

# REZONING REPORT

▶ **FILE #:** 4-E-19-RZ

**AGENDA ITEM #:** 33

**AGENDA DATE:** 4/11/2019

▶ **APPLICANT:** TRAVIS BURKHALTER  
OWNER(S): Travis Burkhalter / Burkhalter Construction

TAX ID NUMBER: 26 101 [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 9513 Diggs Gap Rd

▶ **LOCATION:** West side Diggs Gapp Road, south of E. Raccoon Valley Drive

▶ **APPX. SIZE OF TRACT:** 1 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Diggs Gap Road, a minor collector, with a pavement width of 20' feet and a right-of-way width of 30' feet.

UTILITIES: Water Source: Hallsdale-Powell Utility District  
Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Bullrun Creek

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

▶ **ZONING REQUESTED:** CA (General Business)

▶ **EXISTING LAND USE:** Residential

▶ **PROPOSED USE:** CA zoning will allow subdivision of property into residential lots without being impacted by the sector plan.

EXTENSION OF ZONE:

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Mining and landfills - I (Industrial)

South: Mining and landfills - I (Industrial)

East: Private recreation - CH (Highway Commercial)

West: Mining and landfills - I (Industrial)

NEIGHBORHOOD CONTEXT: The area is a mix of commercial and industrial uses adjacent to the I-75 / Raccoon Valley Dr interchange.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE CA (General Business) zoning.**

Staff recommends approval of the CA (General Business) zone district, which is in line with the MU-SD (Mixed Use Special District) NCO-5: I-75/Raccoon Valley Industrial & Commercial Center, land use plan designation for the area.

**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. The property is located within the Planned Growth Area of the Growth Policy Plan.
2. The North County Sector Plan allows consideration of CA within the MU-SD NCO-5 mixed use district.

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

1. The proposed amendment to CA is for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.

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

1. CA zoning is compatible with the existing MU-SD designation for the area.

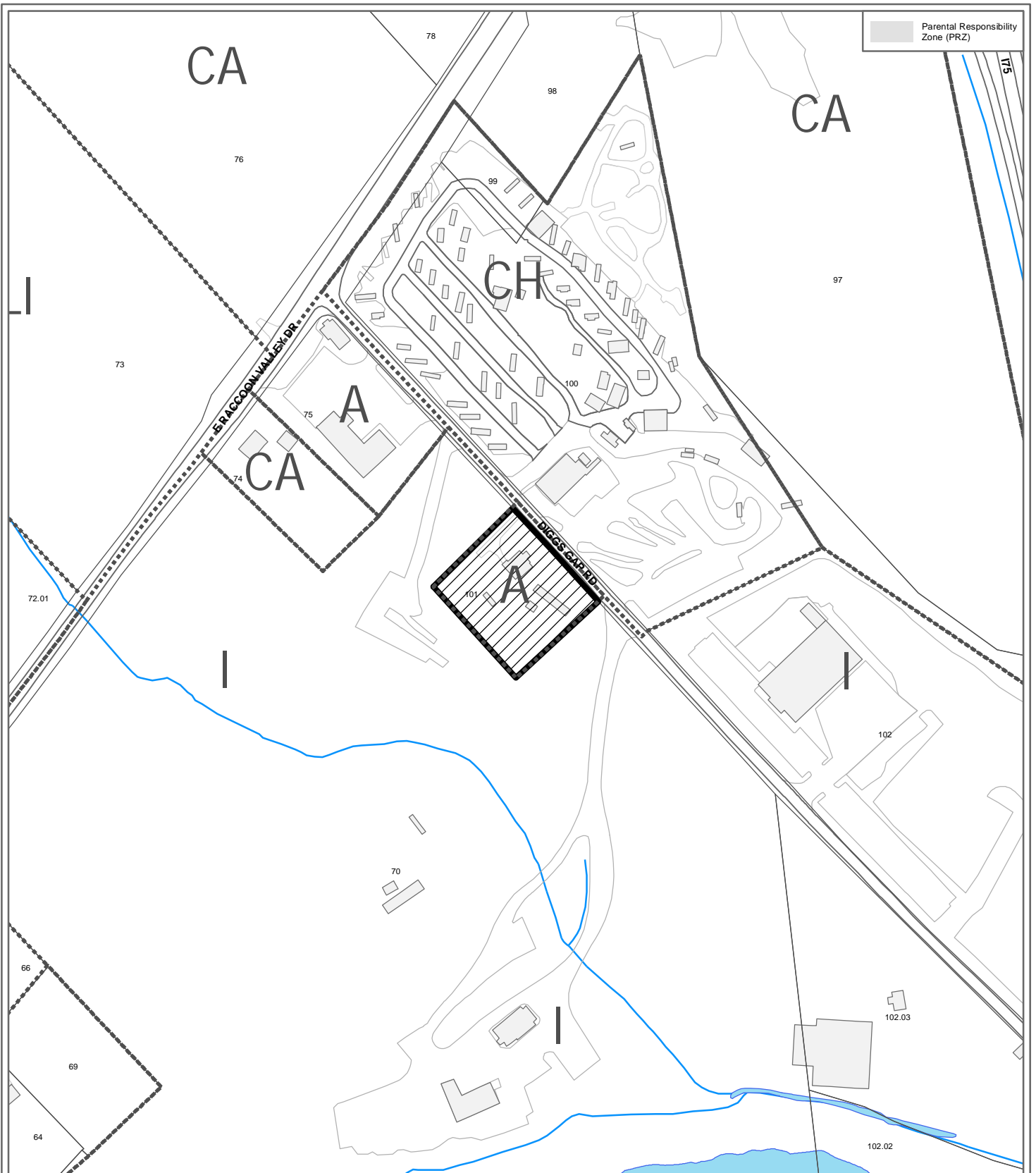
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The request for CA (General Business) zoning is consistent with and not in conflict 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 5/28/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the County.



