

REZONING REPORT

▶ **FILE #:** 7-H-19-RZ

AGENDA ITEM #: 35

AGENDA DATE: 7/11/2019

▶ **APPLICANT:** RICHARD & JUDY HARRIS

OWNER(S): Judy & Harris

TAX ID NUMBER: 137 03101 & 03102

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 1227 Tipton Station Rd

▶ **LOCATION:** North side of Tipton Station Road, east side of Winkle Lane

▶ **APPX. SIZE OF TRACT:** 4.74 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access via Winkle Lane, a local street, with a 17' foot pavement width within a right-of-way of 48' feet. Access is also via Tipton Station Road, a major collector, with a pavement width of 20' feet and a right-of-way width of 60' feet.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Stock Creek

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

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

▶ **EXISTING LAND USE:** Residential / Vacant

▶ **PROPOSED USE:** Small farm & residence

EXTENSION OF ZONE: Yes, extension of adjacent A zoning to the west and south.

HISTORY OF ZONING: 11-M-05-RZ (A to PR up to 5), 10-T-07-RZ, 8-G-08-RZ, 5-E-09-RZ

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agriculture)

South: Rural residential, Agriculture/forestry/vacant - PR (up to 5 du/ac)

East: Single family residential - PR (up to 5 du/ac)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area between John Sevier Highway and Tipton Station Road is largely comprised of agricultural/forestry/vacant land with single family residential and rural residential land uses.

STAFF RECOMMENDATION:

▶ **RECOMMEND Planning Commission APPROVE A (Agricultural) zoning.**

Staff recommends A (Agricultura) zoning because it is consistent with the South County Sector Plan designation of LDR (Low Density Residential) for this property. It also was not part of the final plat for the Wells Creek subdivision (10-SC-17-F), so the acreage was not used in the density calculation for that subdivision, thus the rezoning back to A (Agricultural) for this 4.74 acres does not provide a greater density than the previous rezoning up to PR 5 du/ac 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. A zoning is consistent with the existing the LDR (Low Density Residential) designation for this property.
2. The majority of the surrounding development consists of low density residential uses and zoning, consistent with the recommended zoning.
3. The area was previously zoned A and this request is an extension of the surrounding A zoning to the south, west and north.

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

1. A zoning 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 ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. A zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

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 South County Sector Plan appropriately proposes low density residential uses for the site, consistent with the recommended A zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended zoning and density do not present any apparent conflicts with any other adopted plans.

