

REZONING REPORT

▶ **FILE #:** 3-A-21-RZ

AGENDA ITEM #: 15

AGENDA DATE: 3/11/2021

▶ **APPLICANT:** IGOR CHEBAN

OWNER(S): Igor Cheban

TAX ID NUMBER: 105 113

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 1416 Chert Pit Rd.

▶ **LOCATION:** Northeast side of Chert Pit Rd., northwest of Jenkins Rd.

▶ **APPX. SIZE OF TRACT:** 2.1 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Chert Pit Road a major collector with a 21-ft pavement width inside a 60-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Ten Mile Creek

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

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

▶ **EXISTING LAND USE:** Rural residential, there is a single family dwelling on the lot

▶ EXTENSION OF ZONE: Yes, RA zoning is adjacent to the northeast and southwest

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Single family residential - RA (Low Density Residential)

South: Single family residential - RA (Low Density Residential)

East: Single family residential - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area consists of predominantly single family detached houses, most of which are on lots averaging approximately 1/3 of an acre in area.

STAFF RECOMMENDATION:

▶ **Approve RA (Low Density Residential) zoning because it is consistent with the surrounding development and the Northwest 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. The area is transitioning from large lot agricultural zoned parcels to single family residential lots, being primarily built out under RA (Low Density Residential) zoning.
2. There is an increased need for housing. The proposed rezoning would create an opportunity to meet this need.

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

1. The RA (Low Density Residential) zone 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. In the RA zone district, the minimum lot size for one dwelling with sewer is 10,000 square feet and without sewer is 20,000 square feet.

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 rezoning to RA could yield a maximum of 9 dwelling units, however, access limitations would likely limit the number dwelling units even further.
2. The slope analysis for this property yields a total maximum number of dwelling units at 5.
3. Sinking Creek appears to cross the frontage of this property along Chert Pit Rd.

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 Northwest County Sector Plan's land use designation of LDR (Low Density Residential) recommends the RA (Low Density Residential) zone district.

ESTIMATED TRAFFIC IMPACT: 113 (average daily vehicle trips)

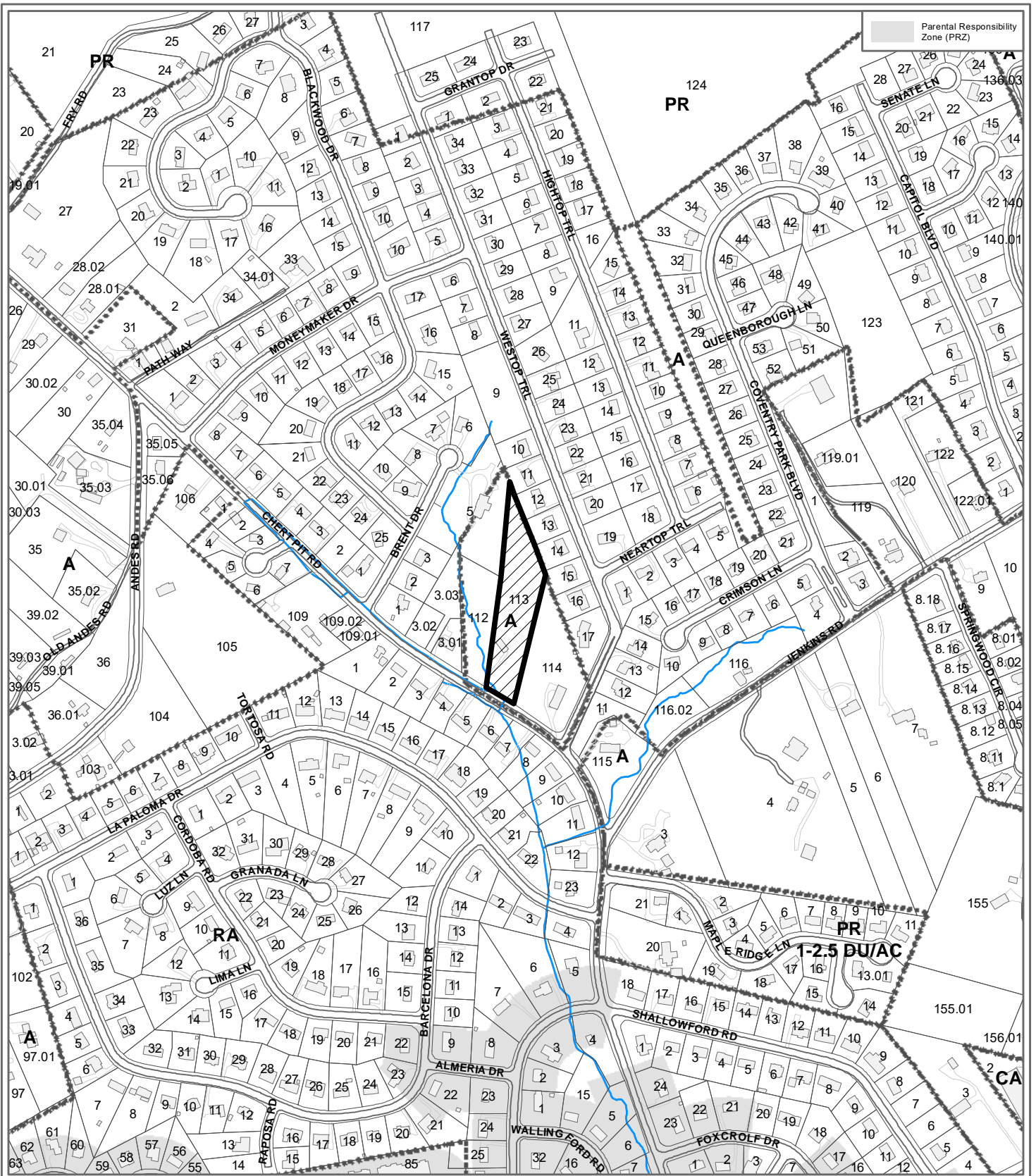
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 4 (public school children, grades K-12)

