

# REZONING REPORT

► **FILE #:** 8-I-19-RZ

**AGENDA ITEM #:** 35

**AGENDA DATE:** 8/8/2019

► **APPLICANT:** JOAN CLARK / KELLER WILLIAMS

OWNER(S): Gary Wagner

TAX ID NUMBER: 131 L A 018.00

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 211 Fox Road

► **LOCATION:** South of Kingston Pike and east of I-140

► **APPX. SIZE OF TRACT:** 1.08 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is off of Fox Road, a minor collector with a 20-foot pavement width and a 40-foot right-of-way width.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

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

► **ZONING REQUESTED:** OB (Office, Medical, and Related Services)

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

► **PROPOSED USE:** Residences will remain in place with no changes

**DENSITY PROPOSED:** n/a

EXTENSION OF ZONE: OB is to the south and east

HISTORY OF ZONING: None noted for this property, though the surrounding properties were rezoned from A (Agricultural) to OB (Office, Medical, and Related Services) from 2001 to 2013

SURROUNDING LAND North: Single Family Residential - A (Agricultural)

USE AND ZONING: South: Office - OB (Office, Medical, and Related Services)

East: Single Family Residential and Rural Commercial - A (Agricultural) and OB (Commercial - OB (Office, Medical, and Related Services)

West: Commercial - OB (Office, Medical, and Related Services)

NEIGHBORHOOD CONTEXT: This stretch of Fox Road is a mix of professional service offices (land design, insurance, etc.) and single-family homes.

## STAFF RECOMMENDATION:

► **Approve the requested OB (Office, Medical, and Related Services) zoning.**

The OB zone is compatible with the sector plan's office land use designation, and this part of Fox Road has developed into a mix of office and residential uses.

## 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. There are no significant recent changes that would warrant a rezoning.
2. The property currently holds two single-family residential dwellings, and the lot is 1.08 acres, making it non-compliant in terms of density (the Agricultural Zone allows 1 du/ac max). Rezoning the property to OB (Office, Medical, and Related Services) would bring the property into compliance.

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

1. The proposed amendment to OB (Office, Medical, and Related Services District) zoning is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.
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 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. OB (Office, Medical, and Related Services) zoning is compatible with the office sector plan designation.
2. Surrounding uses include professional services offices and single-family residential homes.
3. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.

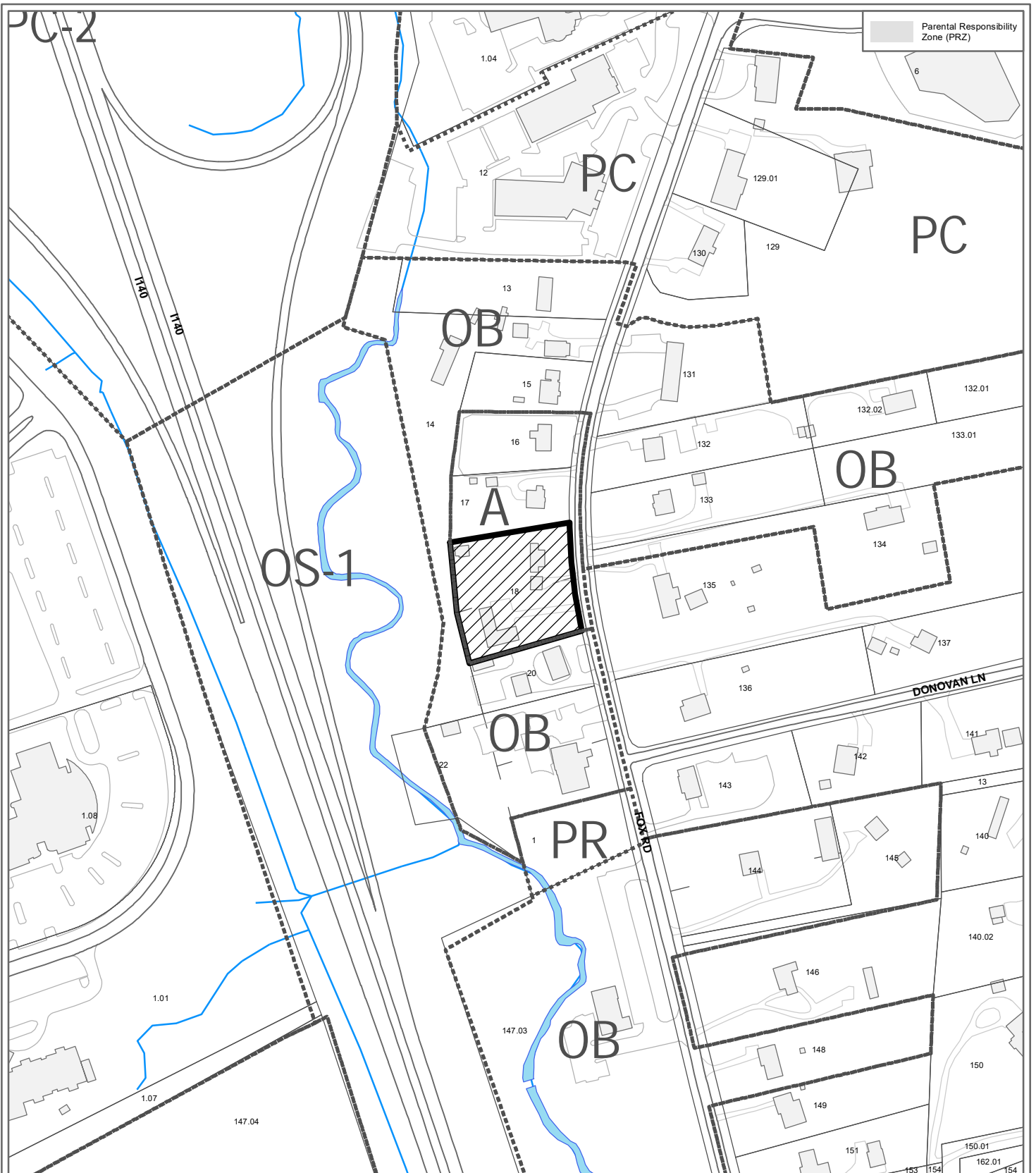
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

