

REZONING REPORT

► **FILE #:** 11-A-19-RZ

AGENDA ITEM #: 10

AGENDA DATE: 11/14/2019

► **APPLICANT:** TOM PHILLIPS

OWNER(S): TOM PHILLIPS

TAX ID NUMBER: 51 072

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 2500 Ellistown Road

► **LOCATION:** South of Millertown Pike and north of Rutledge Pike, on the east side of Ellistown Road

► **APPX. SIZE OF TRACT:** 1.97 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Ellistown Road is a major collector with a pavement width of approximately 17 feet and a right-of-way width of 43 feet.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Legg Creek

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

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

► **EXISTING LAND USE:** Single Family Residential; vacant parcel

► **PROPOSED USE:** Two single family homes on 2 lots (applicant will subdivide property if this request is approved)

DENSITY PROPOSED: 1.02 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND North: Low Density Residential - (A) Agricultural

USE AND ZONING: South: Low Density Residential - (A) Agricultural

East: Low Density Residential - (A) Agricultural

West: Low Density Residential - (A) Agricultural

NEIGHBORHOOD CONTEXT: This area is very rural. Surrounding properties are large lots with single-family homes. Some homes have what appear to be small stables and fenced in properties.

STAFF RECOMMENDATION:

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

Approve RA (Low Density Residential) zoning because it is consistent with the LDR plan designation, which allows RA zoning and up to 5 du/ac in the Planned Growth Area.

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 substantially changed conditions in the area that would prompt a rezoning. However, the proposed development is in character with surrounding development.

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

1. The proposed amendment to RA (Low Density Residential) zoning is intended 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.
3. No more than one dwelling unit per lot is allowed; duplex dwelling units are permitted under the use on review process under the provisions of subsection 5.11.03.
4. Single family houses require a lot area minimum of 10,000 square feet when sewer service is provided. Duplexes require a lot area minimum of 12,000 square feet when sewer service is provided.

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 applicant would like to subdivide this parcel into 2 lots and build a single-family dwelling unit on each lot. The resulting density would be 1.02 du/ac.
2. The existing parcel has a road frontage of 214 feet, which is sufficient for both lot widths to meet the RA guidelines.
3. The Agricultural zone requires a 1-acre minimum lot size. The property is 1.96 acres. The resulting lot sizes would likely be similar to some of the lots in the area.
 - a. Lot sizes on Millertown Pike (near intersection with Millertown Pike): 0.43 ac., 0.45 ac., 1.02 ac., 1.96 ac.
 - b. On Ellistown Rd, across the street: 0.86 ac., 1.17 ac., 0.81 ac., 0.99 ac., 1.56 ac., 10.89 ac.
 - c. On Ellistown Rd, same side of the street: 7.56 ac., 8.71 ac., and 8.85 ac.

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 property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.
2. The LDR sector plan designation allows up to 5 du/ac in the Planned Growth and Urban Growth areas in the County, so the requested zone is consistent with the density allowed by the sector plan.

