

REZONING REPORT

▶ **FILE #:** 1-I-22-RZ

AGENDA ITEM #: 18

AGENDA DATE: 1/13/2022

▶ **APPLICANT:** STEPHEN E. BURGIN

OWNER(S): Stephen E. Burgin

TAX ID NUMBER: 84 118

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 0 Perry Rd.

▶ **LOCATION:** North side of Strawberry Plains Pike, east side of Perry Road

▶ **APPX. SIZE OF TRACT:** 31.28 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Strawberry Plains Pike, a major arterial with a pavement width of 26-ft within a right-of-way width of 100-ft. Access is also via Perry Road, a local street, with a pavement width of 19-ft within a right-of-way width of 45-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Swan Pond Creek

▶ **PRESENT ZONING:** PR (Planned Residential)

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

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

▶
EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 10-K-06-RZ: A to PR

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant -

South: Agriculture/forestry/vacant -

East: Agriculture/forestry/vacant -

West: Rural residential, single family residential -

NEIGHBORHOOD CONTEXT: This area is primarily large agricultural and single family residential lots.

STAFF RECOMMENDATION:

▶ **Approve A (Agricultural) zoning because it is consistent with the surrounding development.**

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 area has remained primarily large agricultural lots with some single family residential uses.

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

1. The A (Agricultural) zone is intended to provide 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.

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. This property was previously zoned A (Agricultural) in 2006. This request will reduce the residential development potential from the PR (Planned Residential) up to 5 dwelling units per acre and is not expected to have any adverse effects.

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. This amendment is consistent with the East County Sector Plan and all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 354 (average daily vehicle trips)

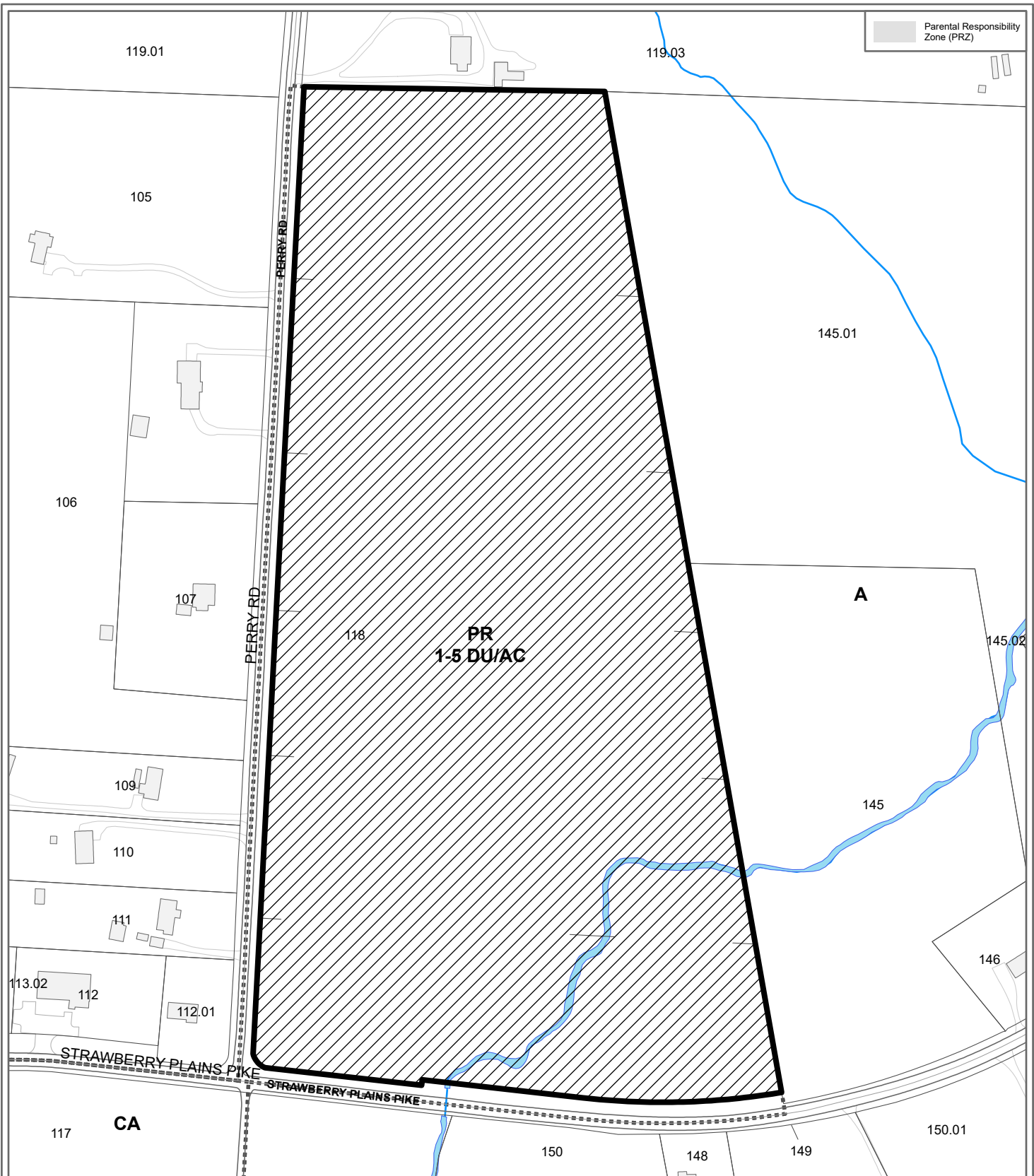
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 7 (public school children, grades K-12)

