

# REZONING REPORT

► **FILE #:** 8-F-21-RZ

**AGENDA ITEM #:** 12

**AGENDA DATE:** 8/12/2021

► **APPLICANT:** RICK W. AND PENNY P. CUTSHAW

OWNER(S): Rick W. and Penny P. Cutshaw

TAX ID NUMBER: 39 03001

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 5325 Brown Gap Rd.

► **LOCATION:** West side of Brown Gap Road, east of Crippen Road

► **APPX. SIZE OF TRACT:** 1.6 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: This property has access from Brown Gap Road, a major collector road with a 15-foot pavement width within a 43-foot right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Existing garage and shop

►  
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Rural residential - A (Agricultural)

South: Agricultural/forestry/vacant land - A (Agricultural)

East: Single-family-residential - A (Agricultural)

West: Agricultural/forestry/vacant land - A (Agricultural)

NEIGHBORHOOD CONTEXT: The property is located in an area with low and medium density residential uses along a major collector road.

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## STAFF RECOMMENDATION:

► **Approve RA (Low Density Residential) zoning because it is consistent with the North County Sector Plan, and surrounding zoning.**

## COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 proposed rezoning request is consistent with the sector plan's land use classification of LDR (Low Density Residential).
2. This area has been transitioning from agricultural to low density residential uses for a number of years.

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

1. RA (Low Density Residential) zoning is intended to provide for residential areas with low population densities.

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 proposed amendment to RA (Low Density Residential) zoning is compatible with the North County sector plan designation of LDR (Low Density Residential).
2. Surrounding properties are zoned RB (General Residential), and A (Agricultural); the addition of RA (Low Density Residential) zoning is not expected to cause any adverse impacts for surrounding properties and is consistent with the residential uses in the area.

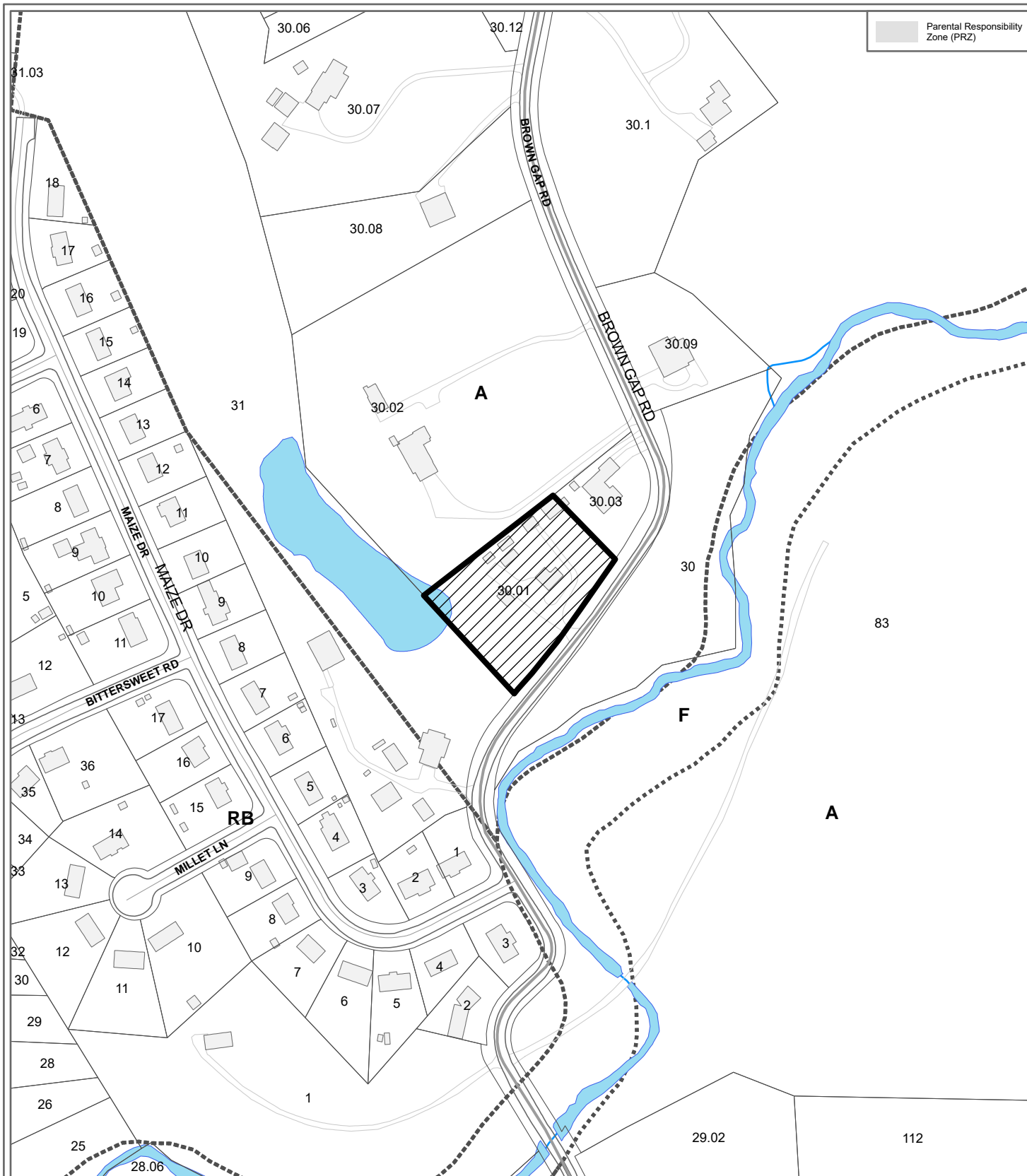
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN AND OTHERS;

