

REZONING REPORT

► **FILE #:** 8-E-19-RZ

AGENDA ITEM #: 31

AGENDA DATE: 8/8/2019

► **APPLICANT:** RON WORLEY, JR. / WBI RENTALS, LLC

OWNER(S): Paula Flanagan

TAX ID NUMBER: 118 122

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 805 Bob Kirby Road

► **LOCATION:** West side of Bob Kirby Road, north of Dutchtown Road

► **APPX. SIZE OF TRACT:** 1.36 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Bob Kirby Road is a minor collector with a pavement width of 36 feet and a right-of-way width of 75 feet.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

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

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

► **EXISTING LAND USE:** Single Family Residential

► **PROPOSED USE:** Residential

EXTENSION OF ZONE: Yes, from the east and from the north

HISTORY OF ZONING: None noted for this property.

SURROUNDING LAND USE AND ZONING: North: Single Family Residential - RA (Low Density Residential)

South: Single Family Residential - CN (Neighborhood Commercial)

East: Multifamily Residential - RA (Low Density Residential)

West: Single Family Residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area consists of mostly single family residential uses, with planned residential developments and low density residential uses nearby. There are duplexes across Bob Kirby Road.

STAFF RECOMMENDATION:

► **Approve the requested RA (Low Density Residential) zoning.**

Staff recommends approval of the requested RA (Low Density Residential) zoning, recognizing that the zone is compatible with the Low Density Residential sector plan designation, and the density proposed is beneath the maximum allowed.

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 in the Planned Growth Area of the Growth Policy Plan.
2. The property directly across the street was rezoned from A (Agricultural) to RA (Low Density Residential) in October, 2013. Duplex uses were approved for these lots as a use on review in January, 2016.
3. This property is near several PR (Planned Residential) neighborhoods with densities averaging around 4.5 du/ac.

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

1. The proposed amendment to RA zoning is intended to provide 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. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land 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. RA zoning at less than 5 du/ac is compatible with the proposed LDR sector plan designation and any impacts would be addressed during the use on review process.
2. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.

