

REZONING REPORT

▶ **FILE #:** 8-I-20-RZ

AGENDA ITEM #: 15

AGENDA DATE: 8/13/2020

▶ **APPLICANT:** P. LEEANNE KERSEY

OWNER(S): P. Leeanne Kersey

TAX ID NUMBER: 135 02101

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 2650 Maloney Rd.

▶ **LOCATION:** Southeast side of Maloney Rd. at Belt Rd.

▶ **APPX. SIZE OF TRACT:** 9.12 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Maloney Road, a major collector with a pavement width of 20 feet within a right of way width of 60 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **PRESENT ZONING:** RAE (Exclusive Residential)

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

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant

▶

EXTENSION OF ZONE: Yes, RA zoning is adjacent to the east and south.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Rural residential - PR (Planned Residential)

South: Railroad, public park, single family residential - RA (Low Density Residential)

East: Single family residential, agriculture/forestry/vacant - RA (Low Density Residential)

West: Single family residential - RAE(Exclusive Residential Zone)

NEIGHBORHOOD CONTEXT: The area is primarily a mix of single family residential and larger rural residential lots.

STAFF RECOMMENDATION:

▶ **Approve RA (Low Density Residential) because it is consistent with the surrounding development and the LDR (Low Density Residential) designation for the South County Sector Plan.**

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. Although there are no substantial changing conditions, the area is a large tract adjacent to existing RA and RAE zoned properties. The density and development potential of the two zone districts are comparable, both zone districts have a minimum lot size of 10,000 square feet for single family residential when served by sewer.
2. The RA zone permits additional uses that are still relatively low impact, particularly noted by the applicant, the ability to have a "home occupation" as regulated by section 4.90.

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

1. The RA (Low Density Residential) zone district 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. Rezoning this parcel to RA from RAE will not have an adverse impact on any other part of the county.
2. The applicant notes an interest in building trails to connect to I.C. King Park, however, the railroad separates this property from I.C. King Park and the applicant will need to see permission from the railroad before pursuing a connection to the park with Knox County Parks and Recreation.

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 current sector plan designation of LDR (Low Density Residential) and RA is a recommended zone district.
2. The proposed amendment does not appear to be in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: 406 (average daily vehicle trips)

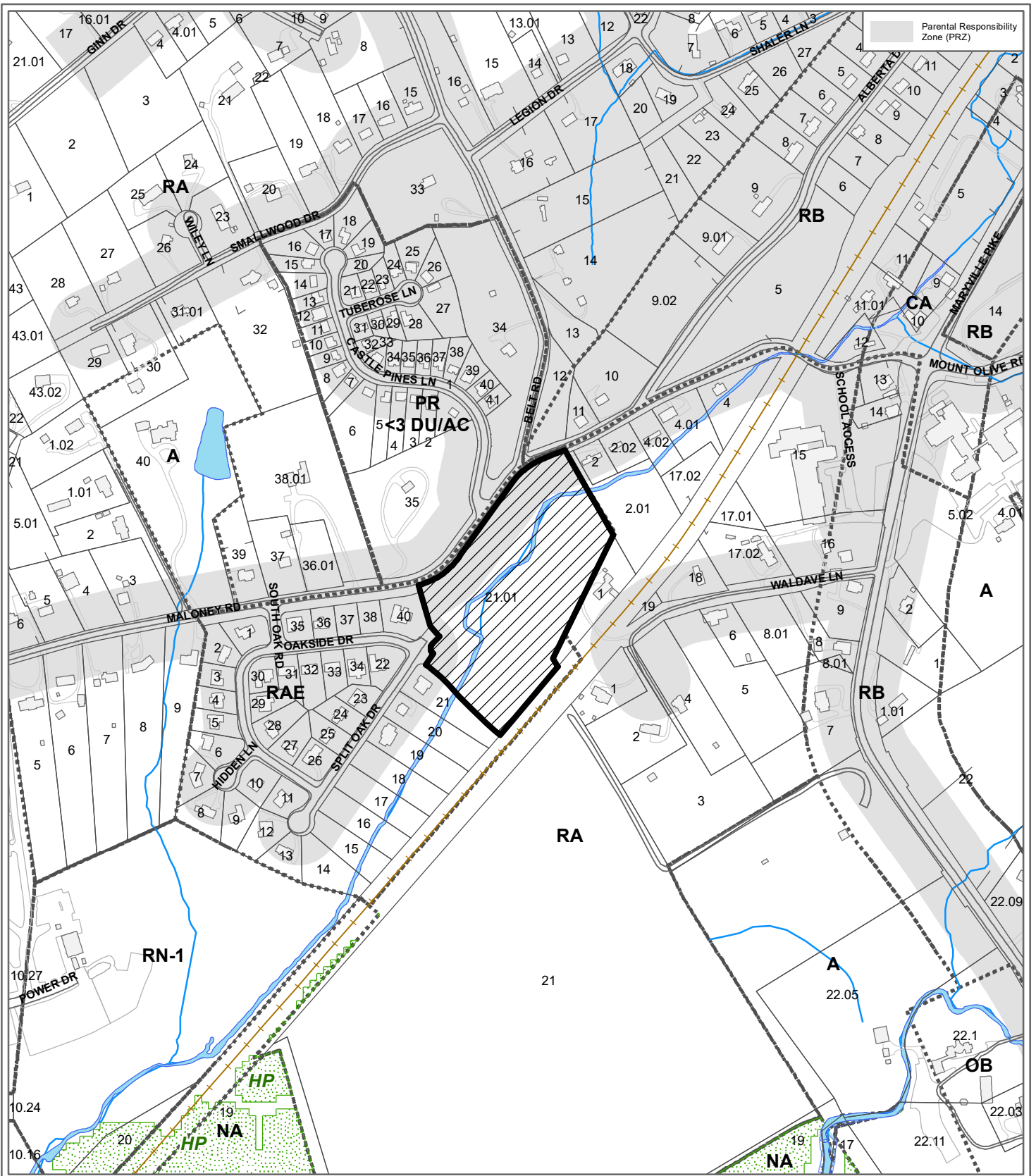
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