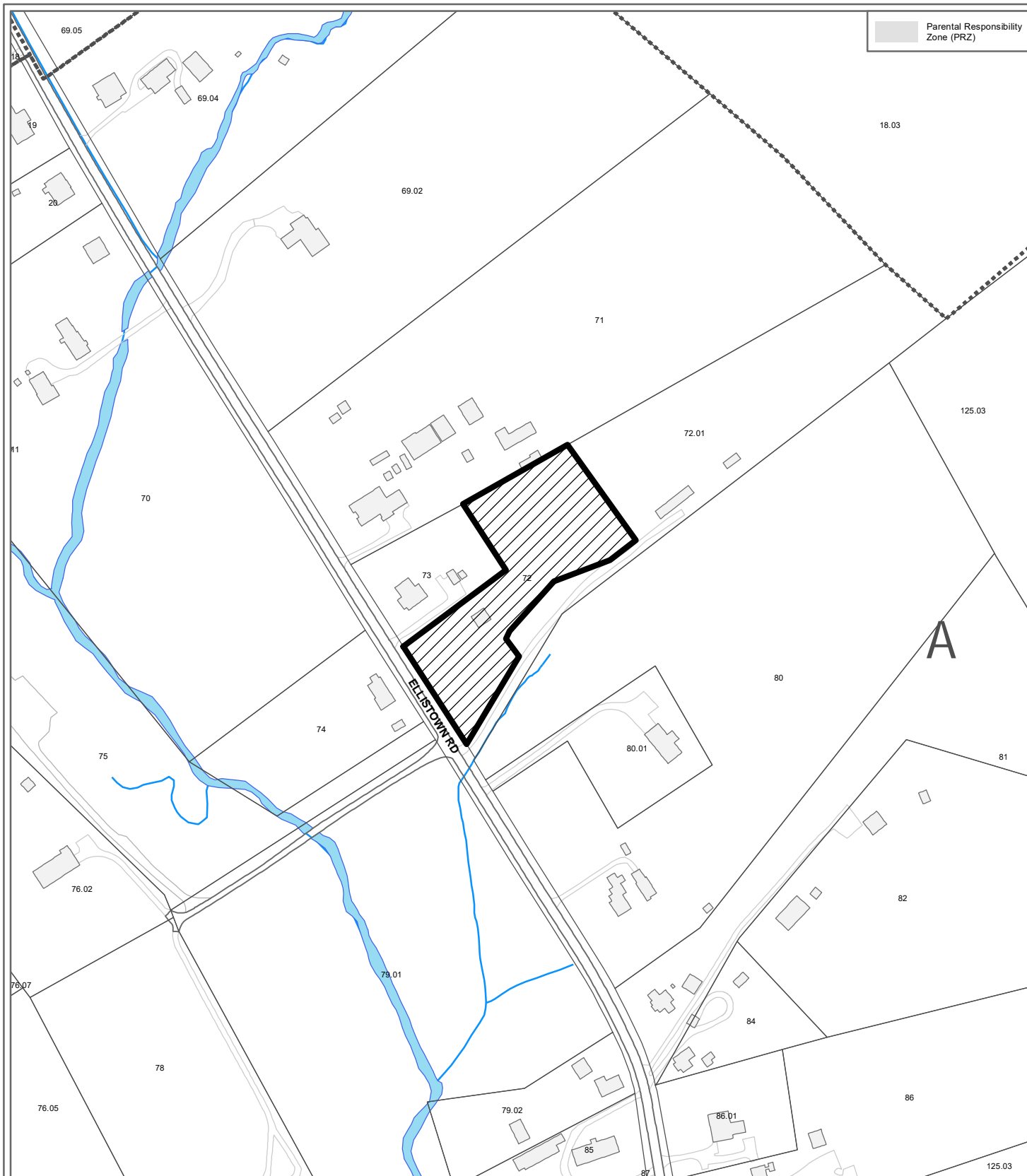
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 3 (public school children, grades K-12)

Schools affected by this proposal: East Knox County Elementary, Carter Middle, and Carter High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

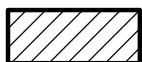
If approved, this item will be forwarded to Knox County Commission for action on 12/16/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



11-A-19-RZ REZONING

From: A (Agricultural)

To: RA (Low Density Residential)



