

REZONING REPORT

▶ **FILE #:** 8-K-19-RZ

AGENDA ITEM #: 37

AGENDA DATE: 8/8/2019

▶ **APPLICANT:** DANIEL HUMPHREYS

OWNER(S): Jonathan & Schulte

TAX ID NUMBER: 116 I A 00902 AND 00901

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 2738 West Gallaher Ferry Road

▶ **LOCATION:** North side West Gallaher Ferry Road, west of Hardin Valley Road.

▶ **APPX. SIZE OF TRACT:** 7.01 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via West Gallaher Ferry Road, a local street with 19-20' of pavement width within 40-55' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Clinch River

▶ **PRESENT ZONING:** PR (Planned Residential)

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

▶ **EXISTING LAND USE:** RR (Rural Residential)

▶ **PROPOSED USE:** Return to original zoning of Agricultural

EXTENSION OF ZONE: Yes, the surrounding areas are zoned A (Agriculture)

HISTORY OF ZONING: 8-G-13-RZ: rezoned to PR up to 0.8 du/ac

SURROUNDING LAND USE AND ZONING: North: Clinch River / A (Agricultural)

South: West Gallaher Ferry Rd. - Vacant land / A (Agricultural)

East: House and vacant land / A (Agricultural)

West: Houses and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and rural residential uses under A zoning.

STAFF RECOMMENDATION:

▶ **Approve A (Agricultural) zoning.**

Staff recommends A (Agricultural) zoning because the property was previously zoned Agricultural in 2013 and the South County Sector Plan designates this area as AG (Agricultural).

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 area is designated AG (Agricultural) on the Northwest County Sector Plan and this rezoning request back to A (Agriculture) is a reflection of the land use plan for this area.
2. The area has continued to be rural and consists primarily of large lots and open spaces since the prior 2013 rezoning to PR.

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

1. This zone provides for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.

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. The proposed amendment to the A zone does not adversely affect any other part of the county.

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:

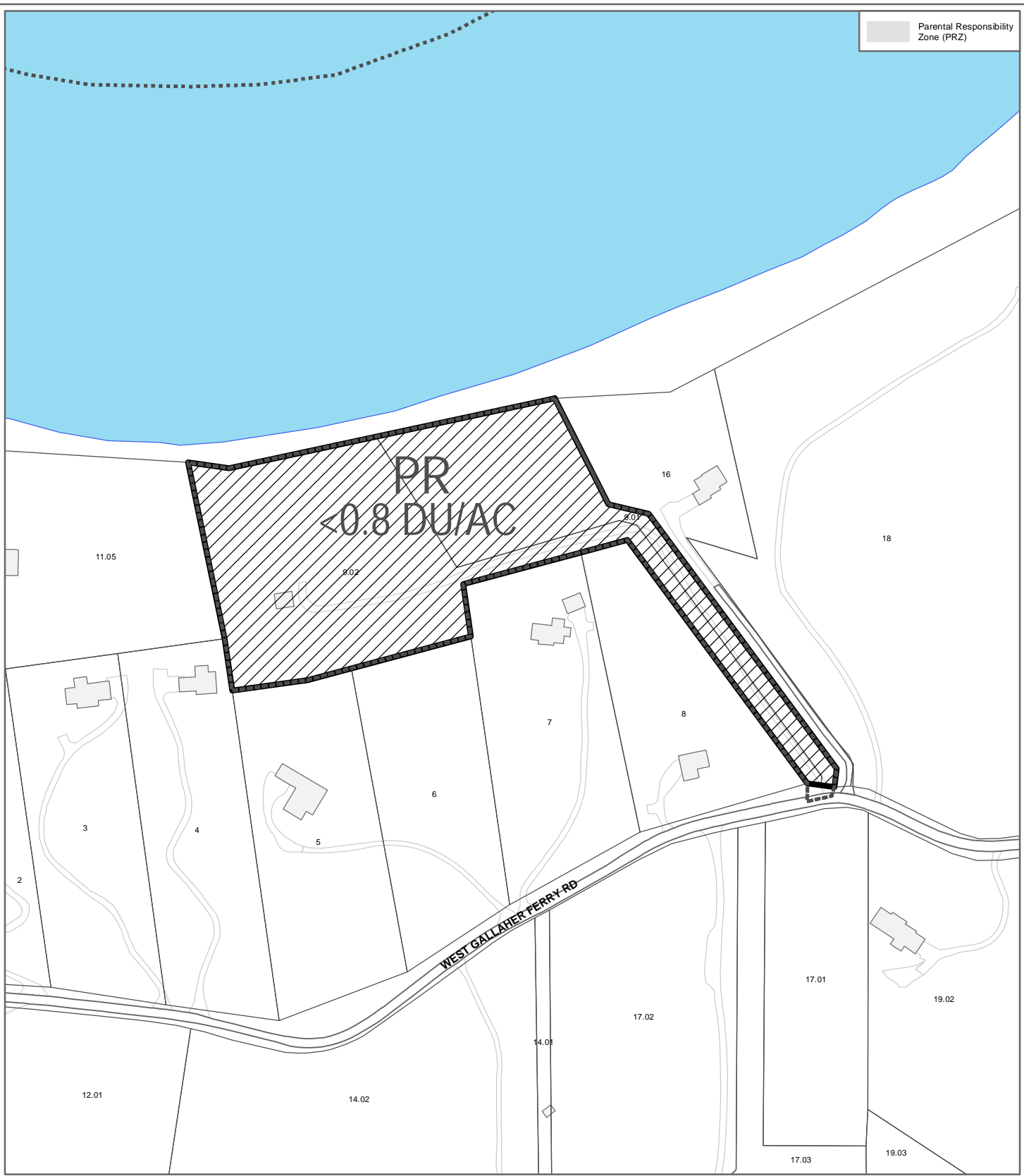
1. The request is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/26/2019. 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.

