

REZONING REPORT

▶ **FILE #:** 11-B-22-RZ

AGENDA ITEM #: 25

AGENDA DATE: 11/10/2022

▶ **APPLICANT:** NED FERGUSON

OWNER(S): Robert Turner

TAX ID NUMBER: 144 03703

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 1229 MOURFIELD RD

▶ **LOCATION:** Southwest side of Mourfield Rd, north of Vermilion Dr

▶ **APPX. SIZE OF TRACT:** 1 acre

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via an existing permanent access easement.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

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

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

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

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

South: Agricultural/forestry/vacant - A (Agricultural)

East: Single family residential - RA (Low Density Residential)

West: Agricultural/forestry/vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area is primarily agricultural and large lot single family residential.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the surrounding development and sector 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 OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE COUNTY GENERALLY:

1. Since the 1987, this area has been building out as large lot single family residential. The south side of the

property abuts large lot single family homes that were rezoned from A (Agricultural) to RA (Low Density Residential) in 1990.

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. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
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 is largely rural in character and consists primarily of rural residential and agricultural land uses. This rezoning to RA is consistent with the land uses and development pattern surrounding the subject property.
2. This addition of more RA (Low Density Residential) zoned acreage 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. This rezoning is not conflict with the General Plan or any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 15 (average daily vehicle trips)

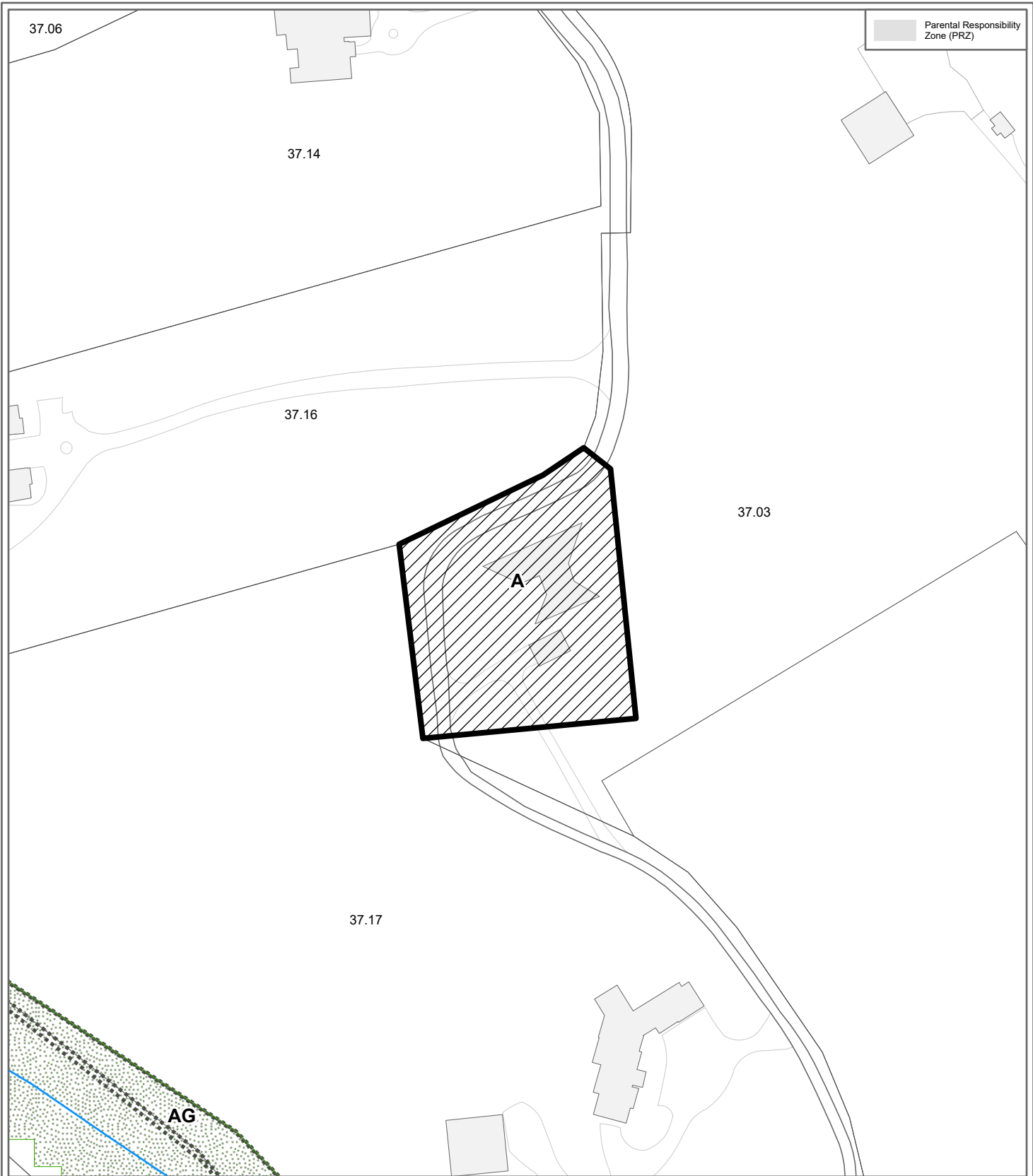
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 0 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley 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 Knox County Commission for action on 12/19/2022. 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.