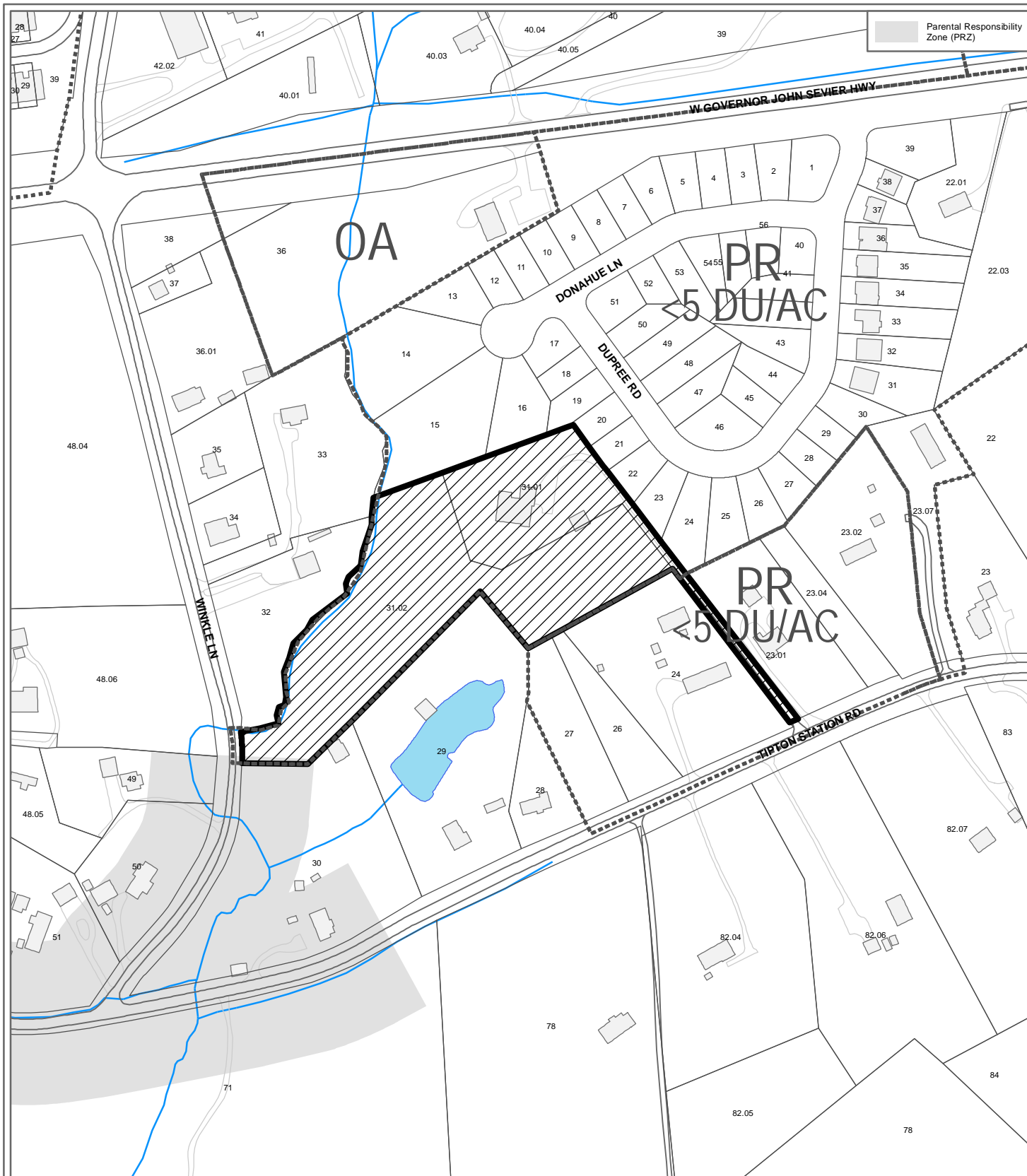
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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.



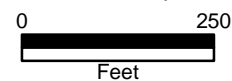
**7-H-19-RZ
REZONING**

From: PR (Planned Residential)
To: A (Agricultural)



Petitioner: Harris, Richard &, Judy

Map No: 137
Jurisdiction: County



Original Print Date: 6/18/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

MAY 28

KNOXVILLE-KNOX COUNTY
M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N
T E N N E S S E E
Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

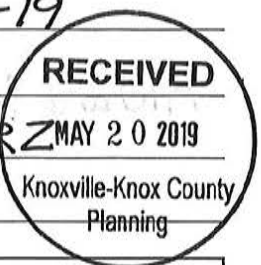
Name of Applicant: Richard and Judy Harris

Date Filed: 5-20-19 Meeting Date: 7-11-19

Application Accepted by: Sherry Michienzi

Fee Amount: \$500⁰⁰ File Number: Rezoning 7-H-19-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 1227 Tipton Station Rd & Winkle Ln
 General Location: Winkle Ln
E/S Winkle Ln, N/S Tipton Station Rd

Parcel ID Number(s): 137 03101 / 137 03102
(1227 Tipton Station) (Winkle Ln)

Tract Size: 4.74

Existing Land Use: Single Family Res/Vacant

Planning Sector: Low Density Residential

Growth Policy Plan: Planned growth

Census Tract: 56.03

Traffic Zone: 164

Jurisdiction: City Council _____ District
 County Commission 9 District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Richard and Judy Harris

Company: _____

Address: 1227 Tipton Station Rd

City: Knoxville State: Tn Zip: 37920

Telephone: 865-591-8306/865-300-2802

Fax: _____

E-mail: harris.richard.jr@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Judy Harris

Company: _____

Address: 1227 Tipton Station Rd

City: Knoxville State: Tn Zip: 37920

Telephone: 865-300-2802

Fax: _____

E-mail: harris.richard.jr@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: Richard Harris Jr.

PLEASE PRINT

Name: Richard L Harris Jr.