Parental Responsibility Zone (PRZ)



8-K-19-RZ REZONING

From: PR (Planned Residential)

To: A (Agricultural)



Petitioner: Humphreys, Daniel

Map No: 116

Jurisdiction: County



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



REQUEST TYPE

DEVELOPMENT

- Development Plan
Use on Review / Special Use

SUBDIVISION

- Concept Plan
Final Plat



6/25/19
Date Filed

8/8/19
Meeting Date

8-K-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

Daniel Humphreys
Beginning Point Land Surveying
Name Company

234 LADD RIDGE Rd Kingston TN 37763
Address City State Zip

865-696-4613 rls266@comcast.net
Phone Email

CURRENT PROPERTY INFO

Jonathan & Kristen Schulte 3176 LOVELACE Rd 865-310-7250
Owner Name (if different) Owner Address Knoxville TN 37932 Owner Phone

2738 WEST GALLATHER FERRY Rd 116IA009.01 & 009.02
Property Address Parcel ID

NORTHSIDE WEST GALLATHER FERRY Rd WEST OF HARDIN VALLEY 7.01AC
General Location Tract Size

PR L 0.8 DU/AC RR
Zoning District Existing Land Use

NORTHWEST County AG Rural Area
Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

6th

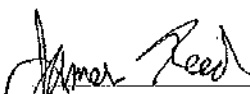

Jurisdiction (specify district above) City Council County Commission

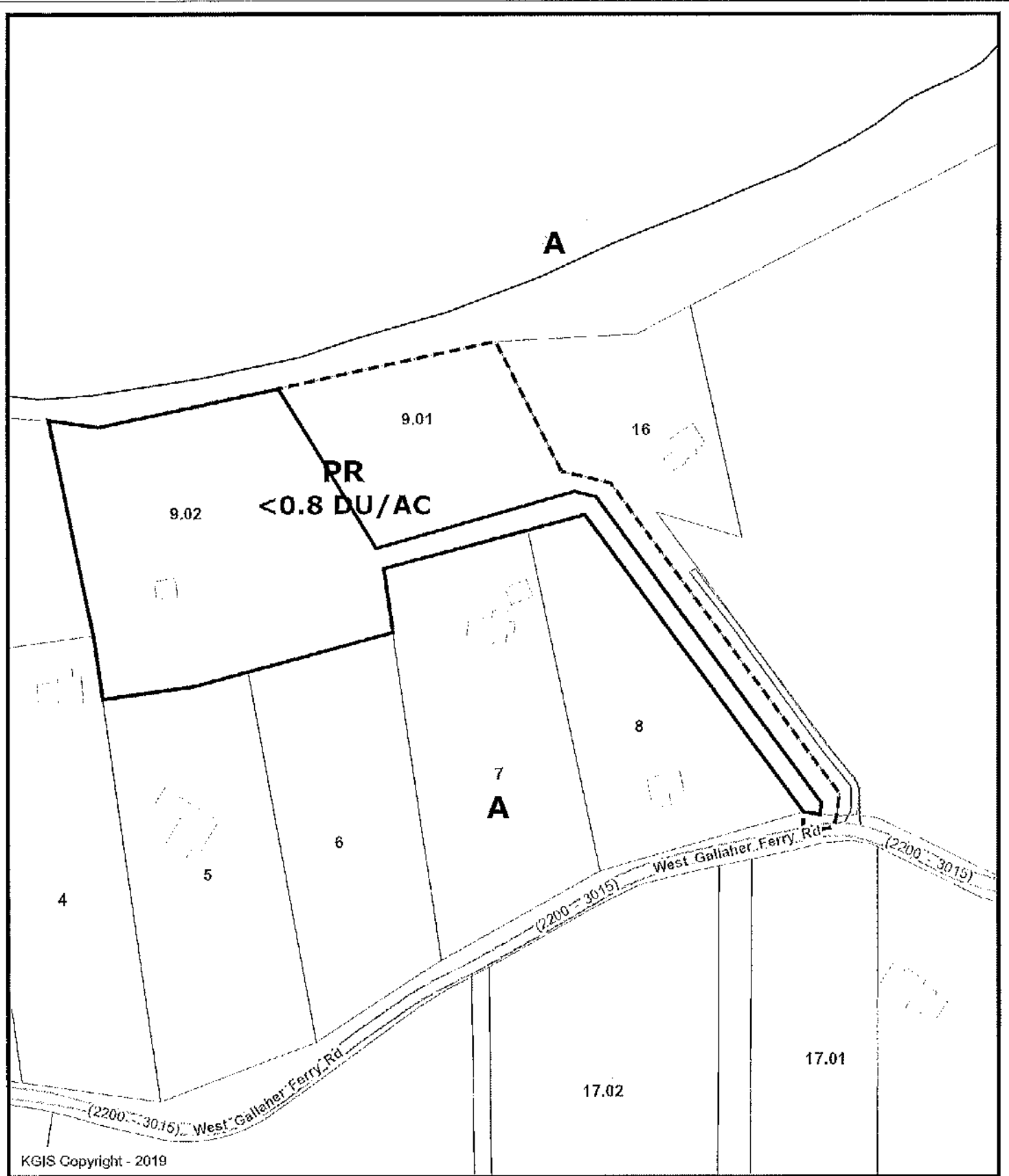
REQUEST

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): _____		
