

# REZONING REPORT

▶ **FILE #:** 4-J-19-RZ

**AGENDA ITEM #:** 38

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

▶ **APPLICANT:** TAYLOR D. FORRESTER  
OWNER(S): Natural Roots Realty Holding, LLC

TAX ID NUMBER: 155 04324 [View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 9222 Tedford Ln

▶ **LOCATION:** South side of Tedford, East of Lakefront Drive

▶ **APPX. SIZE OF TRACT:** 2.02 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Tedford Ln., a minor collector, with a pavement width of 16-18' feet and a right-of-way width of 50' feet.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

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

▶ **ZONING REQUESTED:** T (Transition)

▶ **EXISTING LAND USE:** Garage apartment / Landscape contractor office

▶ **PROPOSED USE:**

EXTENSION OF ZONE: No

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: Single family, rural residential / A (Agricultural)

South: Single family, vacant land / A (Agricultural)

East: Single family, rural residential, vacant land / A (Agricultural)

West: Single family, rural residential / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with residential uses on large lots under A zone. There is a marina located to the west on Tedford Ln. that is developed in the CA zone.

## STAFF RECOMMENDATION:

▶ **DENY the request for T (Transition) zoning because the subject site is not consistent with intent of the zone district.**

The general intent of the T (Transition) zone is to allow development that is located between and compatible with both low density residential uses and more intense uses, such as commercial. The subject property is not located adjacent to more intense uses to provide a transition to low density residential. The commercial zoning to the west is not adjacent and is for a marina which are commonly located in rural areas. In addition, this portion of Tedford Lane does not have public sewer service which may need to be extended to serve the site depending on the future use.

**COMMENTS:**

The current property owner uses the existing structure, a garage with four overhead doors and a living unit upstairs, to operate a landscape contractor business. Contractor office is not listed as a permitted use within the T (Transition) district, however, the planning commission is authorized by the zone district to allow "other uses of a related nature, provided the intent of this resolution is maintained." If the Transition zone is approved, the business owner must apply for a Similar Use Determination with the Planning Commission before the current use can be permitted. In addition, a development plan must be approved by the Planning Commission via the Use on Review process. The development plan will show how the property can be brought up to compliance with the requirements of the Transition zone and other provisions of the Knox County Zoning Ordinance.

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. There have been no substantial changes or changing conditions in the area that would warrant approval of T (Transition) zoning for this property.

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

- 1. The intent of the T (Transition) zone is to insure the development of land adjacent to residential areas, between other types of commercial and residential classifications, promotes the public health, safety, morals, and general welfare of the citizens of the county. The purpose of the T zone is to allow non-residential uses that are not major traffic generators and compatible with adjacent residential areas.
- 2. The allowed uses in the T zone are not appropriate for this location because the property is not providing a land use transition from a higher to lower intensity of use. The T zone will introduce new types of uses in an area that is developed with large lot residential uses.

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 T (Transition) zone is not appropriate for this location because it allows uses that are not compatible with the large lot residential uses in the area.
- 2. Tedford Lane is approximately 16'-18' wide and is not appropriate for uses permitted by the T zone.
- 3. This portion of Tedford Lane is not serviced by public sewer. The closest location of sewer is at the intersection of Tedford Lane and Keller Bend Road.

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:

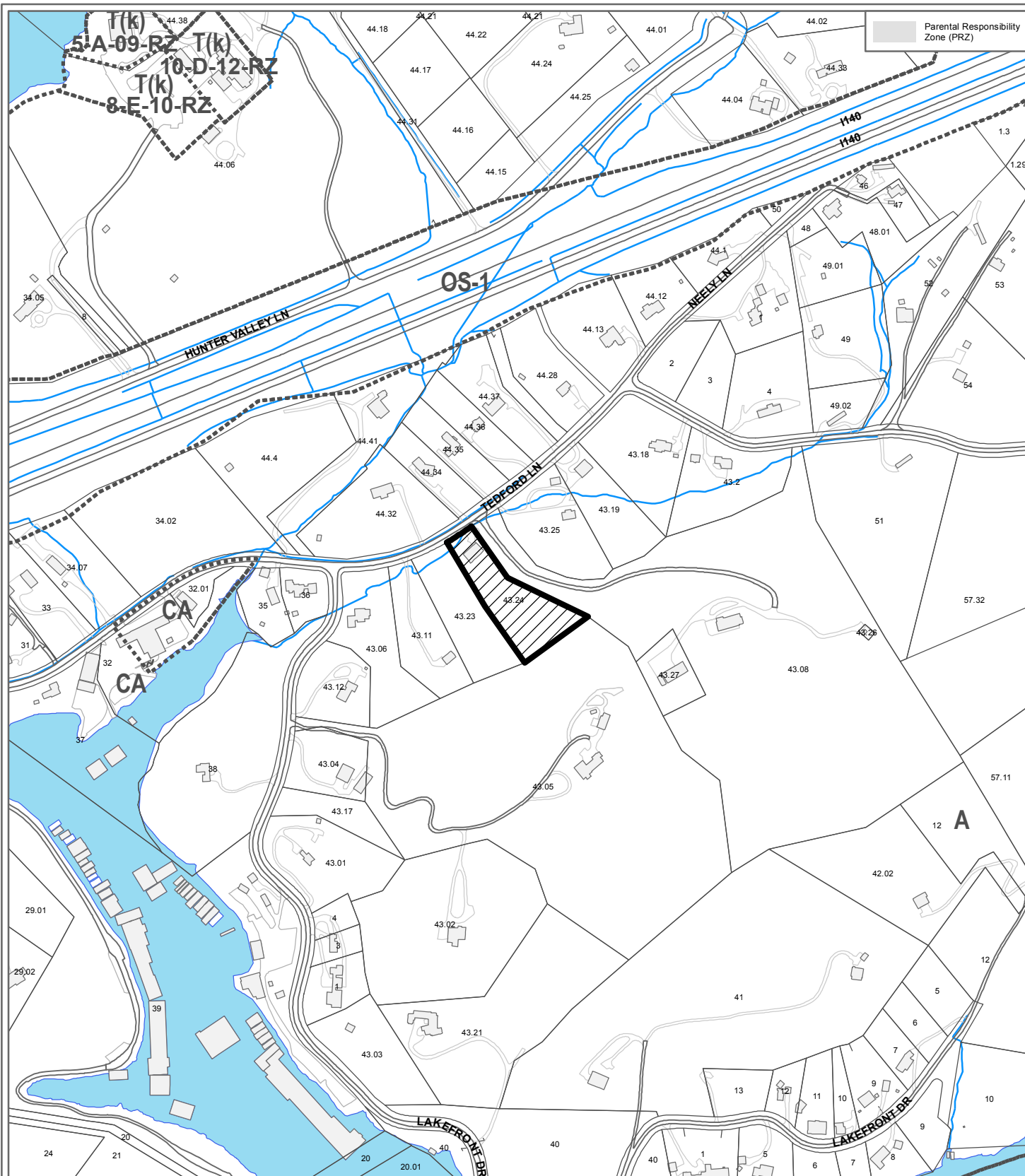
- 1. The Southwest County Sector Plan proposes rural residential uses for this property which is not consistent with the uses permitted within the T (Transition) zone.
- 2. The property is located within the Hillside Protection area of the sector plan. The T zone allows uses that would encourage the development of the steep sloped areas of the site. The improvements needed to meet the standards of the zoning ordinance may require additional clearing and grading within the Hillside Protection area of the site to provide parking.
- 3. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. The T zone can be considered for approval in the Rural Area.
- 4. Tedford Lane is classified as a minor collector by the Major Road Plan, however, this is because it makes a connection between Keller Bend Road and Tooles Bend Road. Improvements to Tedford Lane may be necessary if there is a substantial increase in traffic, particularly to the east of the subject site.

ESTIMATED TRAFFIC IMPACT: 33 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

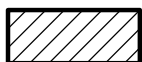
ESTIMATED STUDENT YIELD: Not applicable.

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.



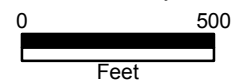
**4-J-19-RZ  
REZONING**

From: A (Agricultural)  
To: T (Transition)



Petitioner: Forrester, Taylor D.