**11-B-22-RZ
REZONING**

Petitioner: Ned Ferguson



From: A (Agricultural)

To: RA (Low Density Residential)

Map No: 144

Jurisdiction: County

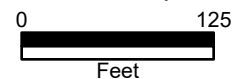


Exhibit A. 11-B-22-RZ Contextual Images



Exhibit A. 11-B-22-RZ Contextual Images



Exhibit A. 11-B-22-RZ Contextual Images

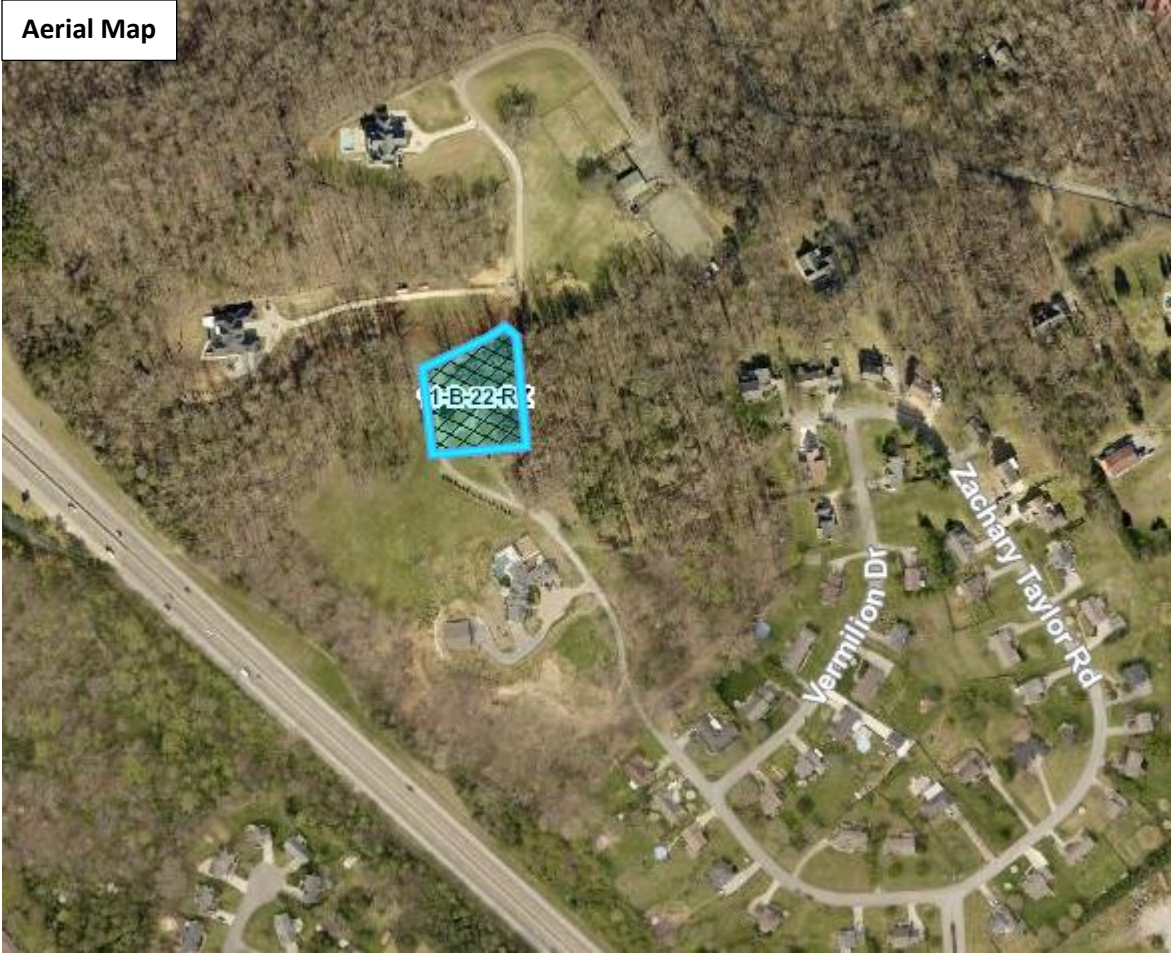


Exhibit A. 11-B-22-RZ Contextual Images





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

Ned Ferguson

Applicant Name

Affiliation

9/26/2022

Date Filed

11/10/2022

Meeting Date (if applicable)

11-B-22-RZ

File Number(s)

CORRESPONDENCE

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

Ned D. Ferguson Professional Land Systems

Name / Company

205 Lamar Ave. Ave. Clinton TN 37716

Address

865-689-6169 / nedferguson@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Robert Turner

Owner Name (if different)

1440 Zachary Taylor Rd Knoxville TN 37922

Owner Address

865-742-2587

Owner Phone / Email

1229 MOURFIELD RD

Property Address

144 03703

Parcel ID

1 acres

Tract Size

Part of Parcel (Y/N)?

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southwest side of Mourfield Rd, north of Vermilion Dr

General Location

City

Commission District 5

A (Agricultural)

Agriculture/Forestry/Vacant Land

Count

District

Zoning District

Existing Land Use

Southwest County

Planning Sector

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

Sector Plan Land Use Classification

Planned Growth Area

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	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RA (Low Density Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1 \$650.00	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	Fee 2	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> COA Checklist (Hillside Protection) <input type="checkbox"/> Design Plan Certification (Final Plat) <input type="checkbox"/> Site Plan (Development Request) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Use on Review / Special Use (Concept Plan)	Fee 3	

AUTHORIZATION

Ned Ferguson	9/26/2022
Applicant Signature	Date
Please Print	

Phone / Email

Robert Turner	9/26/2022
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

Ned Ferguson

Applicant Name

Surveyor

Affiliation

Date Filed

Meeting Date (if applicable)

File Number(s)

11-B-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

Ned D Ferguson

Professional Land Systems

Name

Company

205 Lamar Ave

Clinton

TN

37716

Address

City

State

ZIP

865.689.6169

nedferguson@gmail.com

Phone

Email

CURRENT PROPERTY INFO

9/23/2022

ROBERT A TURNER

1440 ZACHARY TAYLOR RD 37922

865.742.2587

Owner Name (if different)

Owner Address

Owner Phone

1229 MOURFIELD RD

P/O 144 03703

Property Address

Parcel ID

FUD

FUD

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
 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

RA (SEE ATTACHED PLAT FOR RESUB AREA OF 1-ACRE)