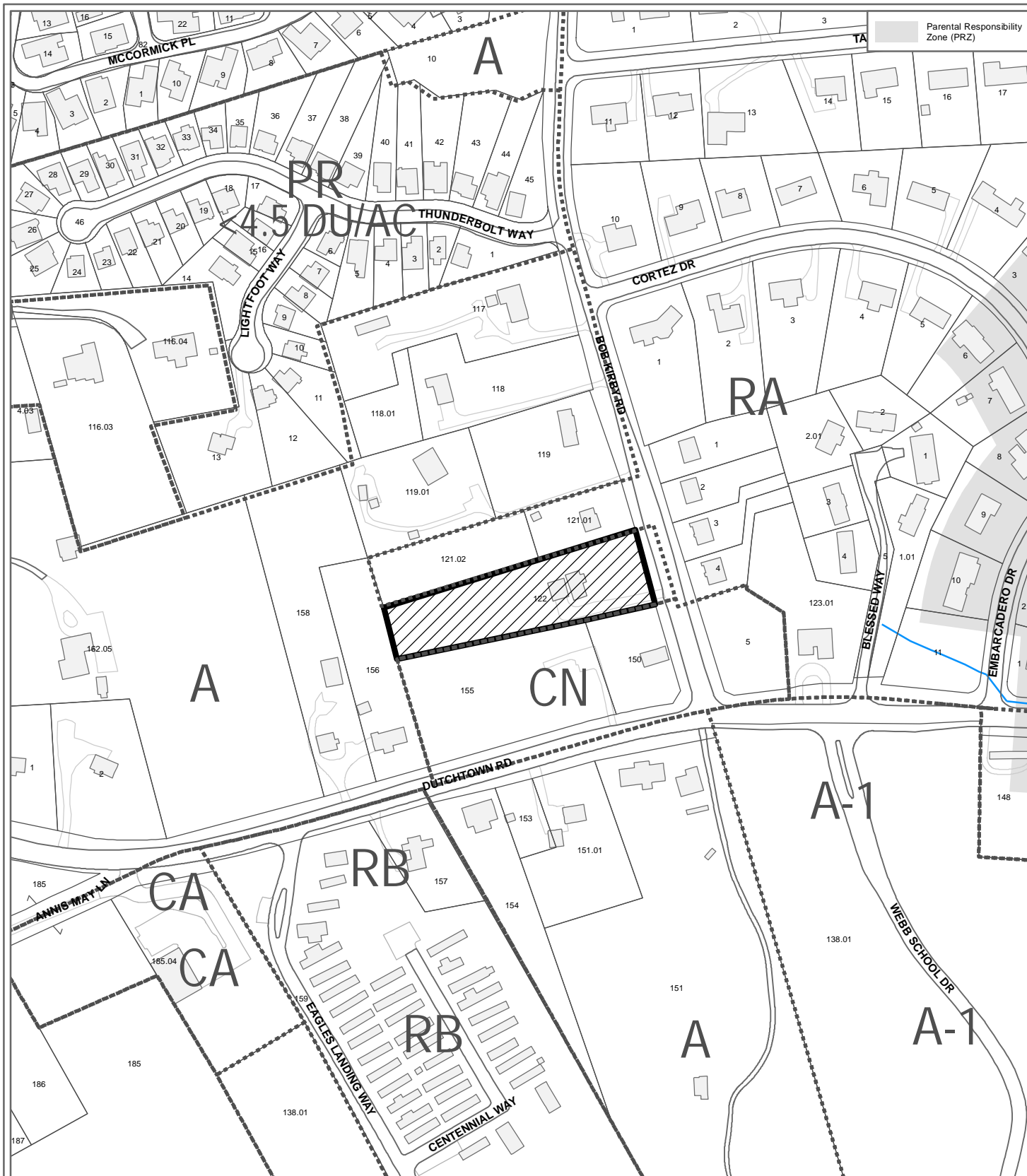
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed amendment is consistent with and not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

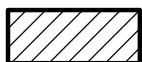
If approved, this item will be forwarded to Knoxville-Knox County Planning Commission for action on 9/23/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville-Knox County Planning Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**8-E-19-RZ
REZONING**

From: A (Agricultural)

To: RA (Low Density Residential)



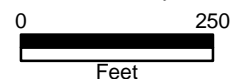
Original Print Date: 7/15/2019
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Worley, Jr. / WBI Rentals, LLC,
Ron