Schools affected by this proposal: Ball Camp Elementary, Karns Middle, and Hardin Valley Academy.

- 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 4/26/2021. 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.



**3-A-21-RZ
REZONING**

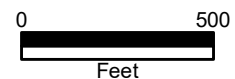
From: A (Agricultural)
To: RA (Low Density Residential)



Petitioner: Cheban, Igor

Map No: 105

Jurisdiction: County



Original Print Date: 2/5/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0.19	4.00	0.8
0-15% Slope	0.6	4.00	2.4
15-25% Slope	1	2.00	2.0
25-40% Slope	0.24	0.50	0.1
Greater than 40% Slope	0.06	0.20	0.0
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	1.9		4.5
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	2.09	2.53	5.3
Proposed Density (Applicant)	2.09	4.36	9.1

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines for Recommendations on Changes to the Zoning Map and Development Plan/Concept Plan Review within the Hillside and Ridgetop Protection Area that is within the Urban Growth and the Planned Growth Area

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

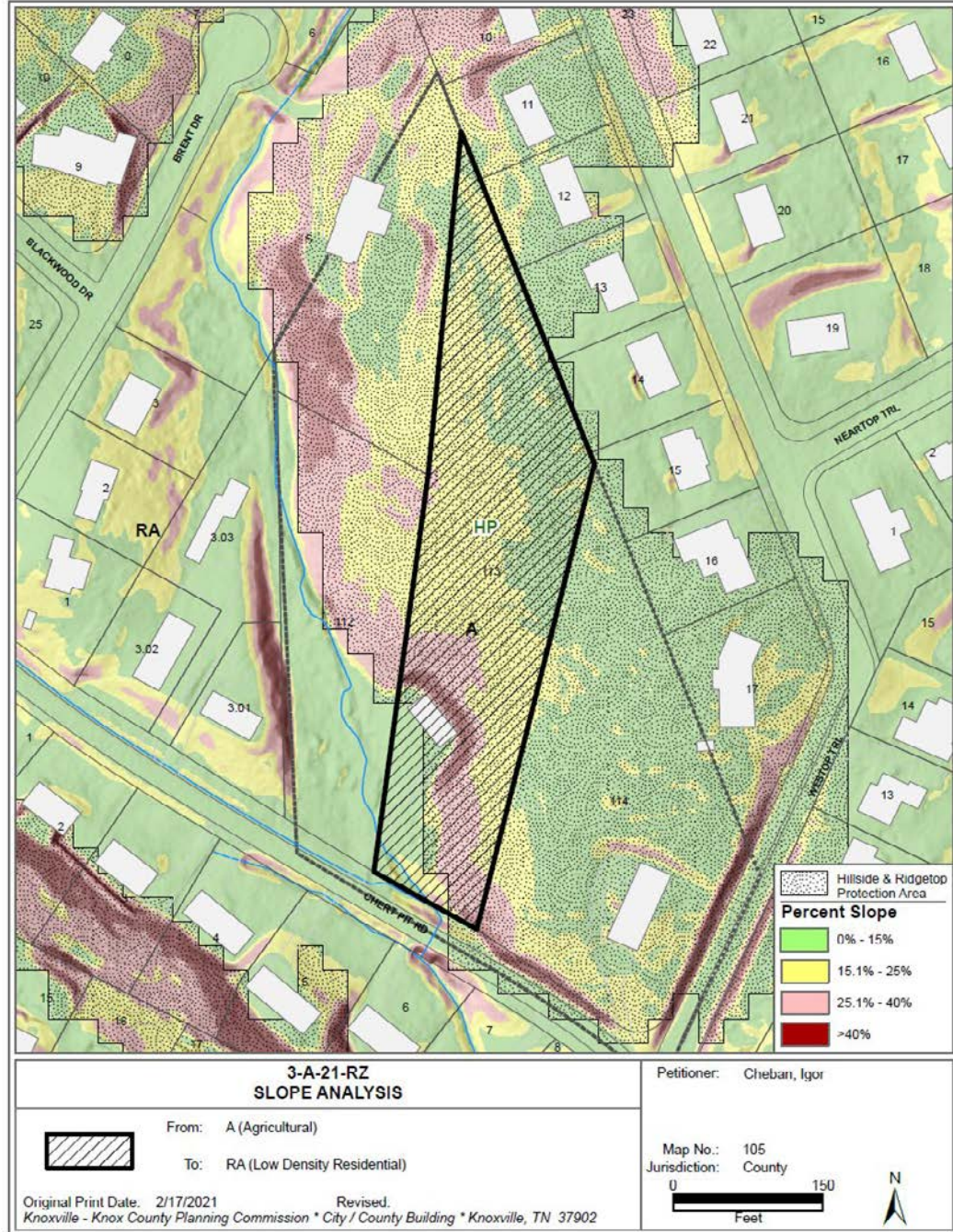
dua: dwelling units per acre

* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 - 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.

The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33



**3-A-21-RZ
SLOPE ANALYSIS**

Petitioner: Cheban, Igor

From: A (Agricultural)
To: RA (Low Density Residential)

Map No.: 105
Jurisdiction: County
0 150 Feet

Original Print Date: 2/17/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. 3-A-21-RZ Contextual Images

