

# REZONING REPORT

► **FILE #:** 1-D-22-RZ

**AGENDA ITEM #:** 13

**AGENDA DATE:** 1/13/2022

► **APPLICANT:** ZARAH G. BATES

OWNER(S): Zarah G. Bates

TAX ID NUMBER: 61 K B 003

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 7040 Elna Marie Dr.

► **LOCATION:** Southeast end of Elna Marie Drive, east of Bagwell Road intersection

► **APPX. SIZE OF TRACT:** 18.81 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Elna Marie Drive, a local street, with a pavement width of 31-ft, within a right-of-way width of 50-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Sinking East Creek

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

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

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

►  
EXTENSION OF ZONE: Yes, A is adjacent.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant / A (Agriculture)

South: Agriculture/forestry/vacant / A (Agriculture)

East: Agriculture/forestry/vacant / A (Agriculture)

West: Agriculture/forestry/vacant / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is comprised of primarily single family residential neighborhoods and large, vacant, forested, steep sloped land within a half mile of Asheville Highway.

## STAFF RECOMMENDATION:

► **Approve A (Agricultural) zoning because it is an extension of zoning and is consistent with the sector plan's LDR (Low Density Residential) land use classification.**

## 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. This property was included in an approved concept plan in 2006. However, it was never developed. The applicant would like to rezone this property back to the original A zoning for the purpose of allowing agricultural specific uses on the property.
2. There are no substantial change in conditions, however the proposed amendment is consistent with the neighborhood character, and sector plan land use classification in this area. In addition, there is a blue line stream and pond located on the property. A zoning is appropriate given these topographic development constraints.

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

1. This zone provides for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces. This property is 18.81 acres in size, and meets the dimensional standards for A zoning.
2. This area is comprised of low residential densities and large tracts of open and forested land.

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 is effectively a downzoning which reduces the development potential of the property, therefore reducing the possibility for adverse effects caused by the addition of new residents.
2. Properties in this area are zoned RA and A; it is not anticipated that the addition of more A zoning will cause any adverse impacts.

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 rezoning request is consistent with the sector plans's LDR (Low Density Residential) and HP (Hillside Protection) land use classification.
2. The proposed amendment is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