1. The proposed amendment is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

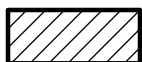
If approved, this item will be forwarded to Knox County Commission for action on 9/27/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



# **8-F-21-RZ REZONING**

From: A (Agricultural)

To: RA (Low Density Residential)



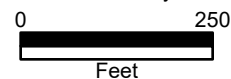
Original Print Date: 7/6/2021  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: and Penny P. Cutshaw, Rick W.

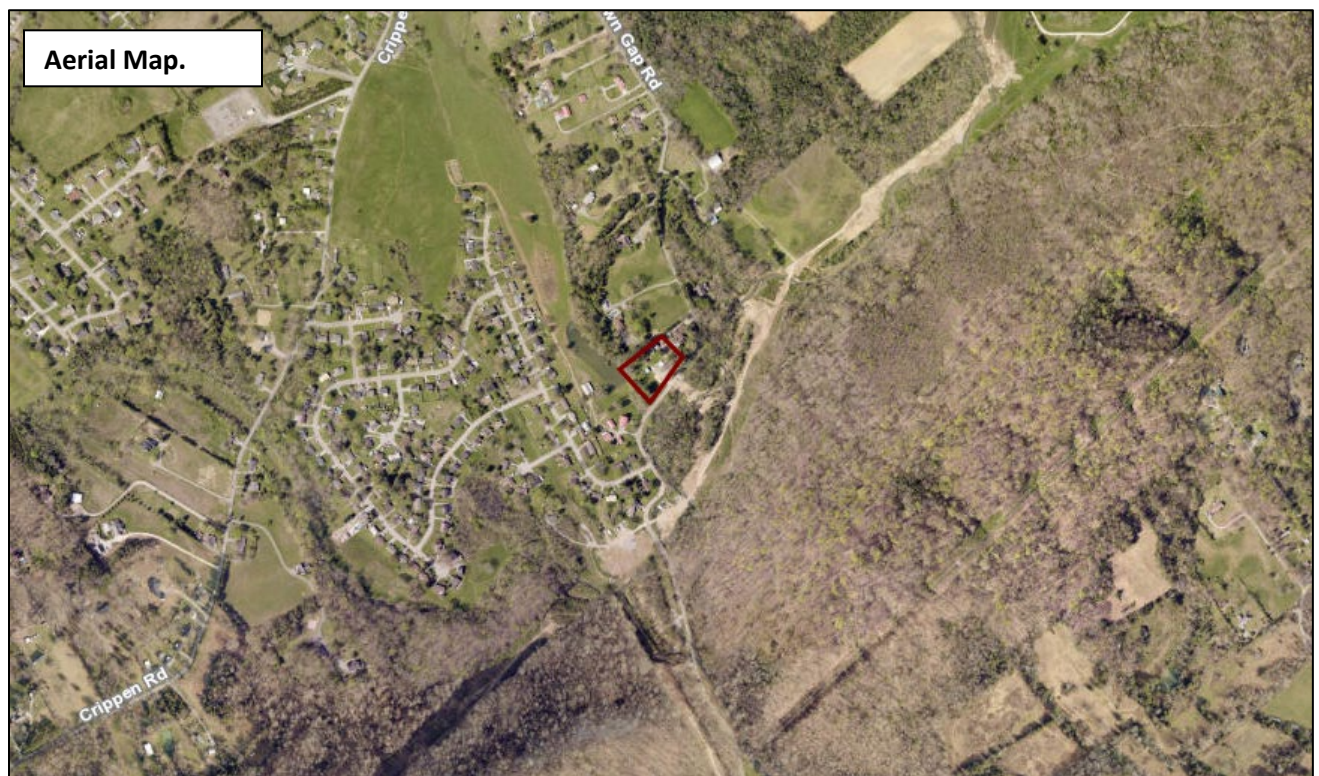
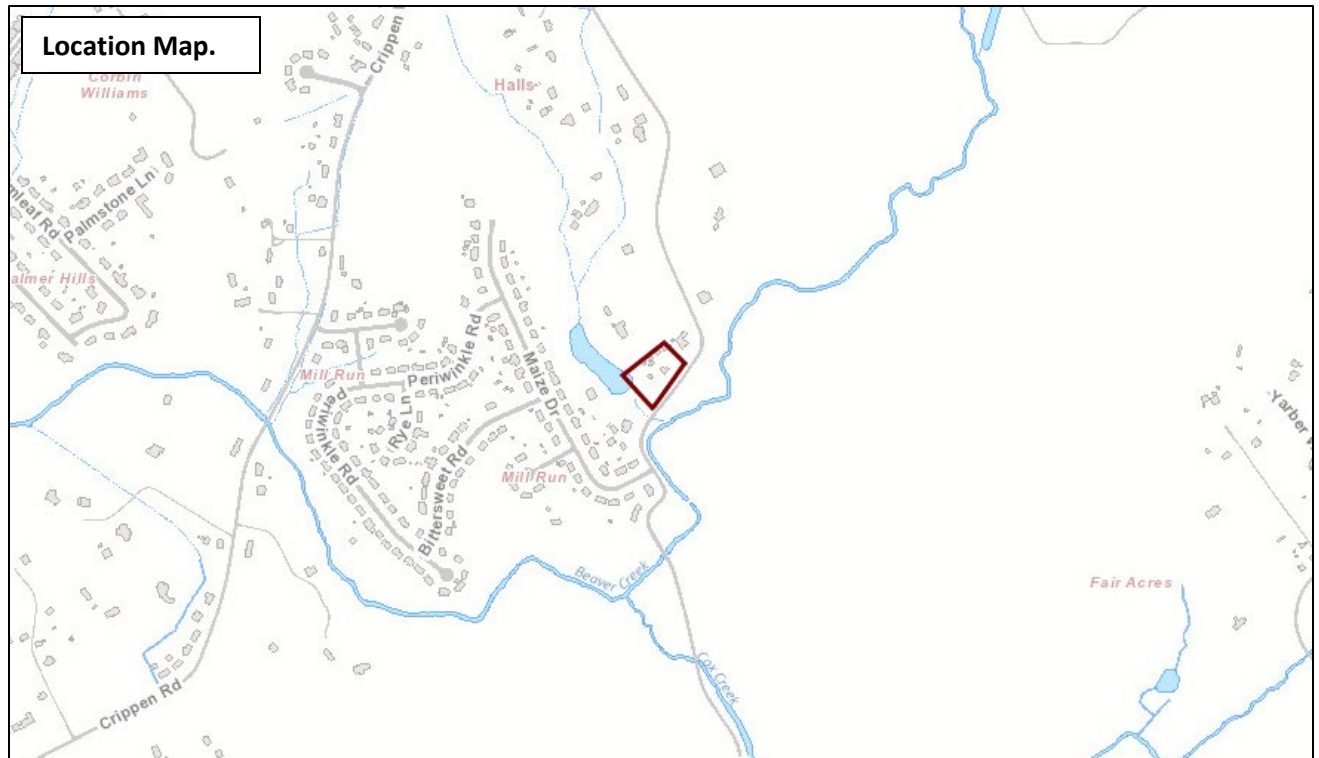
Map No: 39