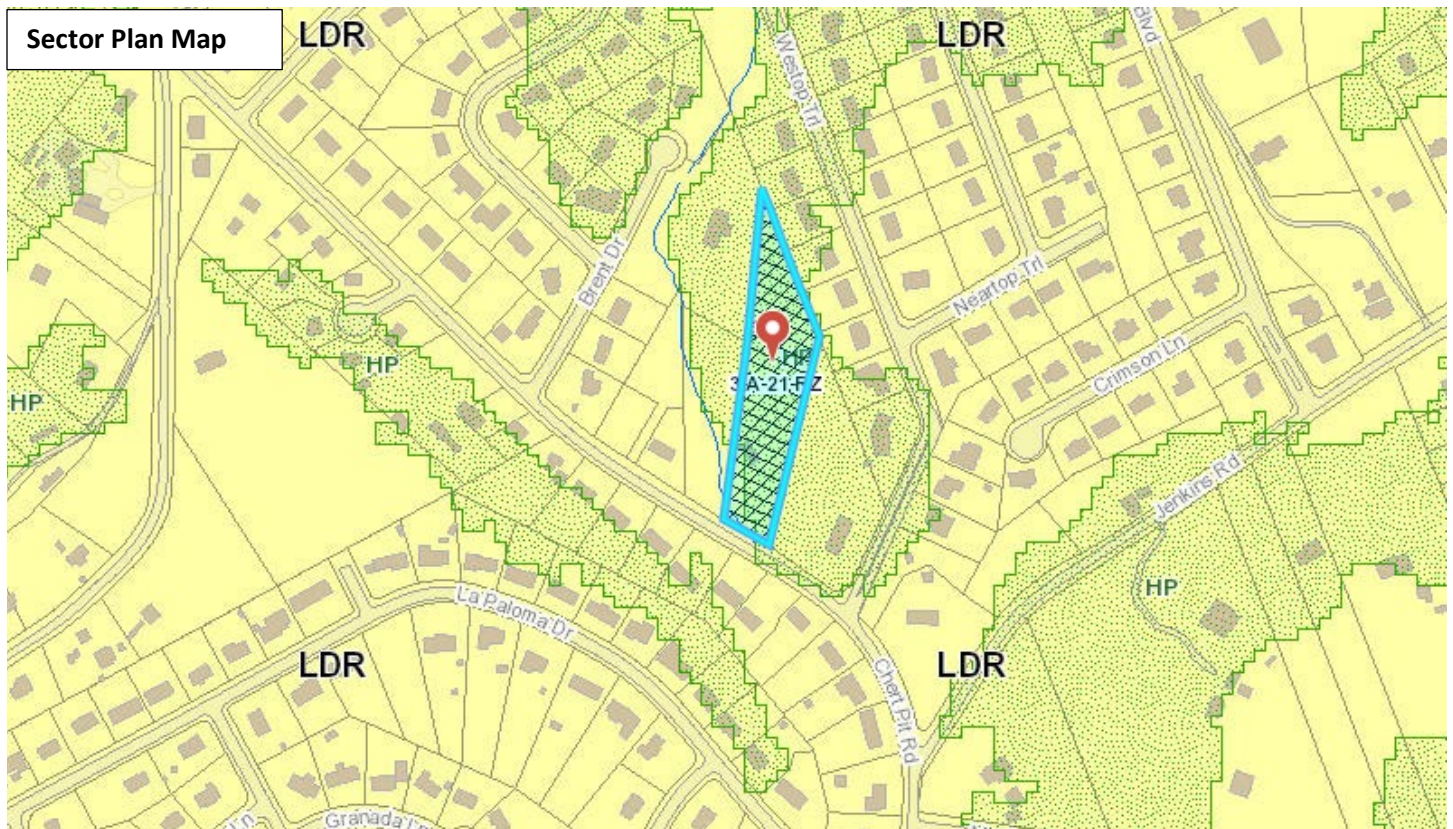