Schools affected by this proposal: Sunnyview Pr/Chilhowee Int, Carter Middle, and Carter High.

- 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.

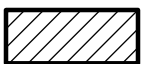
If approved, this item will be forwarded to Knox County Commission for action on 2/22/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**1-I-22-RZ
REZONING**

From: PR (Planned Residential)

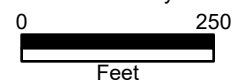
To: A (Agricultural)



Petitioner: Burgin, Stephen E.

Map No: 84

Jurisdiction: County



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

Exhibit A. 1-I-22-RZ Contextual Images

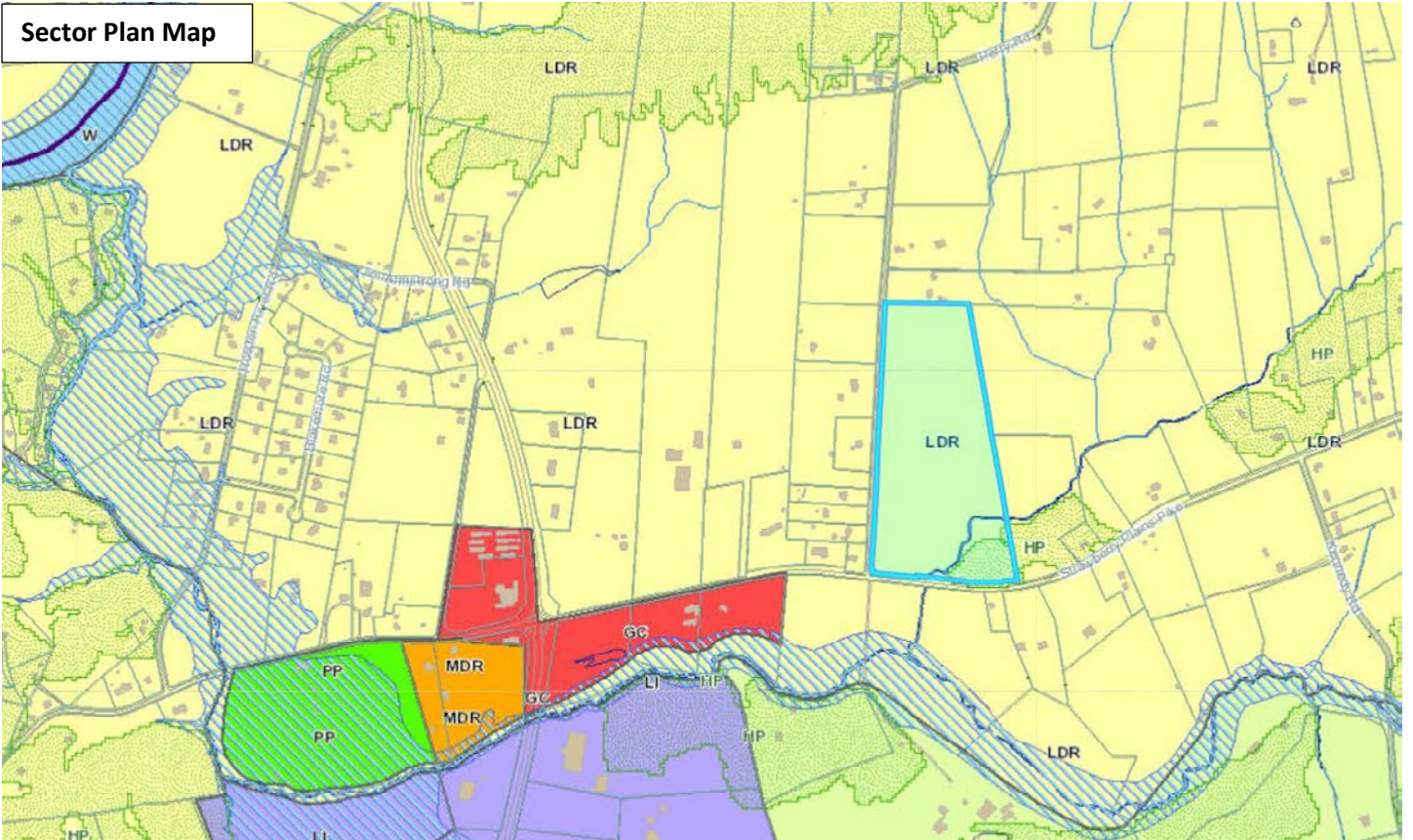
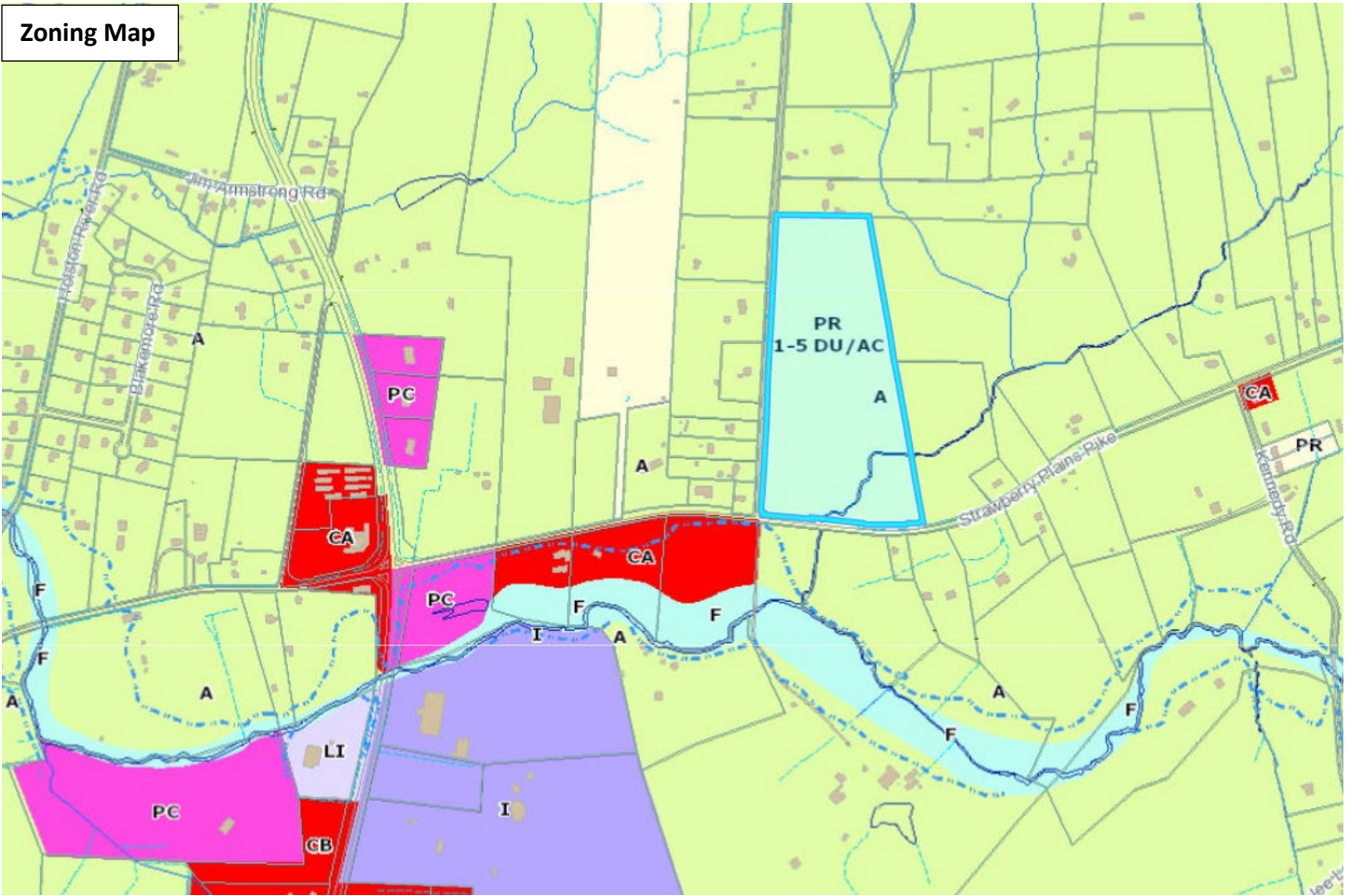
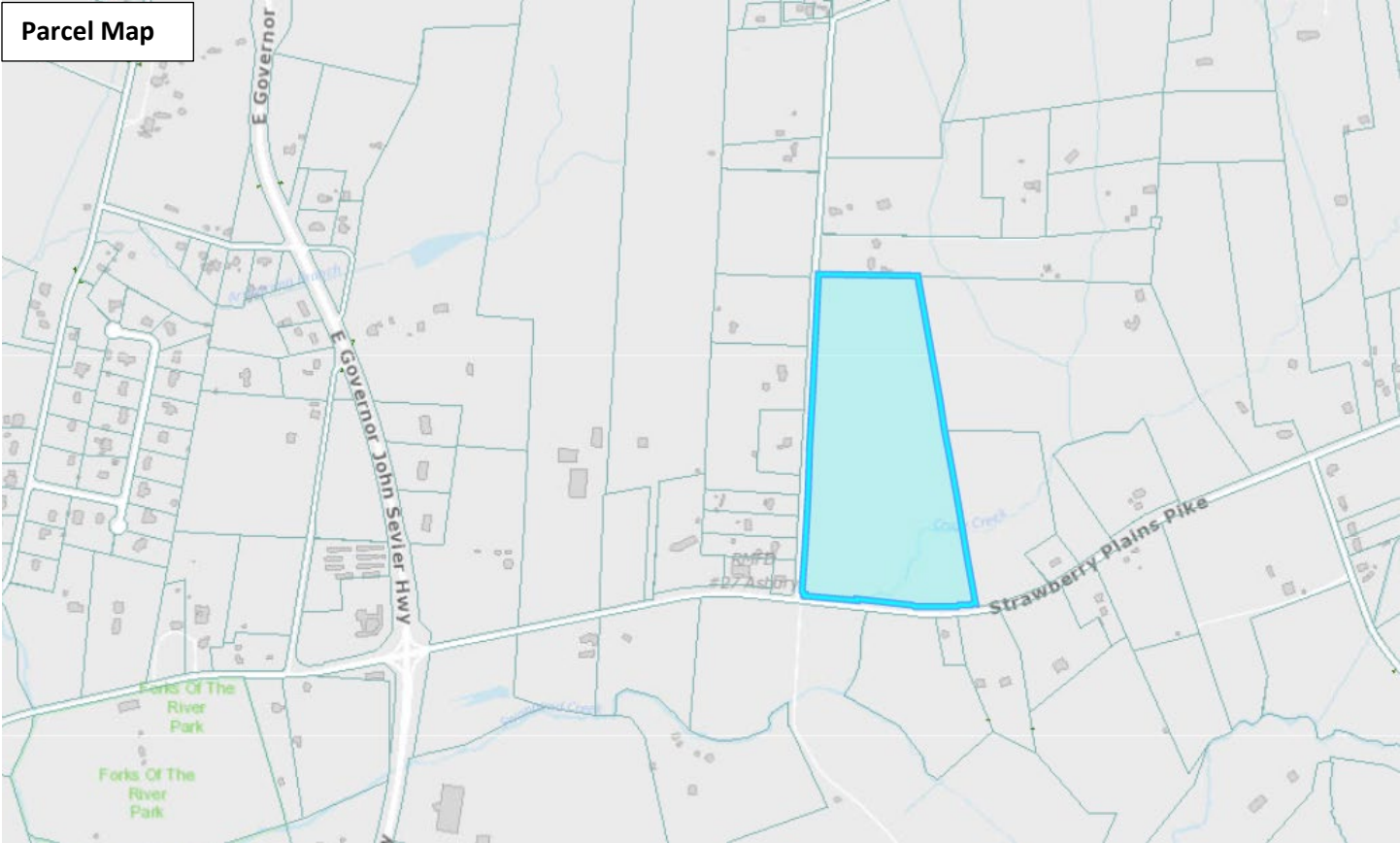