Jurisdiction: County



8-F-21-RZ

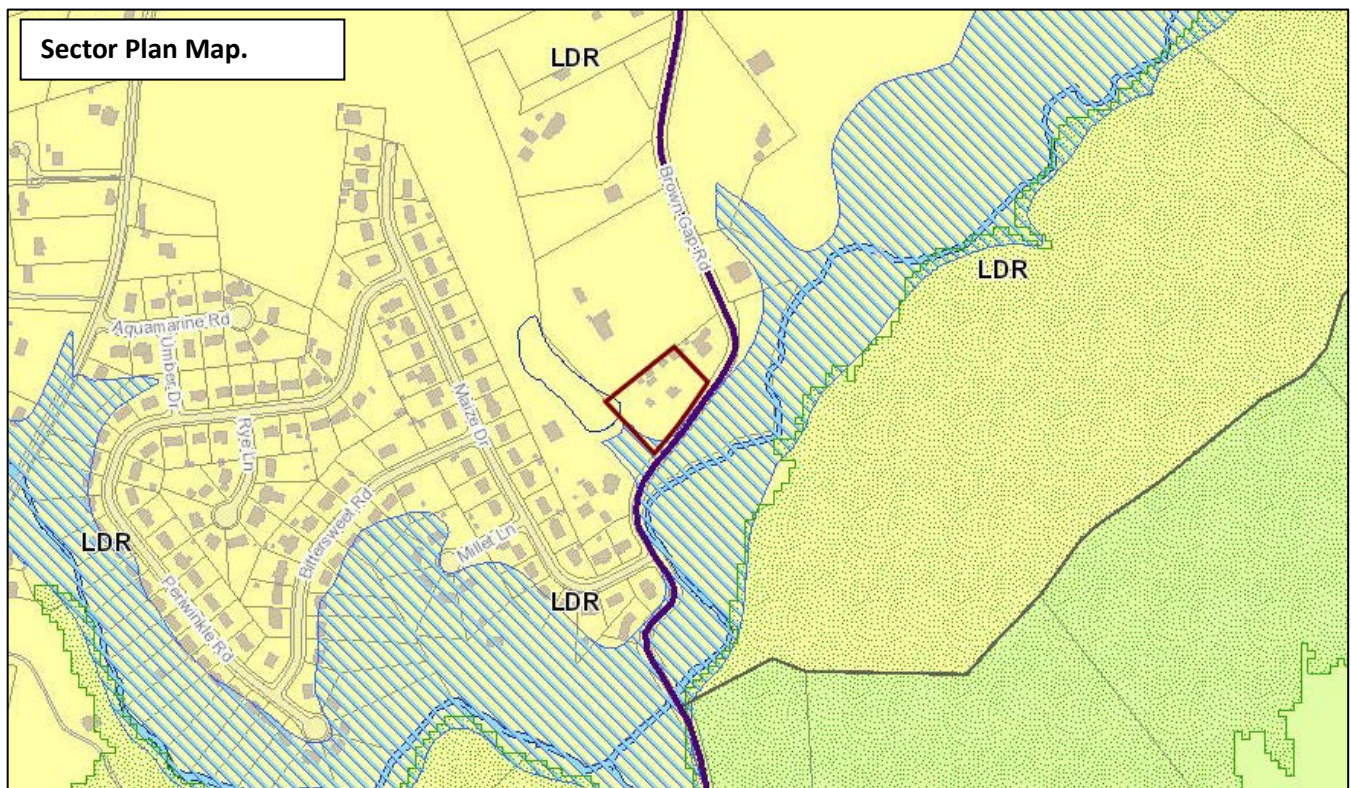