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

M. Jones 9/26/22

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

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

Applicant Signature



Ned Ferguson

Please Print

9/23/22

Date

865.689.6169

nedferguson@gmail.com

Phone Number

Email

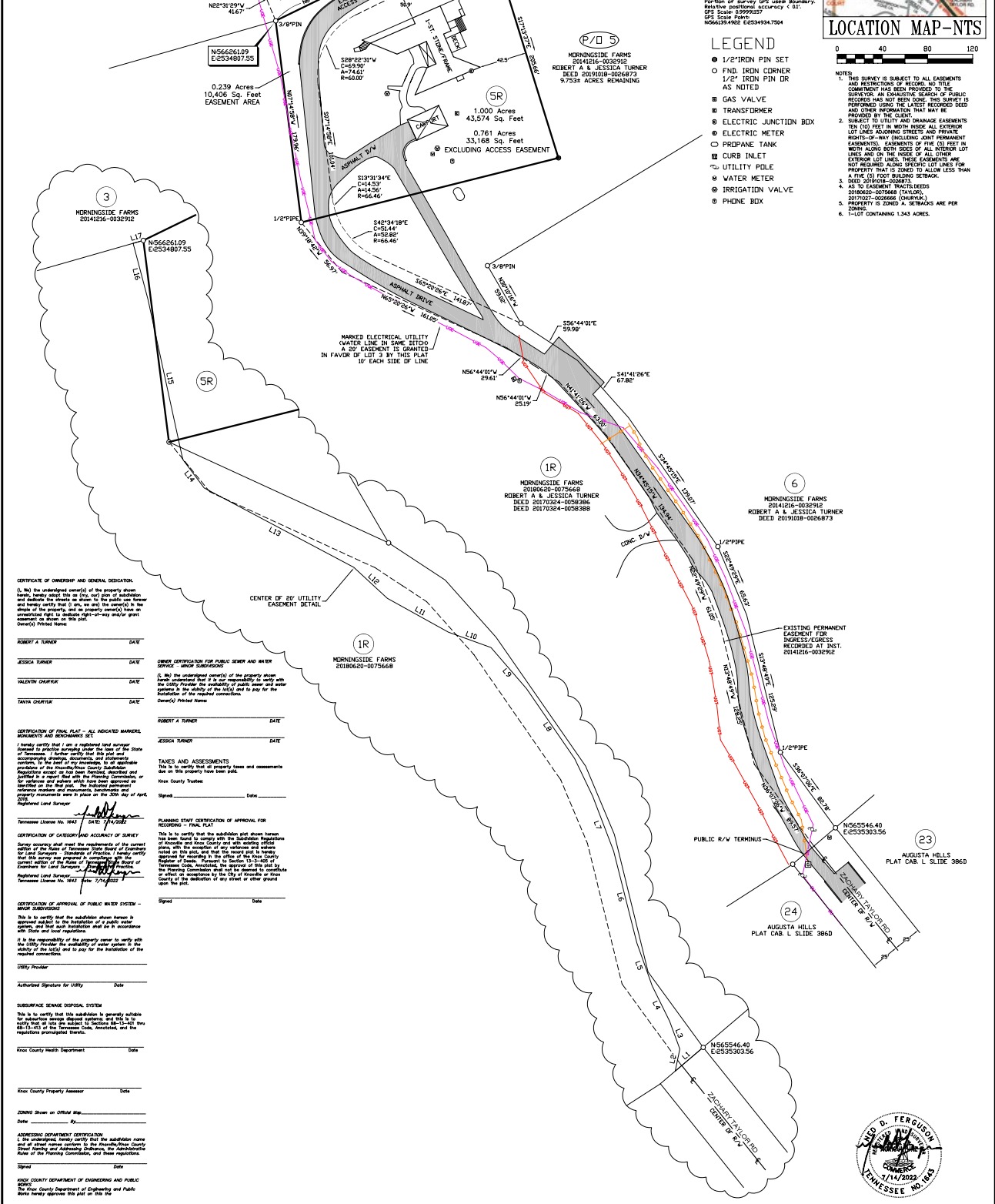
Staff Signature

Please Print

Date

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LINE	BEARING	DISTANCE
L1	N29°17'19"W	32.50
L2	UTZ 03.12.19	20.50
L3	N20°23'17"W	26.25
L4	N30°12'00"W	32.50
L5	N17°28'17"W	40.00
L6	N14°12'14"W	53.74
L7	N25°29'14"W	51.50
L8	N14°12'14"W	76.50
L9	N22°49'19"W	48.00
L10	N20°12'21"W	20.50
L11	N20°23'17"W	26.25
L12	N27°17'29"W	40.00
L13	N25°29'14"W	51.50
L14	N25°29'14"W	51.50
L15	N17°28'17"W	37.50
L16	N14°12'14"W	51.50
L17	N24°04'23"W	33.50



PLAT
 TN NADB3(2011)
 Positional accuracy of GPS field procedure per State of survey 4/6/2022
 Data Source: NAD83/USGCRS2011
 Publication/Field-control user: TPLS (DLS/PLS)
 Date of Issue: 7/14/2022
 LAT: 36 56 53.776 N
 LONG: 86 02 37.766 W
 Equipment: CARLSON B77 DIAL BAND
 Portion of survey GPS users: Boundary
 Relative positional accuracy: 0.1"
 GPS Scale: 3000000"
 GPS Scale Ratio: 1/3000000
 NAD83/USGCRS2011 E334934.7504



- LEGEND**
- 1/2" IRON PIN SET
 - FND. IRON CORNER
 - 1/2" IRON PIN DR
 - AS NOTED
 - GAS VALVE
 - TRANSFORMER
 - ELECTRIC JUNCTION BOX
 - ELECTRIC METER
 - PROPANE TANK
 - CURB INLET
 - UTILITY POLE
 - WATER METER
 - IRRIGATION VALVE
 - PHONE BOX

0 40 80 120

NOTES:

- THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE RECORDS HAS BEEN PROVIDED TO THE SURVEYOR. AN EXHAUSTIVE SEARCH OF PUBLIC RECORDS HAS NOT BEEN DONE. THIS SURVEY IS PERFORMED USING THE LATEST RECORDED DEED AND OTHER RECORDS THAT MAY BE PROVIDED BY THE CLIENT.