**4-E-19-RZ  
REZONING**

From: A (Agricultural)

To: CA (General Business)



Petitioner: Burkhalter, Travis

Map No: 26

Jurisdiction: County



Original Print Date: 3/18/2019      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

# M P C

METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

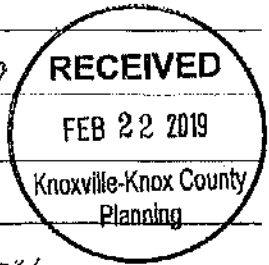
Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
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www.knoxmpc.org

## REZONING      PLAN AMENDMENT

Name of Applicant: Travis Burkhalter

Date Filed: 2/22/19

Meeting Date: 4/11/19



Application Accepted by: M. Payne

Fee Amount: 1,100.00 File Number: Rezoning A-E-19-RZ

Fee Amount: 7 File Number: Plan Amendment 71

### PROPERTY INFORMATION

Address: 9513, 9511 Doggs Gap

General Location: 1/2 Doggs Gap  
Due South of E Paxon Valley Dr.

Parcel ID Number(s): D26 101

Tract Size: 1 ac +/-

Existing Land Use: Residential

Planning Sector: North County

Growth Policy Plan: Planned

Census Tract: 1st.02

Traffic Zone: 196

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 7 District

### Requested Change

#### REZONING

FROM: A

TO: CA

#### PLAN AMENDMENT

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

FROM: N/A

TO: N/A

### PROPOSED USE OF PROPERTY

CA zoning will allow subdivision of property into residential lots without being impacted by the sector plan

Density Proposed \_\_\_\_\_ Units/Acre

Previous Rezoning Requests: N/A

### PROPERTY OWNER    OPTION HOLDER

PLEASE PRINT

Name: Travis Burkhalter

Company: Burkhalter Construction

Address: 7701 Rocky Meadow Lane

City: Knox State: Tn Zip: 37721

Telephone: 865-388-6417

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

E-mail: 724travis@gmail.com

### APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Travis Burkhalter

Company: Burkhalter Construction

Address: 7701 Rocky Meadow Lane

City: Knox State: Tn Zip: 37721

Telephone: 865-388-6417

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

E-mail: 724travis@gmail.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: Travis Burkhalter