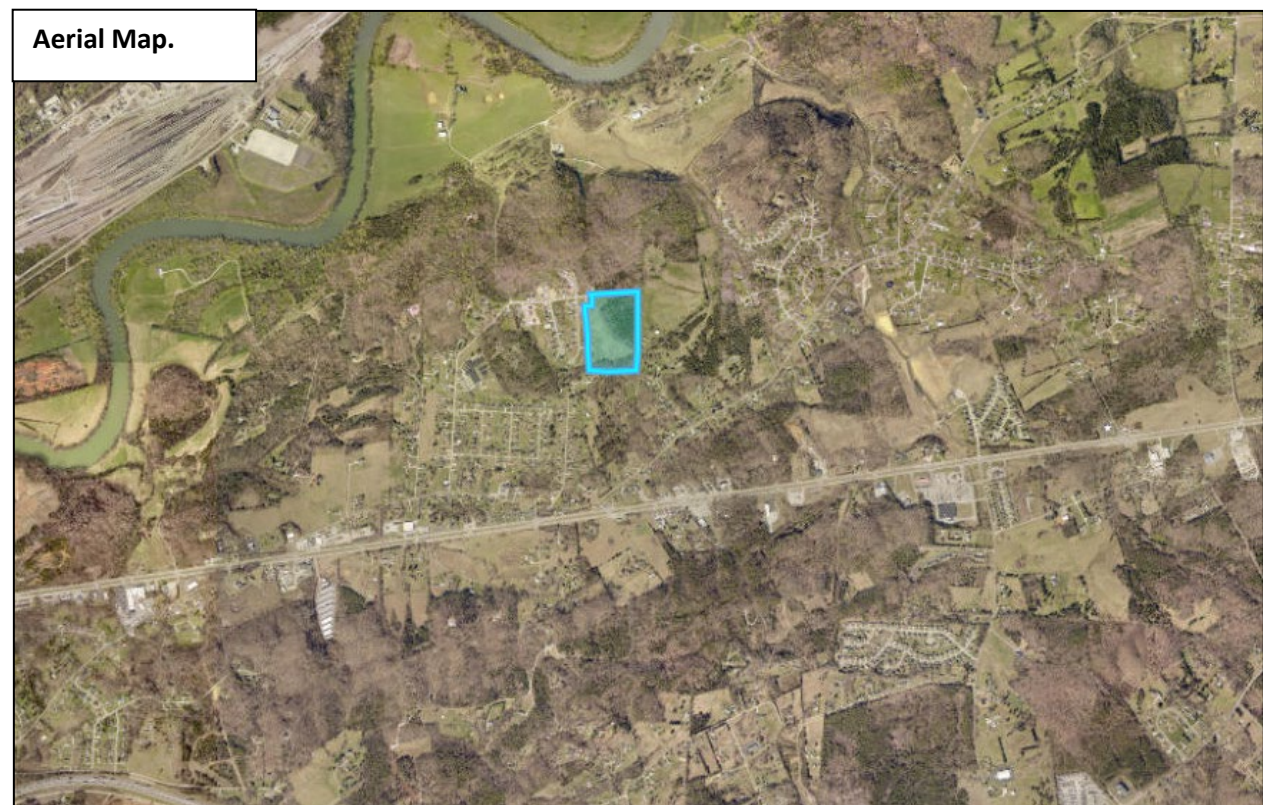
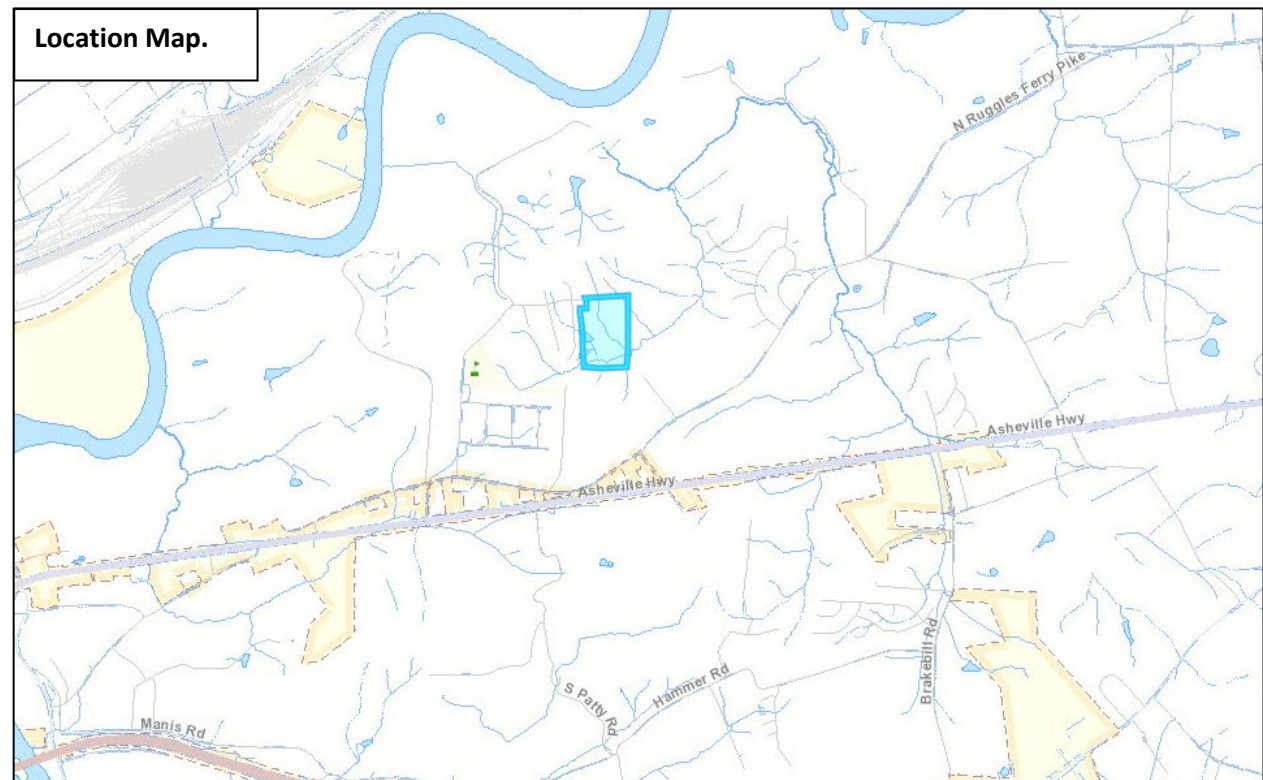
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 2/22/2022. 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.