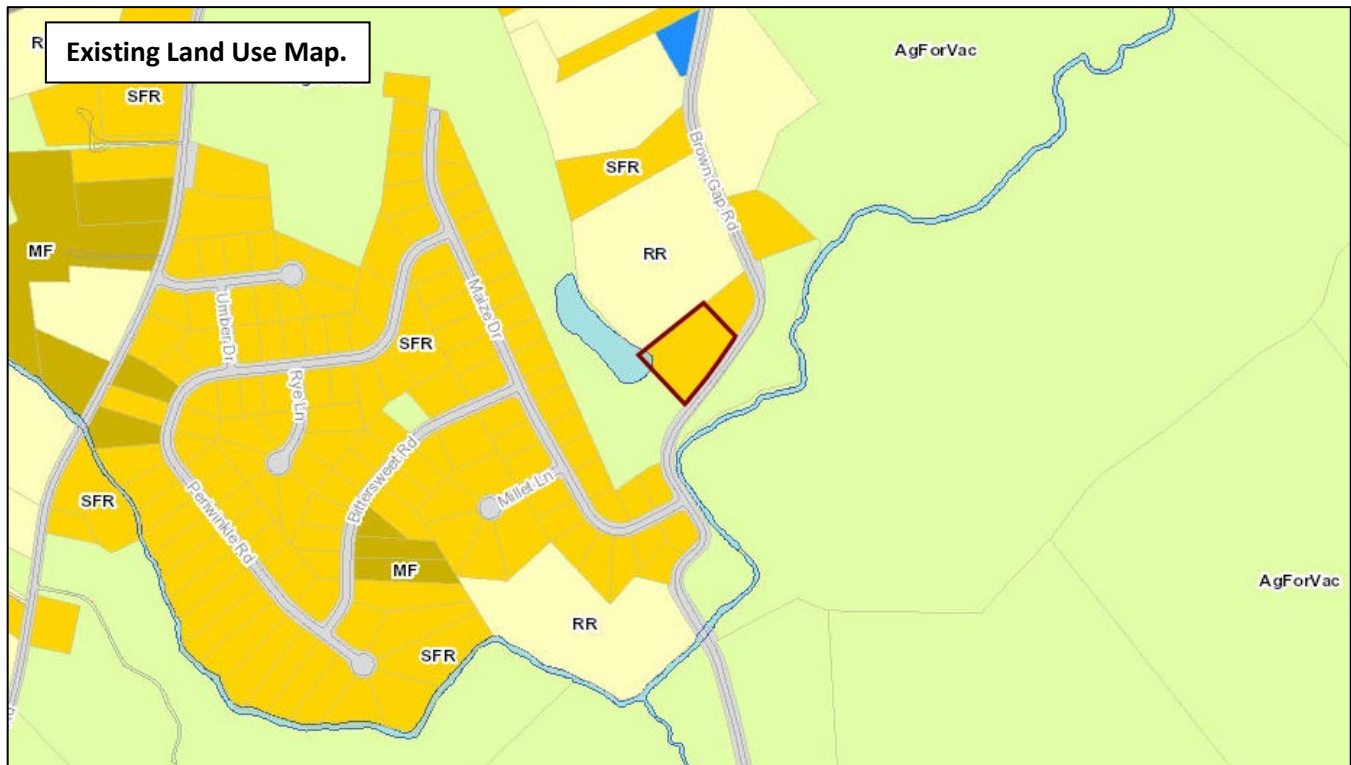
EXHIBIT A. Contextual Images