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 Knox County 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 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.



# **8-I-19-RZ REZONING**

From: A (Agricultural)

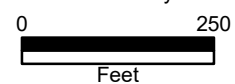
To: OB (Office, Medical, and Related Services)



Petitioner: Keller Williams, Joan Clark /

Map No: 131

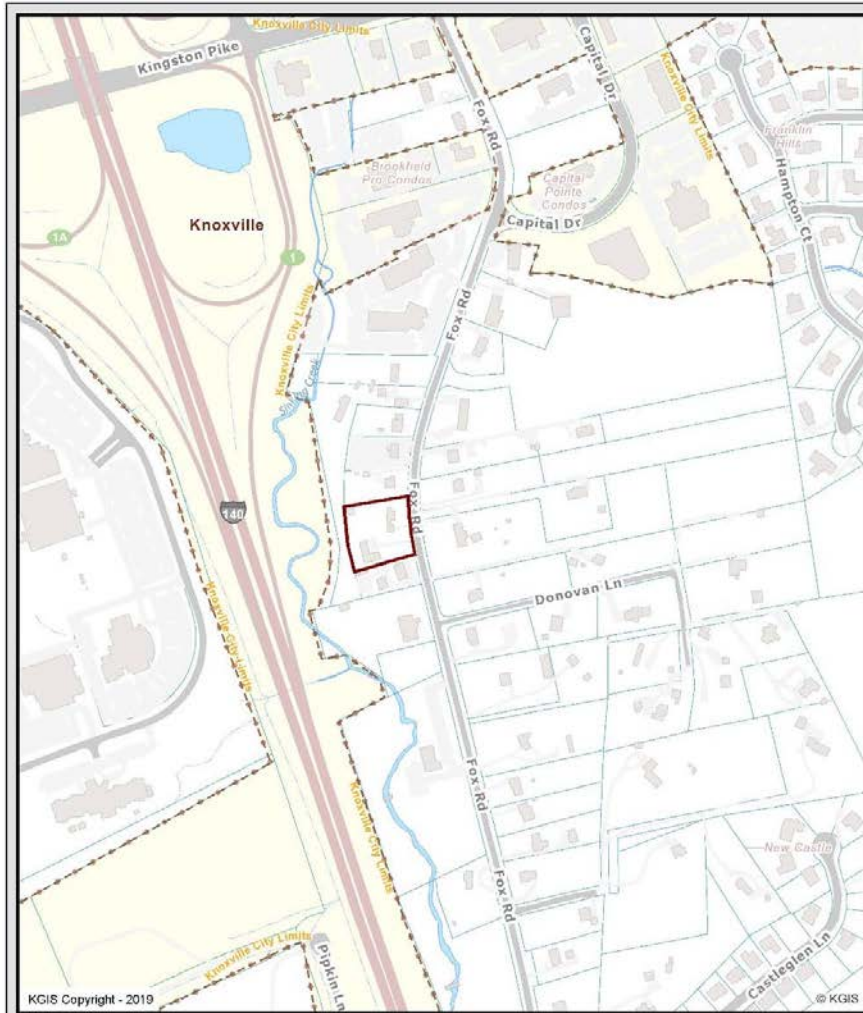
Jurisdiction: County



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

8-I-19-RZ

EXHIBIT A. Contextual Images



8-I-19-RZ: Location Map  
211 Fox Road

Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of its map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



