

REZONING REPORT

▶ **FILE #:** 11-A-22-RZ

AGENDA ITEM #: 17

AGENDA DATE: 11/10/2022

▶ **APPLICANT:** GABRIEL W RATCLIFFE

OWNER(S): Gabriel W Ratcliffe

TAX ID NUMBER: 106 A A 009.02

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 2031 PINEY GROVE CHURCH Rd. (2033 Piney Grove Church Rd.)

▶ **LOCATION:** **West side of Piney Grove Church Road, south of Robinson Road, north of Chastity Way**

▶ **APPX. SIZE OF TRACT:** 1.06 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Piney Grove Church Rd, a major collector with a 22-ft pavement width within a 60-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** **RN-1 (Single-Family Residential Neighborhood)**

▶ **ZONING REQUESTED:** **AG (General Agricultural)**

▶ **EXISTING LAND USE:** **Single Family Residential**

▶
EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 7-L-05-RZ: A-1 - R-1A

SURROUNDING LAND USE AND ZONING: North: Single family residential - AG (Agricultural)

South: Multifamily - RN-3 (General Residential Neighborhood)

East: Single family residential - RN-2 (Single-Family Residential Neighborhood)

West: Rural residential - AG (Agricultural)

NEIGHBORHOOD CONTEXT: This property is in a wooded residential area comprised of large to medium-sized single-family lots and multifamily subdivisions.

STAFF RECOMMENDATION:

▶ **Deny AG (Agricultural) zoning because the property does not conform to the minimum lot size standards for the AG zoning district.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. The proposed AG (General Agricultural) zoning would be a return to the property's original zoning district prior to 2005 and would serve as a minor extension of the AG district north and west of the subject property.

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

1. The zoning code requires that AG zoned properties have a minimum lot size of 5 acres, which does not conform with the subject property's 1.06 acre size.
2. It is noteworthy that the applicant owns two adjacent parcels with AG zoning and intends to combine the three lots into one. If the lots were combined, it would bring the total property closer to compliance with the 5-acre minimum standard, which none of the lots are meeting individually.

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. AG zoning is not anticipated to cause adverse impact to surrounding properties. The subject lot is next to ten AG zoned properties to the north and west.
2. The Chadwick Place subdivision south of the subject property is separated by a tall privacy fence along its border. Topography and existing vegetation also provide natural buffers between agricultural and residential land uses.

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 is not in conflict with any adopted plans.
2. The subject property was originally zoned AG before it was rezoned to RN-1 (Single-Family Residential Neighborhood) in 2005.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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 Knoxville City Council for action on 12/13/2022 and 1/10/2023. 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.



Request to Postpone • Table • Withdraw

Gabriel Ratcliffe

11/9/2022

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

Date of Request

11/10/2022

Scheduled Meeting Date

	File Number(s)
11-A-22-RZ	

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 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.


Applicant Signature

Gabriel W Ratcliffe

Please Print

989-615-0035

Phone Number

Email

STAFF ONLY


Staff Signature

Jessie Hillman

Please Print

11/9/2022

Date Paid

No Fee

Eligible for Fee Refund? Yes No Amount:

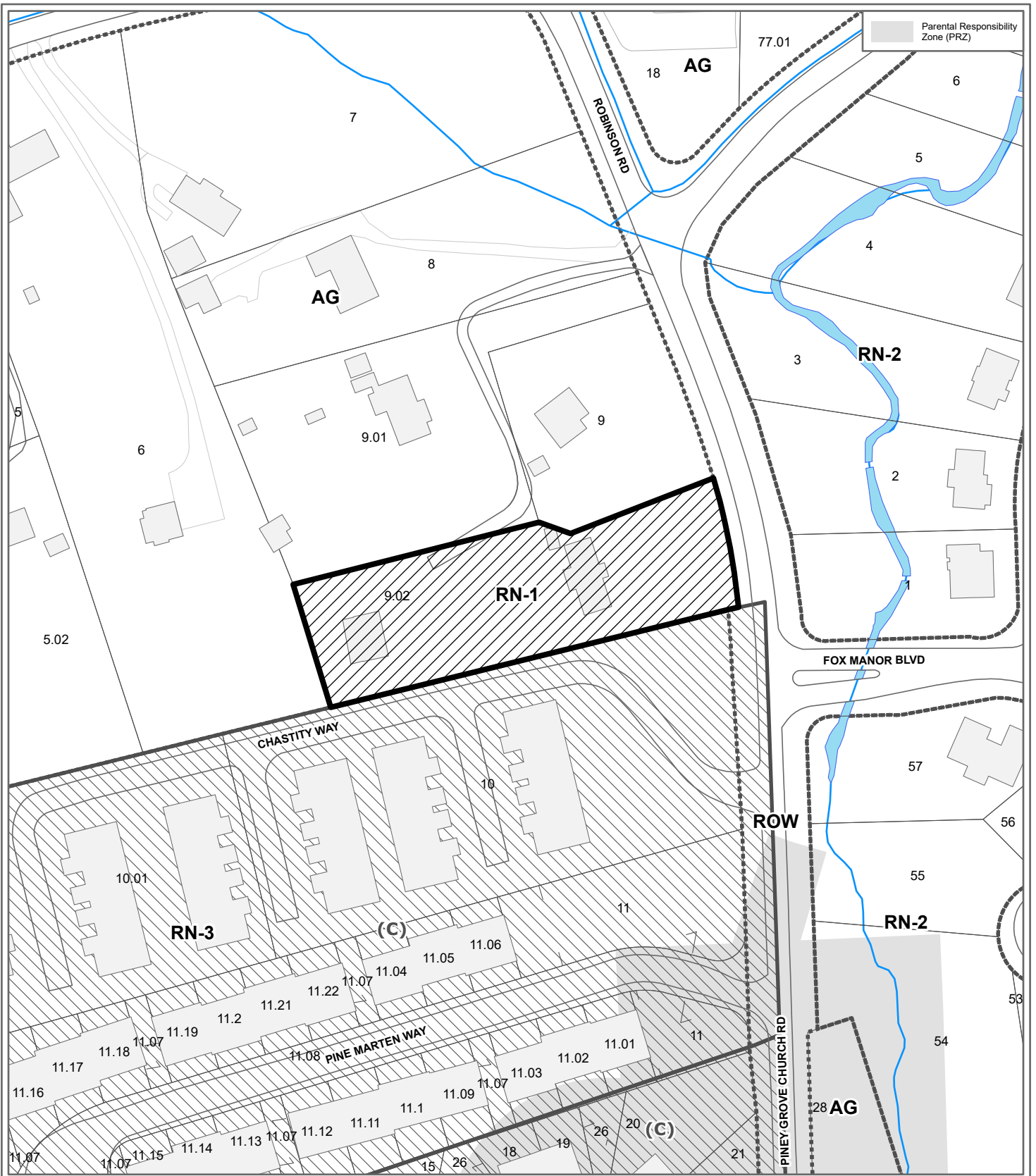
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



**11-A-22-RZ
REZONING**

From: RN-1 (Single-Family Residential Neighborhood)
To: AG (General Agricultural)