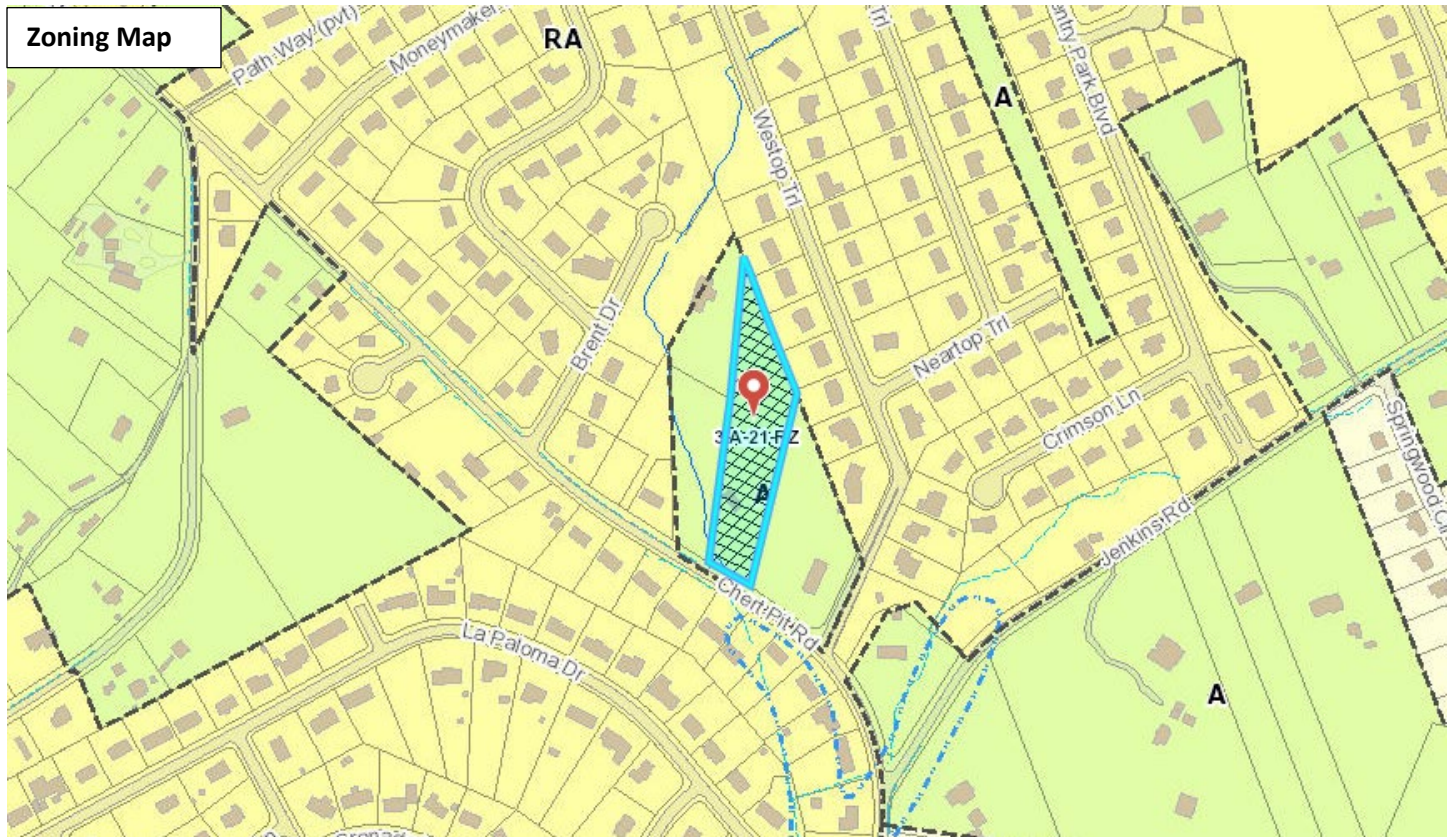
