, Carter Elementary, and Carter High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. 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.

If approved, this item will be forwarded to Knox County Commission for action on 1/28/2019. 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 15 days to appeal an MPC decision in the County.



**12-F-18-RZ  
REZONING**

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



Petitioner: Bozeman, Luke

Map No: 42  
Jurisdiction: County



Original Print Date: 11/15/2018 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

JA.

KNOXVILLE-KNOX COUNTY

M P C

METROPOLITAN  
PLANNING  
COMMISSION

T E N N E S S E E

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

**REZONING**     **PLAN AMENDMENT**

Name of Applicant: Luke Bozeman

Date Filed: 10/26/18    Meeting Date: 12/13/18

Application Accepted by: M Payne

Fee Amount: 500<sup>00</sup>/100    File Number: Rezoning 12-F-18-RZ

Fee Amount: ~    File Number: Plan Amendment ~

**PROPERTY INFORMATION**

Address: 9035 Hillside Ave. Mascot, TN 37806

General Location: 1/2 Hillside Ave  
1/2 Wyrick Rudder DR

Parcel ID Number(s): 042EA002

Tract Size: 24,727 +/-

Existing Land Use: Dwelling

Planning Sector: Northwood City

Growth Policy Plan: Planned

Census Tract: 6502

Traffic Zone: 179

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 8th District

**Requested Change**

**REZONING**

FROM: A

TO: RA

**PLAN AMENDMENT**

One Year Plan     \_\_\_\_\_ Sector Plan

FROM: N/A

TO: \_\_\_\_\_

**PROPOSED USE OF PROPERTY**

Dwellings

Density Proposed 2 Units/Acre

Previous Rezoning Requests: \_\_\_\_\_

**PROPERTY OWNER**     **OPTION HOLDER**

PLEASE PRINT  
Name: Luke Bozeman / Argile Bozeman

Company: N/A

Address: 9035 Hillside Dr.

City: Mascot    State: TN    Zip: 37806

Telephone: (865) 850-5727 or

Fax: (865) 932-3172

E-mail: luke-bozeman@aol.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
Name: Luke Bozeman / Argile Bozeman

Company: \_\_\_\_\_

Address: P.O. Box 276 9035 Hillside Dr.

