

REZONING REPORT

► **FILE #:** 6-E-22-RZ

AGENDA ITEM #: 16

AGENDA DATE: 6/9/2022

► **APPLICANT:** ROBERT FLANIGAN (OWNER)

OWNER(S): Robert B. Flanigan

TAX ID NUMBER: 125 097, 00304, & 099

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 829, 831, & 833 Kimberlin Heights Rd.

► **LOCATION:** North side of Kimberlin Heights Rd., west of French Rd.

► **APPX. SIZE OF TRACT:** 3.01 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Kimberlin Heights Road, a major collector road with 20 ft of pavement width within a 65-ft wide right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Septic

WATERSHED: Hinds Creek

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

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

► **EXISTING LAND USE:** Single family residential, Agriculture/forestry/vacant

► EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

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

South: Single family residential - A (Agricultural)

East: Single family residential - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area consists of low density residential uses with several large tracts of agricultural properties nearby. This property is located within the parental responsibility zone and is approximately 1,200-ft away from New Hopewell Elementary School.

STAFF RECOMMENDATION:

► **Approve RA (Low Density Residential) zoning because it is consistent with the sector plan.**

COMMENTS:

The applicant's desire is to subdivide a portion of parcel 125 097 to combine with parcel 125 099 for the purpose of maintaining access to parcel 125 00304 located to the north. These properties are zoned A (Agricultural), which has a minimum lot size requirement of 1 acre. Currently parcel 125 097 is unable to be

subdivided because it would become nonconforming with the minimum lot size requirement. Therefore, the applicant is requesting to rezone these three properties to RA (Low density residential) to ensure that all properties meet the minimum lot size requirement and are in conformance with the Knox County Zoning Ordinance.

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. There are no substantial changes in conditions that would warrant a rezoning. However, this property is located approximately 1,200-ft from New Hopewell Elementary, and is located within the parental responsibility zone.

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

1. The regulations established in the RA zone are intended to provide for residential areas with low population densities which is consistent with the trend of development in this area.
2. RA zoning requires a minimum lot size of 10,000 sq ft. All three properties involved in this rezoning meet the dimensional standards of the RA zone.

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 area of Knox County is predominately zoned A with some tracts of land zoned PR at up to 2 du/ac. It is not anticipated that the proposed amendment to RA zoning will adversely affect adjacent properties.

