

# REZONING REPORT

► **FILE #:** 1-F-22-RZ **AGENDA ITEM #:** 7

POSTPONEMENT(S): 1/13/2022, 2/10/2022 **AGENDA DATE:** 4/14/2022

► **APPLICANT:** CARTER MILLER

OWNER(S): The Drop Inn Knox, LLC

TAX ID NUMBER: 109 L D 007 & 008 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 4517 & 4519 Sevierville Pk.

► **LOCATION:** South side of Sevierville Pike, west of Southside Drive, east of E. Red Bud Road

► **APPX. SIZE OF TRACT:** 4.68 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: Inside City Limits

ACCESSIBILITY: Access is via Sevierville Pike, a major collector, with pavement width of 21-ft within a right-of-way width of 52-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Toll Creek

► **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

► **ZONING REQUESTED:** AG (General Agricultural) & HP (Hillside Protection Overlay)

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

► **EXTENSION OF ZONE:** Yes, AG is adjacent

**HISTORY OF ZONING:** None noted

**SURROUNDING LAND USE AND ZONING:** North: Single-family residential - RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection)

South: Public park, Multifamily - NA (Natural Area) / HP (Hillside Protection)  
RN-3 (General residential neighborhood) / HP (Hillside Protection)

East: Public parks - NA (Natural Area) / HP (Hillside Protection)

West: Agriculture/forestry/vacant - AG (General Agricultural) / HP (Hillside Protection)

**NEIGHBORHOOD CONTEXT:** This area is forested with steep slopes with large vacant lots with some single-family residential and multi-family residential uses nearby. The Knoxville Urban Wilderness trail system is adjacent to this property.

## STAFF RECOMMENDATION:

► **Approve AG (Agricultural) / HP (Hillside Protection Overlay) zoning because it is consistent with the sector plan and is compatible with the surrounding development.**

## COMMENTS:

The applicant has recently submitted a plat application to combine lots 4517 and 4519 Sevierville Pike with the adjacent property 4507 Sevierville Pike for the purpose of meeting the minimum lot size and lot width requirement of the AG zone. The staff recommendation to approve AG zoning is contingent upon 4517, 4519, and 4507 Sevierville Pike being combined into one parcel. At the time of this writing the plat has gone through the administrative process and is ready to be recorded.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3: 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 GENERALLY:

1. In the last decade, the Urban Wilderness Trail System has developed adjacent to this property and an adjacent City of Knoxville owned property zoned NA (Natural Areas) which is intended to preserve and protect recreational and conservation open space. The NA District is intended to preserve and enhance areas as permanent open space that contributes to the creation of a network of lands that provide safe and enjoyable areas and routes for non-intensive recreational opportunities and is protective of natural resources.

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

1. The subject properties once combined with 4507 Sevierville Pike will meet the minimum lot standards for the AG zone.  
2. Any Development will have to comply with the HP overlay standards found in article 8.9 HP Hillside Protection Overlay zoning district. A Certificate of Appropriateness is required for development in HP areas.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. This proposed amendment to AG (Agricultural) is a downzoning and reduces the range of permitted uses that may impact this property, and limits the development potential of this lot.

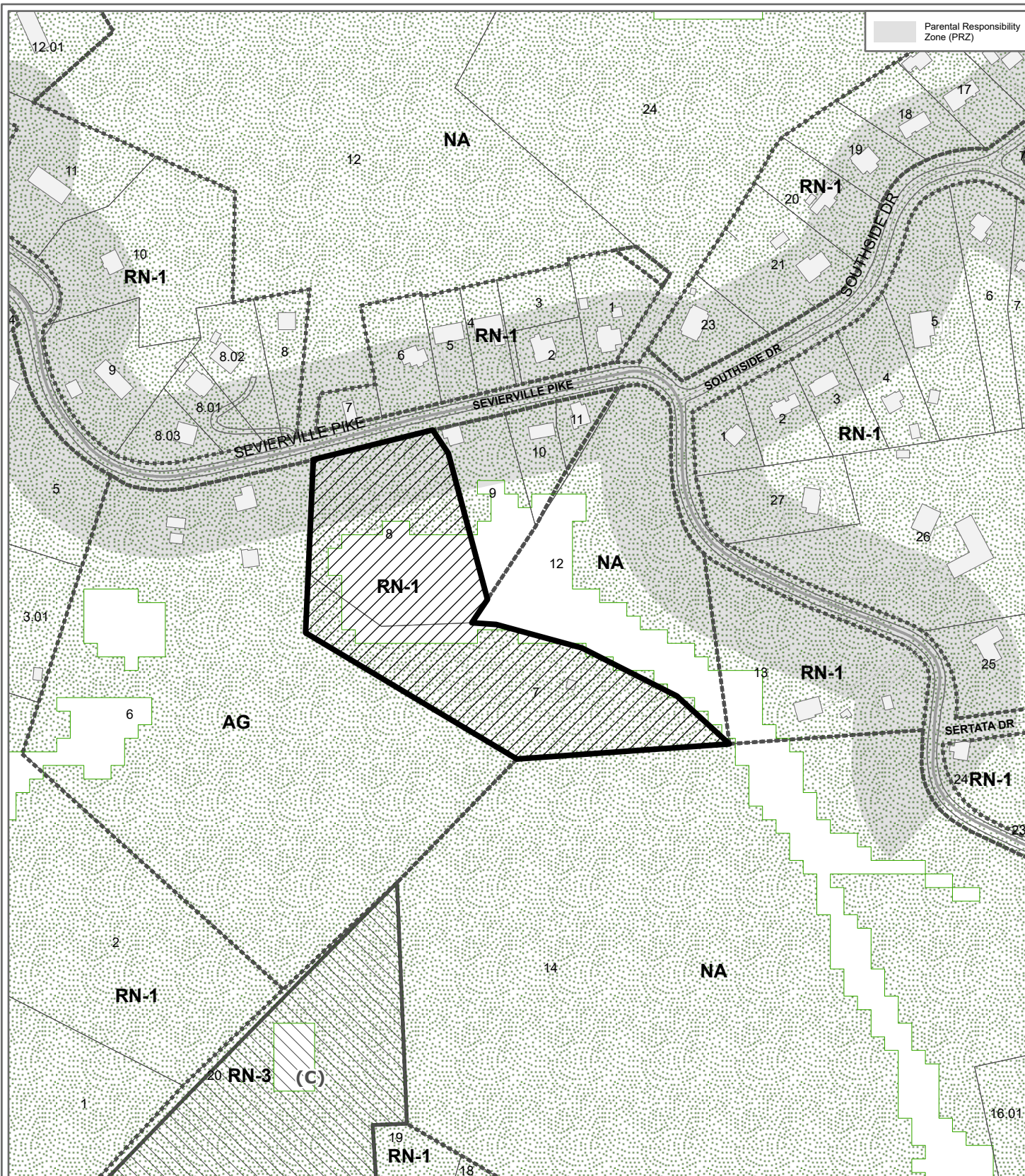
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The AG (Agricultural) zone district reduces the residential development potential in a steep sloped, forested hillside area, is adjacent to public land and a trail system, and is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