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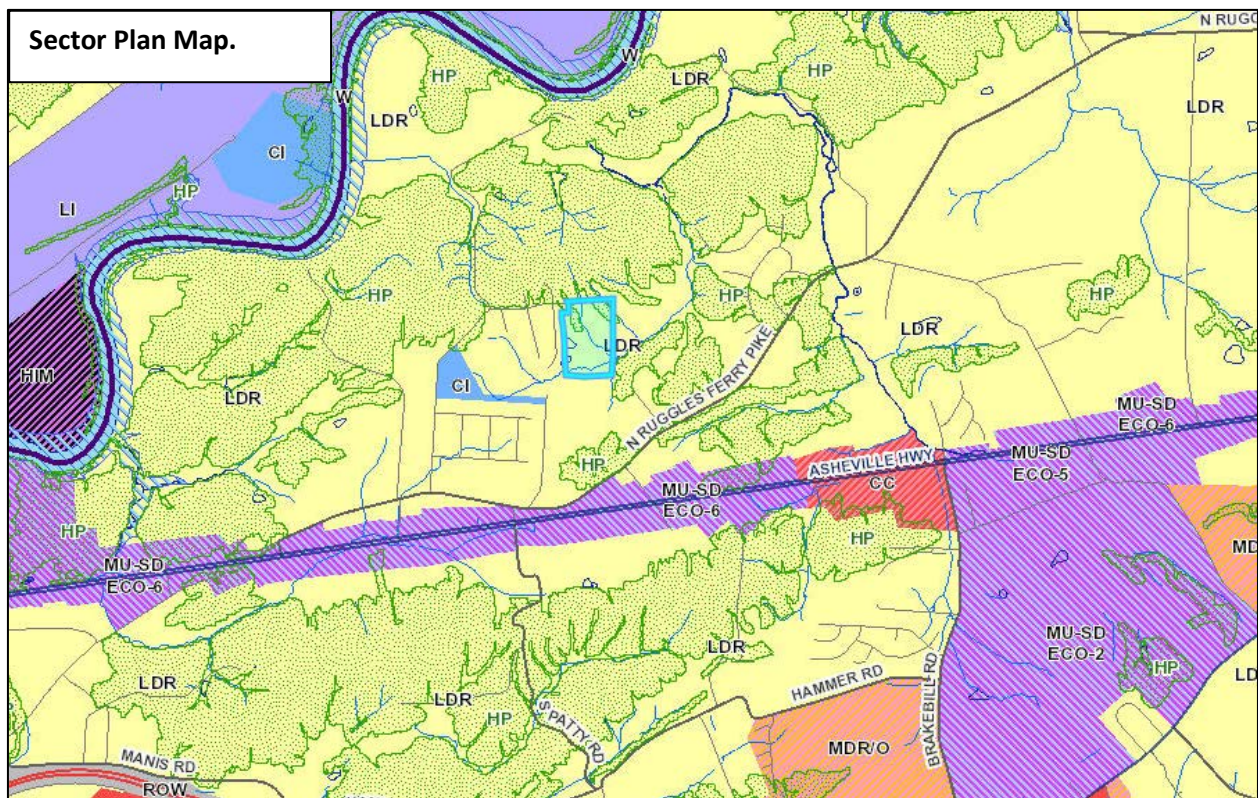
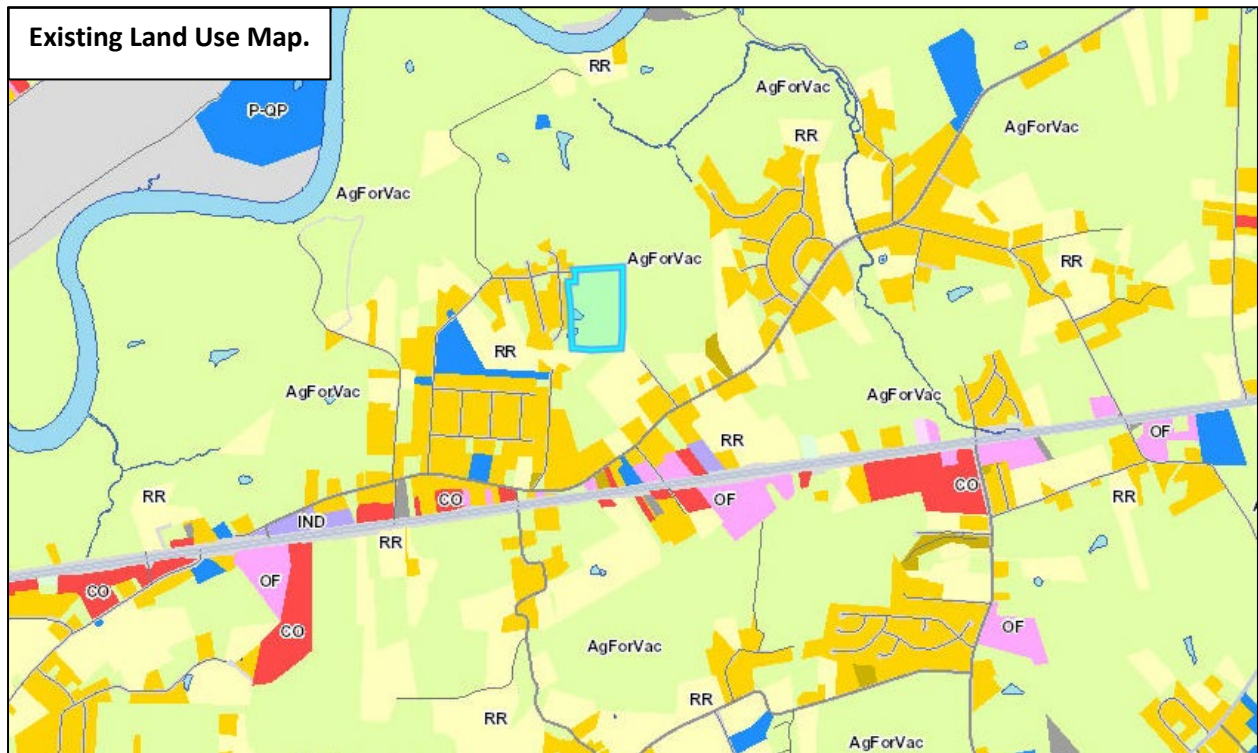
EXHIBIT A. Contextual Images