PLEASE PRINT

Name: Travis Burkhalter

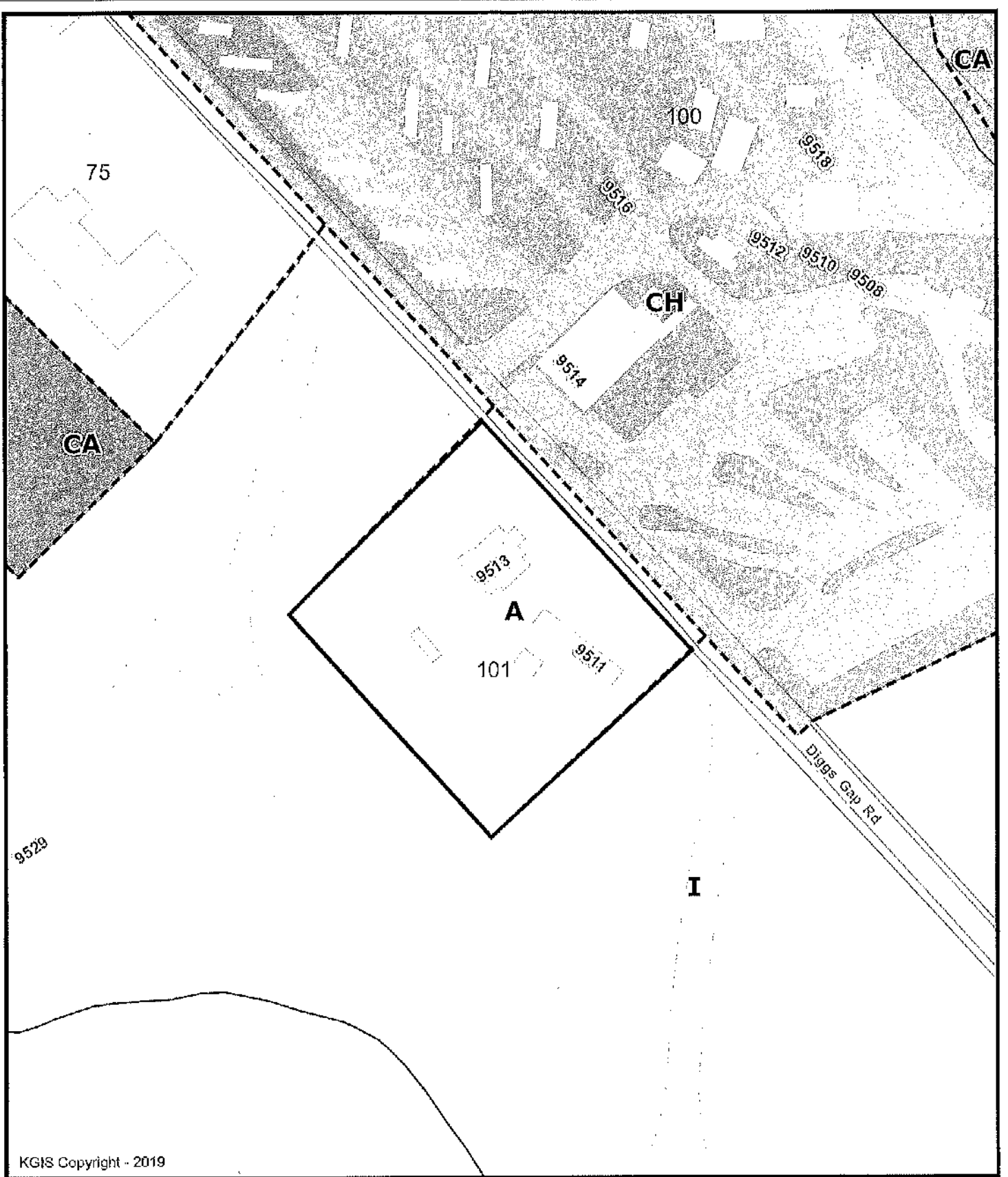
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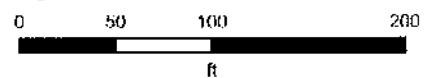
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### Letter Portrait