City: Mascot    State: TN    Zip: 37806

Telephone: (865) 850-5727 or (865) 932-3172

Fax: \_\_\_\_\_

E-mail: luke-bozeman@aol.com

**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: Luke Bozeman

PLEASE PRINT  
Name: Luke Bozeman / Argile Bozeman

Company: \_\_\_\_\_

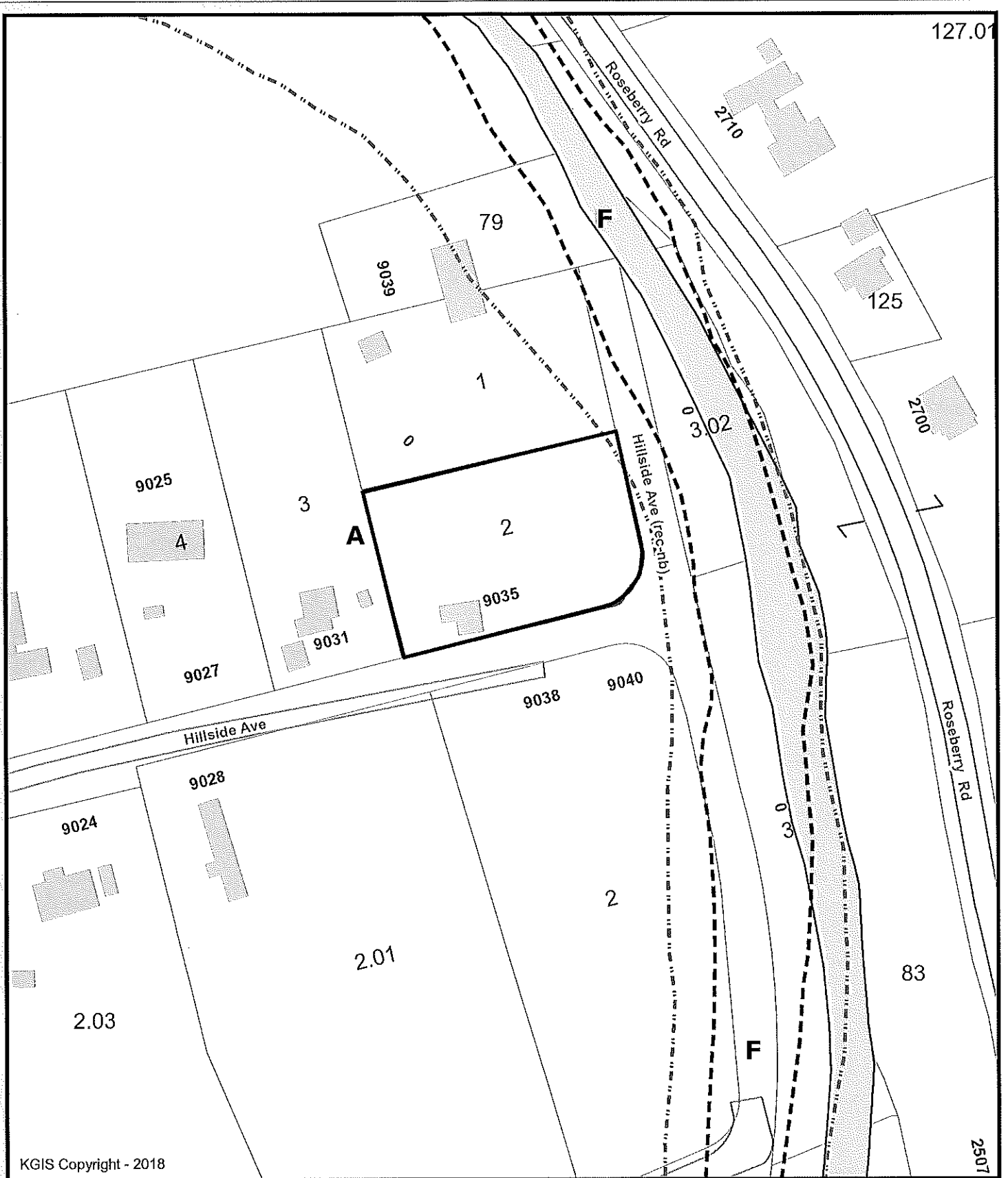
Address: 9035 Hillside Dr. P.O. Box 276

City: Mascot    State: TN    Zip: 37806

Telephone: (865) 850-5727

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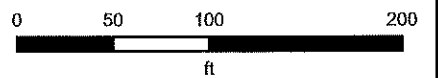
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### Letter Portrait

### Knoxville - Knox County - KUB Geographic Information System



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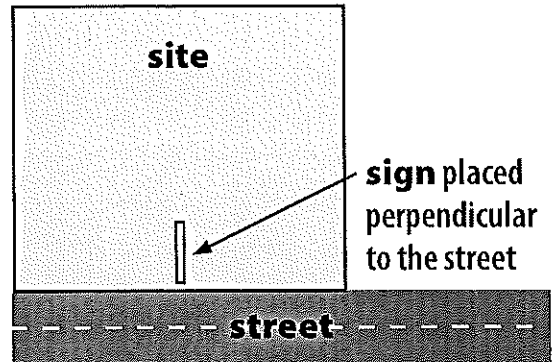
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC 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 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

11/29/18 and 12/13/18  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Luke Bozeman

Printed Name: Luke Bozeman

Phone: (865) 850-5727 Email: luke-bozeman@aol.com

Date: 10/26/18

MPC File Number: 12-F-18-72