Company: _____

Address: 1227 Tipton Station Rd

City: Knoxville State: Tn Zip: 37920

Telephone: 865-300-2802

E-mail: harris.richard.jr@gmail.com

Requested Change

REZONING

FROM: Planned Residential

TO: Agriculture

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

small farm / residence

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

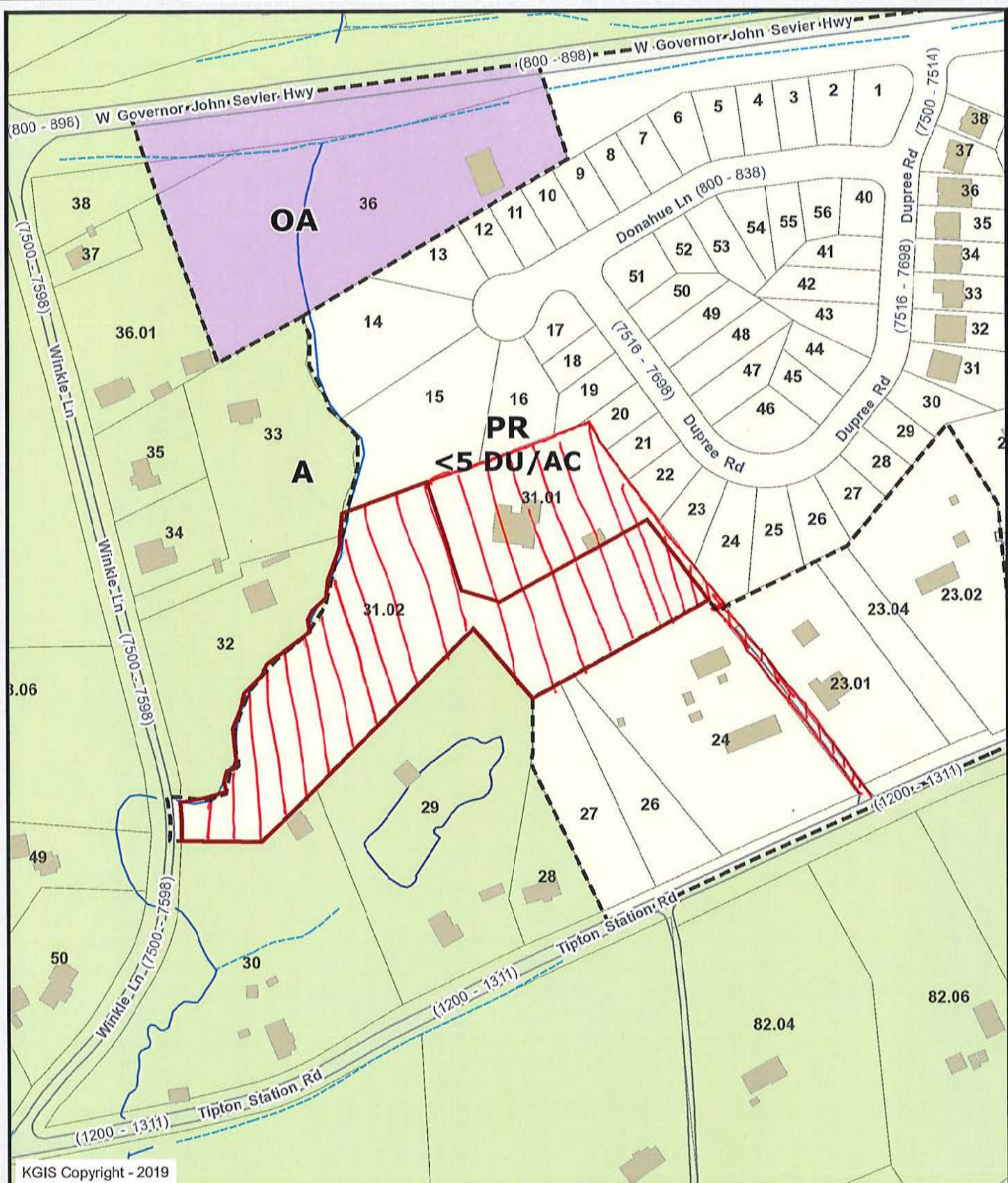
Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name Address City State Zip Owner Option

Richard & Judy Harris 1227 Tipton Station Rd. 37920 ✓

(This section contains multiple blank rows for listing property owners and holders of option.)