8-F-21-RZ

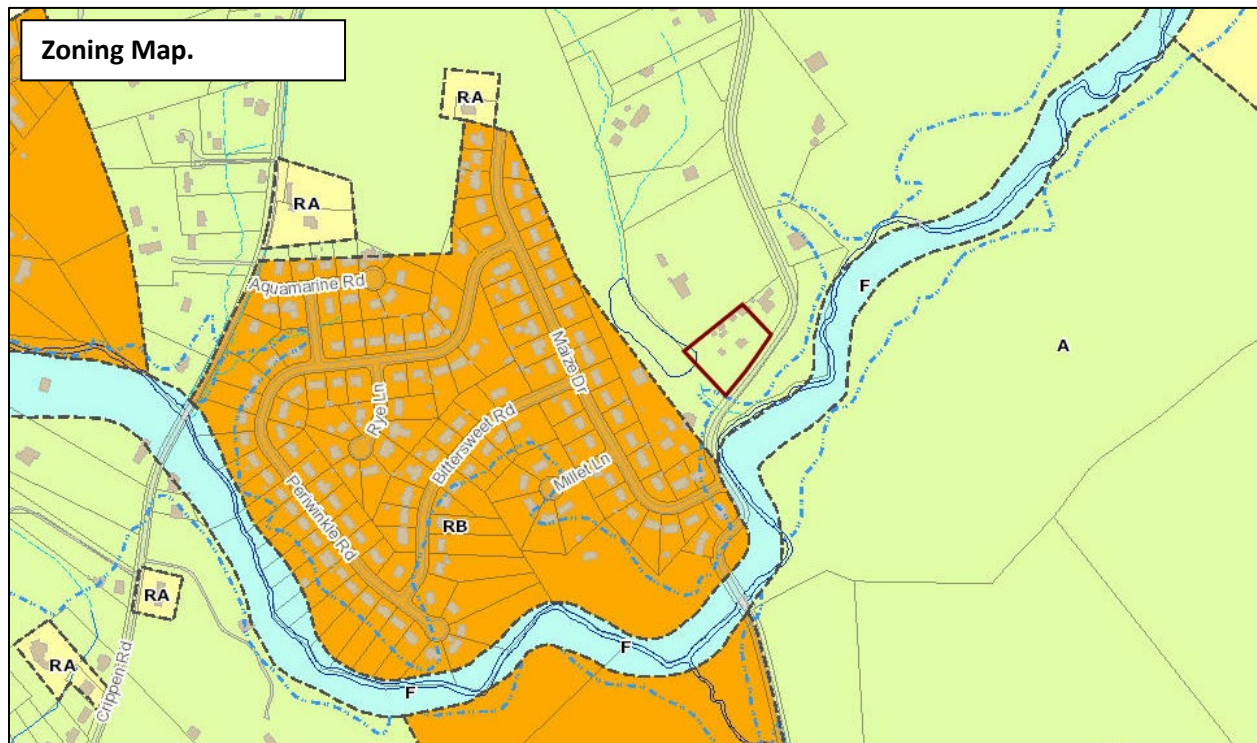
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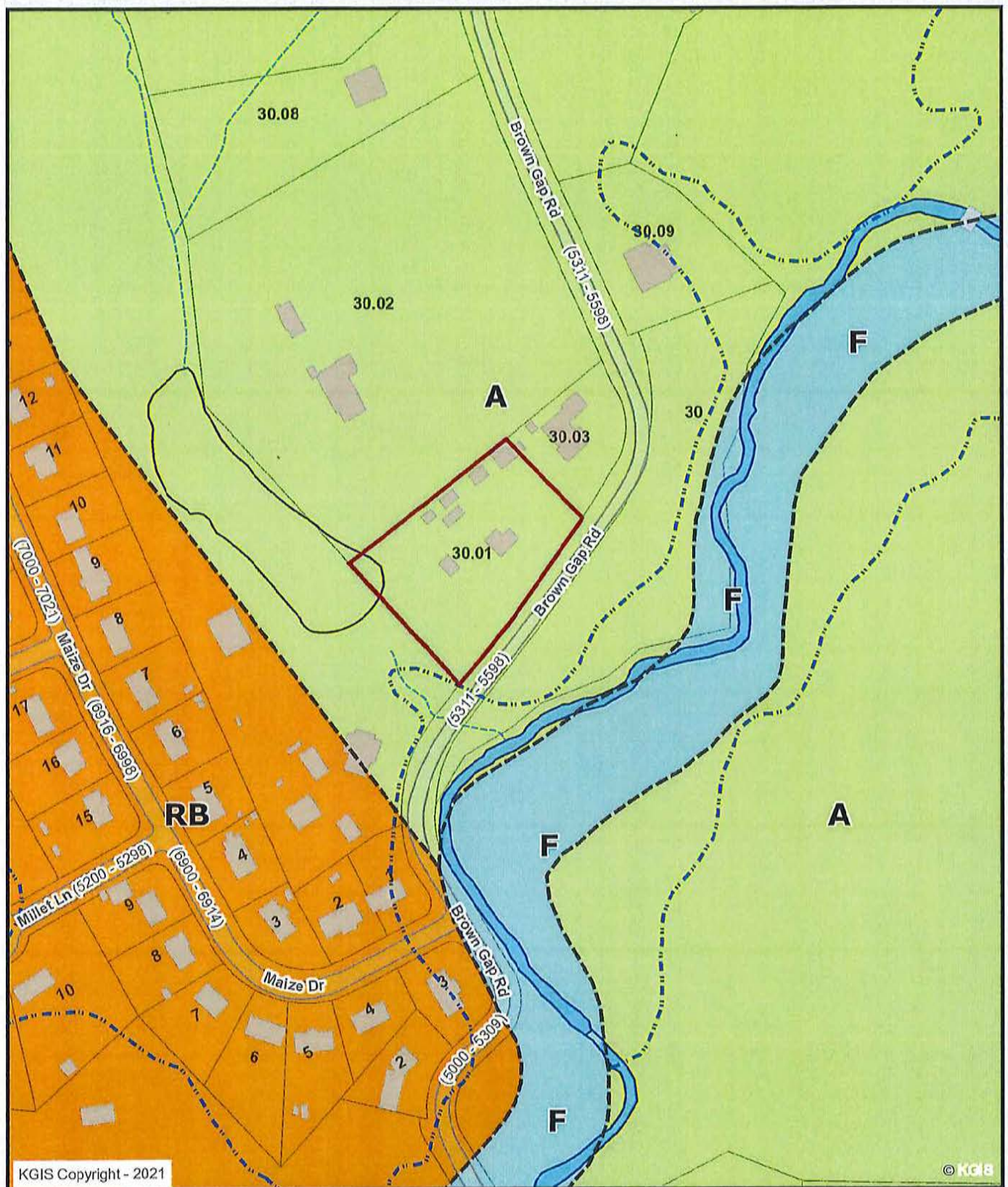


