

REZONING REPORT

▶ **FILE #:** 4-F-23-RZ

AGENDA ITEM #: 27

AGENDA DATE: 4/13/2023

▶ **APPLICANT:** RALPH SMITH

OWNER(S): Paul Sharp

TAX ID NUMBER: 77 052.01 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 9112 OLD COBBS FERRY RD

▶ **LOCATION:** South side of Old Cobbs Ferry Rd, east of intersection of W Emory Rd, Hackworth Rd, & Old Cobbs Ferry Rd

▶ **APPX. SIZE OF TRACT:** 0.838 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Old Cobbs Ferry, a local road with a pavement width of 11-ft within a right-of-way width of 34-ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver 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: Single family residential - A (Agricultural)

South: Agriculture/Forestry/Vacant - A (Agricultural)

East: Agriculture/Forestry/Vacant - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This is in the Rural Area just outside of the Planned Growth Area in the Northwest County Sector. The land use is primarily large lot, single family residential and agricultural tracts.

STAFF RECOMMENDATION:

▶ **Deny RA (Low Density Residential) zone because it is not consistent with the sector plan or Growth Policy Plan.**

COMMENTS:

The request is to rezone a portion of a 23.10-acre parcel from A (Agricultural) to RA (Low Density Residential). The applicant is looking to create two RA (Low Density Residential) lots totaling 0.838 acres. Lot 1 has an existing house and would be 0.303 acres and Lot 2 is directly behind which would create a 0.535-acre flag lot.

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. The area surrounding the subject property has seen a moderate transition from agricultural to single family residential land use since the late 1990s. Properties to the east with higher densities of up to 3 and 5 du/ac are in the County's Planned Growth Area. Properties to the west with PR zoning of up to 1.5 du/ac, and to the north with RA, are in the County's Rural Area. The RA zoning to the north is not consistent with the Northwest County Sector Plan's RR (Rural Residential) land use classification. However, the RA zone to the north is the result of a rezoning in 1988, which predates the Growth Policy Plan, adopted in 2000.

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

1. The requested RA zone provides for residential areas with low population densities.
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. Old Cobb Ferry Rd is only approximately 11-ft wide, which does not meet public road standards. Rezoning to allow more residences above what is currently allowed would put more pressure on this road, and the Knox County Engineering and Public Works Department is not in support of this rezoning due to the subpar road conditions. This road is not one the County has any plans to improve or widen.
2. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes A (Agricultural), RA (Low Density Residential), and PR (Planned Residential) with 1-5 du/ac. However, the residential streets and developments with higher densities are constructed on roads that do not have the same issues as the subject property.
3. In the requested RA zone and the proposed lot size of 0.838 acres (36,503 sq-ft), a maximum of 3 new dwellings would be allowed under the zoning. While this would not be a significant drain on utilities, it would likely cause a strain on this sub-standard street.

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 RA zone is not consistent with the Northwest County Sector Plan's RR (Rural Residential) land use designation, which does not consider RA zoning.
2. This rezoning is not conflict with the General Plan.

ESTIMATED TRAFFIC IMPACT: 53 (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.

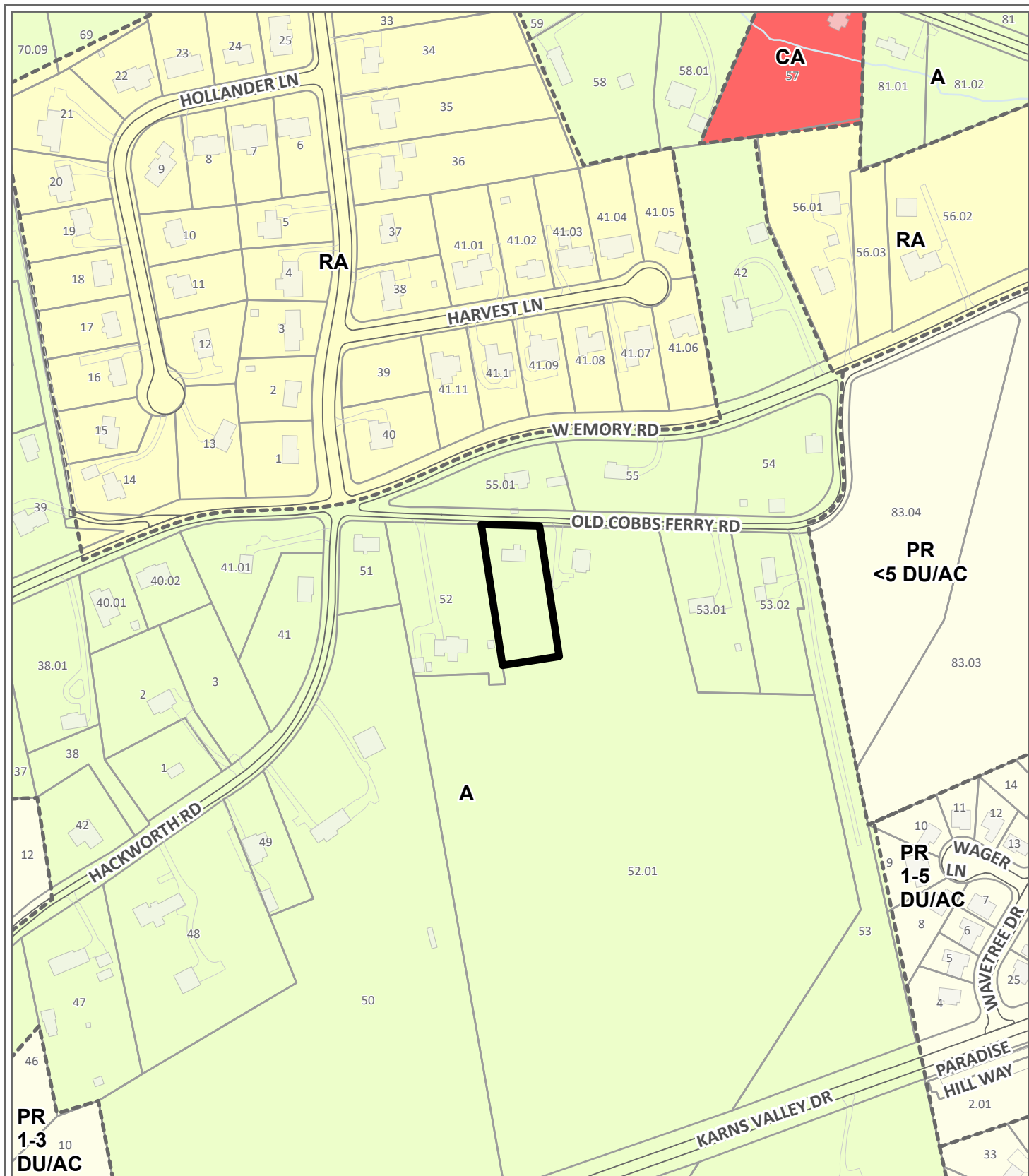
ESTIMATED STUDENT YIELD: 0 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 5/22/2023. 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.