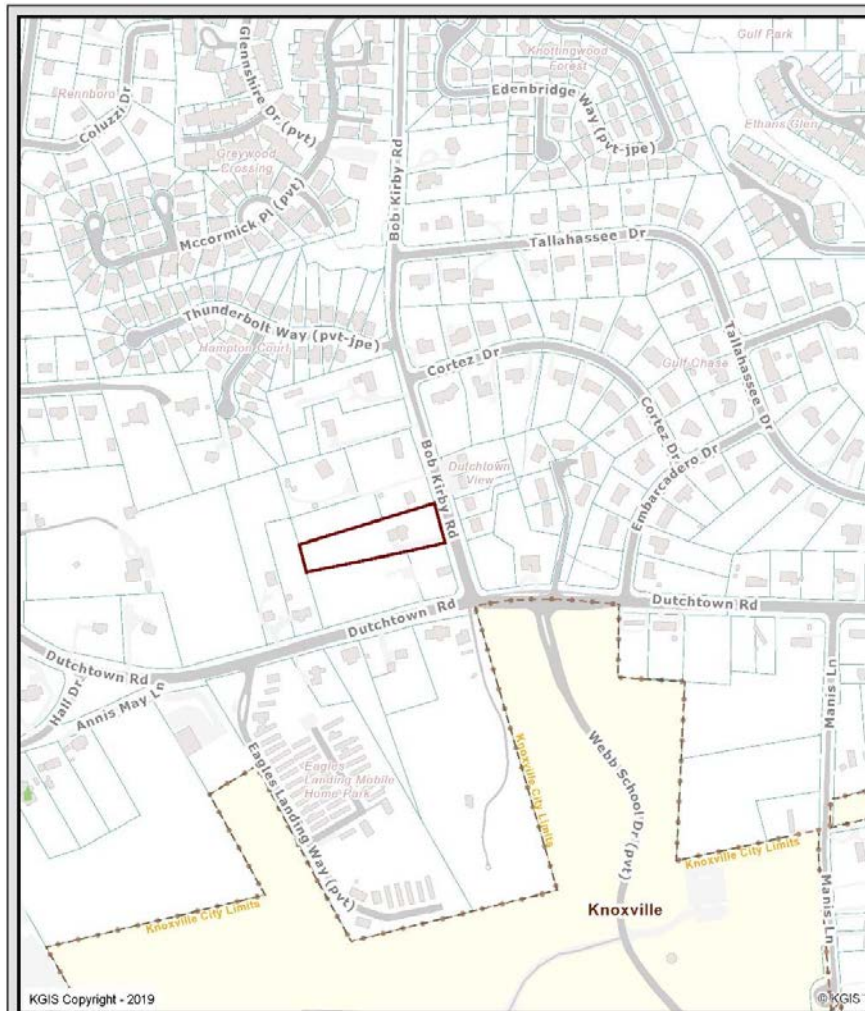
Map No: 118

Jurisdiction: County



8-E-19-RZ

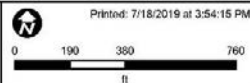
EXHIBIT A. Contextual Images



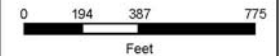
8-E-19-RZ: Location Map
805 Kirby Rd.

Knoxville - Knox County - KUB Geographic Information System

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8-E-19-RZ: Aerial Map
805 Bob Kirby Rd.



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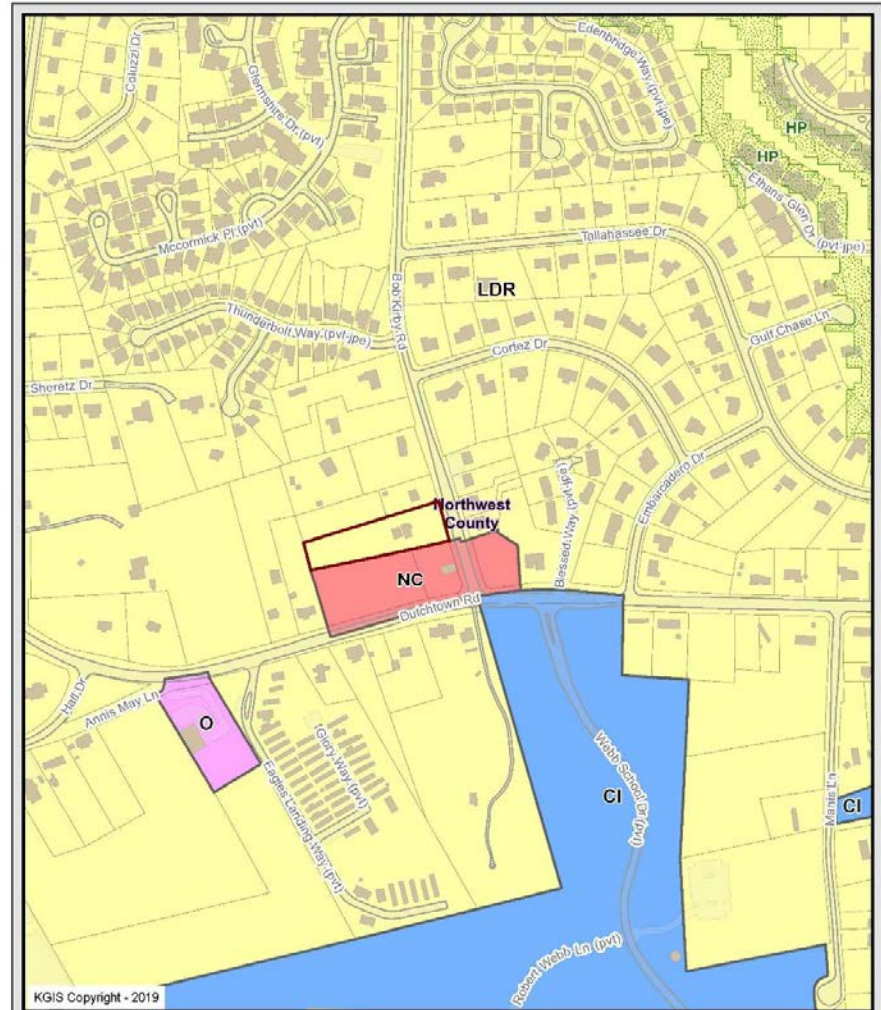
EXHIBIT A. Contextual Images



