

# REZONING REPORT

► **FILE #:** 8-I-22-RZ

**AGENDA ITEM #:** 17

**AGENDA DATE:** 8/11/2022

► **APPLICANT:** VICTOR JERNIGAN

OWNER(S): R. Dewitt & Cordelia J. Shelton

TAX ID NUMBER: 70 D A 004.04,004.01,004.05,004,

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 4544 BUFFAT MILL RD (0, 4606, 4612 BUFFAT MILL RD; 2425 SPRING HILL RD)

► **LOCATION:** South side of Buffat Mill Rd, east side of Spring Hill Rd

► **APPX. SIZE OF TRACT:** 13.69 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Buffat Mill Road, a major collector with a pavement width of 20-ft within a right-of-way width of 60-ft. Access is also via Spring Hill Road, a minor collector with a pavement width of 20-ft within a right-of-way width of 50-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Loves Creek

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

► **ZONING REQUESTED:** RN-2 (Single-Family Residential), HP (Hillside Protection Overlay)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **EXTENSION OF ZONE:** No

HISTORY OF ZONING: 7-H-94-PA: LDR to MDR (Denied)

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

South: Public/quasi-public - RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection Overlay)

East: Single family residential - RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection Overlay)

West: Agriculture/forestry/vacant - RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This area is mix of single family residential with some large vacant forested lots surrounding a school and church.

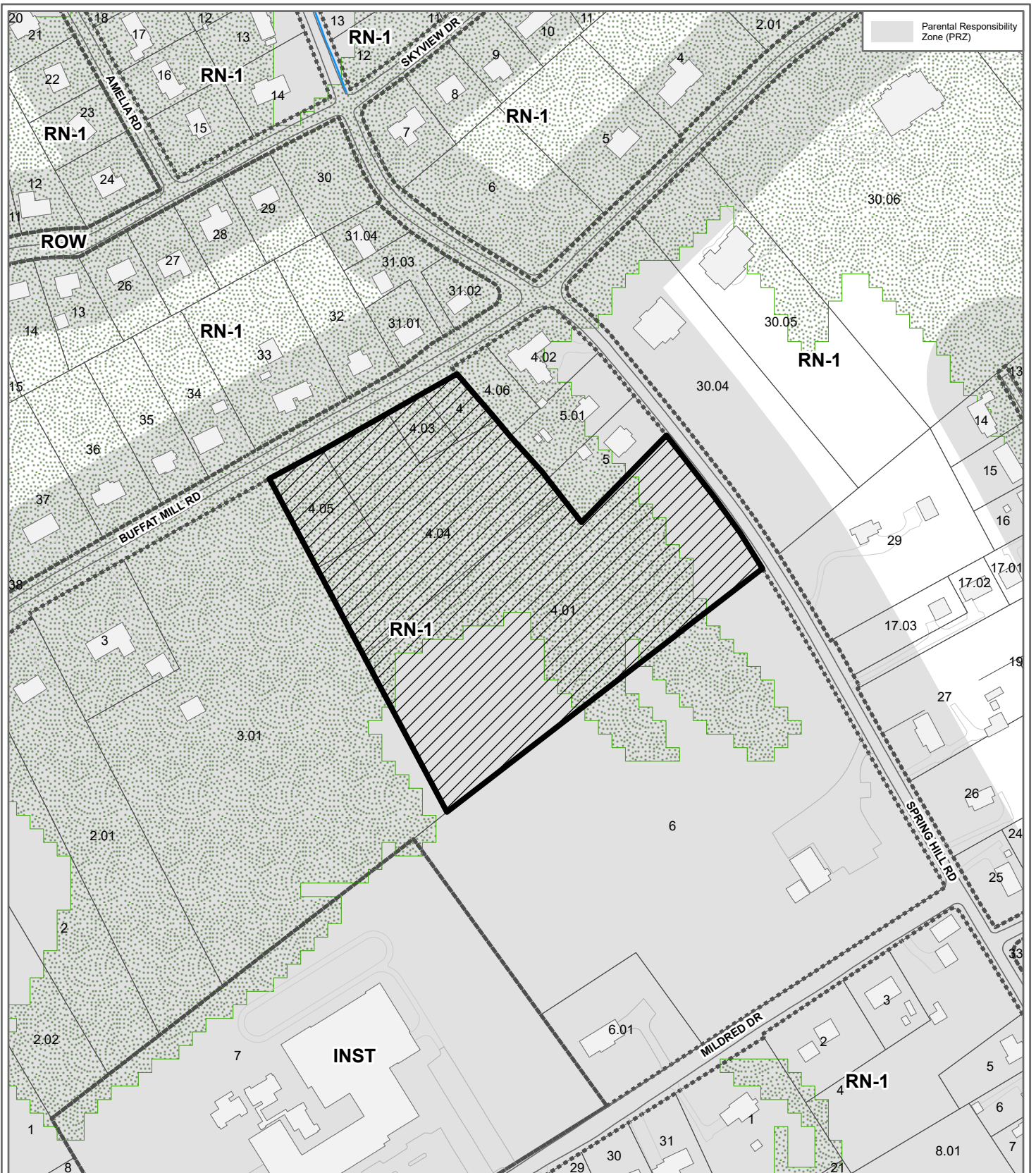
## STAFF RECOMMENDATION:

► **Withdraw the rezoning as requested by the applicant.**

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/6/2022 and 9/20/2022. 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.