Petitioner: Gabriel W Ratcliffe

Map No: 106
Jurisdiction: City

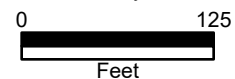


Exhibit A. 11-A-22-RZ Context Images

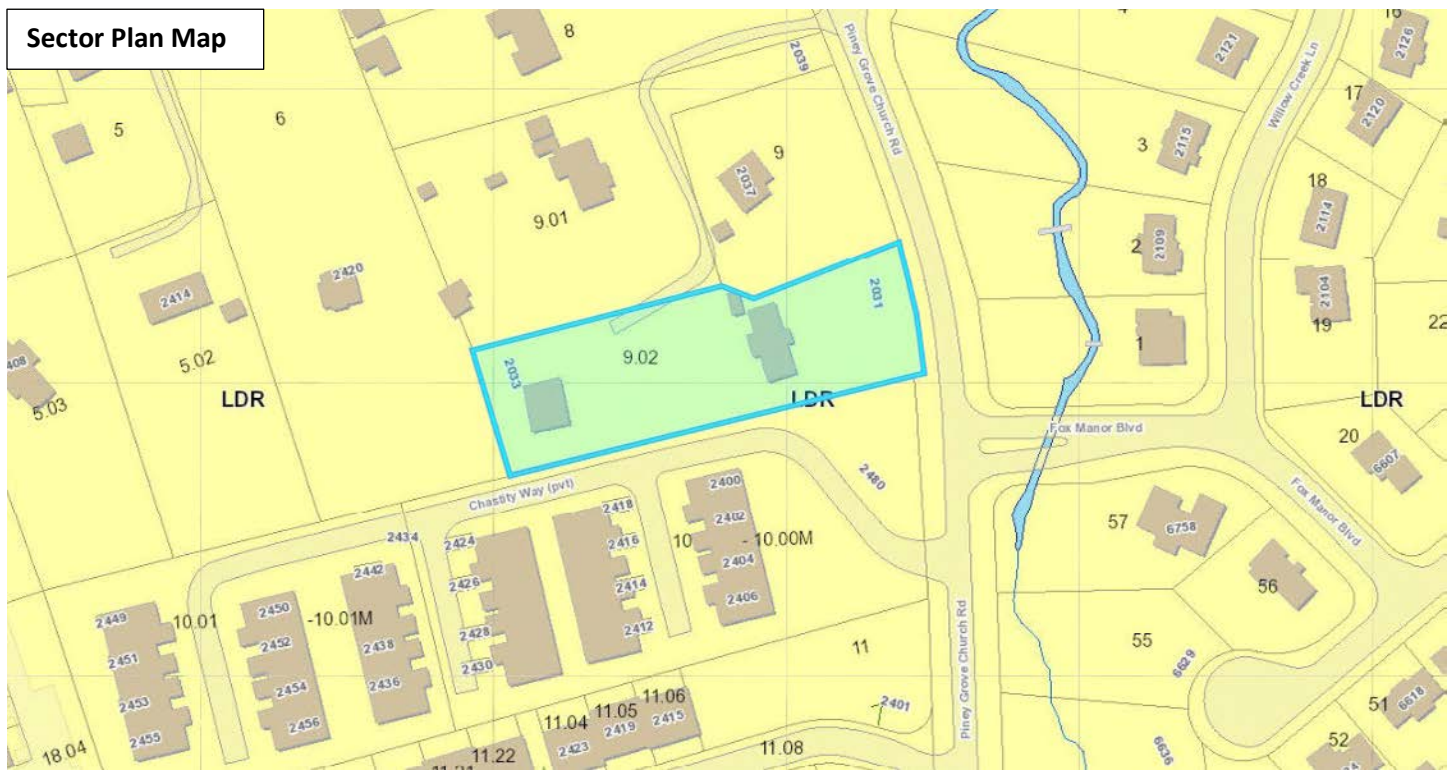
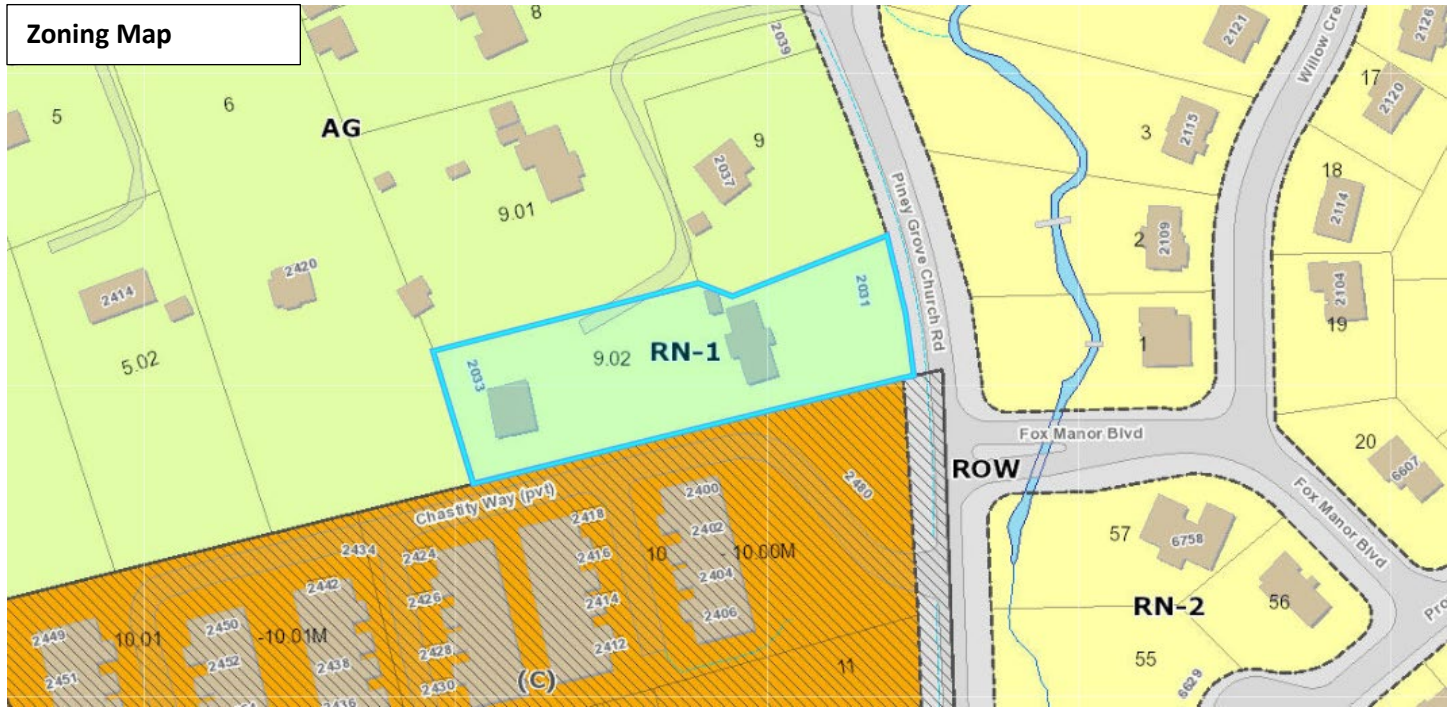
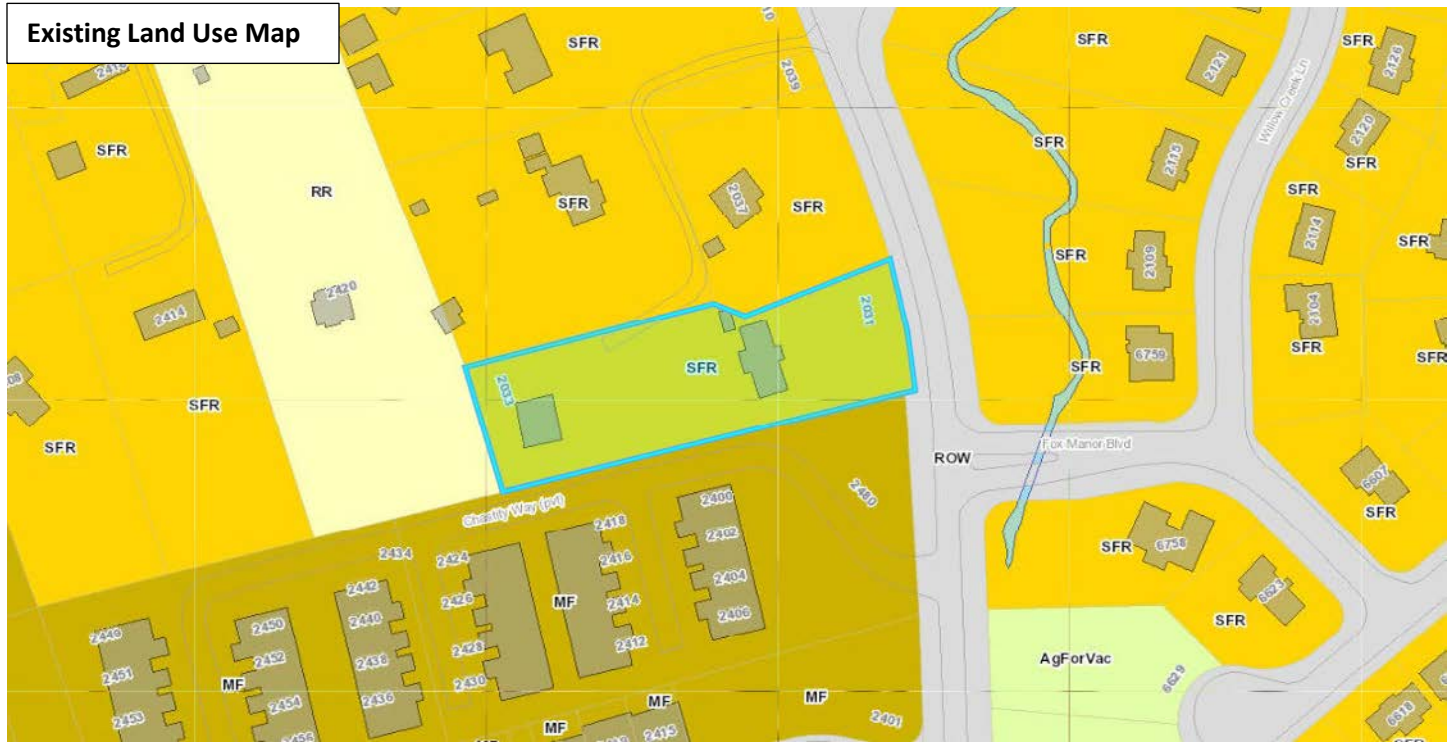