Map No: 155  
Jurisdiction: County





## REZONING      PLAN AMENDMENT

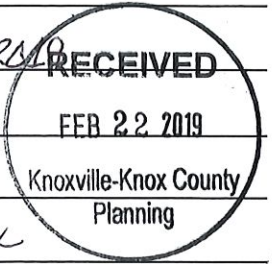
Name of Applicant: Taylor D. Forrester

Date Filed: 2/22/2019 Meeting Date: 4/11/2019

Application Accepted by: mpayre

Fee Amount: 1,000.00 File Number: Rezoning 4-J-19-RZ

Fee Amount: # File Number: Plan Amendment #



### PROPERTY INFORMATION

Address: 9222 Tedford Lane

General Location: 3/8 Tedford Ln. Over Lakefront Dr

Parcel ID Number(s): 15504324

Tract Size: 2.02 acres

Existing Land Use: Single Structure on Lot

Planning Sector: Southwest County

Growth Policy Plan: Rural

Census Tract: 57.100

Traffic Zone: 117

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 412 District

### Requested Change REZONING

FROM: Ag

TO: TRANSITIONAL (T)

### PLAN AMENDMENT

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

FROM: #

TO: #

### PROPOSED USE OF PROPERTY

\_\_\_\_\_

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

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

### PROPERTY OWNER    OPTION HOLDER

PLEASE PRINT  
Name: Natural Roots Realty Holding LLC

Company: Same

Address: 9222 Tedford Lane

City: KNOXVILLE State: TN Zip: 37922

Telephone: 865-805-3116

Fax: N/A

E-mail: dfeehane@naturalrootslandscaping.com

### APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT  
Name: Taylor D. Forrester

Company: Long, Ragsdale & Waters, P.C.

Address: 1111 N. Northshore Dr., Suite 5-700

City: KNOXVILLE State: TN Zip: 37919

Telephone: 865-584-4040

Fax: 865-584-6084

E-mail: TForrester@lrwlaw.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: [Signature]

PLEASE PRINT  
Name: Taylor D. Forrester

Company: Long, Ragsdale & Waters, P.C.