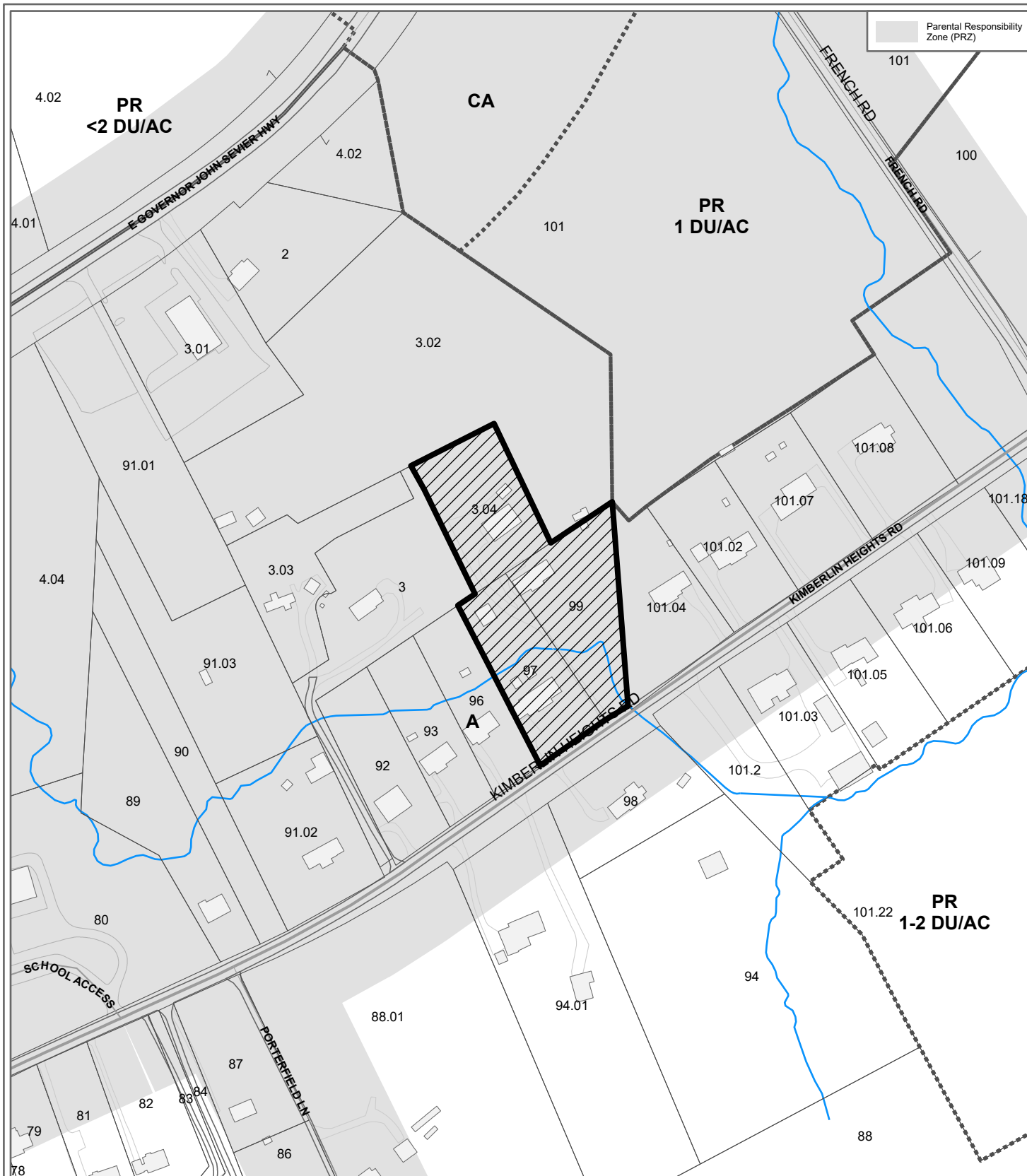
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Sector Plan's LDR (Low Density Residential) designation supports RA zoning and is compatible with the context of this property.
2. The proposed amendment is not in conflict with any other 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 7/25/2022. 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.



6-E-22-RZ REZONING

From: A (Agricultural)

To: RA (Low Density Residential)



Original Print Date: 5/5/2022
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Flanigan, Robert