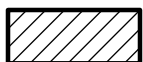
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2022 and 5/31/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



# **1-F-22-RZ REZONING**

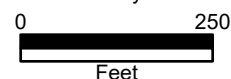
From: RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)  
To: A (Agricultural) & HP (Hillside Protection Overlay)



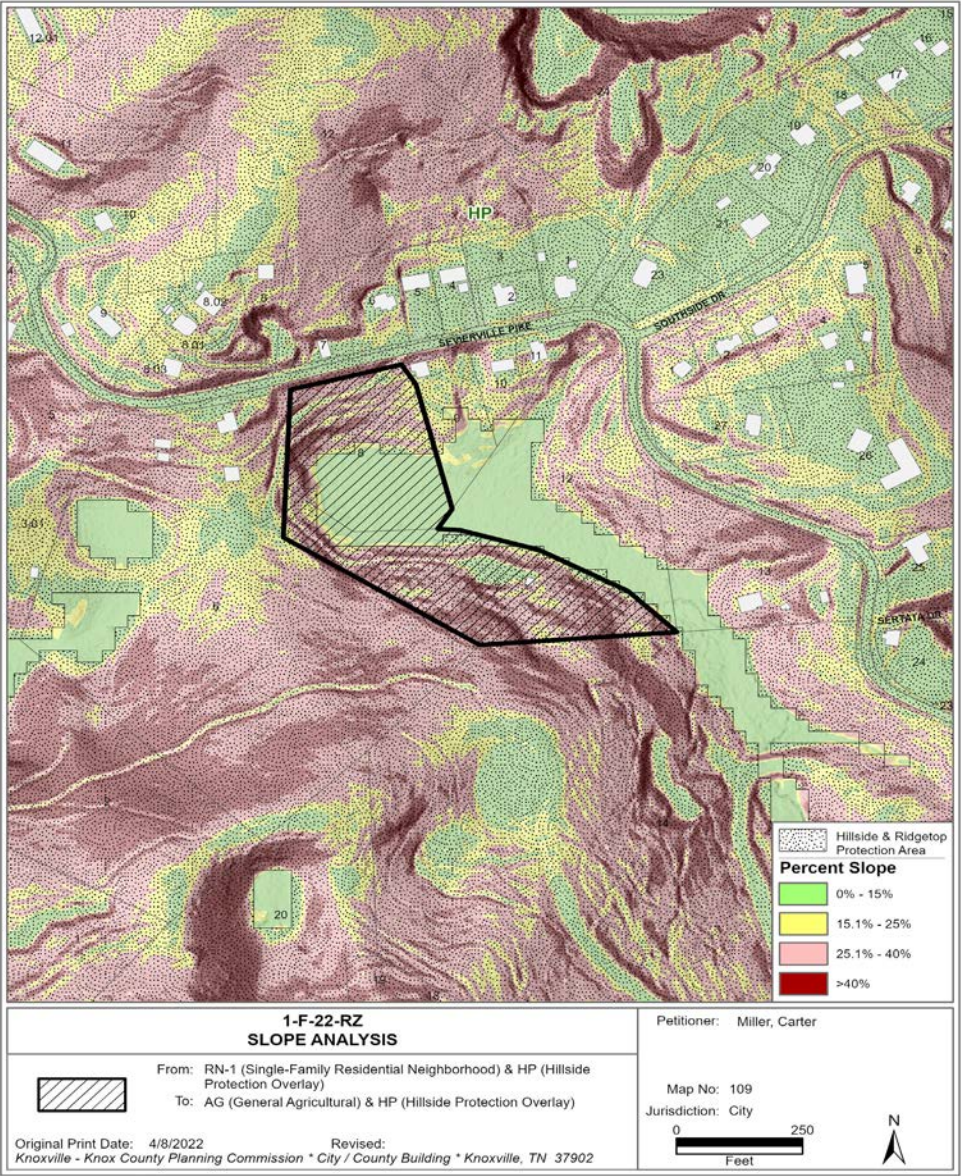
Original Print Date: 12/3/2021  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Miller, Carter