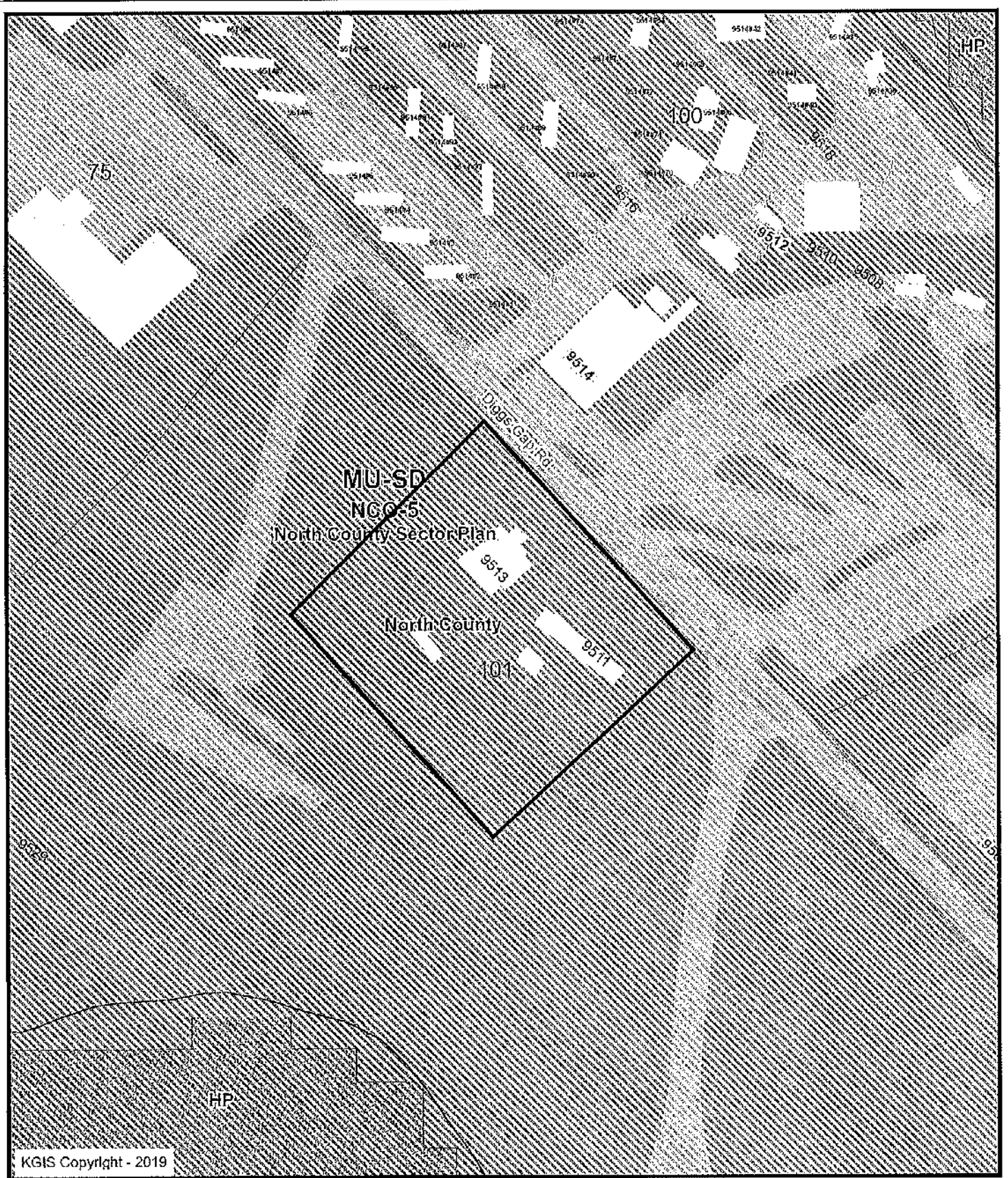
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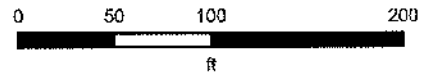


Letter Portrait

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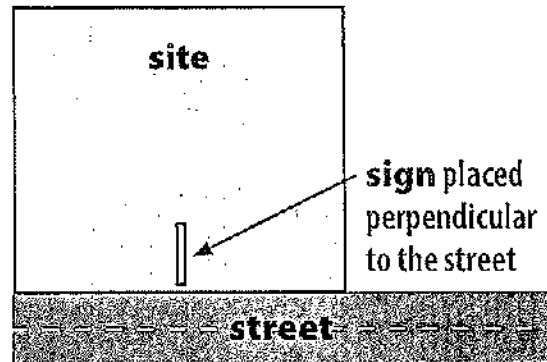
## REQUIRED SIGN POSTING AGREEMENT

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:

3/27/19 and 4/12/19  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Travis Burkhalter

Printed Name: Travis Burkhalter

Phone: 865-388-6417 Email: 724travis@gmail.com

Date: 2-22-19

MPC File Number: 4-E-19-RZ