Letter Portrait

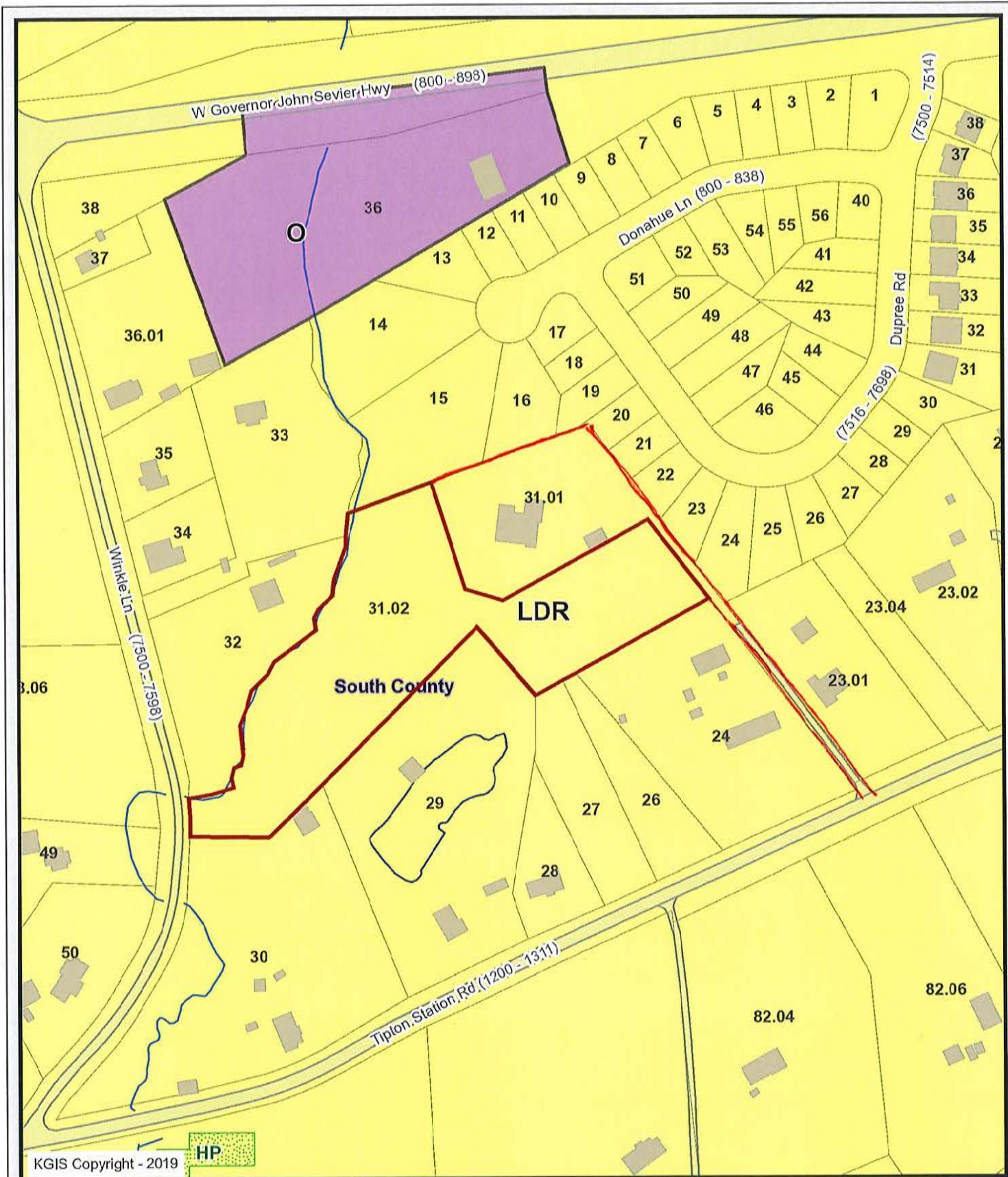
Knoxville - Knox County - KUB Geographic Information System



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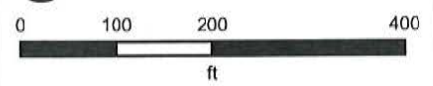
KGIS Copyright - 2019



Letter Portrait



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Knoxville - Knox County - KUB Geographic Information System

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1. THE ENGINEER HAS REVIEWED THE RECORD DRAWINGS AND THE FIELD NOTES AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE T.C.A. AND THE T.C.R. AND HAS THEREFORE APPROVED THE SAME FOR RECORD.