8-E-19-RZ: Existing Land Use Map
805 Kirby Rd.

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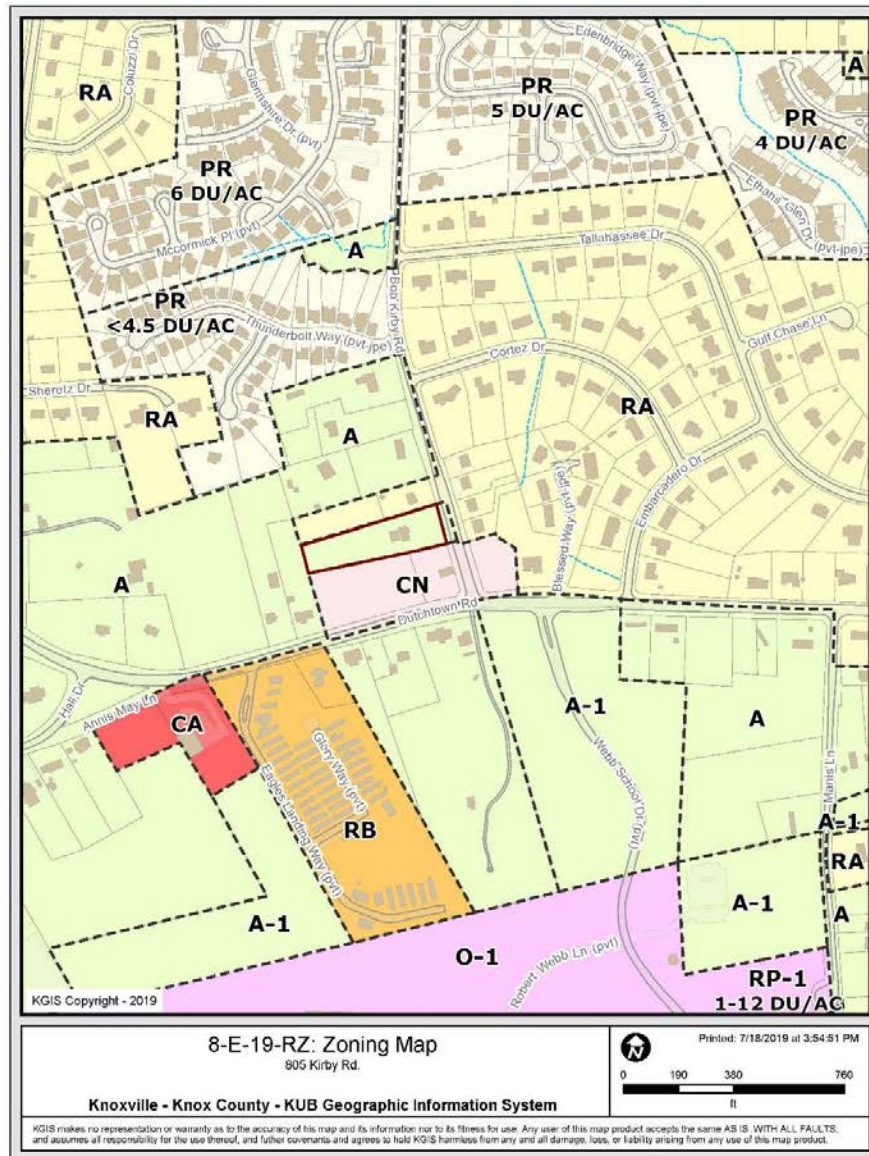
8-E-19-RZ: Sector Plan Map (Future Land Use)
805 Kirby Rd.