Address: 1111 N. Northshore Dr., Suite 5-700

City: KNOXVILLE State: TN Zip: 37919

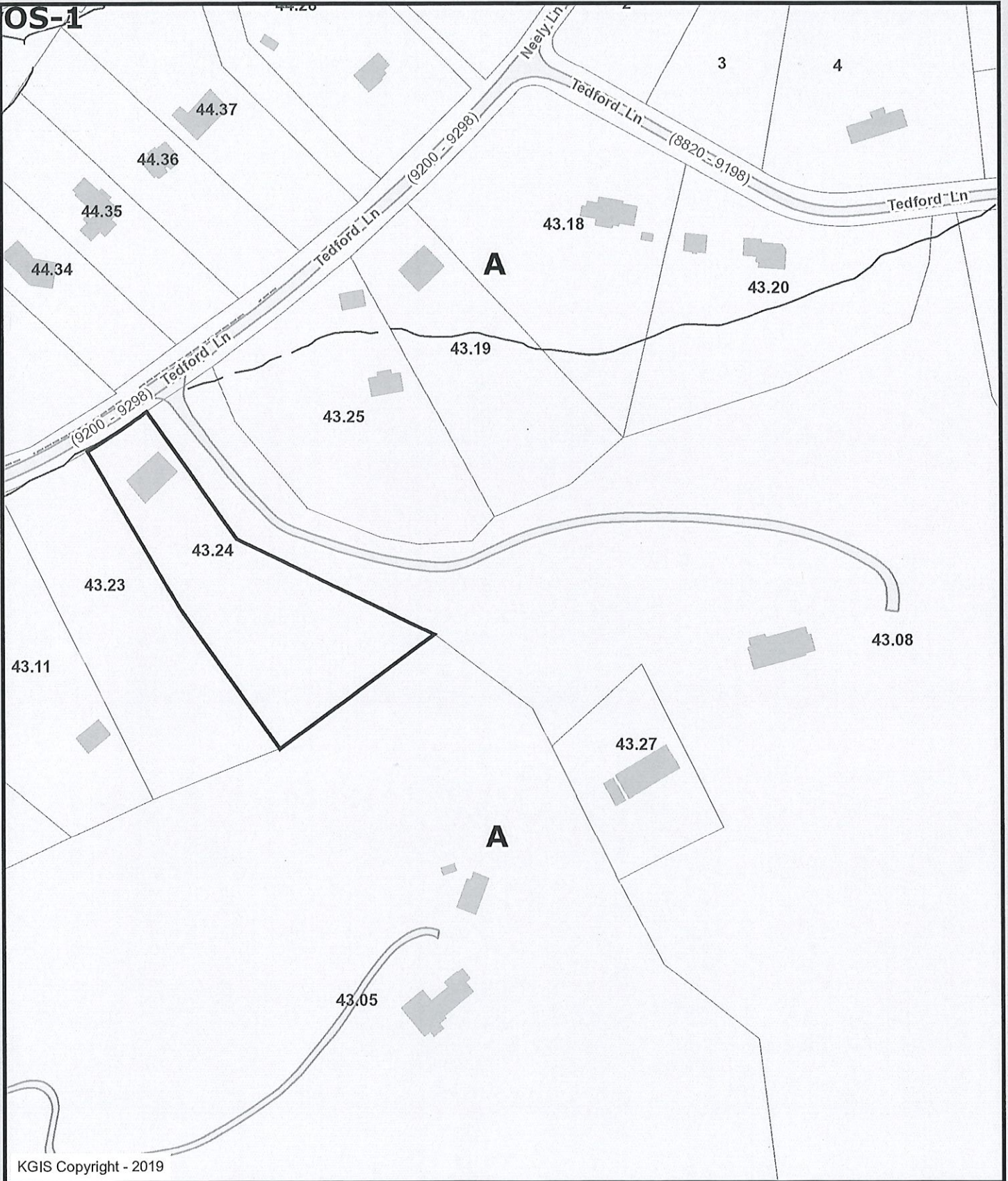
Telephone: 865-584-4040

E-mail: TForrester@lrwlaw.com





OS-1



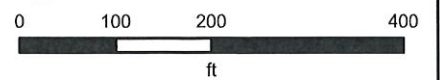
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### Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