Map No: 125

Jurisdiction: County

0 250
Feet



6-E-22-RZ

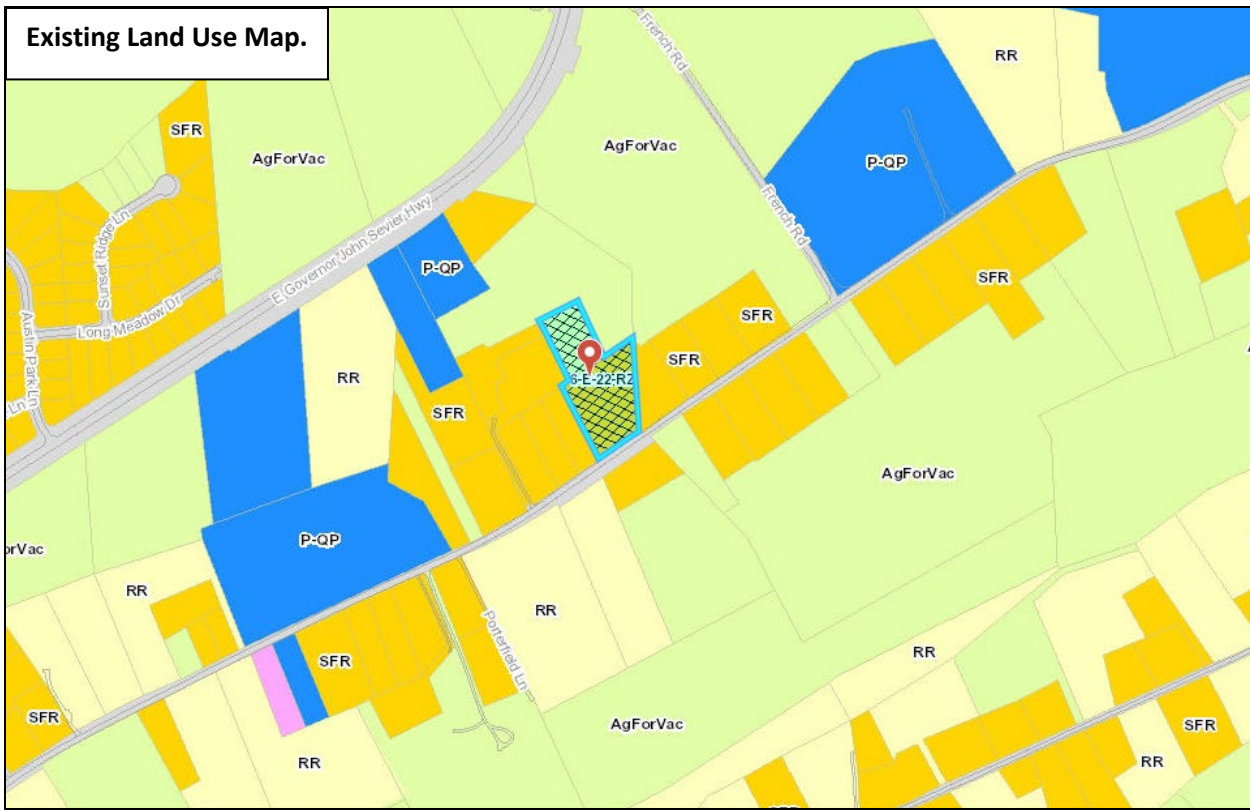
EXHIBIT A. Contextual Images



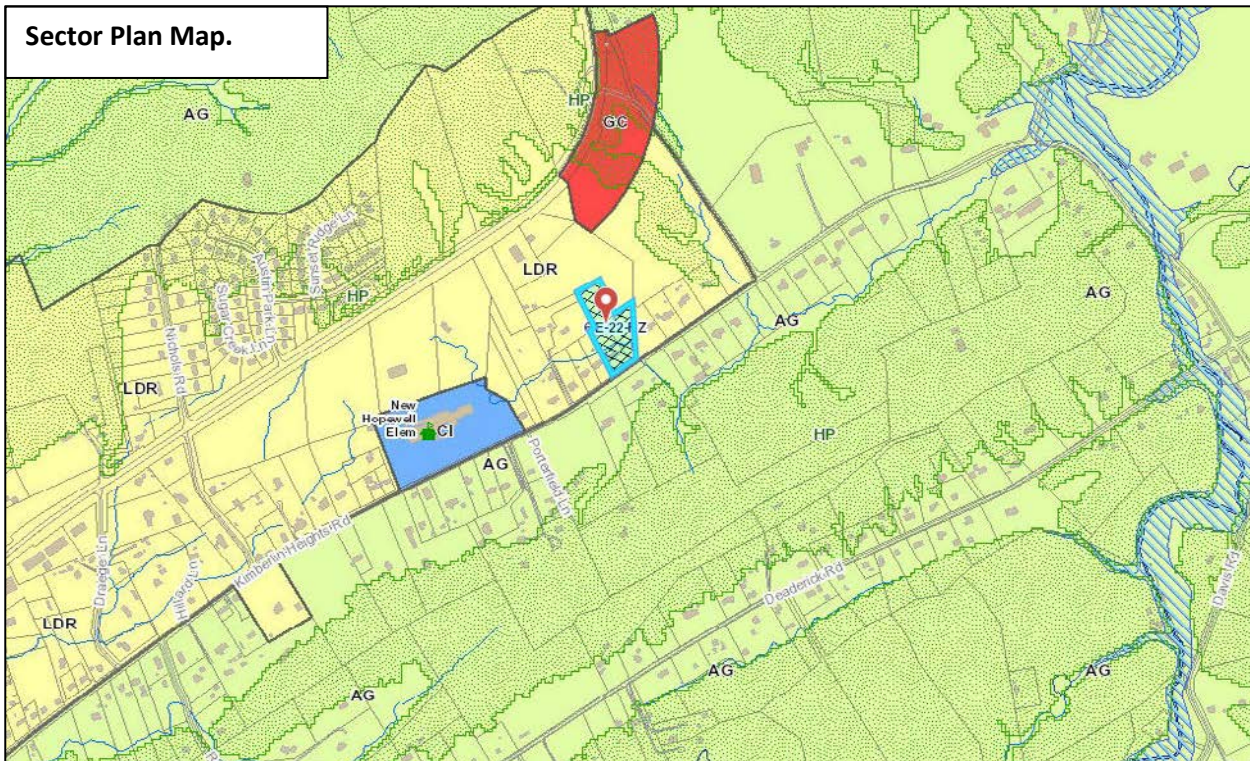
6-E-22-RZ

EXHIBIT A. Contextual Images

Existing Land Use Map.



Sector Plan Map.



6-E-22-RZ

EXHIBIT A. Contextual Images

Eagle eye view



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



Development Request

Reset Form
39147

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

ROBERT B FLANIGAN
Applicant Name

Affiliation

4/22/2022
Date Filed

6/9/2022
Meeting Date (if applicable)

6-E-22-RZ
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

ROBERT B FLANIGAN
Name

Company

833 Kimberlin Hgts Rd
Address

Knoxville
City

TN
State

37420
ZIP

865 389 6854
Phone

BFLANIGAN@ENTERSTATEMECHANICAL.COM
Email

CURRENT PROPERTY INFO

ROBERT B FLANIGAN
Property Owner Name (if different)

833 Kimberlin Hgts Rd
Property Owner Address

865 389 6854
Property Owner Phone

829, 831, 833 Kimberlin Heights Rd
Property Address

125097, 12500304, 125099
Parcel ID

(829) KUB
Sewer Provider

KNOX CHAPMAN
Water Provider

833
Septic (Y/N)

STAFF USE ONLY

North side of Kimberlin Heights Rd, West of French Rd
General Location

3.01 acres
Tract Size

☐ City ☒ County 9
District

A (Agricultural)
Zoning District

Single family residential, Agric/Forti/Res
Existing Land Use

South County
Planning Sector

Low Density Residential
Sector Plan Land Use Classification

Planned Growth Area
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

~~833 to Purchase 831 833 to subdivide REAR line of 829~~
Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number ☒ Combine Parcels ☒ Divide Parcel

Total Number of Lots Created

☐ Other (specify): _____

☐ Attachments / Additional Requirements

ZONING REQUEST

☒ Zoning Change From AG . RA
Proposed Zoning

Pending Plat File Number

☐ Plan Amendment Change
Proposed Plan Designation(s)