Petitioner: Phillips, Tom

Map No: 51

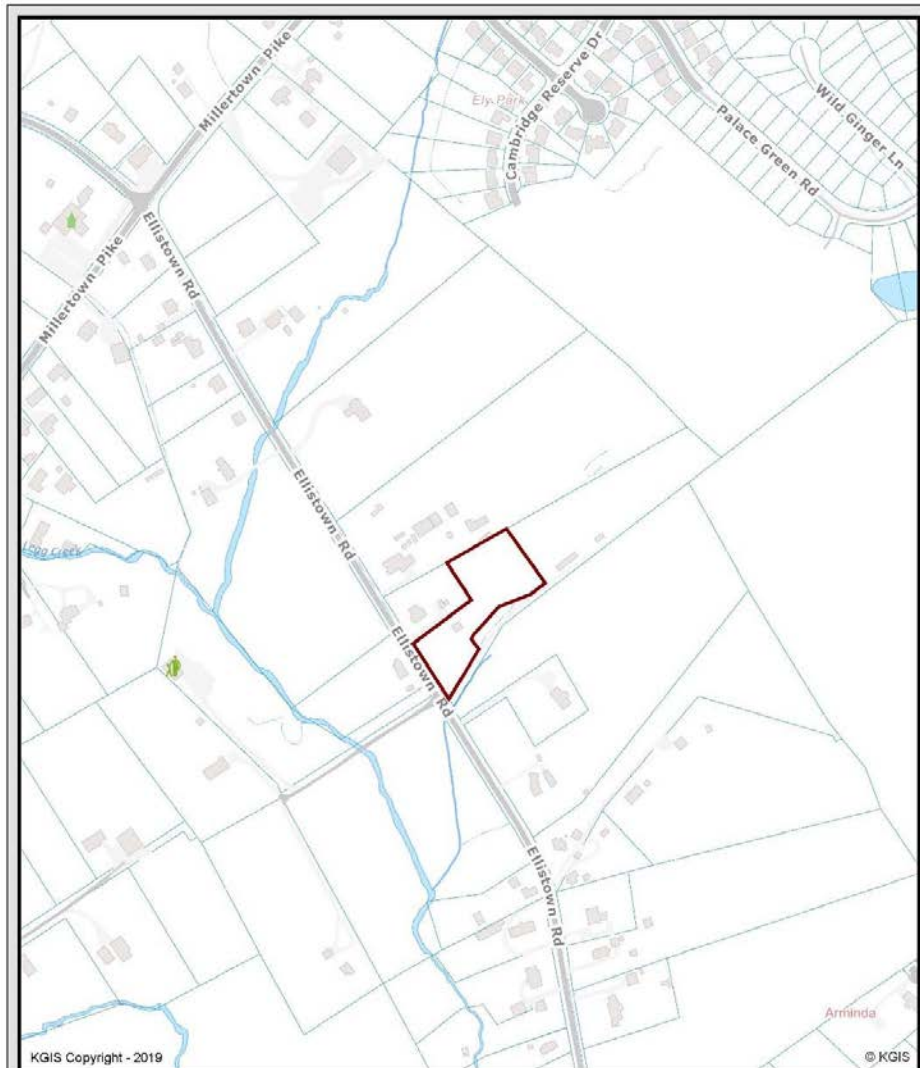
Jurisdiction: County



Original Print Date: 10/11/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

11-A-19-RZ

EXHIBIT B. Contextual Images

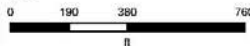


11-A-19-RZ: Location Map
2500 Ellistown Road

Knoxville - Knox County - KUB Geographic Information System



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11-A-19-RZ: Aerial Map
2500 Ellistown Road