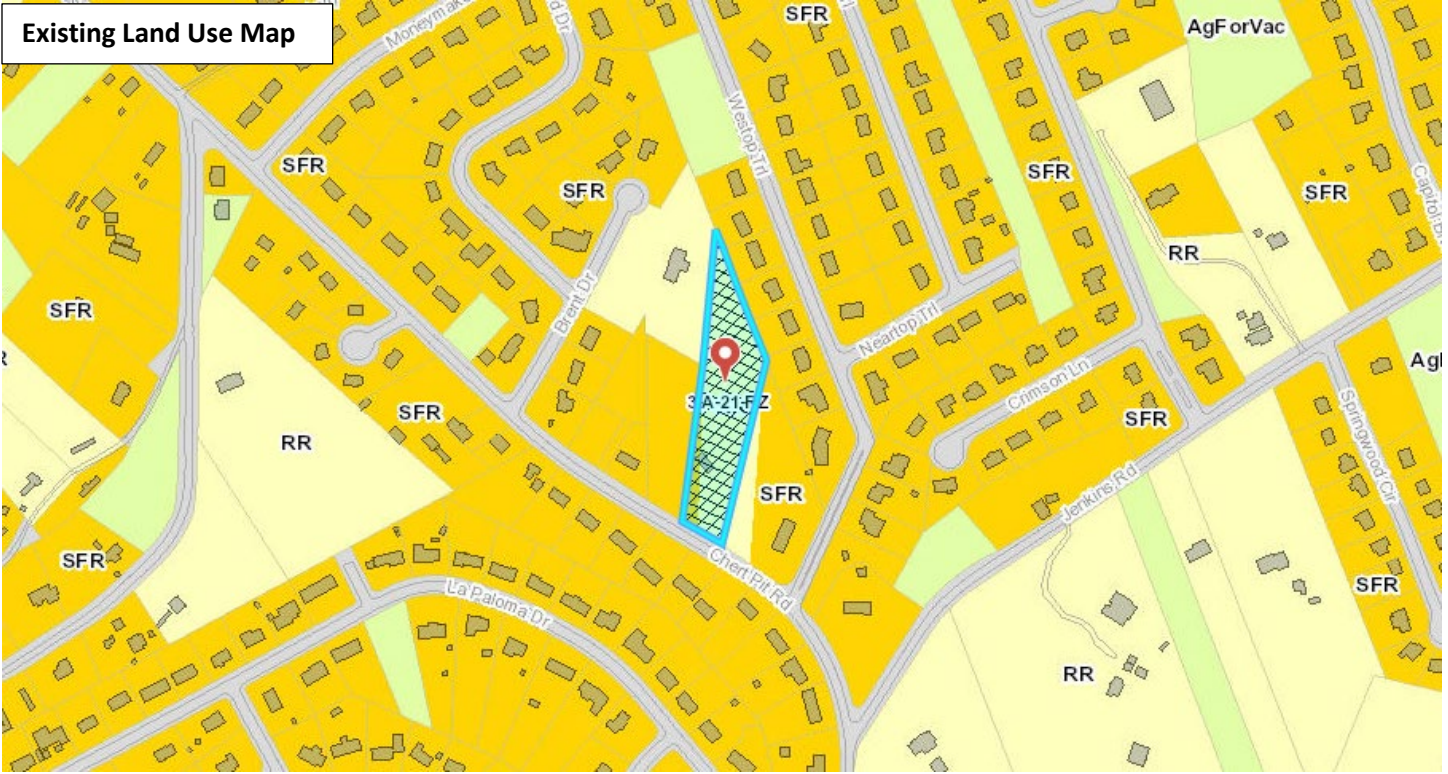