Exhibit A. 1-I-22-RZ Contextual Images

Parcel Map



Aerial Map





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

✓ STEPHEN E. BURGIN

Applicant Name

Affiliation

November 23 2021
Date Filed

January 13 2022 @ 1:30 P.M.
Meeting Date (if applicable)

File Number(s)

1-I-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

STEPHEN E. BURGIN

Name

Company

4309 FRENCH RD.

KNOXVILLE

TN.

37920

Address

City

State

ZIP

865-567-7978
Phone

SEBURGIN71@GMAIL.COM
Email

CURRENT PROPERTY INFO

STEPHEN E. BURGIN

Property Owner Name (if different)

4309 FRENCH RD. KNOX, TN. 37920

Property Owner Address

865-567-7978

Property Owner Phone

0 Perry Road
Property Address

084 118
Parcel ID

N/A
Sewer Provider

KUB
Water Provider

Y
Septic (Y/N)

STAFF USE ONLY

North side of Strawberry Plains Pike, East side of Perry R.
General Location

31.28 ac.
Tract Size

City County
District

8th

PR 1-5 du/ac
Zoning District

AqForVac
Existing Land Use

East County
Planning Sector

LDR EHP
Sector Plan Land Use Classification

Urban
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

Combine Parcels
 Divide Parcel
 Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change
 Proposed Zoning Agricultural (A)

Plan Amendment Change
 Proposed Plan Designation(s) _____

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
0325 \$2,164.00	
Fee 2	\$2,164.00
Fee 3	

AUTHORIZATION

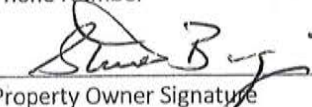

 Applicant Signature

STEVE BURGIN
 Please Print

11-23-2021
 Date

865-567-7978
 Phone Number

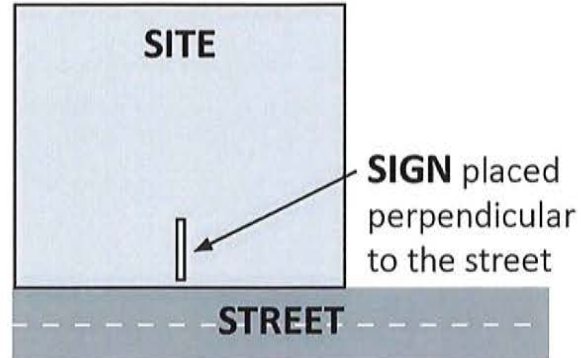
SB.BURGINT1@GMAIL.COM
 Email


 Property Owner Signature

STEVE BURGIN
 Please Print

11-23-2021
 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:

12-31-2021 and 1-14-2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Steve B...

Date: 11-23-RZ

File Number: 1-I-22-RZ

- Sign posted by Staff
- Sign posted by Applicant