### 8-I-22-RZ REZONING



From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside and Protection Overlay)  
To: RN-2 (Single-Family Residential ), HP (Hillside Protection Overlay)

Original Print Date: 7/21/2022

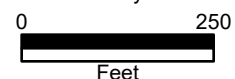
Revised:

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Victor Jernigan

Map No: 70

Jurisdiction: City





# Request to Postpone • Table • Withdraw

Victor Jernigan

8/1/2022

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

08/11/2022

Scheduled Meeting Date

8-I-22-RZ

File Number(s)

## POSTPONE

- ☐ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

**SELECT ONE:** ☐ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the \_\_\_\_\_ Planning Commission Meeting.

## WITHDRAW

- ☒ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than noon on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received prior to public notice and the request is approved by the Executive Director or Planning Services Manager. *\*The refund check will be mailed to the original payee.*

## TABLE

- ☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

## AUTHORIZATION

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

Victor Jernigan

Please Print

victorj@victorjernigan.com

Email

Phone Number

## STAFF ONLY

Elizabeth Albertson

Please Print

Date Paid

☒ No Fee

Eligible for Fee Refund? ☐ Yes ☒ No

Amount:

Approved by:

Date:

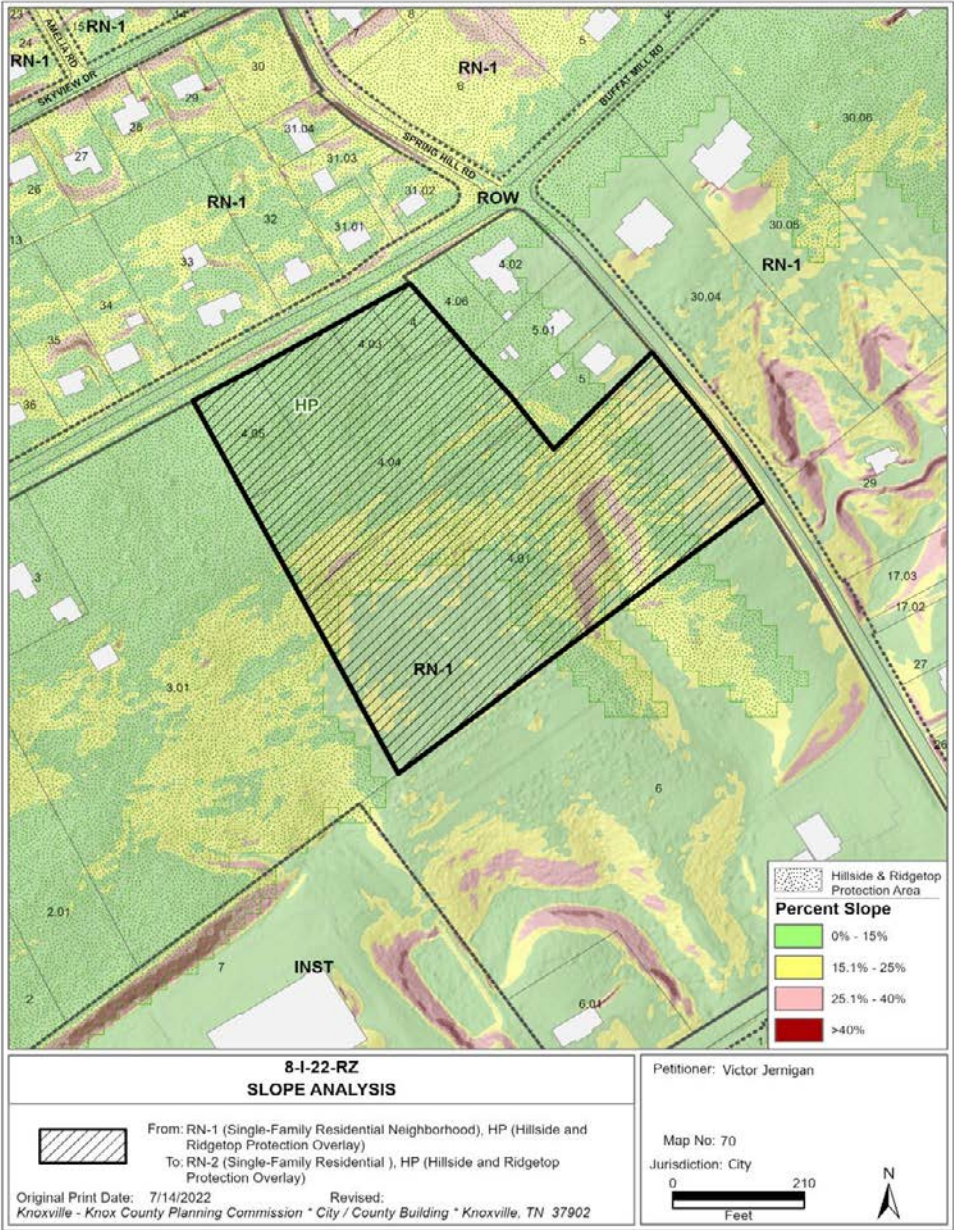
Payee Name

Payee Phone

Payee Address



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	8.49		
Non-Hillside	2.48	N/A	
0-15% Slope	3.95	100%	4.0
15-25% Slope	1.78	50%	0.9
25-40% Slope	0.27	20%	0.1
Greater than 40% Slope	0.00	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	6.01	Recommended disturbance budget within HP Area	4.9
		Percent of HP Area	0.8