Exhibit A. 3-A-21-RZ Contextual Images





Planning

KNOXVILLE | KNOX COUNTY

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

Igor Cheban

Owner

Applicant Name

Affiliation

1/19/2021

3-11-21

Date Filed

Meeting Date (if applicable)

File Number(s)

3-A-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

Igor Cheban

Name

Company

6939 Clinton Hwy

Knoxville

TN

37921

Address

City

State

ZIP

8658164488

1stchoiceheatair@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Igor Cheban

6939 Clinton Hwy Knoxville TN 37921

8658164488

Owner Name (if different)

Owner Address

Owner Phone

1416 Chert Pit Rd

105113

Property Address

Parcel ID

West Knox Utility District

West Knox Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northeast side Chert Pit Rd,
General Location *northwest of Jenkins Rd*

2.10

Tract Size

City County

District

Zoning District

Existing Land Use

3rd

A/HP

RR

Northwest County

LDR

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

- Combine Parcels
 Divide Parcel

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

- Zoning Change

Residential **RA**

Pending Plat File Number

Proposed Zoning

- Plan Amendment Change

Proposed Plan Designation(s)

2.1

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify) _____

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
0324 6000.00	
Fee 2	
Fee 3	
	600.00

AUTHORIZATION

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

Igor Cheban

1/19/2021

Applicant Signature

Please Print

Date

8658164488

1stchoiceheatair@gmail.com