- THE CLIENT IS RESPONSIBLE FOR ALL UTILITY LOT LINES ADJOINING STREETS AND PRIVATE LOTS. THE SURVEYOR IS NOT RESPONSIBLE FOR THE LOCATION OF ANY UTILITY LOT LINES AND ON THE INSIDE OF ALL OTHER EXTENDED LOT LINES. THESE EASEMENTS ARE NOT REQUIRED. ADJACENT SPECIFIC LOT LINES FOR PROPERTY THAT IS ZONED TO ALLOW LESS THAN A FIVE (5) FOOT BUILDING SET-BACK.
- DEED: 2019024-008273
- AS TO EASEMENT TRACTS: DEEDS 2018020-007568 (TAYLOR), 2017022-005966 (DUNBAR)
- PROPERTY IS ZONED A. SETBACKS ARE PER ZONING.
- 1-Lot CONTAINING 1.343 ACRES.

CERTIFICATE OF OWNERSHIP AND GENERAL DECLARATION

(I, We) the undersigned owner(s) of the property shown hereon do hereby certify that the public law book and page number(s) shown on this plat are the correct location of the plat in the public law book and page number(s) of the State of Tennessee.

OWNER: ROBERT A TURNER DATE: _____

OWNER: JESSICA TURNER DATE: _____

OWNER: VALENTIN & TANYA CHURYLUK DATE: _____

OWNER: TANYA CHURYLUK DATE: _____

CERTIFICATE OF FINAL PLAT - ALL INDICATED BOUNDARIES, EASEMENTS AND ENCUMBRANCES SET

I hereby certify that I am a registered land surveyor in the State of Tennessee and that I am duly licensed under the laws of the State of Tennessee. I have examined the original plat and the accompanying drawings, documents and instruments, and I find them to be correct and in accordance with the laws of the State of Tennessee. I have also examined the original plat and the accompanying drawings, documents and instruments, and I find them to be correct and in accordance with the laws of the State of Tennessee. I have also examined the original plat and the accompanying drawings, documents and instruments, and I find them to be correct and in accordance with the laws of the State of Tennessee.