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

Schools affected by this proposal: Mount Olive Elementary, South Doyle Middle, and South Doyle 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.

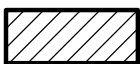
If approved, this item will be forwarded to Knox County Commission for action on 9/28/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



Parental Responsibility Zone (PRZ)

**8-I-20-RZ
REZONING**

From: RAE (Exclusive Residential)
To: RA (Low Density Residential)



Petitioner: P. Leeanne Kersey

Map No: 135
Jurisdiction: County

0 500
Feet



Original Print Date: 7/15/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. 8-I-20-RZ Contextual Images

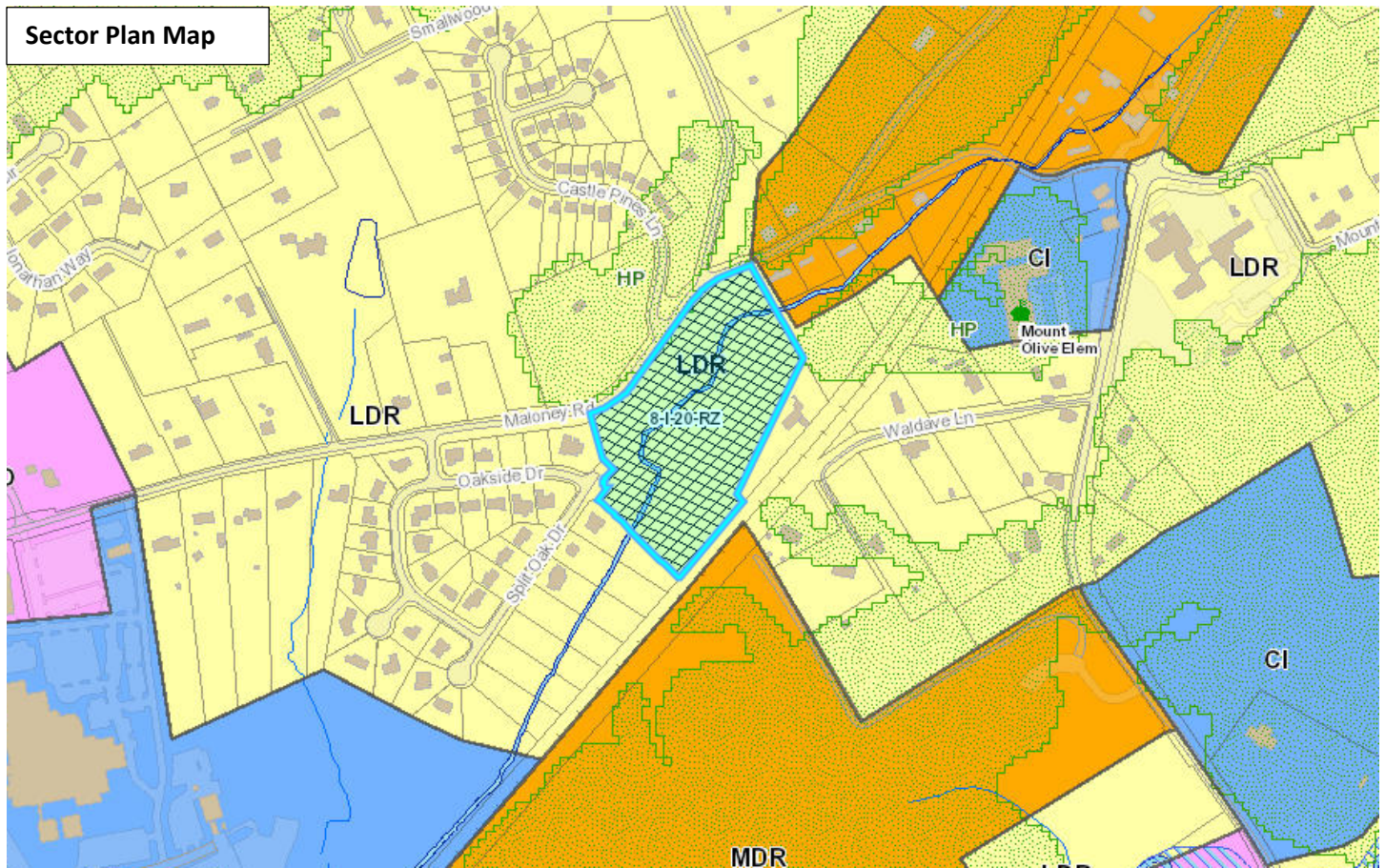
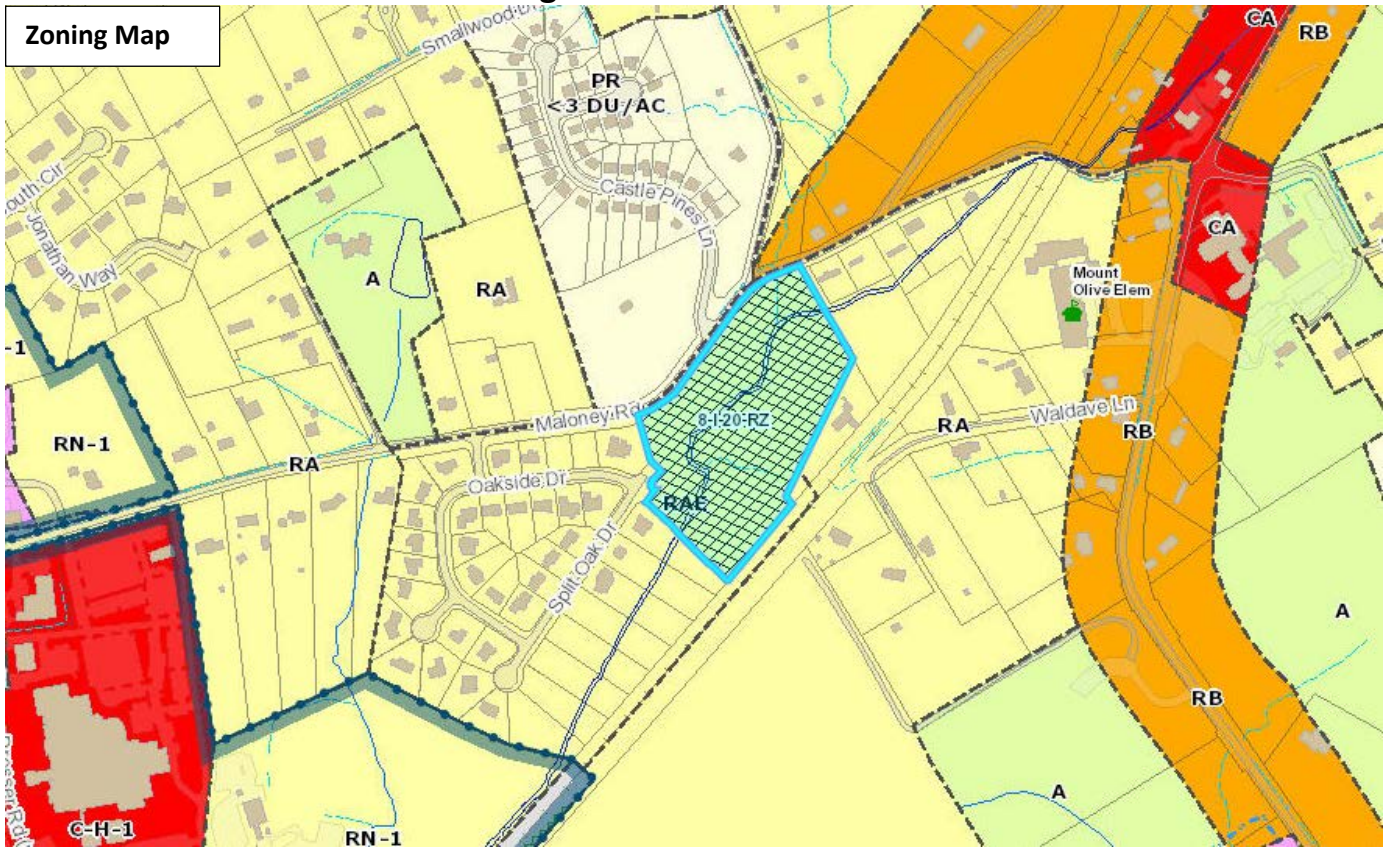
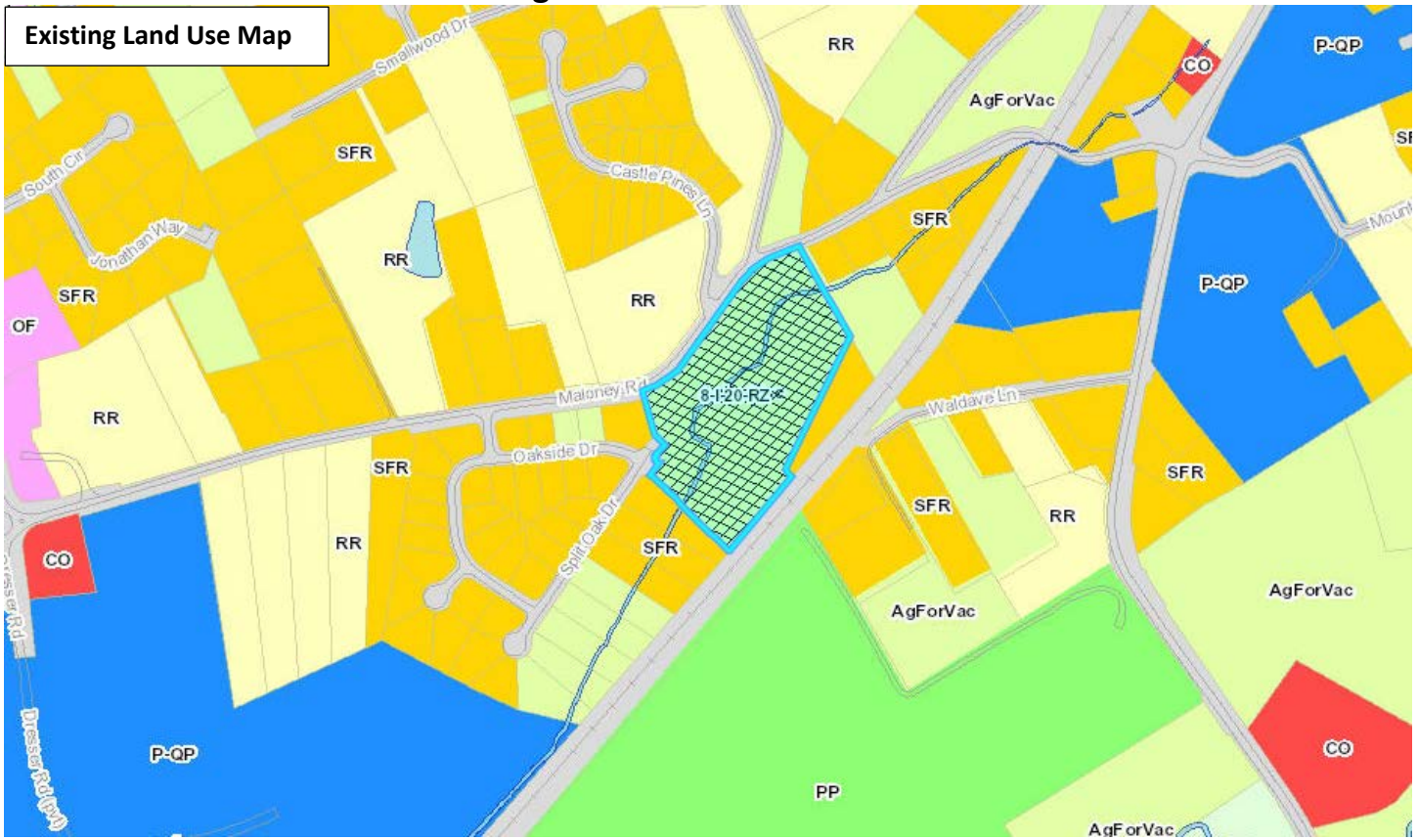