Knoxville - Knox County - KUB Geographic Information System



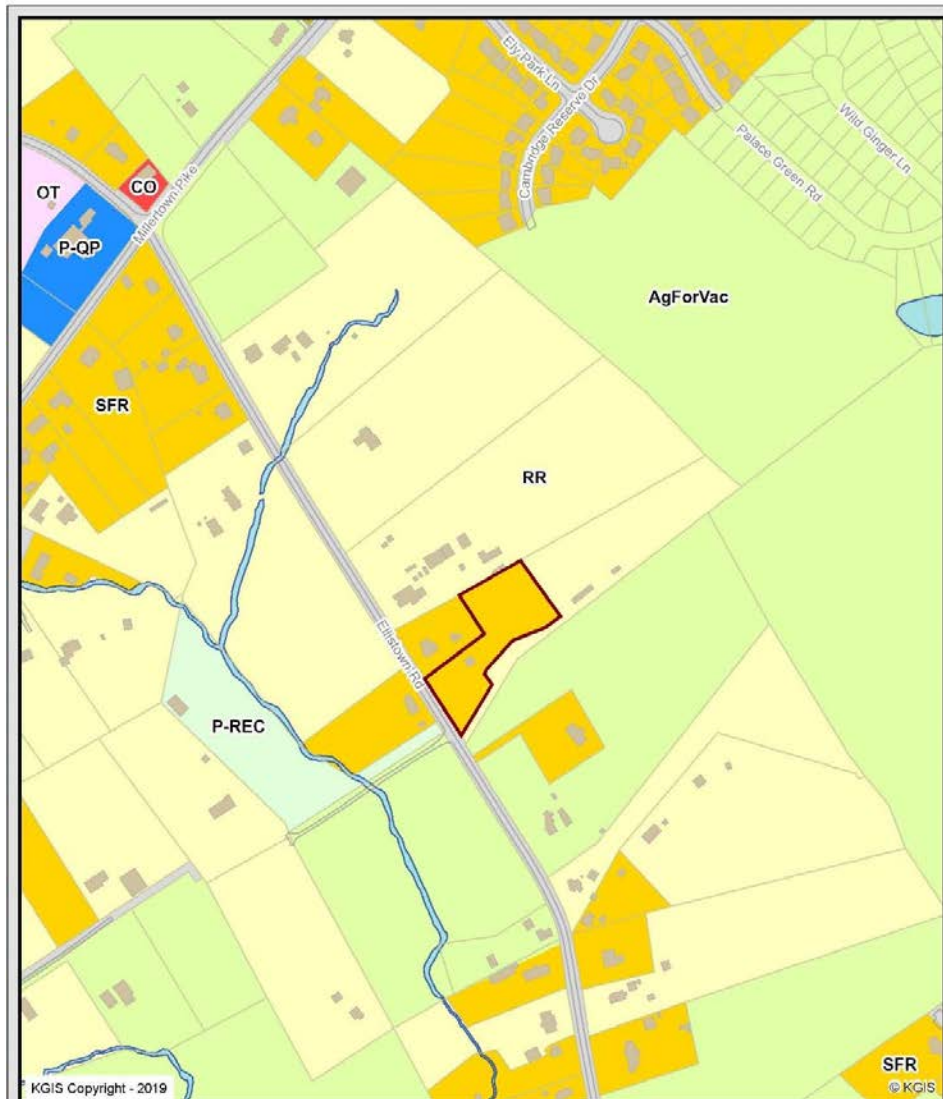
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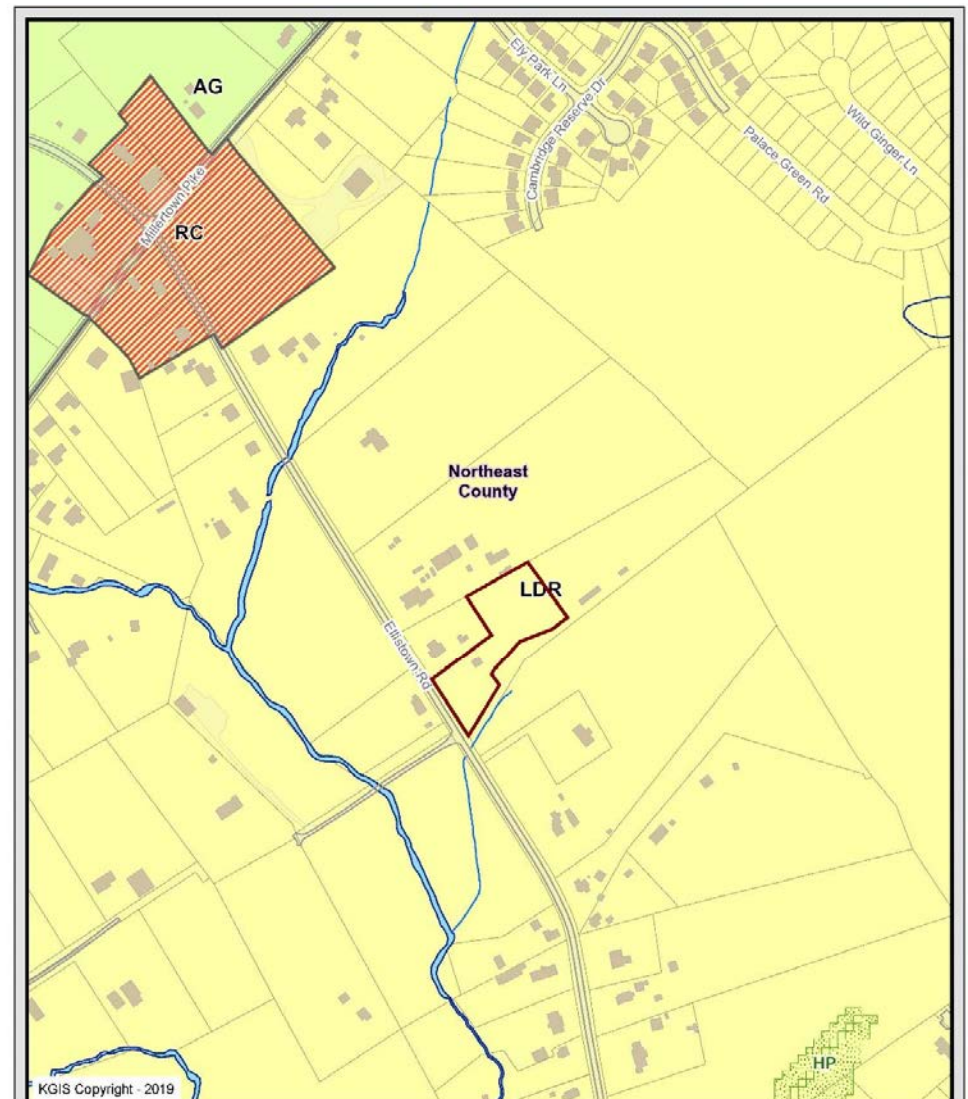
EXHIBIT B. Contextual Images