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## EXHIBIT A. 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  
☐ SP ☐ OYP  
☒ Rezoning

Zarah G Bates

Applicant Name

11/10/2021

Date Filed

1-13-22

Meeting Date (if applicable)

Affiliation

File Number(s)

1-D-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

Zarah G Bates

Name

Company

6113 Evening Star Lane

Knoxville

TN

37918

Address

City

State

ZIP

423.736.0865

zarah@z-creativegroup.com

Phone

Email

## CURRENT PROPERTY INFO

(same)

Owner Name (if different)

Owner Address

Owner Phone

7040 Elna Marie Drive

061KB003

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

Southeast end of Elna Marie Dr., east of Bagwell Rd intersection

18.81 acres

General Location

Tract Size

☐ City ☒ County **8th**  
District

**RA**  
Zoning District

**AgForVac**

**East County**

**LDR & HP**

Existing Land Use

**Urban 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

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

Agriculture

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

0325   600.00

Fee 2  
+ 50.00

x 18.81   940.50

acres  
Fee 3**\$1540.50****AUTHORIZATION**

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

Applicant Signature

Zarah G Bates

Please Print

11.10.2021

Date

Phone Number

423-736-0865

Email

zarah@z-creativegroup.com

Staff Signature

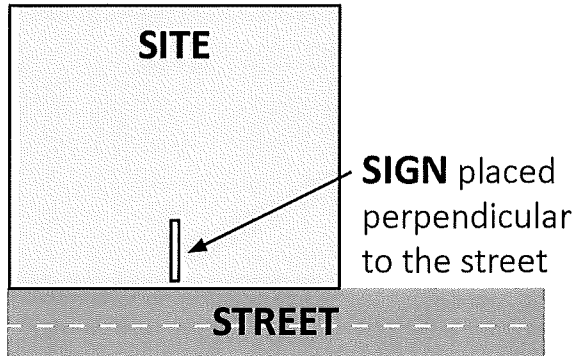
Sherry Michienzi

Please Print

11/15/2021 swm

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:*

Dec 29, 2021 and Jan 14, 2021  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Narah Bates  
Date: 11-15-2021  
File Number: 1-D-22-RZ

☒ Sign posted by Staff  
☐ Sign posted by Applicant