Map No: 109  
Jurisdiction: City



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	#####		
Non-Hillside	1.25	N/A	1.25
0-15% Slope	0.28	100%	0.3
15-25% Slope	0.56	50%	0.3
25-40% Slope	1.56	20%	0.3
Greater than 40% Slope	1.04	10%	0.1
Ridgetops			
<b>Hillside Protection (HP) Area</b>	3.44	Recommended disturbance budget within HP Area (acres)	<b>1.0</b>
		Percent of HP Area	<b>0.3</b>







# Request to Postpone • Table • Withdraw

Name of Applicant: Carter Miller  
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 1-F-22-RZ

Date Scheduled for Planning Review: Feb 10, 2022

Date Request Filed: 1/24/2022 Request Accepted by: Levan King Cranston

## REQUEST

☒ **Postpone**

Please postpone the above application(s) until:

April 7, 2022

DATE OF FUTURE PUBLIC MEETING

☐ **Table**

Please table the above application(s).

☐ **Withdraw**

Please withdraw the above application(s).

**State reason for request:**

Waiting on survey to be completed.

**Eligible for Fee Refund?** ☐ Yes ☐ No

Amount: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

## APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: Carter Miller

PLEASE PRINT

Name: Carter Miller

Address: 1951 Maplewood Drive

City: Knox State: TN Zip: 37920

Telephone: (865) 455-6753

Fax: \_\_\_\_\_

E-mail: Carter@TheDropinnKnox.com

## PLEASE NOTE

Consistent with the guidelines set forth in Planning's *Administrative Rules and Procedures*:

### POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

### TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

### WITHDRAWALS

Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.



# Request to Postpone • Table • Withdraw

Name of Applicant: Carter Miller

AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 1-F-22-RZ

Date Scheduled for Planning Review: January 13<sup>th</sup> 2022

Date Request Filed: 12/20/2021

Request Accepted by: [Signature]

## REQUEST

☒ **Postpone**

Please postpone the above application(s) until:

February 10th 2022

DATE OF FUTURE PUBLIC MEETING

☐ **Table**

Please table the above application(s).

☐ **Withdraw**

Please withdraw the above application(s).

### State reason for request:

The applicant would like to survey the property and acquire additional land before rezoning.

**Eligible for Fee Refund?** ☐ Yes ☐ No

Amount: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

## APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: [Signature]

PLEASE PRINT

Name: Carter Miller

Address: 1951 Maplewood Dr.