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8-E-19-RZ

EXHIBIT A. Contextual Images





REQUEST TYPE

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

RECEIVED

JUN 24 2019

Knoxville-Knox County
Planning

6/24/2019

Date Filed

8/8/2019

Meeting Date

8-E-19-R2

File Number(s)

APPLICATION CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Ron W. Worley, Jr., mgr.

Name

WBI Rentals LLC

Company

P.O. Box 71022

Address

Knoxville

City

TN

State

37938

Zip

865-922-2600

Phone

Ron@worleybuildersinc.com

Email

CURRENT PROPERTY INFO

Paula Flanagan + Pamela Smith

Owner Name (if different)

6109 Cougar Dr.

Owner Address

Knoxville, TN

865-385-6918

Owner Phone

805 Bob Kirby Rd.

Property Address

118 122

Parcel ID

Bob Kirby Road North of Dutchtown Rd. 1.36 Acres⁺

General Location

Tract Size

A

Zoning District

Residential

Existing Land Use

NW County

Planning Sector

LDR

Sector Plan Land Use Classification

Planned Growth

Growth Policy Plan Designation

3

Jurisdiction (specify district above)

- ☐ City Council ☒ County Commission

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify): _____

☐ Other (specify): _____

SUBDIVISION

☐ Proposed Subdivision Name _____ Unit / Phase Number _____

☐ Concept Plans in Planned District or Zone

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: _____

☐ Other (specify): _____

☐ Attachments / Additional Requirements

ZONING

☐ Proposed Property Use (specify) Residential use Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☒ Zoning Change ☐ Plan Amendment Change

RA Proposed Zoning _____ Proposed Plan Designation(s) _____

☐ Other (specify): _____

STAFF USE ONLY

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)
☐ Use on Review / Special Use (Concept Plan only)
☐ Traffic Impact Study

FEE 1:

500.00

FEE 2:

FEE 3:

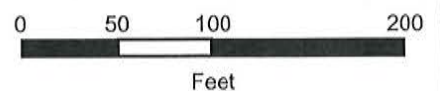
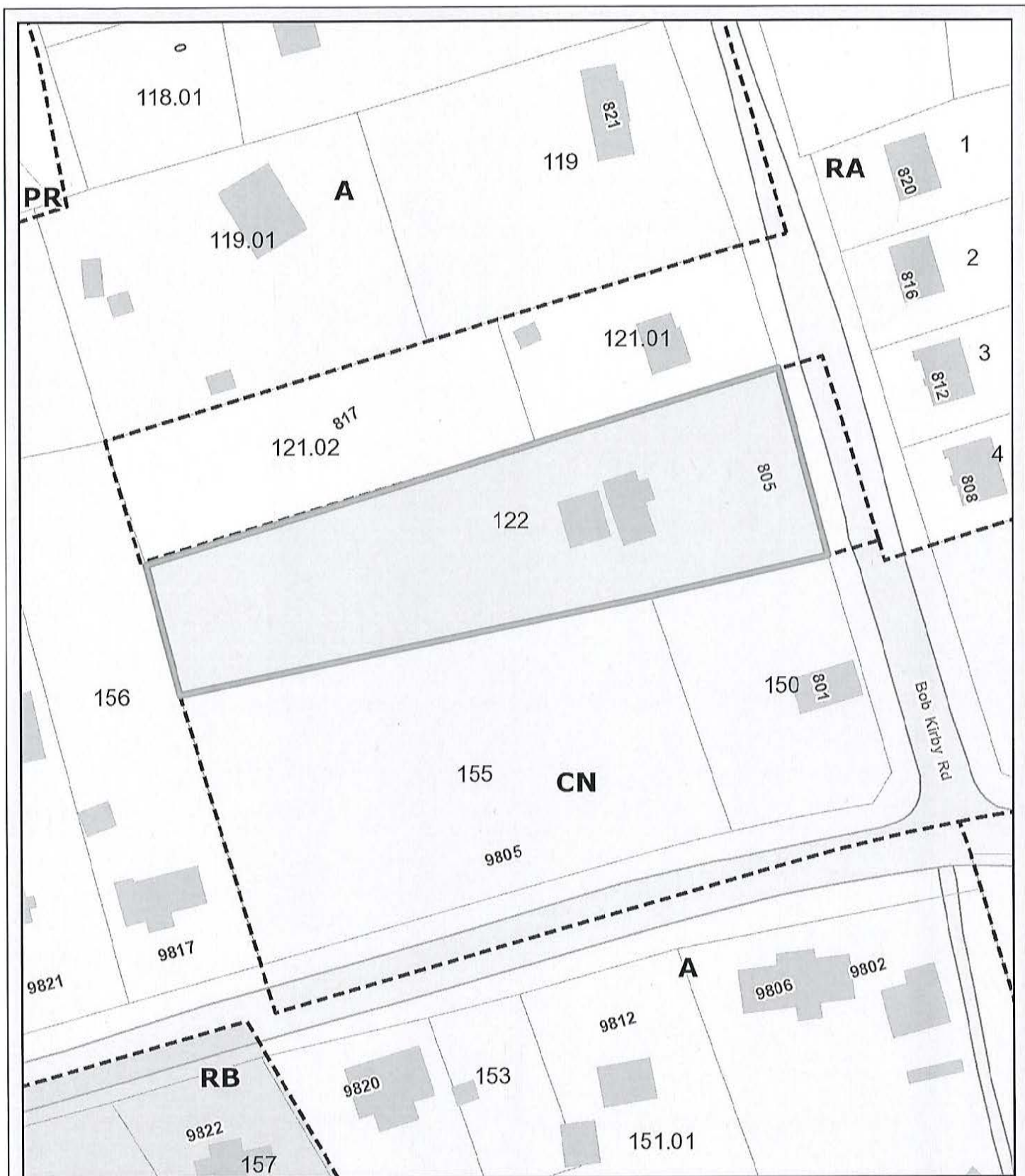
TOTAL:

500.00

AUTHORIZATION

[Signature] Michael Reynolds 6/24/2019
Staff Signature Please Print Date

[Signature] RON W. Worley Jr. LLC 6/24/19
Applicant Signature Please Print Date



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Source: KGIS

06/26/2019

<https://www.kgis.org/parcelreports/ownercard.aspx?id=118%20%20122>

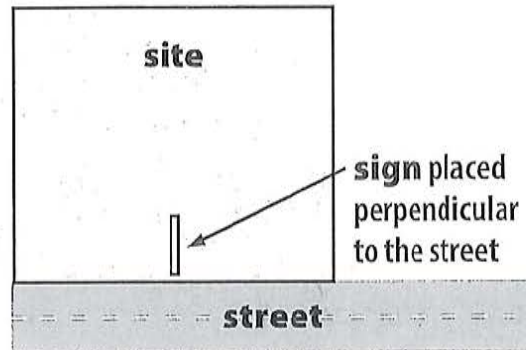
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. Planning 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 Planning Commission 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 Planning Commission 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:

7/24/2019 and 8/9/2019
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Ron W. Worley Jr. WBI Builders LLC

Printed Name: Ron W. Worley Jr. WBI Builders LLC

Phone: 865 922 2000 Email: Ron@worleybuildersinc.com

Date: 6/24/19

File Number: 0-E-19-R2