8-I-19-RZ: Aerial Map  
211 Fox Road

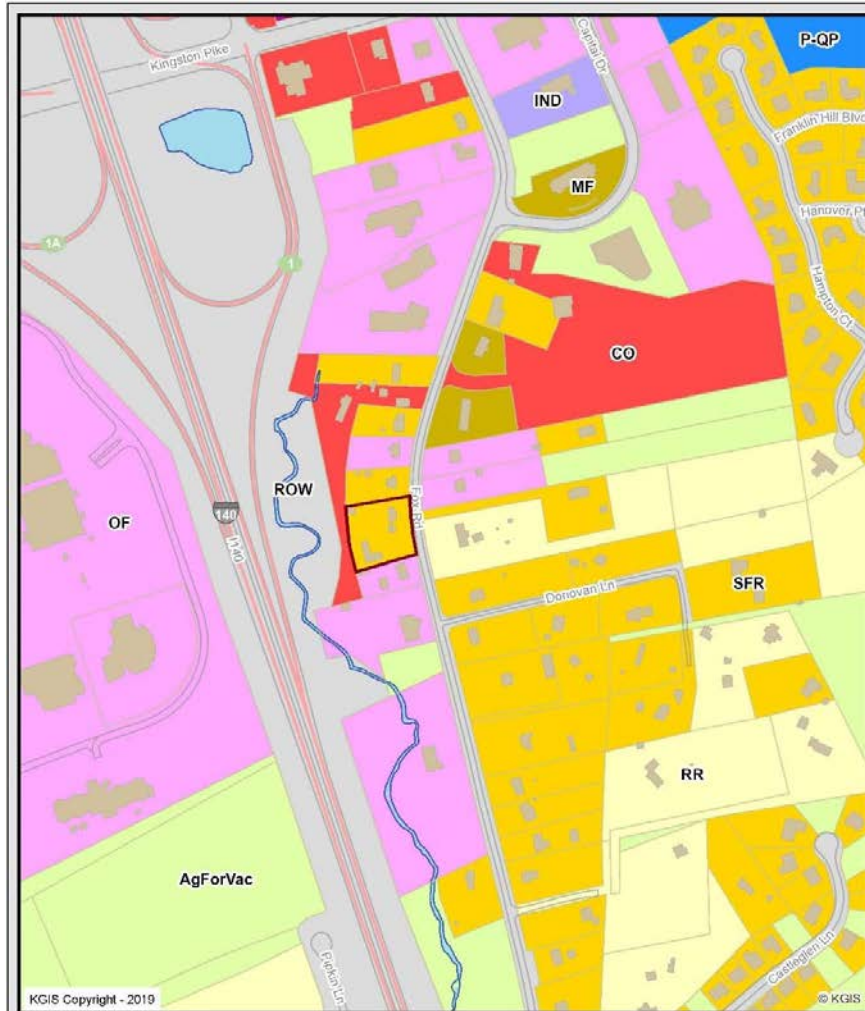
Knoxville - Knox County - KUB Geographic Information System