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EXHIBIT A. Contextual Images





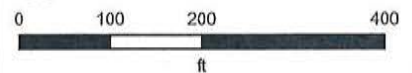


## 8-F-21-RZ: Zoning

Knoxville - Knox County - KUB Geographic Information System

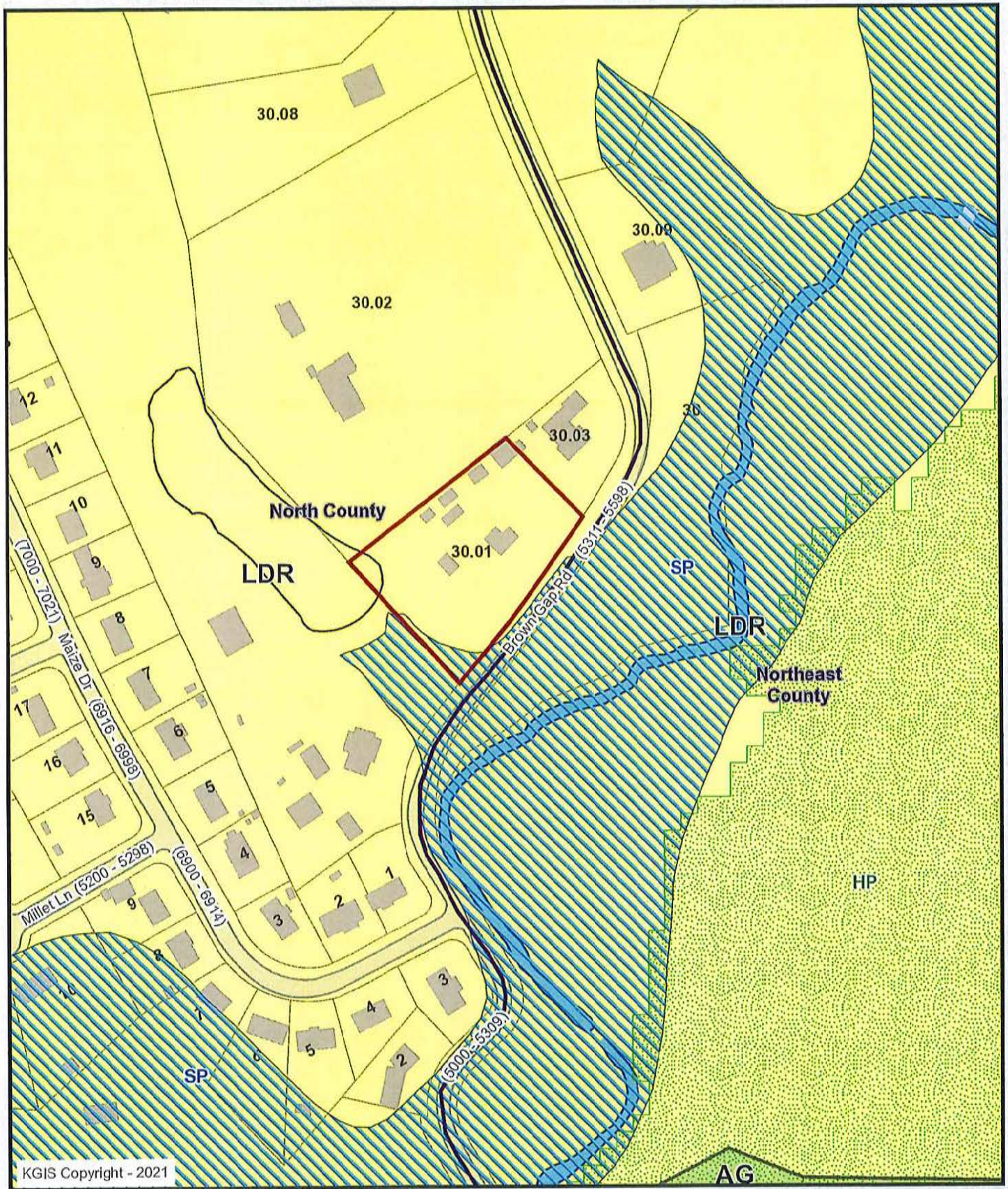


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## 8-F-21-RZ: Sector Plan Designation