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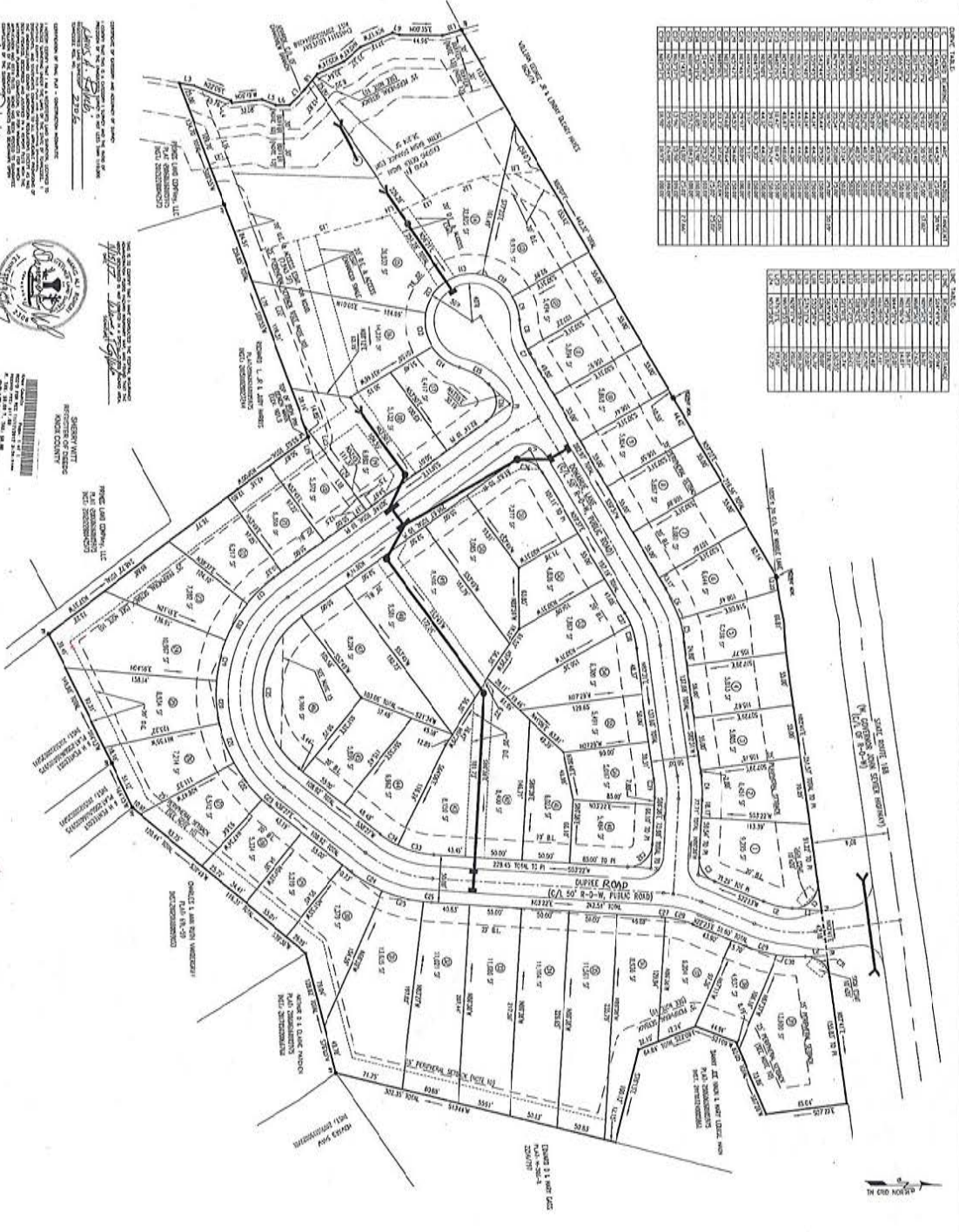
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10-SC-17-F
 NCC: TN0050154