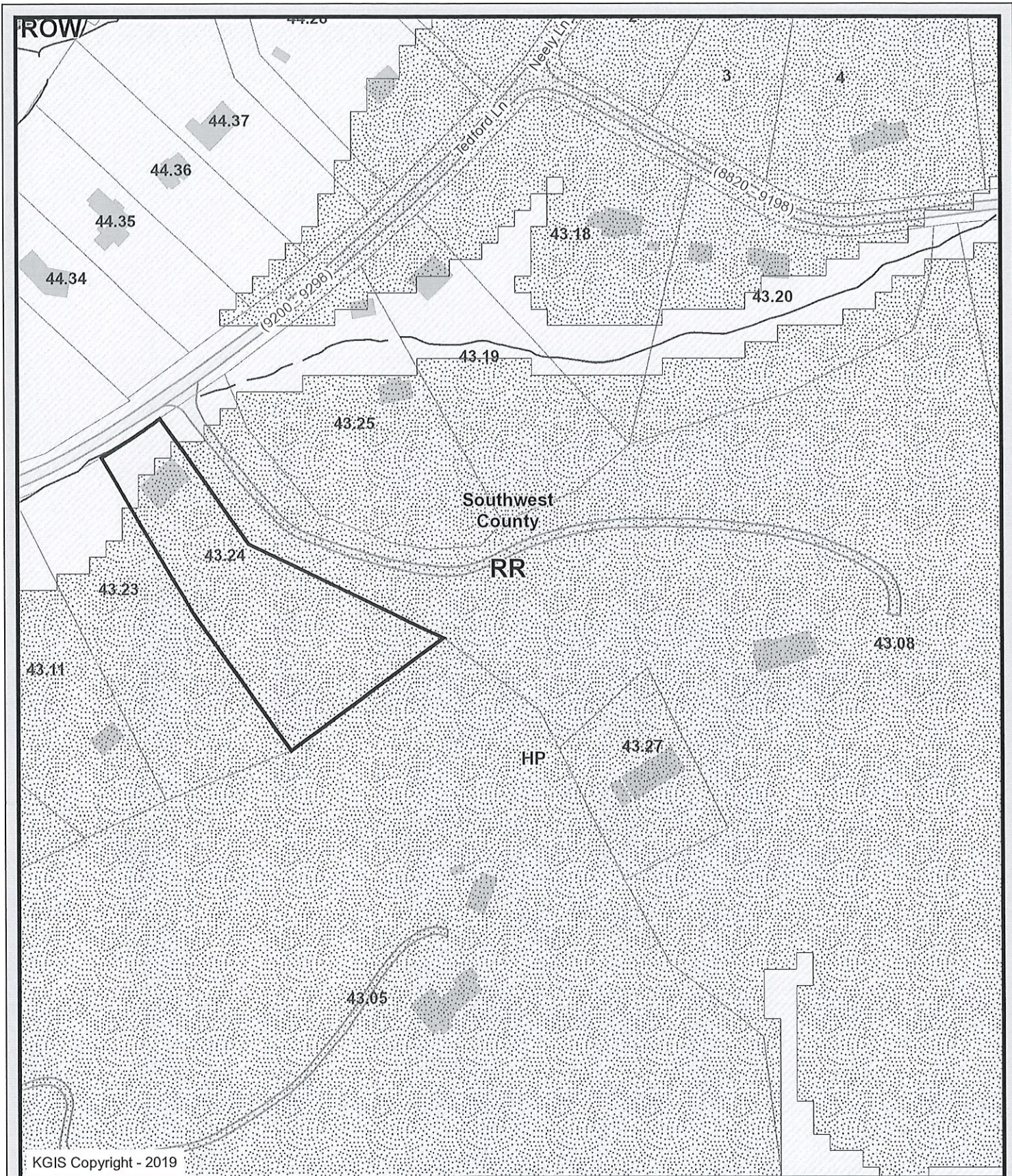


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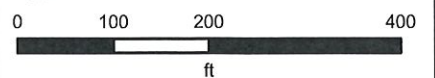


## Letter Portrait

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



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Long, Ragsdale & Waters, P.C.

ATTORNEYS AT LAW

David Wilson Long  
Dennis B. Ragsdale  
John B. Waters III  
J. Michael Ivens  
R. Louis Crossley, Jr.  
C. Paul Harrison  
J. Randolph Miller  
Garrett P. Swartwood

Jennifer Milligan Swindle\*  
Lee A. Popkin  
W. Michael Baisley  
Taylor D. Forrester  
Kyle A. Baisley  
Alexander O. Waters

February 22, 2019

John B. Waters, Jr. (1929-2018)

Metropolitan Planning Commission  
City-County Building, Suite 403  
400 Main Street  
Knoxville, TN 37902

*Via Hand-Delivery*

Re: Rezoning Application for Property located at 9222 Tedford Lane, Knoxville,  
Tennessee 37922

Dear MPC Staff:

Please find enclosed the following:

1. Application for Rezoning of the above-referenced property; and
2. Filing fee check in the amount of \$1,000.00 payable to Knoxville-Knox County Metropolitan Planning Commission.

I respectfully request that the instant matter be scheduled for the April 11, 2019 MPC meeting.

Please have our runner execute the notice and agreement regarding sign posting and provide him the sign to be posted on the property, if available.

I have spoken with Mike Reynolds a couple times regarding the instant rezoning application and he advised that the section "General Location" in the application be left blank to be completed by Staff.

Should you have any questions, concerns or need any additional information please do not hesitate to contact me.

Respectfully yours,

LONG, RAGSDALE & WATERS, P.C.

By: 

Taylor D. Forrester

Encl.

cc: Dan Feehan  
Julie O'Dell 1111 N. Northshore Drive, Suite S-700 Knoxville, Tennessee 37919-4074  
865 584 4040 865 584 6084 fax www.lrwlaw.com

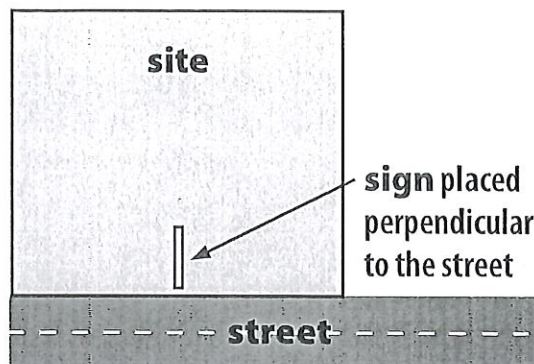
## REQUIRED SIGN POSTING AGREEMENT

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: J. Blackwell

Printed Name: Jemison Blackwell

Phone: 731-514-7578 Email: jemisonandrewblackwell@gmail.com

Date: 22 FEB 2019

MPC File Number: 4-J-19-RZ