Exhibit A. 11-A-22-RZ Context Images





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

Gabriel W Ratcliffe

Applicant Name

Affiliation

8/29/2022

Date Filed

11/10/2022

Meeting Date (if applicable)

11-A-22-RZ

File Number(s)

CORRESPONDENCE

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

Gabriel W Ratcliffe

Name / Company

2039 Piney Grove Church Rd Knoxville TN 37909

Address

989-615-0035 / gratcliffe67@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Gabriel W Ratcliffe

Owner Name (if different)

2039 Piney Grove Church Rd Knoxville TN 37909

Owner Address

989-615-0035 / gratcliffe67@g

Owner Phone / Email

2031 & 2033 PINEY GROVE CHURCH Rd.

Property Address

106 A A 009.02

Parcel ID

1.06 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

west side of Piney Grove Church Rd, south of Robinson Rd, north of Fox Manor Blvd

General Location

City

Council District 3

RN-1 (Single-Family Residential Neighborhood)

Single Family Residential

Count

District

Zoning District

Existing Land Use

Northwest County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change AG (Agricultural)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	
Proposed Plan Designation(s)	

1.26

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	Total
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

Gabriel W Ratcliffe	8/29/2022
Applicant Signature	Date
Please Print	

Phone / Email

Gabriel W Ratcliffe	8/29/2022
Property Owner Signature	Date
Please Print	

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

Gabriel W Ratcliffe

Applicant Name

Affiliation

08/24/2022

11/10/22

File Number(s)

Date Filed

Meeting Date (if applicable)

11-A-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

Gabriel Ratcliffe

Name

Company

2039 Piney Grove Church Road

Knoxville

TN

37909

Address

City

State

ZIP

989-615-0035

gratcliffe67@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Gabriel Ratcliffe

2039 Piney Grove Church Rd

989-615-0035

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

2031 / 2033 (A&B) Piney Grove Church Road

106AA-00902

Property Address

Parcel ID

KUB - Not Attached

KUB

Yes

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

DEVELOPMENT REQUEST

Development Plan Use on Review / Special Use Hillside Protection COA

Related City Permit Number(s)

Residential Non-Residential

Home Occupation (specify) **Non - occupied / condemned**

Other (specify) **Not Suitable for living**

SUBDIVISION REQUEST

N/A

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created

Other (specify)

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

Agricultural - AG

Proposed Zoning

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s)

1.26

N/A

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 Signature

Gabriel W Ratcliffe

08/24/2022

Please Print

Date

989-615-0035

gratcliffe67@gmail.com

Phone Number

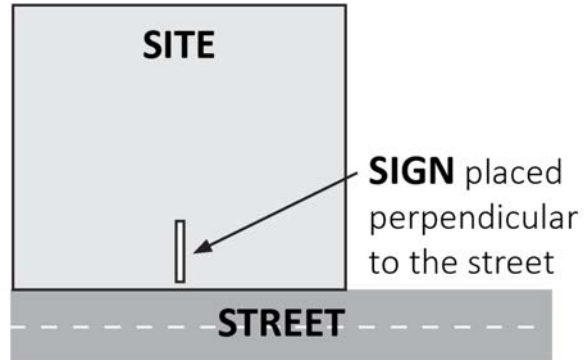
Email

Property Owner Signature

Please Print

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:

_____ 9/24/2022 _____ and _____ 10/7/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Gabriel Ratcliffe

Date: 8/29/22

File Number: 11-A-22-RZ

- Sign posted by Staff
- Sign posted by Applicant