11-A-19-RZ: Existing Land Use Map
2500 Ellistown Road

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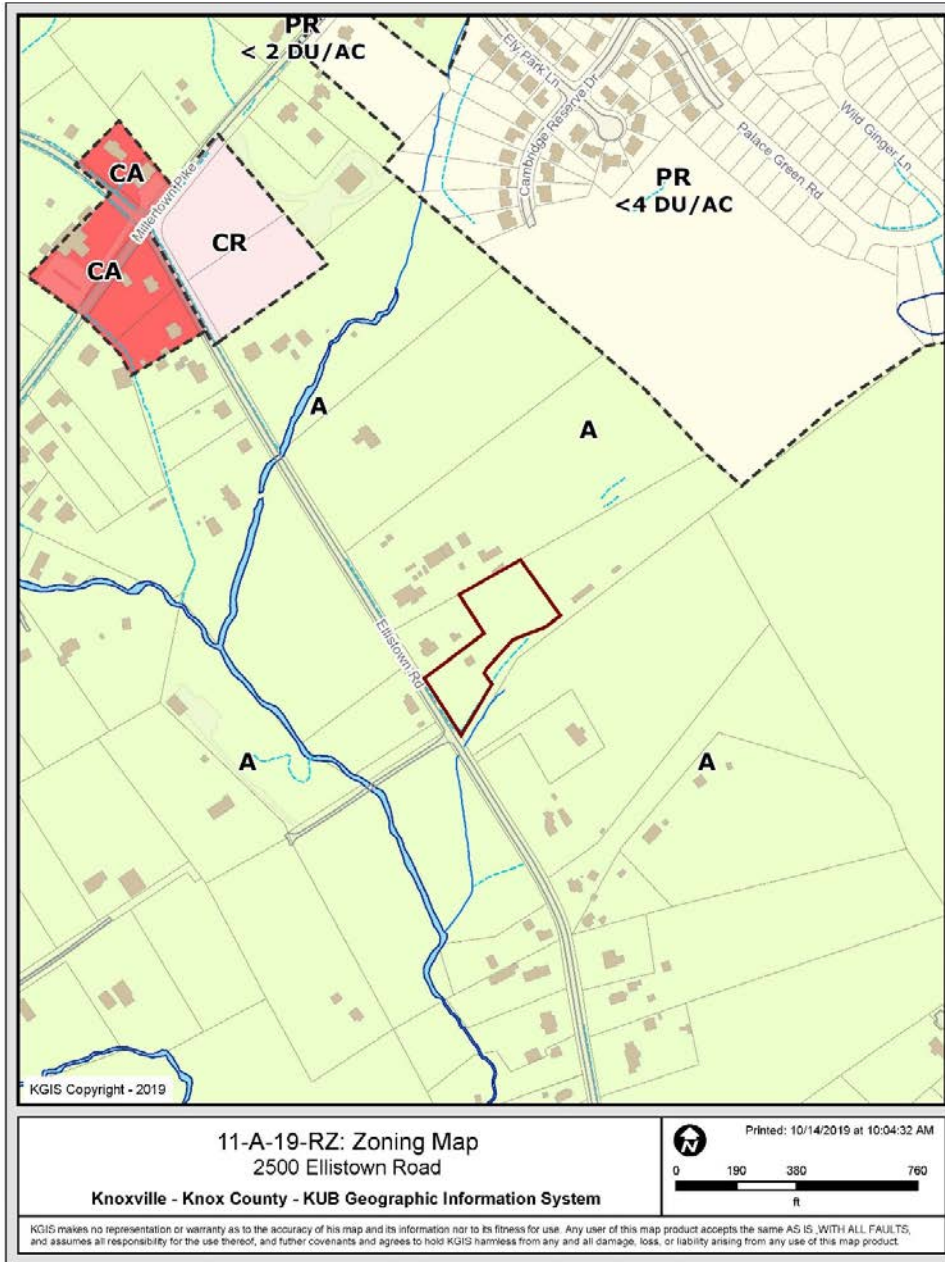
11-A-19-RZ: Sector Plan Map
2500 Ellistown Road