Knoxville - Knox County - KUB Geographic Information System



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# Development Request

## DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use  
☐ Hillside Protection COA

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ SP ☐ OYP  
☒ Rezoning

RICK W CUTSHAW PENNY P CUTSHAW

OWNER

Applicant Name

Affiliation

06/25/2021

08/12/2021

Date Filed

Meeting Date (if applicable)

File Number(s)

8-F-21-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

RICK W CUTSHAW PENNY P CUTSHAW

Name

Company

5808 ROSEDOWN COURT

KNOXVILLE

TN

37918

Address

City

State

ZIP

865-556-6727

CUTSHAW@COMCAST.NET

Phone

Email

## CURRENT PROPERTY INFO

RICK W CUTSHAW PENNY P CUTSHAW

5808 ROSEDOWN COURT

865-556-6727

Owner Name (if different)

Owner Address

Owner Phone

5325 BROWN GAP ROAD KNOXVILLE TN 37918

039 03001

Property Address

Parcel ID

HALLS DALE POWELL

HALLS DALE POWELL

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

West side of Brown Gap Rd, east of Crippen Rd 1.6 ac.

General Location

Tract Size

☐ City ☒ County

7th

A

Zoning District

Single Family Residential

Existing Land Use

North County

Planning Sector

LDR/SP

Sector Plan Land Use Classification

Planned Growth

Growth Policy Plan Designation

**DEVELOPMENT REQUEST**

- ☐ Development Plan    ☐ Use on Review / Special Use    ☐ Hillside Protection COA  
☒ Residential    ☐ Non-Residential

Home Occupation (specify) MOBILE HOME

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

**SUBDIVISION REQUEST**

Proposed Subdivision Name

Unit / Phase Number    ☐ Combine Parcels    ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify) \_\_\_\_\_

☐ Attachments / Additional Requirements

Related Rezoning File Number

**ZONING REQUEST**

☒ Zoning Change    RA  
 Proposed Zoning

☐ Plan Amendment Change    \_\_\_\_\_  
 Proposed Plan Designation(s)

Pending Plat File Number

Proposed Density (units/acre)    Previous Rezoning Requests

☐ Other (specify) NONE

**STAFF USE ONLY****PLAT TYPE**

- ☐ Staff Review    ☐ Planning Commission

**ATTACHMENTS**

- ☐ Property Owners / Option Holders    ☐ Variance Request

**ADDITIONAL REQUIREMENTS**

- ☐ Design Plan Certification (Final Plat)  
☐ Use on Review / Special Use (Concept Plan)  
☐ Traffic Impact Study  
☐ COA Checklist (Hillside Protection)

Fee 1		Total \$600-
324	\$600-	
Fee 2		
Fee 3		

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

*Rick W Cutshaw Penny P Cutshaw*  
Applicant Signature

RICK W CUTSHAW    PENNY P CUTSHAW

06/25/2021

Please Print

Date

865-556-6727

CUTSHAW@COMCAST.NET

Phone Number

Email

*Michelle Portier*  
Staff Signature

Michelle Portier

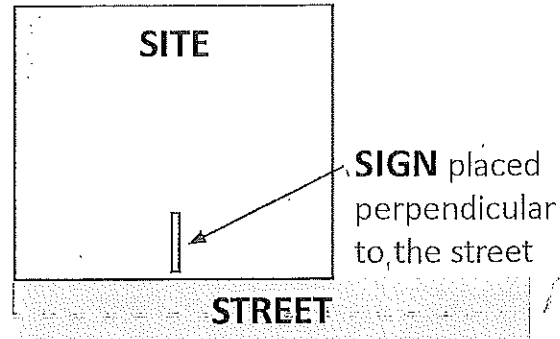
6/25/2021

Please Print

Date



The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

### LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

July 28<sup>th</sup> (Wed) and August 13 (Fri)  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Rick W and Penny Cutshaw

Date: June 25 2021

File Number: 8-F-21-RZ

☐

Sign posted by Staff

☒

Sign posted by Applicant