Exhibit A. 8-I-20-RZ Contextual Images

Existing Land Use Map



Aerial Map





DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

Applicant Name: P. LEEANNE KERSEY (by: LAVERNA LATTIMORE)
Affiliation: AUTHORIZED REPRESENTATIVE
Date Filed: 6/29/2020
Meeting Date (if applicable): 8/13/2020
File Number(s): 8-I-20-RZ

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

Name: LAVERNA LATTIMORE PLAT RECORDING SVS., ETC.
Company:
Address: 7858 McMillan Rd.
City: KNOXVILLE **State:** TN **Zip:** 37914
Phone: (865) 385-9995 **Email:** lalattimore@comcast.net

CURRENT PROPERTY INFO

Owner Name (if different): P. LEEANNE KERSEY
Owner Address: 3776 GOUSENECK DR
Owner Phone: (865) 660-6631
Property Address: 2650 MALONEY RD.
Parcel ID: 21.01

General Location: South D-9
Tract Size: 9.12

Jurisdiction (specify district above): South County City County
Zoning District: RAE

Planning Sector: South County
Sector Plan Land Use Classification: LDR
Growth Policy Plan Designation: Urban Growth

Existing Land Use: UNUSED
Septic (Y/N):
Sewer Provider: KUB
Water Provider: KUB

REQUEST

DEVELOPMENT
SUBDIVISION
ZONING
STAFF USE ONLY

Development Plan Use on Review / Special Use

Residential Non-Residential

Home Occupation (specify): _____

Other (specify): _____

Proposed Subdivision Name _____ Unit / Phase Number _____

Parcel Change

Combine Parcels Divide Parcel Total Number of Lots Created: _____

Other (specify): _____

Attachments / Additional Requirements

Zoning Change: RAE to RA
Proposed Zoning

Plan Amendment Change: to allow for construction of RESIDENCE MORE SUITABLE FOR RA CLASSIFICATION - 9.12 ACRES
Proposed Plan Designation(s)

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

Other (specify): _____

PLAT TYPE

Staff Review Planning Commission

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:

0325 | 1056.00

FEE 2:

FEE 3:

TOTAL:

\$1056.00

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Laverne Lattimore LAVERNA LATTIMORE _____
Applicant Signature Please Print Date