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EXHIBIT B. Contextual Images





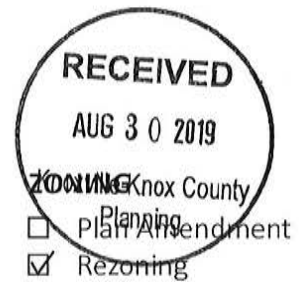
DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat



Tom Phillips

Applicant

8/30/2019

Date Filed

11/14/2019

Meeting Date (if applicable)

11-A-19-RZ

File Numbers(s)

CORRESPONDENCE

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

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

Tom Phillips

Name

Company

3909 Ellistown Road

Address

Knoxville

City

TN

State

37924

Zip

865-924-0484

Phone

none

Email

CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone

2500 Ellistown Road

Property Address

051 072

Parcel ID

East side of Ellistown Road, South of Millertown Pike

General Location

1.97 acres

Tract Size

District 8

A (Agricultural)

Jurisdiction (specify district above)

☐ City ☒ County

Zoning District

Northeast County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Urban Growth Area

Growth Policy Plan Designation

Vacant (SFR)

Existing Land Use

N

Septic (Y/N)

Northeast Knox

Sewer Provider

Northeast Knox

Water Provider

REQUEST

DEVELOPMENT	SUBDIVISION	ZONING
<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"/> 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 _____	<input checked="" type="checkbox"/> Zoning Change: RA (Low Density Residential) Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____ Residential _____
	<input type="checkbox"/> Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify): _____	

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Administrative <input type="checkbox"/> Meeting	FEE 1: \$500.00	TOTAL: \$500.00
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification <i>(Final Plat only)</i> <input type="checkbox"/> Use on Review / Special Use <i>(Concept Plan only)</i> <input type="checkbox"/> Traffic Impact Study	FEE 3:	