# Development Request

## DEVELOPMENT

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

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ Sector Plan  
☐ One Year Plan  
☒ Rezoning

Victor Jernigan

Applicant Name

6/27/2022

Date Filed

8/11/2022

Planning Commission  
Meeting (if applicable)

9/6/2022 (Knoxville City Council)

Legislative Meeting (if applicable)

8-I-22-RZ

File Number(s)

## CORRESPONDENCE

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

Victor Jernigan

Name / Company

815 Sunnydale Rd Knoxville TN 37923

Address

865-207-9663 / victorj@victorjernigan.com

Phone / Email

## CURRENT PROPERTY INFO

R. Dewitt & Cordelia J. Shelton

Owner Name (if different)

3395 Old Ten Mile Rd Ten Mile TN 37880

Owner Address

Owner Phone / Email

4544 BUFFAT MILL RD / 0, 4606, 4612 BUFFAT MILL RD; 2425 SPRING HILL RD

Property Address

70 D A 004.04,004.01,004.05,004,

Parcel ID

13.69 acres

Part of Parcel (Y/N)?

Tract Size

KUB SEWER

Sewer Provider

KUB WATER

Water Provider

Septic (Y/N)

## STAFF USE ONLY

South side of Buffat Mill Rd, east side of Spring Hill Rd

General Location

☒ City

Council District 4

RN-1 (Single-Family Residential Neighborhood),  
HP (Hillside Protection Overlay)

Agriculture/Forestry/Vacant Land

☐ County

District

Zoning District

Existing Land Use

East City

LDR (Low Density Residential), HP (Hillside Protection)

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

☐ Development Plan    ☐ Planned Development    ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

☐ Attachments / Additional Requirements

## ZONING REQUEST

☒ Zoning Change    **RN-2 (Single-Family Residential ), HP (Hillside Protection Overlay)**  
Proposed Zoning

Pending Plat File Number

Proposed Density (units/acre)    Previous Zoning Requests

☐ Plan Amendment Change

Proposed Plan Designation(s)

Additional Information

## STAFF USE ONLY

### PLAT TYPE

☐ Staff Review    ☐ Planning Commission

### ATTACHMENTS

☒ Property Owners / Option Holders    ☐ Variance Request

### ADDITIONAL REQUIREMENTS

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

Fee 1

**\$1,022.00**

Total

Fee 2

Fee 3

## AUTHORIZATION

*By signing below, I certify that I am the property owner, applicant, or owner's authorized representative.*

**Victor Jernigan, 815 Sunnydale Rd Knoxville TN 37923**

**6/27/2022**

Application Authorized By

Affiliation

Date

**865-207-9663 / victorj@victorjernigan.com**

Phone / Email

**Liz Albertson**

Staff Signature

Please Print

Date Paid



**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME  
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Clarence & Dorothy F. Burchell	1921 Spring Hill Rd Knoxville, TN 37914	

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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

VICTOR JERNIGAN

Applicant Name

Affiliation

06/27/22

Date Filed

AUGUST 11, 2022

Meeting Date (if applicable)

File Number(s)

## CORRESPONDENCE

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

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

VICTOR JERNIGAN

Name

Company

815 SUNNYDALE ROAD

Address

KNOXVILLE

City

TN

State

37923

ZIP

865.207.9663

Phone

VICTORJ@VICTORJERNIGAN.COM

Email

## CURRENT PROPERTY INFO

CLARENCE & DOROTHY BURCHELL 1921 SPRING ST. KNOXVILLE, TN 37914

DEWITT & CORDELIA SHELTON 3395 OLD TEN MILE RD TEN MILE, TN 37880

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4544 BUFFAT MILL RD 4606 BUFFAT MILL RD 2425 SPRING HILL RD

070DA00405 070DA004  
070DA00404 070DA00401  
070DA00403

0 BUFFAT MILL RD 4612 BUFFAT MILL RD

Property Address

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

N

Septic (Y/N)

## STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

**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 ChangeRN2  
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

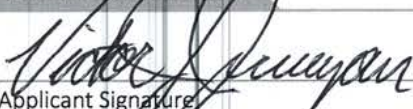
**ATTACHMENTS**

- ☐ 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	

**AUTHORIZATION**  
Applicant SignatureVICTOR JERNIGAN  
Please Print06/27/22  
Date865-207-9663  
Phone NumberVICTORJ@VICTORJERNIGAN.COM  
Email

Property Owner Signature

Please Print

Date