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

0324 \$600.00

Fee 2

Fee 3

Total

\$600.00

AUTHORIZATION

Robert B Flanigan
Applicant Signature

Robert B Flanigan
Please Print

4/22/22
Date

865 389-6854
Phone Number

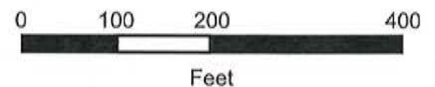
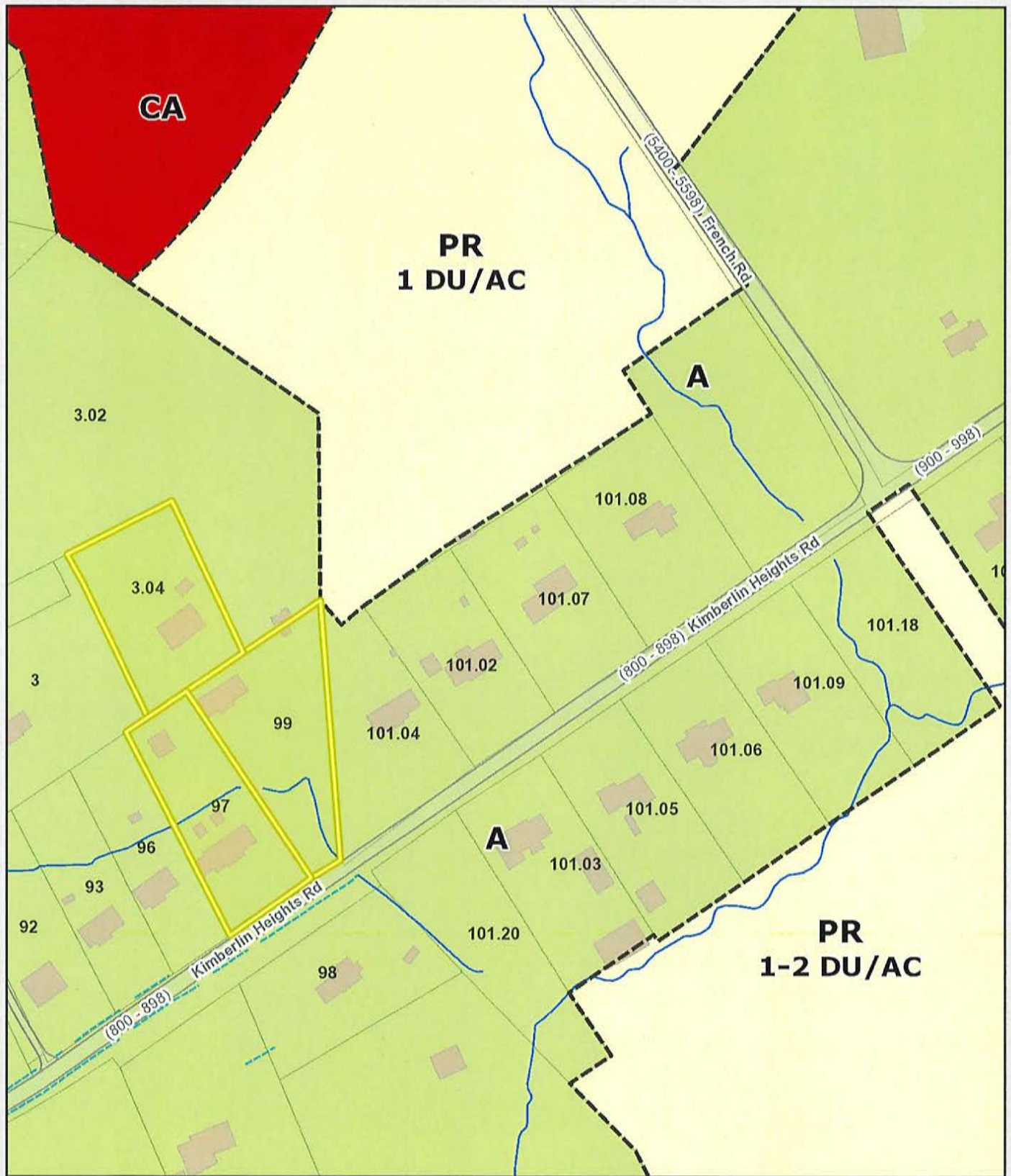
BFlanigan@InterstateMechanical.com
Email

