

# REZONING REPORT

► **FILE #:** 12-O-22-RZ

**AGENDA ITEM #:** 28

**AGENDA DATE:** 12/8/2022

► **APPLICANT:** JOEL A CANNON III

OWNER(S): Joel Jr & Susan Cannon

TAX ID NUMBER: 37 10202 (A PORTION OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 8308 PEDIGO RD

► **LOCATION:** East of Childress Rd and West of Pedigo Rd

► **APPX. SIZE OF TRACT:** 0.7 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area, Rural Area

ACCESSIBILITY: Access is via Childress Rd, a major collector with a pavement width of 18-ft within a right-of-way width of 70-ft.

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:** Rural Residential

►  
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agricultural), RA (Low Density Residential), RB (General Residential)

South: Single family residential, Agricultural/Forestry/Vacant, Rural Residential, Right-of-way - PR (Planned Residential), A (Agricultural)

East: Agricultural/Forestry/Vacant, Right-of-way - A (Agricultural)

West: Agricultural/Forestry/Vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area consists primarily of single family residential and agricultural land uses.

## STAFF RECOMMENDATION:

► **Deny the RA (Low Density Residential) zone because it is not consistent with the Growth Policy Plan.**

## 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

CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE COUNTY GENERALLY:

1. The area surrounding the subject property has seen a moderate transition from agricultural to single family residential land use since the late 1990s.
2. To the west of the property across Childress Rd, large lot single family residences were rezoned from A (Agricultural) to PR (Planned Residential) in 2018. The RA zone just north was rezoned from A (Agricultural) to RA (Low Density Residential) in 1984.
3. The property is located in the Rural Area, but is adjacent to the Planned Growth Area of the Growth Policy Plan.

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

1. This residential zone provides for residential areas with low population densities.
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. The area consists primarily of single family residential and agricultural land uses.
2. This addition of less than an acre of RA should not have any adverse effects on any other parts of the county.

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 RA zone is consistent with the North County Sector Plan's LDR (Low Density Residential) land use designation. However, the property is classified as Rural Area in the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 1/23/2023. 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.



# Request to Postpone • Table • Withdraw

Joel A Cannon III

12/05/2022

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

Date of Request

12/08/2022

Scheduled Meeting Date

12-O-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 01/12/2023 Planning Commission Meeting.

## WITHDRAW

☐ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm 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 no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

## TABLE

*\*The refund check will be mailed to the original payee.*

☐ **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.

Joel A Cannon III

Applicant Signature

Please Print

8652193814

smokeymountainexp@gmail.com

Phone Number

Email

## STAFF ONLY

☐ No Fee

Staff Signature

Please Print

Date Paid

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

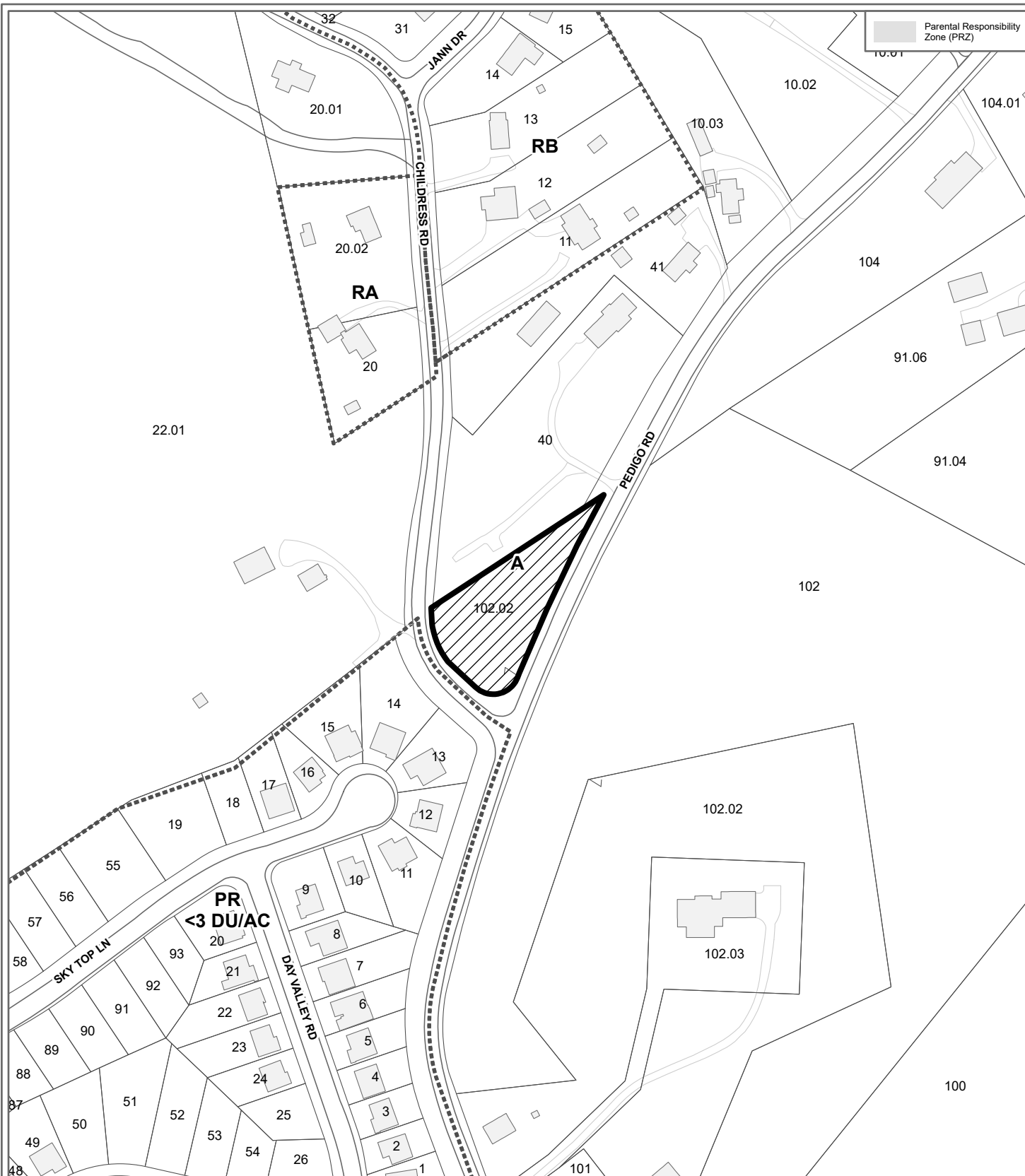
Date:

Payee Name

Payee Phone

Payee Address

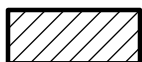
October 2022



# **12-O-22-RZ REZONING**

From: A (Agricultural)

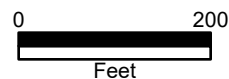
To: RA (Low Density Residential)



Petitioner: Joel A Cannon III

Map No: 37

Jurisdiction: County



Original Print Date: 11/15/2022

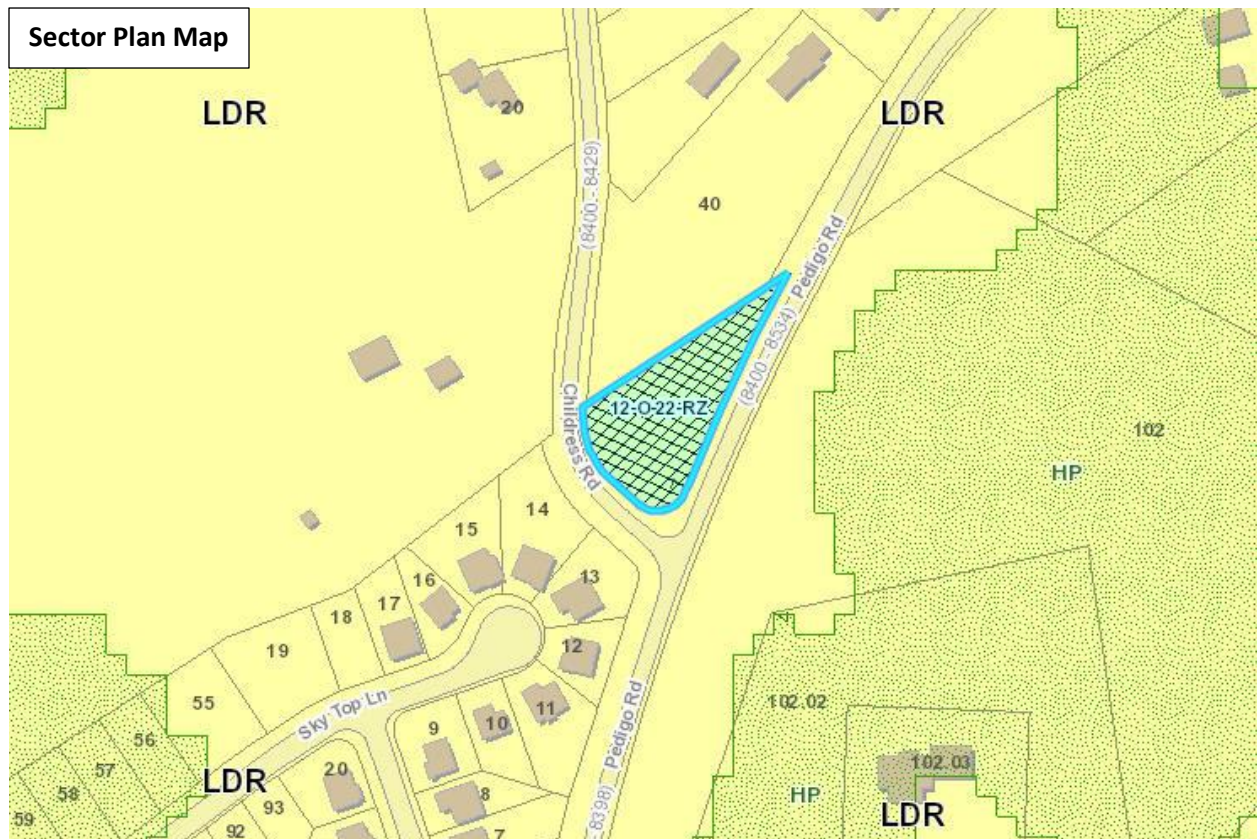
Revised:

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



**Zoning Map**

The map displays a residential area with various zoning designations. A specific parcel, labeled '12-022-RZ', is highlighted in blue with a grid pattern. This parcel is situated at the intersection of Childress Rd and Pedigo Rd. The surrounding area is primarily designated as 'A' (Agricultural) and 'RA' (Residential Medium Density). Other parcels are labeled with numbers such as 20.02, 40, 104, 91.06, 102, and 102.02. The map also shows a street named Sky Top Ln and a road labeled (6400-6429).





## Exhibit A. 12-O-22-RZ Contextual Images





# 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

**Joel A Cannon III**

Applicant Name

Affiliation

**10/25/2022**

Date Filed

**12/8/2022**

Meeting Date (if applicable)

**12-O-22-RZ**

File Number(s)

## CORRESPONDENCE

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

**Joel A Cannon III**

Name / Company

**8226 Pedigo Rd Powell TN 37849**

Address

**828-406-8091 / smokeymountainexp@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

**Joel Jr & Susan Cannon**

Owner Name (if different)

**8304 Pedigo Rd Powell TN 37849**

Owner Address

Owner Phone / Email

**8308 PEDIGO RD**

Property Address

**37 10202**

Parcel ID

**0.7 acres**

Tract Size

Part of Parcel (Y/N)?

**Hallsdale-Powell Utility District**

Sewer Provider

**Hallsdale-Powell Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**East of Childress Rd and West of Pedigo Rd**

General Location

☐ City

**Commission District 7**

**A (Agricultural)**

**Rural Residential**

☒ Count

District

Zoning District

Existing Land Use

**North County**

Planning Sector

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

Sector Plan Land Use Classification

**Planned Growth Area, Rural Area**

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   **RA (Low Density Residential)**  
Proposed Zoning

Pending Plat File Number

- ☐ Plan  
Amendment   Proposed Plan Designation(s)

Proposed Density (units/acre)   Previous Zoning Requests

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

**\$650.00**

Total

Fee 2

Fee 3

## AUTHORIZATION

**Joel A Cannon III**

**10/25/2022**

Applicant Signature

Please Print

Date

Phone / Email

**Joel Jr & Susan Cannon**

**10/25/2022**

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.





# 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

Joel Archer Cannon III

Applicant Name

Affiliation

File Number(s)

Date Filed

Meeting Date (if applicable)

12-O-22-RZ

## 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

Joel A Cannon III

Handshake Homebuyers LLC

Name

Company

8226 Pedigo Rd

Powell

TN

37849

Address

City

State

ZIP

8284068091

smokeymountainexp@gmail.com

Phone

Email

## CURRENT PROPERTY INFO

Cannon, Joel Jr & Susan

8304 Pedigo Rd

8659369234

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

8308 Pedigo Rd

~~037 102 (p/o)~~ + 037 102 02

Property Address

Parcel ID

KUB

KUB - Halls Park Powell

N

Sewer Provider

Water Provider

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

August 29, 2022

**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   ~~RR~~   RA (Low Density Residential)  
Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

~~up to 5 dwelling units~~  
Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify)

Pending Plat File Number

**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 Signature

Joel Archer Cannon III

Please Print

10/21/22  
Date

828 406 9091  
Phone Number

smokeymountainexp@gmail.com  
Email

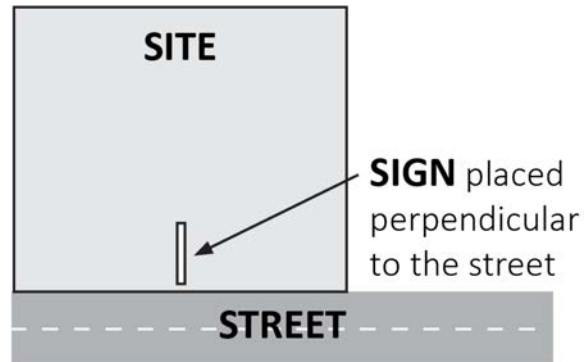
  
Property Owner Signature

Susan Cannon  
Please Print

10/21/22  
Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:***

\_\_\_\_\_ 11/25/2022 \_\_\_\_\_ and \_\_\_\_\_ 12/9/2022 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Joel A Cannon III

**Date:** 10/25/22

**File Number:** 12-O-22-RZ

☒ Sign posted by Staff  
☐ Sign posted by Applicant