(865) 385-9995 l.lattimore@comcast.net _____
Phone Number Email

Sherry Mucienzi Sherry Mucienzi 6/29/2020
Staff Signature Please Print Date

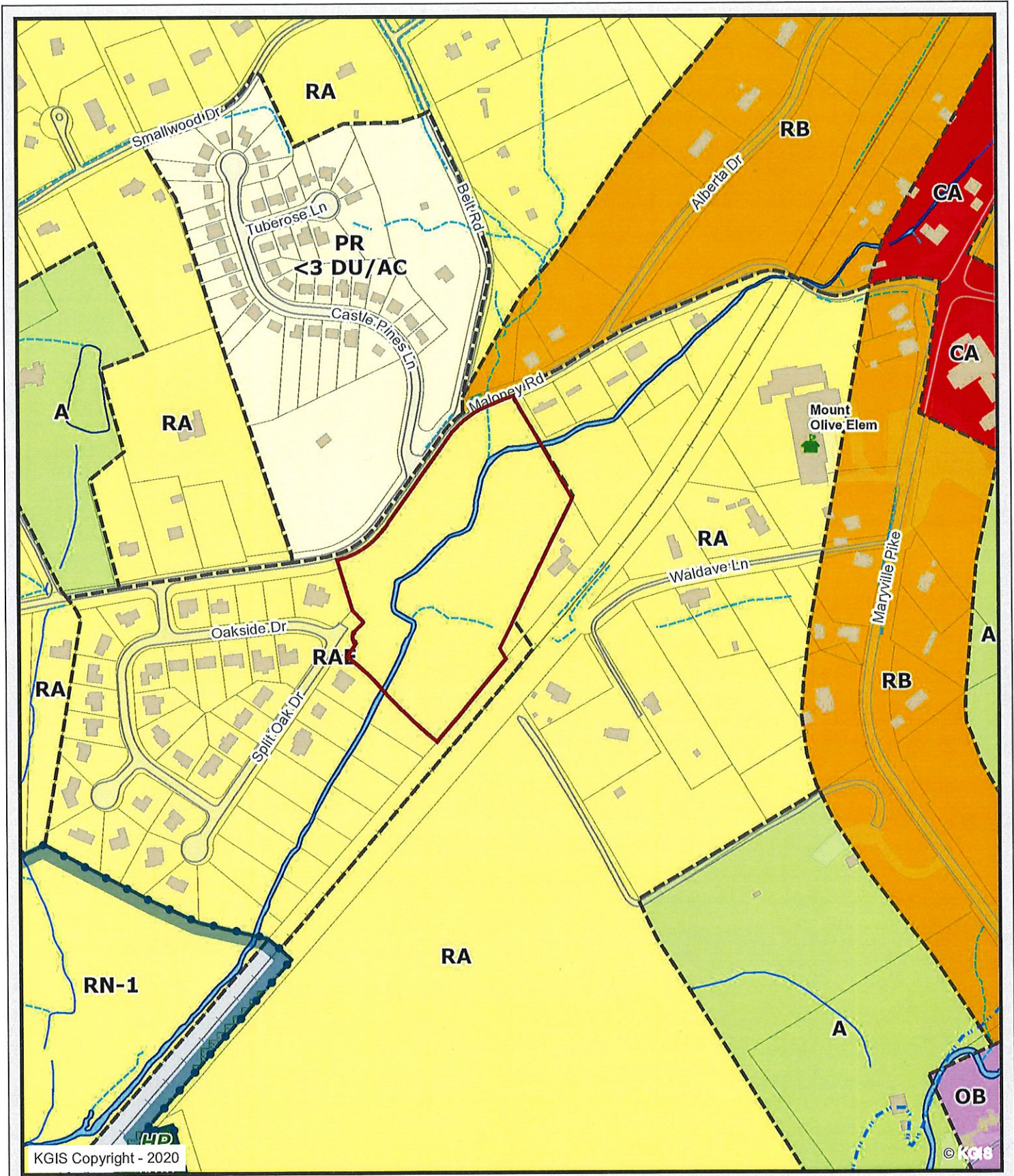
ATTACHMENT

PROPOSED ZONING CHANGE--

FROM RAE TO RA WHICH WILL ALLOW FOR HOME OCCUPANCY

PROPERTY USE---

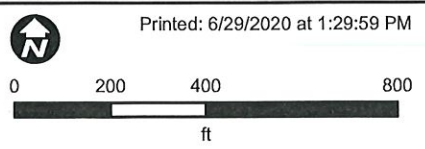
TO BUILD ONE OR MORE HOMES ON THE PROPERTY. A HOME WILL BE BUILT WITH AN ATTACHED GARAGE WHICH WILL BE USED FOR PERSONAL TRAINING. IN ADDITION, A PORTION OF THE PROPERTY WILL BE USED LATER TO BUILD TRAILS THAT CAN CONNECT TO IC KING PARK.