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## 8-I-19-RZ

### EXHIBIT A. Contextual Images

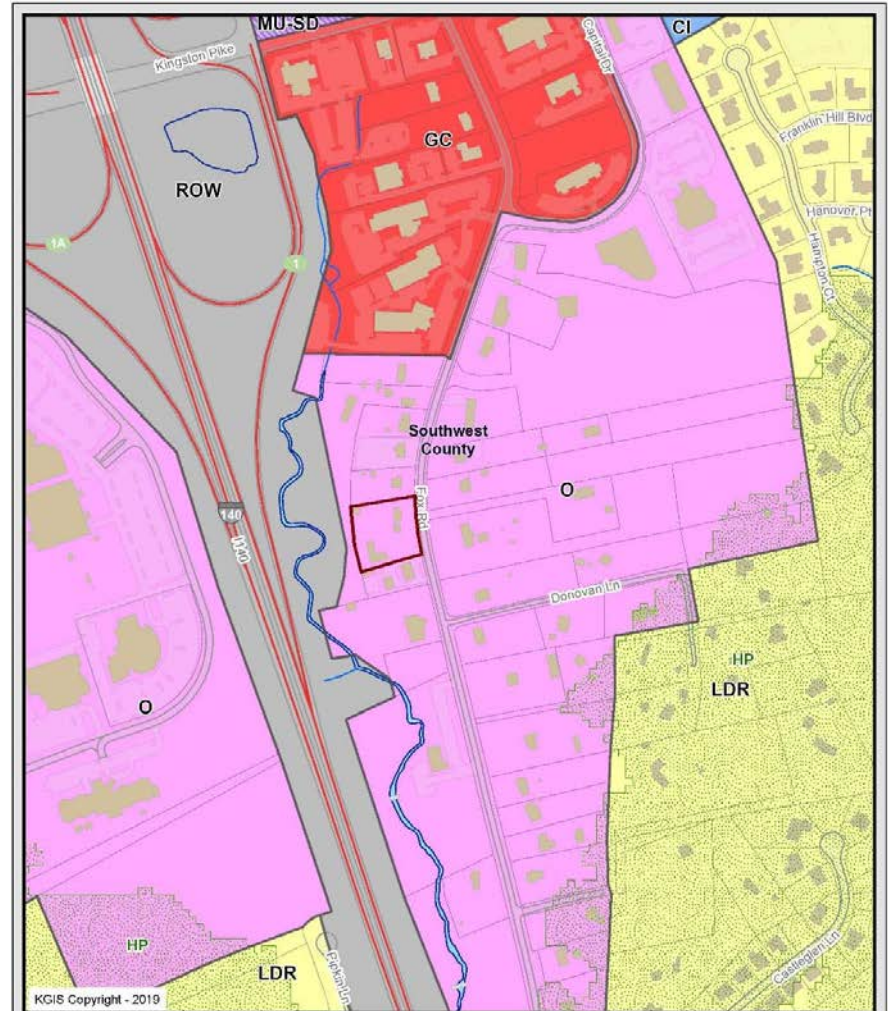


8-I-19-RZ: Existing Land Use Map  
211 Fox Road

Printed: 7/22/2019 at 12:07:35 PM  
0 100 300 700  
ft

Knoxville - Knox County - KUB Geographic Information System

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8-I-19-RZ: Sector Plan Map (Future Land Use)  
211 Fox Road

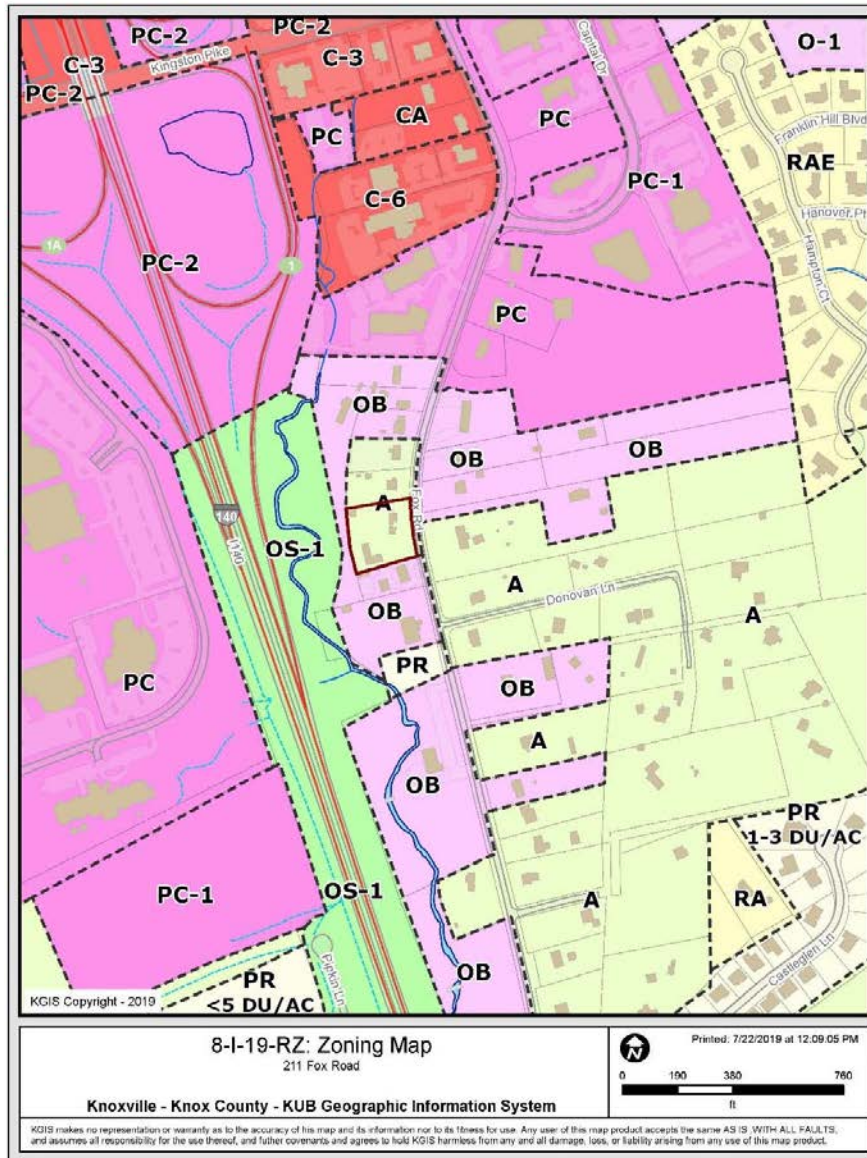
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Knoxville - Knox County - KUB Geographic Information System