City: Knoxv. TN State: TN Zip: 37920

Telephone: (865) 455-6753

Fax: NA

E-mail: Carter@TheDropInnKnox.com

## PLEASE NOTE

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1-F-22-RZ

EXHIBIT A. Contextual Images

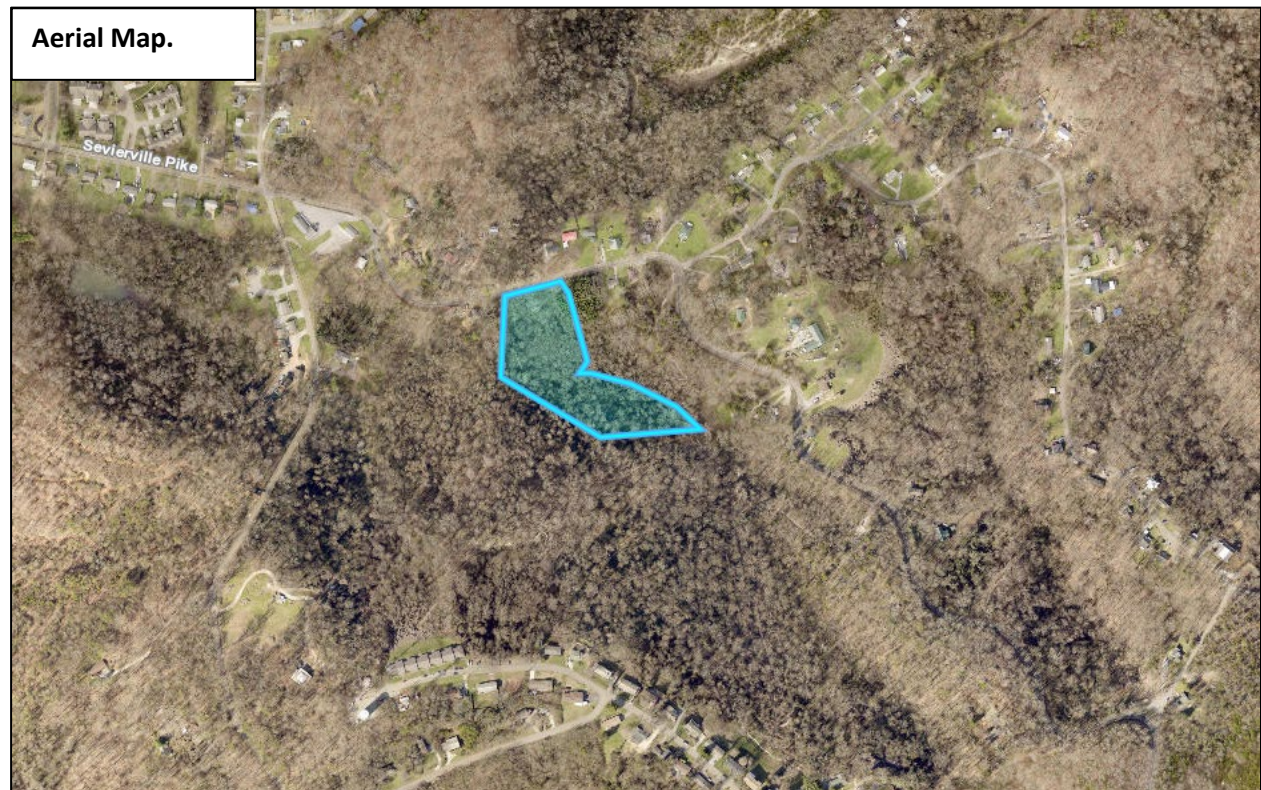
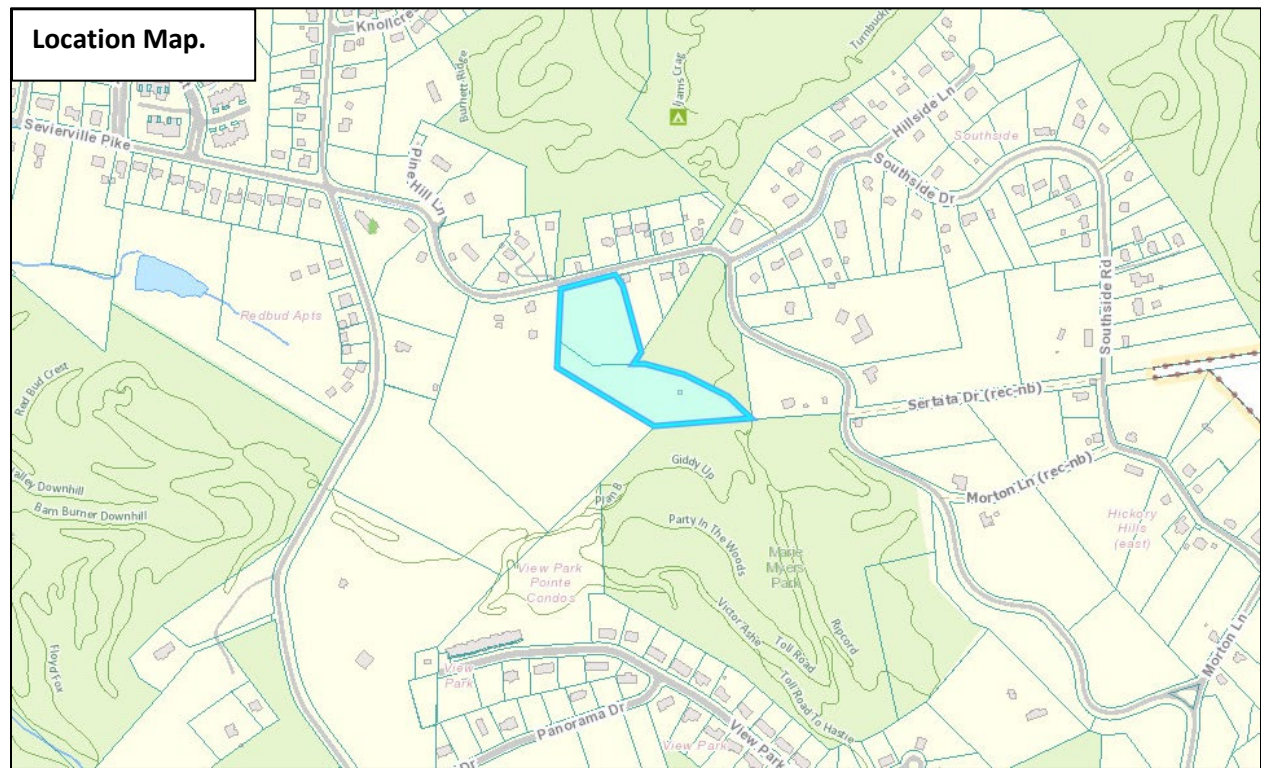
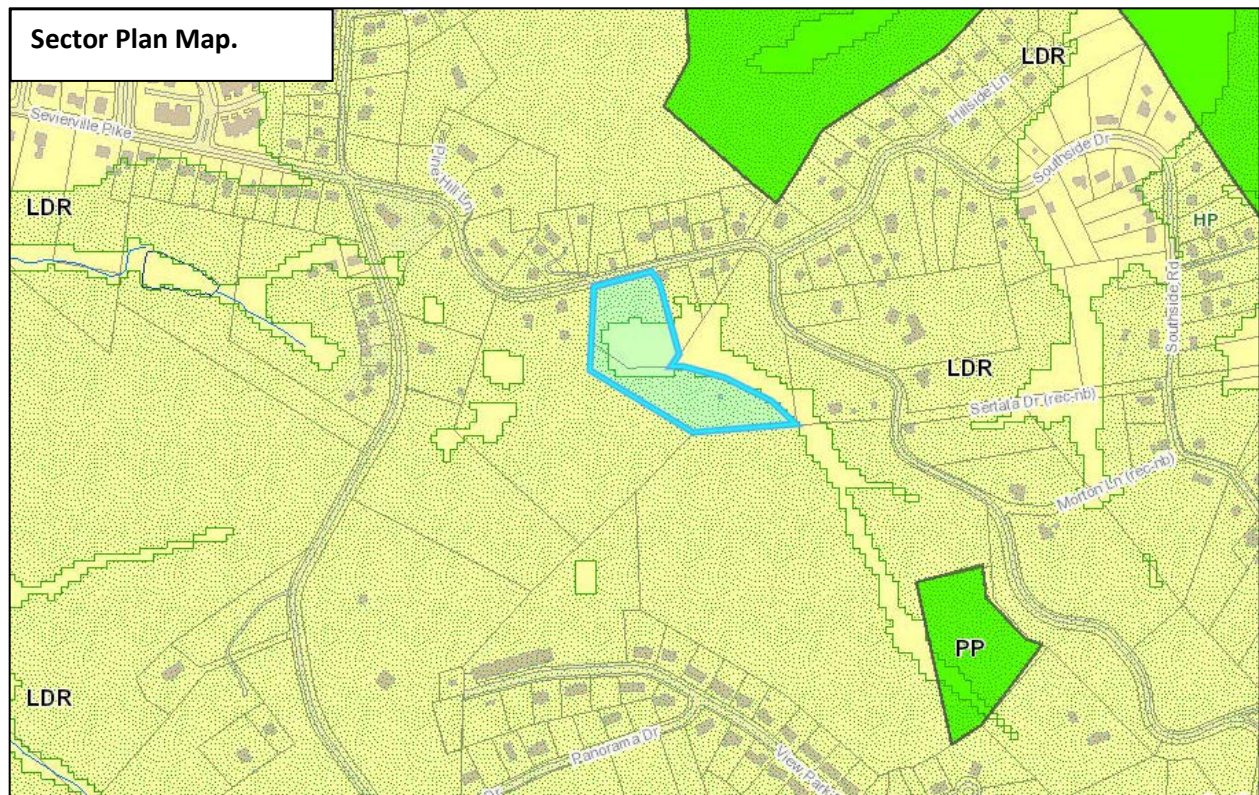
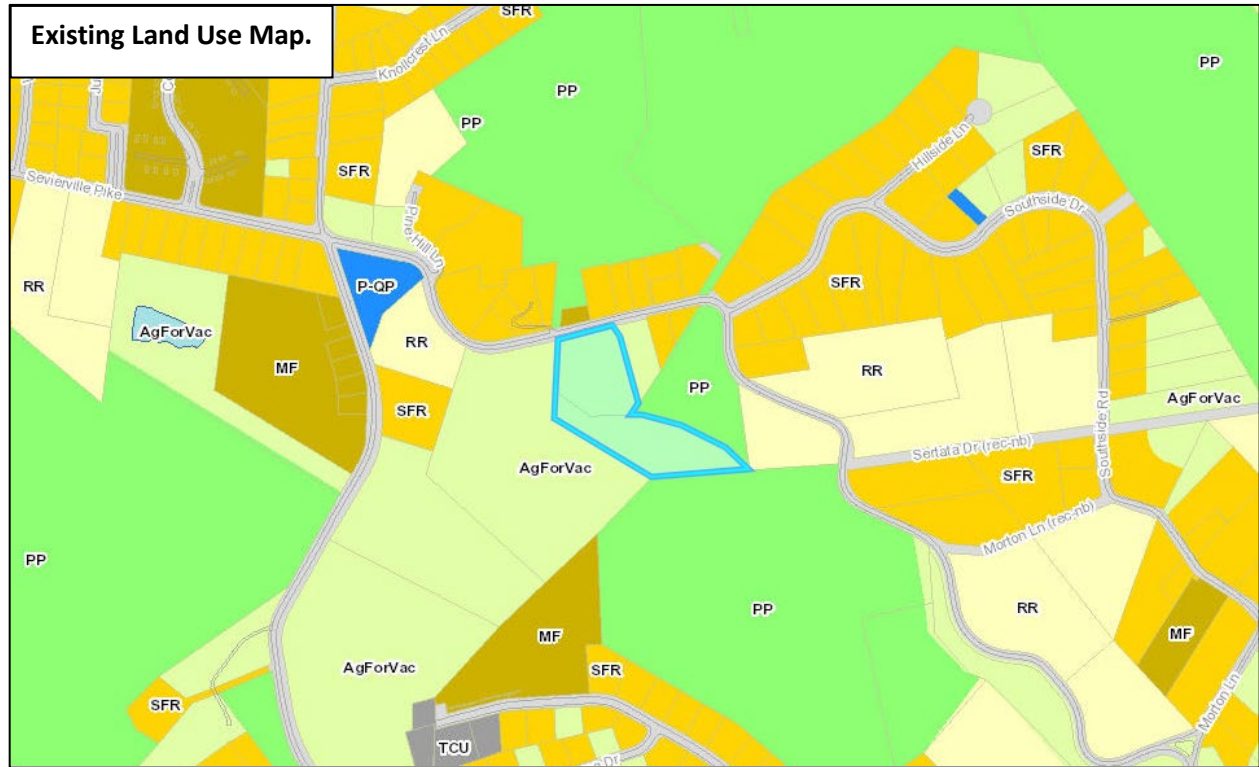