Phone Number

Email

Sherry Michienzi

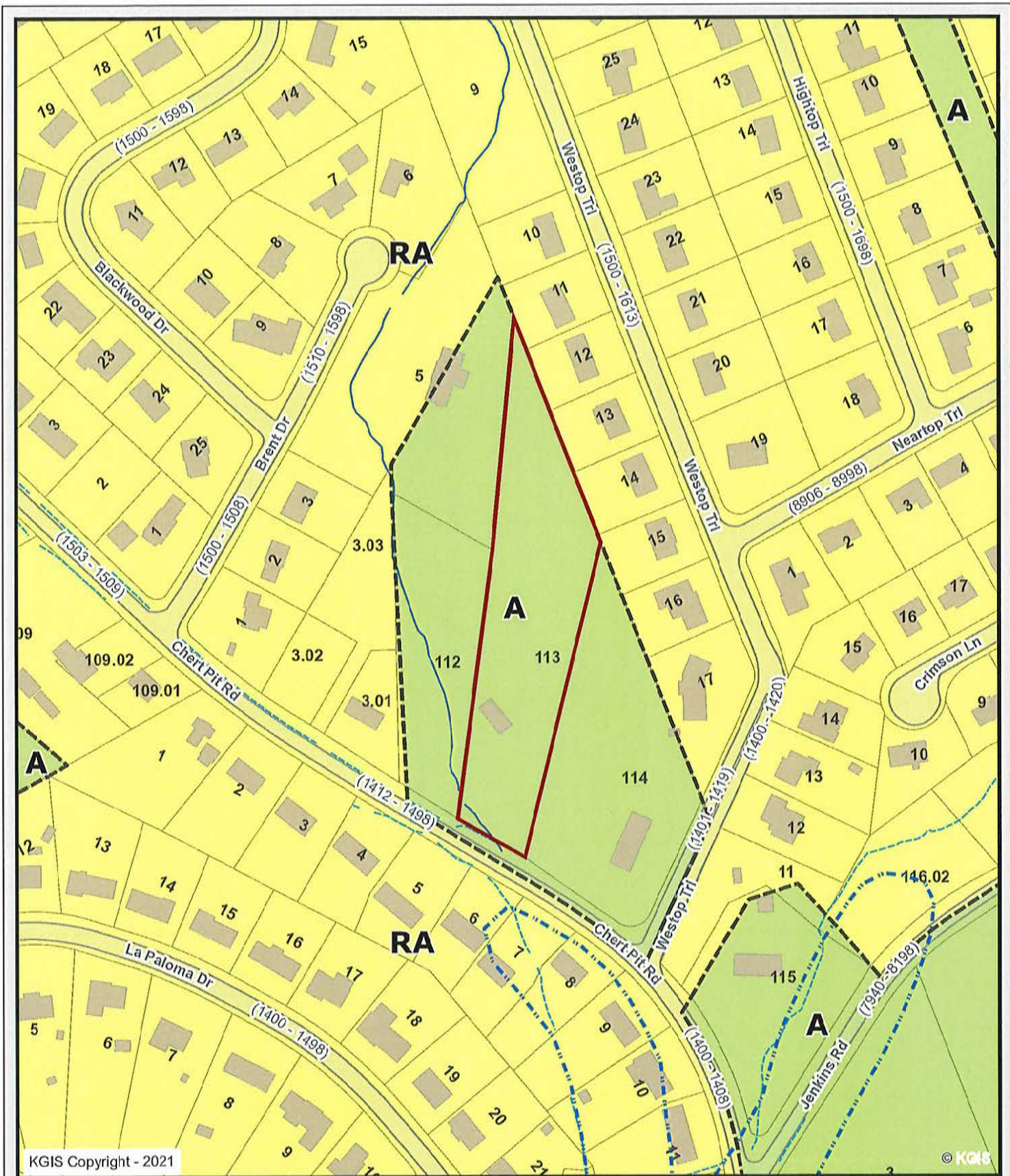
SHERRY MICHIEZI

1/19/2021

Staff Signature

Please Print

Date

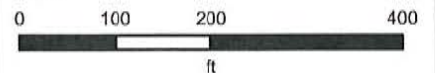


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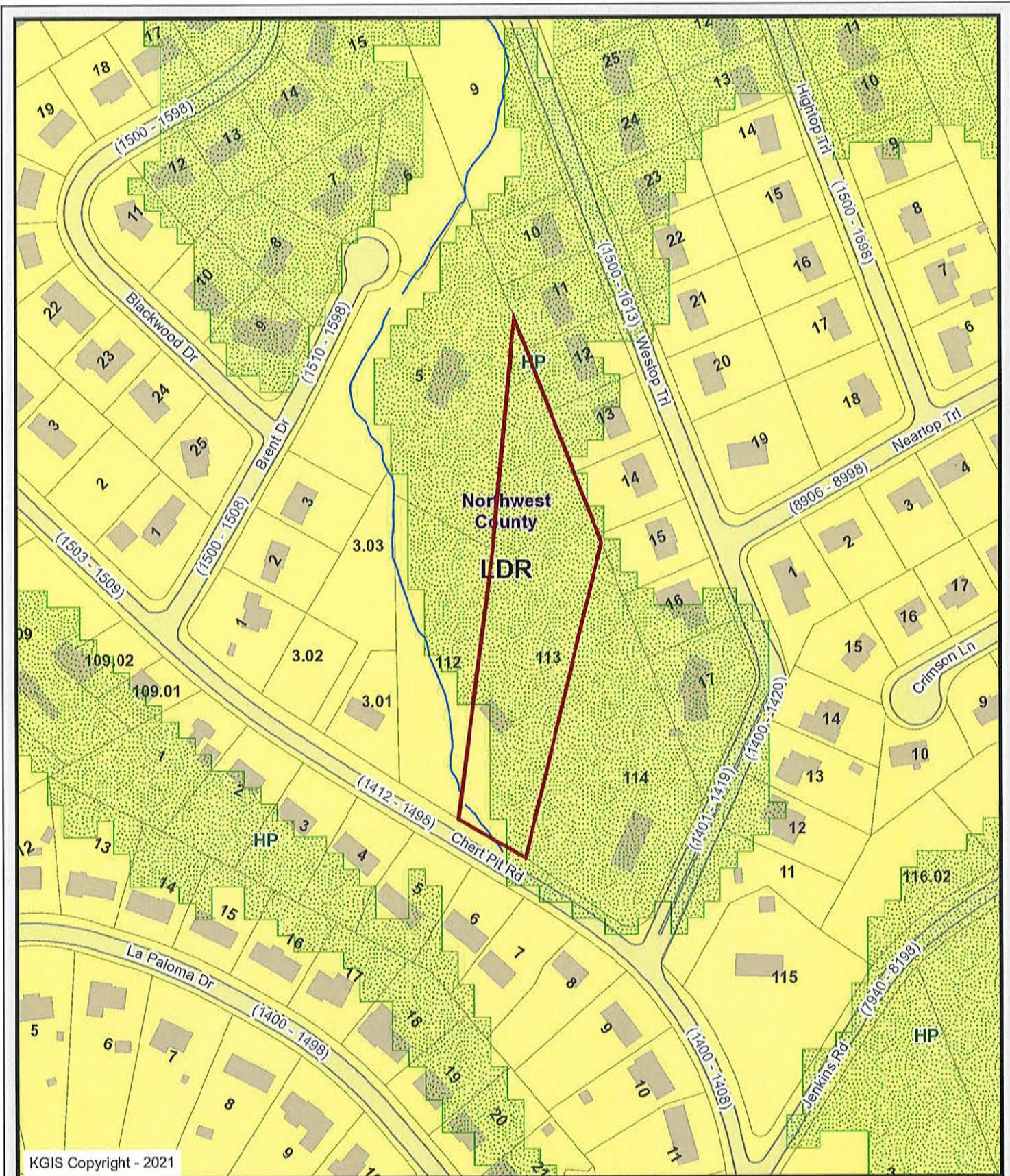
1416 Chert Pit

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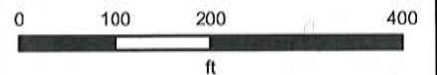
1416 Chert Pit

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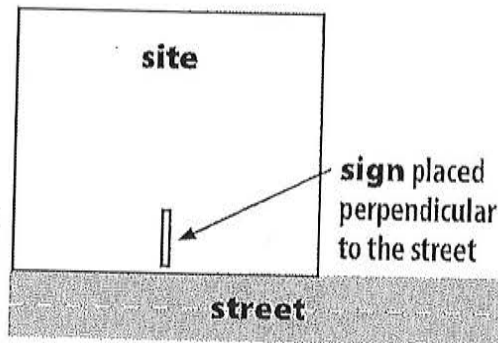
REQUIRED SIGN POSTING AGREEMENT

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:

Feb 24th (Wed) and (Fri) March 12th
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: _____

Printed Name: IGOR CHEBAN

Phone: _____ Email: _____

Date: 1/19/21

File Number: 3A-21RZ