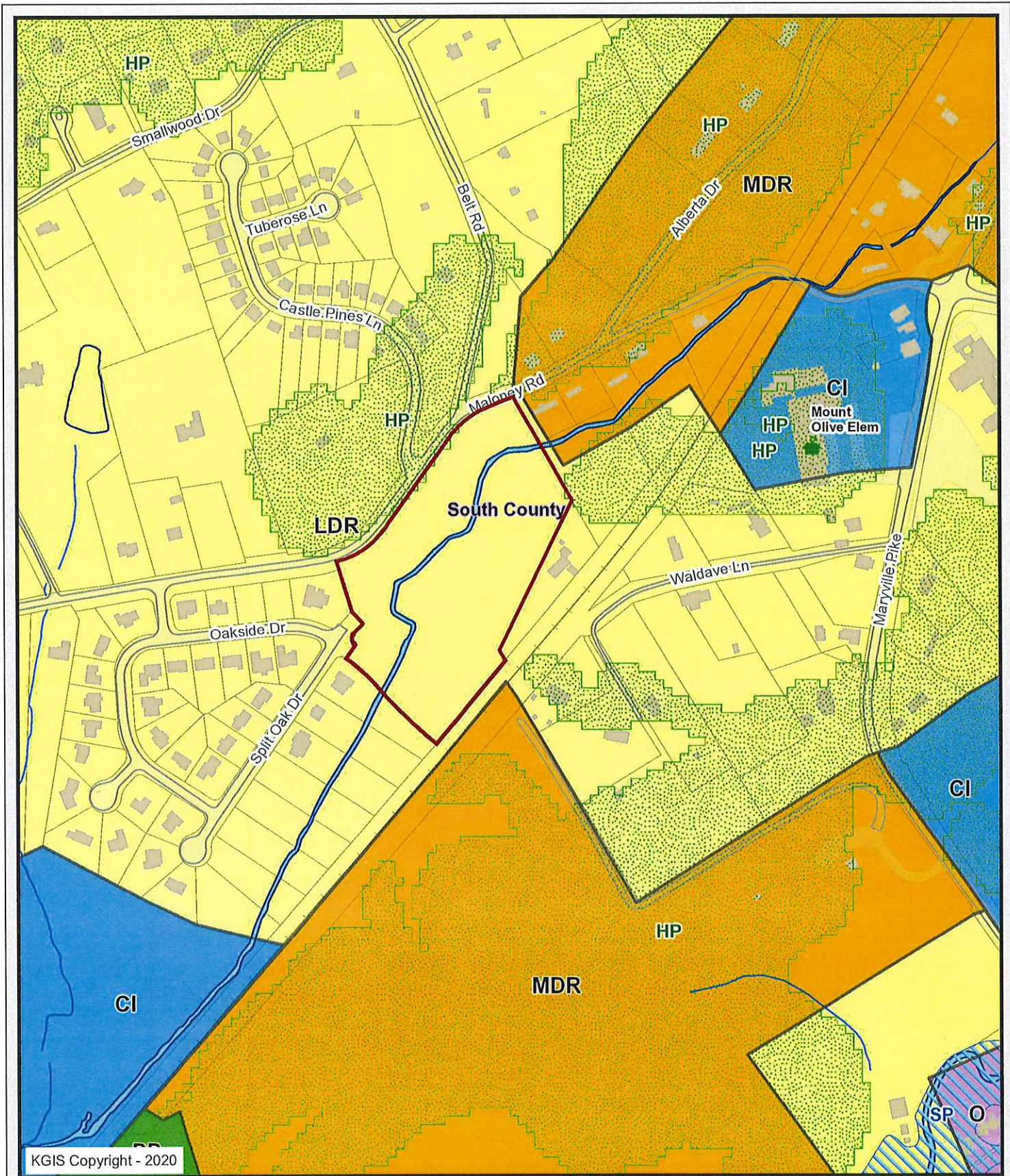
2650 Maloney

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Knoxville - Knox County - KUB Geographic Information System



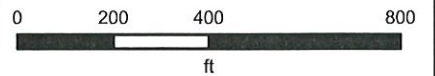
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2650 Maloney



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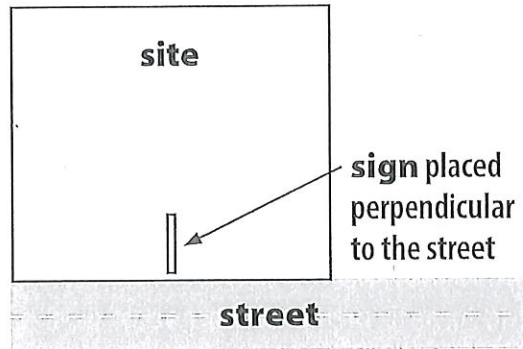
REQUIRED SIGN POSTING AGREEMENT

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:

July 29th (Wed) and Aug 14th (Fri)
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: *P. LeeAnne Kersey*

Printed Name: P. LeeAnne Kersey / Laverne Lattimore

Phone: 865-385-9995 Email: _____

Date: 6/29/2020

File Number: 8-I-20-RZ