EXHIBIT A. Contextual Images





'1) Download and fill out this form at your convenience.  
'2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the  
Knoxville-Knox County Planning offices  
OR email it to [applications@knoxplanning.org](mailto:applications@knoxplanning.org)



# Development Request

Reset Form

## DEVELOPMENT

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

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ SP ☐ OYP  
☒ Rezoning

Carter Miller

Manager

Applicant Name

Affiliation

11/18/2021

~~12/9/2021~~ Jan 13, 2022

File Number(s)

Date Filed

Meeting Date (if applicable)

1-F-22-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

Carter Miller

The Drop Inn Knox, LLC

Name

Company

408 E. Red Bud Rd.

Knoxville

TN

37920

Address

City

State

ZIP

865-455-6753

carter@thedropinnknox.com

Phone

Email

## CURRENT PROPERTY INFO

The Drop Inn Knox, LLC

408 E. Red Bud Rd.

865-455-6753

Owner Name (if different)

Owner Address

Owner Phone

4517 Sevierville Pike

4519 Sevierville Pike  
Carter Miller

(109LD007 2.60 acres) 109LD008 (2.08 acres)

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

South side of Sevierville Pk, west of  
South side Dr, E. Red Bud Rd.

General Location

Tract Size

4.68 Tot. Acres

☒ City ☐ County

1st  
District

RN-1 E HP  
Zoning District

Ag For Vac  
Existing Land Use

South City  
Planning Sector

LDR E HP  
Sector Plan Land Use Classification

N/A  
Growth Policy Plan Designation

**DEVELOPMENT REQUEST**

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

Home Occupation (specify) \_\_\_\_\_

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
 Agricultural **HP**  
 Proposed Zoning
☐ Plan Amendment Change

Proposed Plan Designation(s) \_\_\_\_\_

Pending Plat File Number

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

Fee 2

Fee 3

**\$600.00****AUTHORIZATION**

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

  
 Applicant Signature

Carter Miller

Please Print

Date

 (865) 485-6753  
 Phone Number

 Carter@HudropInknox.com  
 Email

  
 Staff Signature

 Sherry Muchienzi  
 Please Print

Date

 11/18/2021  
 sum



[Home](#)[Property Search](#)[Owner Search](#)[Basic Search](#)[Advanced Search](#)PARID: 109LD007  
THE DROP INN KNOX LLC

4517 SEVIERVILLE PIKE

1 of 1

[Return to Search Results](#)[Profile](#)

Parcel

[Legal](#)

Tax Year 2021

[Sales](#)Property Type: 191 - 091 UNUSED-LAND  
Class: R - Residential  
Neighborhood: 730[Values](#)Living Units:  
Total Cards:  
Calculated CAMA Acres (Land Units): 2.6000  
User Calculated Acres:[Land](#)[Residential](#)[Commercial](#)[OBY](#)Water/Sewer: 01 - YES  
Topography: -  
Gas: -  
Roads: -  
Electricity: 01 - YES[Ag Land](#)[Sketch](#)[KGIS](#)

Owner Information

Owner Name: THE DROP INN KNOX LLC  
Mailing Address: 408 E RED BUD KNOXVILLE TN 37920County Tax Freeze Flag:  
Tax Freeze Base Year:[Actions](#)[Printable Version](#)[Reports](#)

Go

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PARID: 109LD008  
THE DROP INN KNOX LLC

4519 SEVIERVILLE PIKE

1 of 1

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[Residential](#)

[Commercial](#)

[OBY](#)

[Ag Land](#)

[Sketch](#)

[KGIS](#)

Parcel

Tax Year: 2021

Property Type: 191 - 091 UNUSED-LAND

Class: R - Residential

Neighborhood: 730

Living Units:

Total Cards:

Calculated CAMA Acres (Land Units): 2.0800

User Calculated Acres:

Water/Sewer: 01 - YES

Topography: -

Gas: -

Roads: -

Electricity: 01 - YES

Owner Information


Owner Name: THE DROP INN KNOX LLC

Mailing Address: 408 E REDBUD RD KNOXVILLE TN 37920

County Tax Freeze Flag:

Tax Freeze Base Year:

Actions

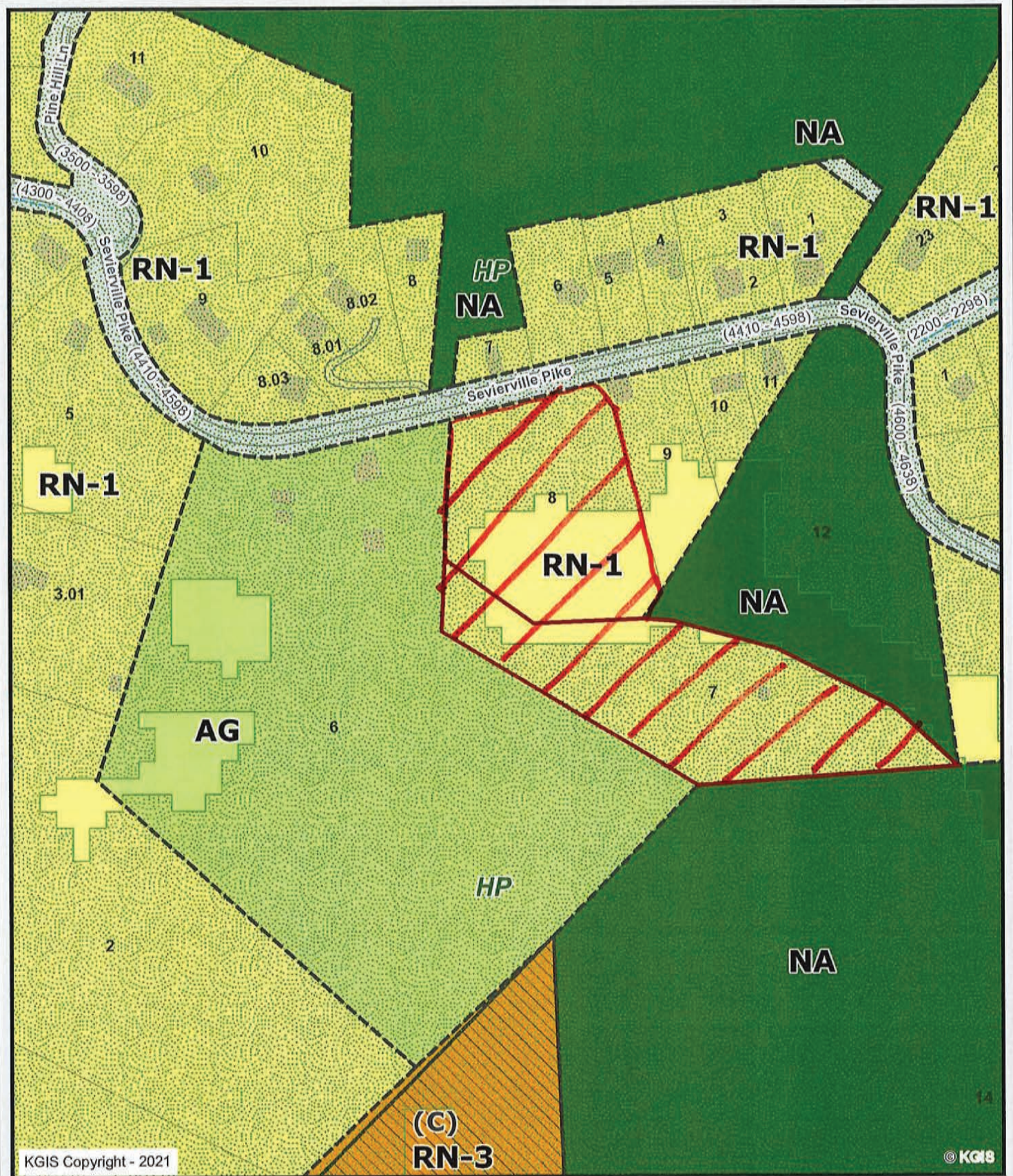
 [Printable Version](#)