SUBDIVISION	<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		
ZONING	<input checked="" type="checkbox"/> Residential 7.01 PR <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 <input type="checkbox"/> A _____ <input type="checkbox"/> Proposed Zoning Proposed Plan Designation(s) <input checked="" type="checkbox"/> Other (specify): <u>Go back to original zoning.</u>		

STAFF USE ONLY	ATTACHMENTS	FEE 1:	TOTAL:
	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	\$500	\$1,230
	ADDITIONAL REQUIREMENTS	FEE 2:	
<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	\$525		
		FEE 3:	
		\$205 + 20%	

AUTHORIZATION

 Staff Signature	James Reed Please Print	6/25/19 Date
 Applicant Signature	DANIEL HUMPHREYS Please Print	6/25/19 Date



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Letter Portrait



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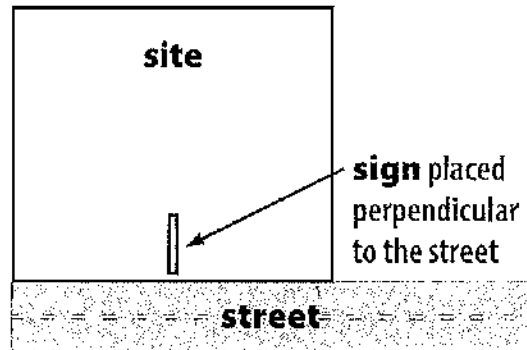
REQUIRED SIGN POSTING AGREEMENT

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 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.

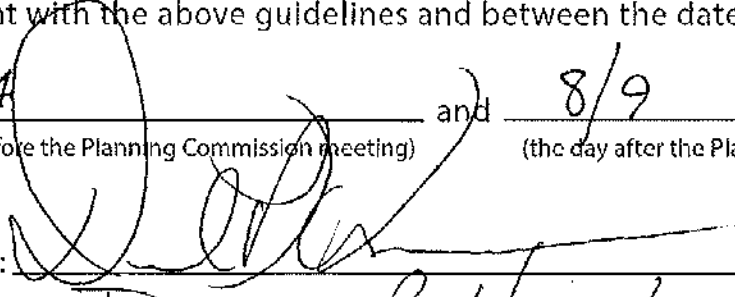


TIMING

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

Signature: 

Printed Name: Daniel P Humphreys

Phone: 865-696-4613 Email: rls2060@comcast.net

Date: 6/25/19

File Number: 8-K-19-RZ