[Signature]
Property Owner Signature

Philip H. Miller
Please Print

4/22/22
Date

EMA



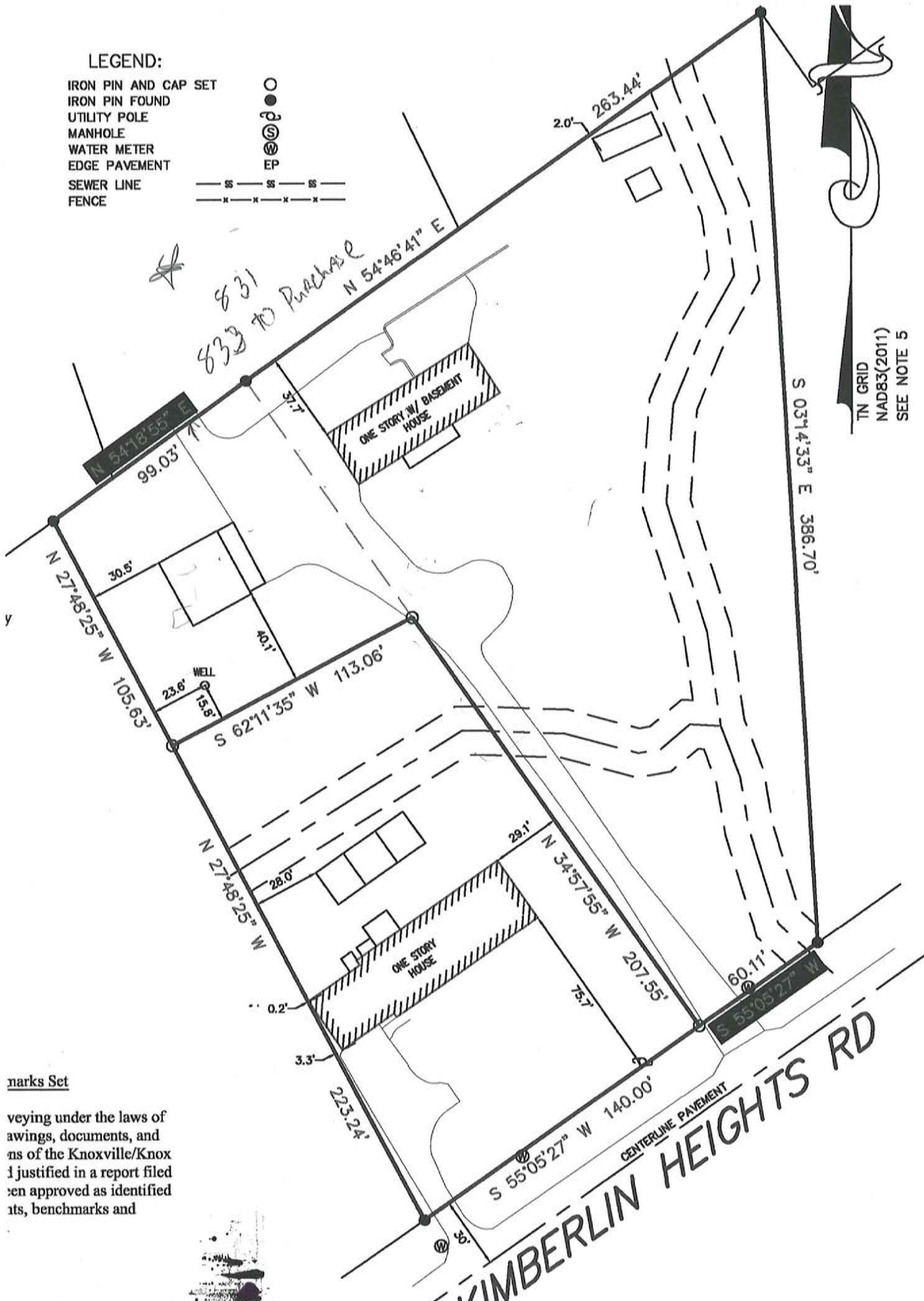
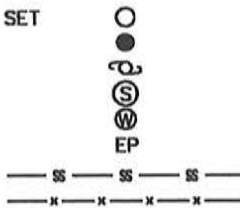
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LEGEND:

IRON PIN AND CAP SET
 IRON PIN FOUND
 UTILITY POLE
 MANHOLE
 WATER METER
 EDGE PAVEMENT
 SEWER LINE
 FENCE

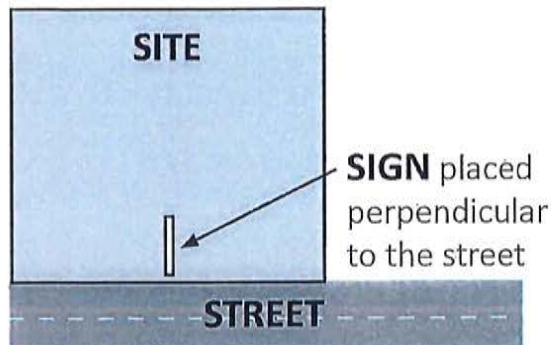


TN GRID
 NAD83(2011)
 SEE NOTE 5

marks Set

veying under the laws of
 awings, documents, and
 ns of the Knoxville/Knox
 1 justified in a report filed
 en approved as identified
 ats, benchmarks and

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:

5/25/2022 and 6/10/2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Robert Blanton

Date: 4/22/2022

File Number: 6-E-22-R2

☐ Sign posted by Staff

☒ Sign posted by Applicant