Reports



Go



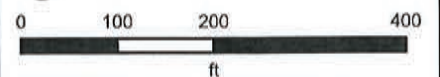


4517 & 4519 Sevierville Pk

Knoxville - Knox County - KUB Geographic Information System

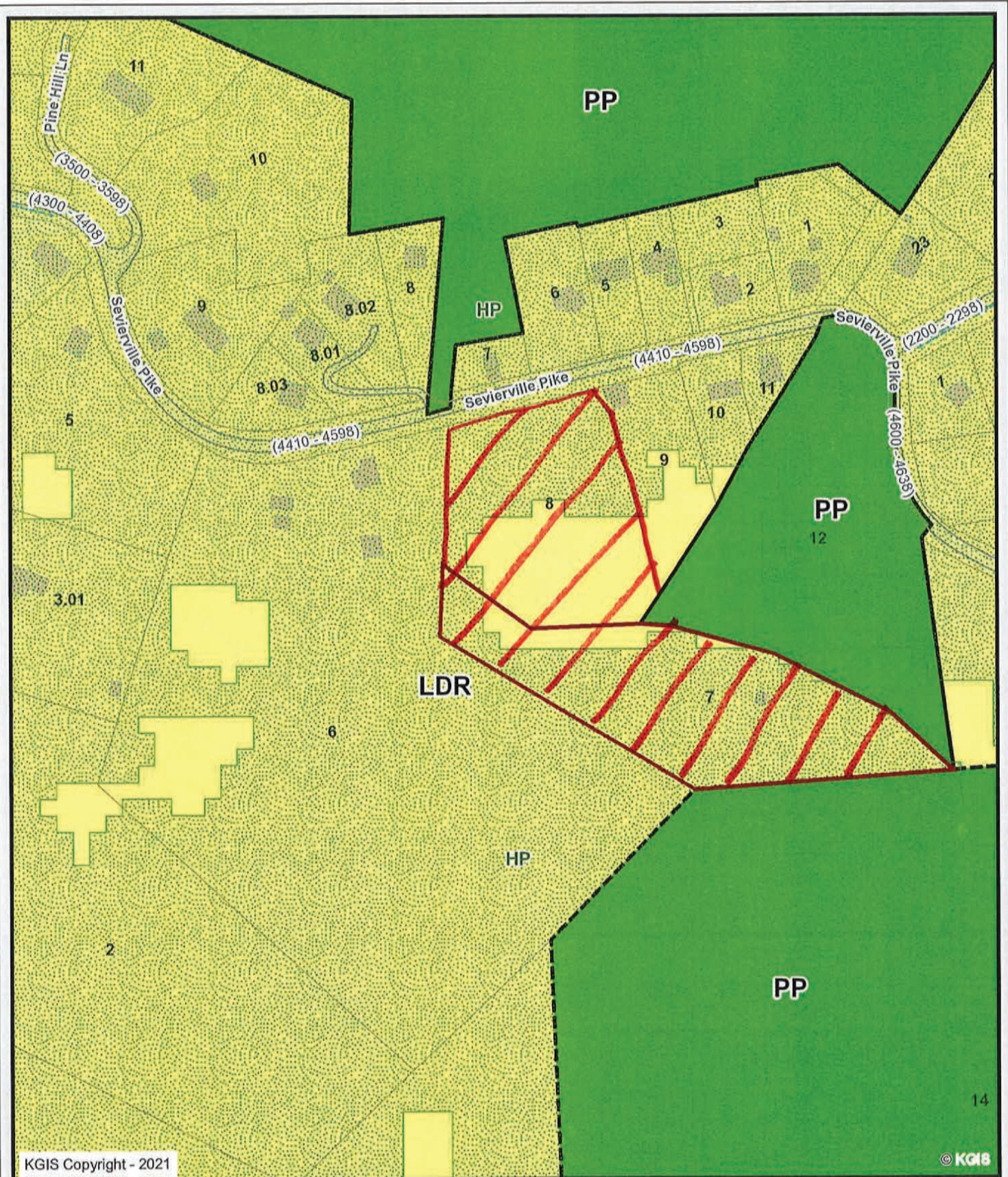


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4517 & 4519 Sevierville Pk

Knoxville - Knox County - KUB Geographic Information System

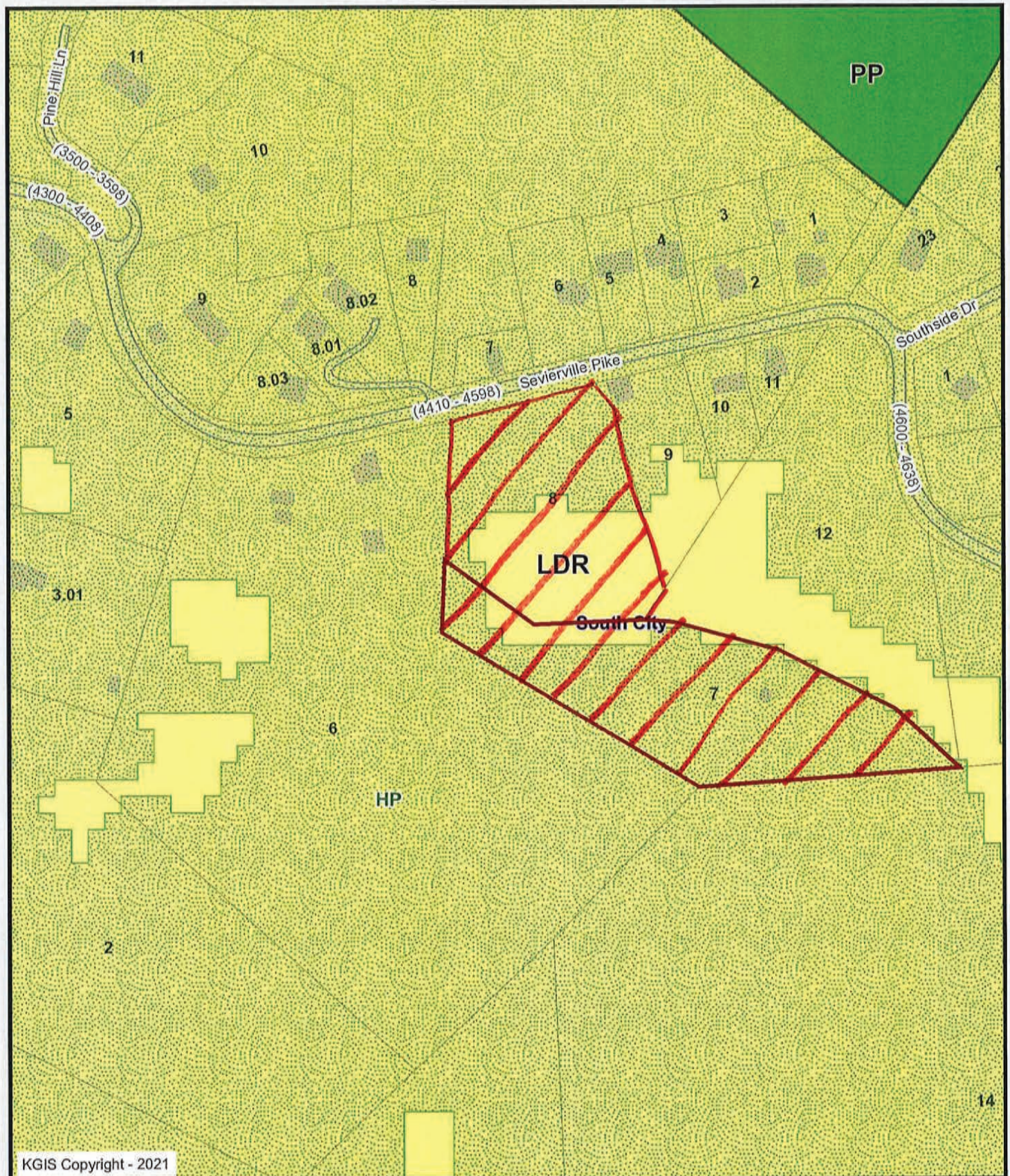


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4517 & 4519 Sevierville Pk

Knoxville - Knox County - KUB Geographic Information System



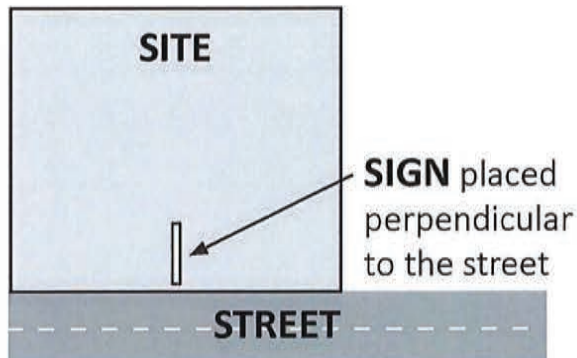
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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, 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:*

Dec 29th and Jan 14th  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Carter Miller

Date: 11/18/2021

File Number: 1-F-22-RZ

☐ Sign posted by Staff  
☒ Sign posted by Applicant