SCALE: HORIZONTAL 1" = 40'
 DATE: 07-21-2017
 DEED REFERENCES: O.B. INST. # 201228064573
 P.A.T. INST. # 200505161005975
 SCALE IN FEET: 1" = 40'

FINAL PLAT FOR
 WELLS CREEK SUBDIVISION
 ON JOHN SEVIER HIGHWAY
 C.I.T. MAP 137, PART OF PARCEL 031
 DISTRICT 9, KNOX COUNTY, TENNESSEE

WCS-07-21-17-EP
 SHEET 1 OF 1 SHEET

CONTRIBUTOR OF RECORD AND FIELD NOTES:
 PROJECT: WELLS CREEK SUBDIVISION
 SHEET NO. 17
 DATE: 07-21-2017
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

REGISTERED PROFESSIONAL ENGINEER
 STATE OF TENNESSEE
 LICENSE NO. 23326
 PROJECT: WELLS CREEK SUBDIVISION
 SHEET NO. 17
 DATE: 07-21-2017
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

CONTRIBUTOR OF RECORD AND FIELD NOTES:
 PROJECT: WELLS CREEK SUBDIVISION
 SHEET NO. 17
 DATE: 07-21-2017
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

CONTRIBUTOR OF RECORD AND FIELD NOTES:
 PROJECT: WELLS CREEK SUBDIVISION
 SHEET NO. 17
 DATE: 07-21-2017
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

CONTRIBUTOR OF RECORD AND FIELD NOTES:
 PROJECT: WELLS CREEK SUBDIVISION
 SHEET NO. 17
 DATE: 07-21-2017
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

CONTRIBUTOR OF RECORD AND FIELD NOTES:
 PROJECT: WELLS CREEK SUBDIVISION
 SHEET NO. 17
 DATE: 07-21-2017
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE
MAP DEPARTMENT - OWNERSHIP CARD

Source: KGIS

ACTIVE NORMAL

05/20/2019

District	Map	Insert	Group	Parcel	Ward	Property Location					
D9	137			31.02		0 WINKLE LN					
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)		Acreage		
WELLS WOOD & KLTI LLC PROP				-	PT1-	=			3.35 - A.C. Deeded		
						200606160105975			0.00 - A.C. Calculated		
Owner				Sale Date	Book	Page	Sale Price	Mailing Address			
HARRIS RICHARD L Jr & HARRIS JUDY				5/16/2018	<u>20180518</u>	0068069	\$ 20,000	1227 TIPTON STATION RD KNOXVILLE, TN 37920			

Remarks

L/A

Parent Parcel

Parent Instrument Number

137 031

Previous Parcel (Split From)

Next Parcel (Merged Into)

137 031

PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE
MAP DEPARTMENT - OWNERSHIP CARD

Source: KGIS

ACTIVE NORMAL

05/20/2019

District	Map	Insert	Group	Parcel	Ward	Property Location			
D9	137			31.01		1227 TIPTON STATION RD			
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)		Acreage
WELLS WOOD & KLTI LLC PROP				-	2-	<u>200606160105975</u>			1.39 - A.C. Deeded
									0.00 - A.C. Calculated
Owner				Sale Date	Book	Page	Sale Price	Mailing Address	
JERNIGAN VICTOR J				6/15/2006	<u>20060620</u>	0107137		108 STEKOIA LN KNOXVILLE, TN 37912	
WELLS HAROLD T & CARLOTTA				6/15/2006	<u>20060620</u>	0107139	\$ 150,000	1233 TIPTON STATION RD KNOXVILLE, TN 37920	
HARRIS JUDY & HARRIS RICHARD L Jr				10/29/2015	<u>20151102</u>	0027244	\$ 260,000	1227 TIPTON STATION RD KNOXVILLE, TN 37920	

Remarks

ADD

Parent Parcel

Parent Instrument Number

Previous Parcel (Split From)

Next Parcel (Merged Into)

137 031