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## 8-I-19-RZ

### EXHIBIT A. Contextual Images







## REQUEST TYPE

### DEVELOPMENT

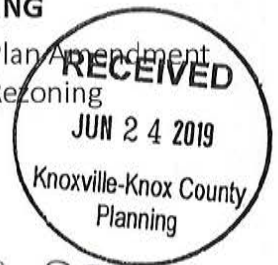
- ☐ Development Plan  
☐ Use on Review / Special Use

### SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

### ZONING

- ☐ Plan Amendment  
☒ Rezoning



6/24/2019  
Date Filed

8/8/2019  
Meeting Date

8-I-19-RZ  
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

Agent  
Name: Joan Clark Company: Keller Williams

Address: 9712 Tunbridge Ln City: Knoxville State: TN Zip: 37922

Phone: 865-776-6805 Email: Joan@YourHomeWithJoan.com

## CURRENT PROPERTY INFO

Owner Name (if different): Gary Wagner Owner Address: 865-465-5424 Owner Phone:

Property Address: 211 Fox Road Parcel ID: 131LA018

General Location: West side Fox Rd., North of Donovan Ln. Tract Size: 1.08 acres

Zoning District: Agricultural - Knox County Existing Land Use: Residential

Planning Sector: SW County Sector Plan Land Use Classification: Office Growth Policy Plan Designation: Planned Growth

Jurisdiction (specify district above): 5  
☐ City Council ☒ County Commission

# REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____		
	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Concept Plans in Planned District or Zone <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel    Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements		
	<b>ZONING</b> <u>Residences</u> <input checked="" type="checkbox"/> Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input checked="" type="checkbox"/> Zoning Change <input type="checkbox"/> Plan Amendment Change <u>OB</u> Proposed Zoning _____ Proposed Plan Designation(s) _____ <input type="checkbox"/> Other (specify): _____		

STAFF USE ONLY	<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study	<b>FEE 1:</b> <u>\$1,000</u>	<b>TOTAL:</b> <u>\$1,000.00</u>
		<b>FEE 2:</b>	
		<b>FEE 3:</b>	

## AUTHORIZATION

 Staff Signature	<u>Michael Reynolds</u> Please Print	<u>6/24/2019</u> Date
 Applicant Signature	<u>Joan Clark</u> Please Print	<u>6/24/19</u> Date



6/15/19

TO WHOM IT MAY CONCERN;

I GARY WAGNER OF 211  
FOX ROAD, KNOXVILLE, TN 37922

HEREBY AUTHORIZE MY REALTOR,  
JOAN CLARK OF KELLER WILLIAMS,

TO ACT ON MY BEHALF REGARDING  
ALL ISSUES WITH THE MPC  
OR OTHER AGENCIES FOR THE REZONING  
OF MY 211 FOX ROAD PROPERTY.

Gary Wagner

6/15/19

CELL #

865-465-5424

✓ # 2985





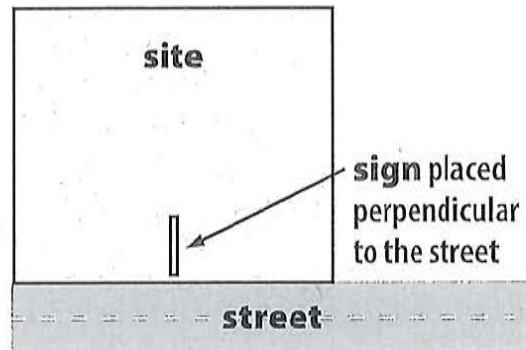
## REQUIRED SIGN POSTING AGREEMENT

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: Joan Clark

Printed Name: Joan Clark

Phone: 865-776-6805 Email: Joan@YourHomeWithJoan.com

Date: 6-24-19

File Number: 8-I-19-RZ