REGISTERED LAND SURVEYOR: _____ DATE: 7/14/2022

CERTIFICATE OF CATEGORY AND ACCURACY OF SURVEY

This is to certify that the subdivision plat shown herein has been found to comply with the subdivision regulations of the State of Tennessee and with existing utility records, and that the plat is correct and in accordance with the laws of the State of Tennessee. I have also examined the original plat and the accompanying drawings, documents and instruments, and I find them to be correct and in accordance with the laws of the State of Tennessee.

REGISTERED LAND SURVEYOR: _____ DATE: 7/14/2022

CERTIFICATE OF APPROVAL OF PUBLIC WATER SYSTEM - SHORT SUBDIVISION

This is to certify that the subdivision shown herein is approved subject to the subdivision of public water systems, and that the plat is correct and in accordance with State and local regulations.

UTILITY PROVIDER: _____ DATE: _____

SUBSURFACE SEWAGE DISPOSAL SYSTEM

This is to certify that the subdivision shown herein is approved subject to the subdivision of subsurface sewage disposal systems, and that the plat is correct and in accordance with State and local regulations.

LOCAL COUNTY HEALTH DEPARTMENT: _____ DATE: _____

ADDRESSING DEPARTMENT CERTIFICATION

This is to certify that the subdivision shown herein is approved subject to the subdivision of addressing systems, and that the plat is correct and in accordance with State and local regulations.

ADDRESSING DEPARTMENT: _____ DATE: _____

LOCAL COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS

This is to certify that the subdivision shown herein is approved subject to the subdivision of engineering and public works, and that the plat is correct and in accordance with State and local regulations.

ENGINEERING DIRECTOR: _____ DATE: _____

811

Call Before You Dig! 1-800-351-1111

I hereby certify that this is a category 1 survey and the plat is correct and in accordance with the laws of the State of Tennessee. I have also examined the original plat and the accompanying drawings, documents and instruments, and I find them to be correct and in accordance with the laws of the State of Tennessee.

REGISTERED LAND SURVEYOR: _____ DATE: 7/14/2022

FILE

FINAL PLAT OF RESUB. OF PART OF LOT 5 MORNINGSIDE FARMS

PLAT REF: 2024024-005992 SCALE: 1"=40'

PARCELS: P/2 144 02703

COUNTY/DISTRICT: KNOX/6

CITY: N/A

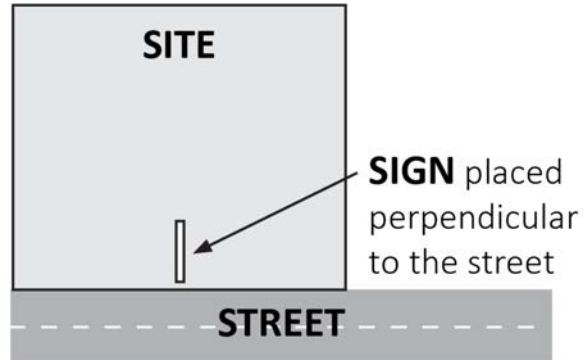
OWNERS: WARD/BLOOM/N/A DATE: 7/14/2022

Ed D. Ferguson, R.L.S.
 205 Lamar Avenue
 Clinton, TN 37716
 Phone: (865) 689-6169
 Fax: (865) 232-8718 Toll Free
 www.PLSurvey.com

PLS
 Professional Land Systems

When you need to know, knowing is our business.

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:

_____ 10/26/2022 _____ and _____ 11/11/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ned Ferguson

Date: 9/26/22

File Number: 11-B-22-RZ

- Sign posted by Staff
 Sign posted by Applicant