AUTHORIZATION

Ely K. Robertson
Staff Signature

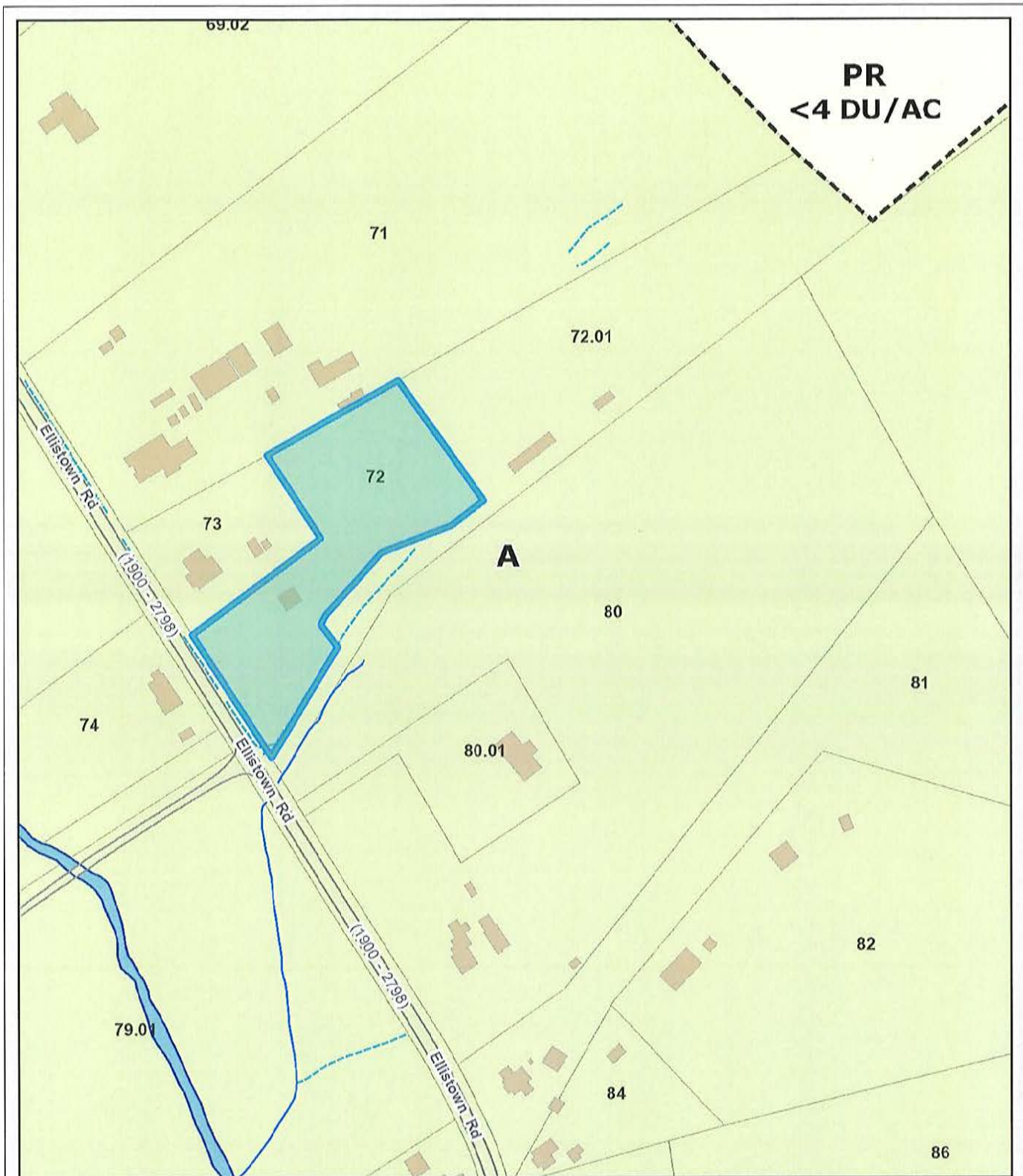
Elizabeth Albertson
Please Print

8/30/2019
Date


Applicant Signature

Tom Phillips
Please Print

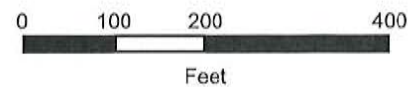
8/30/2019
Date



Tom Phillips Rezoning

11-A-19-RZ

Parcel: 051 072



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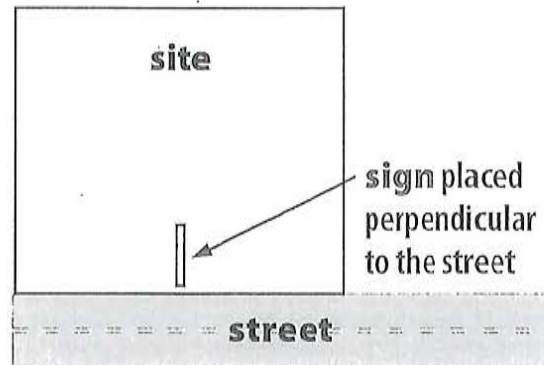
REQUIRED SIGN POSTING AGREEMENT

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 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:

Oct 30

and

Nov 15

(15 days before the MPC meeting)

(the day after the MPC meeting)

Signature: _____

Tom H. Phillips

Printed Name: _____

TOM H. PHILLIPS

Phone: 865-924-1484 Email: _____

Date: _____

8/30/19

MPC File Number: _____

11-A-19-RZ