REZONING

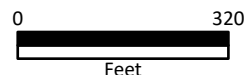
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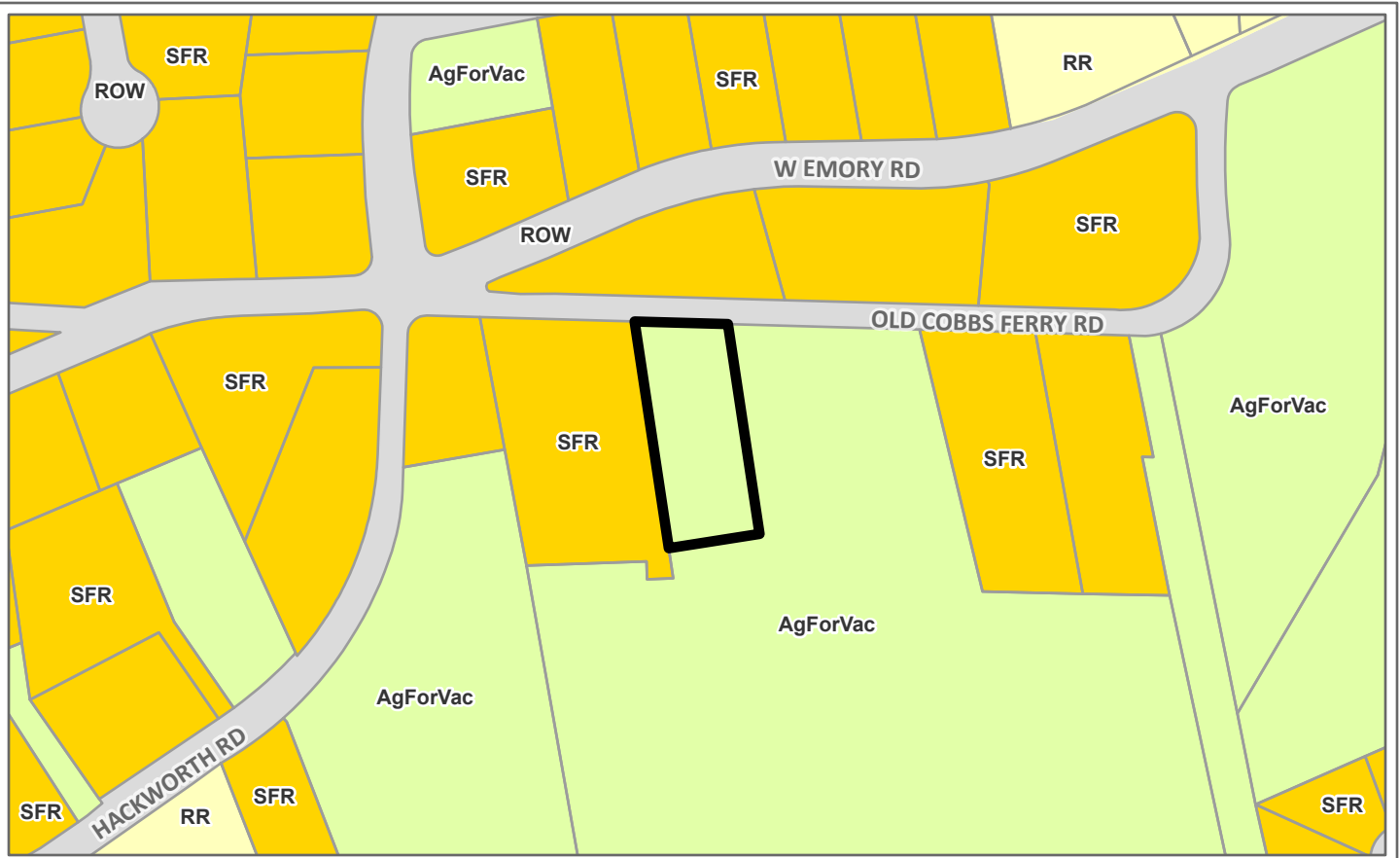
Petitioner: Ralph Smith



From: A (Agricultural)
To: RA (Low Density Residential)

Map No: 77
Jurisdiction: County





Existing Land Use and Aerial Maps

4-F-23-RZ



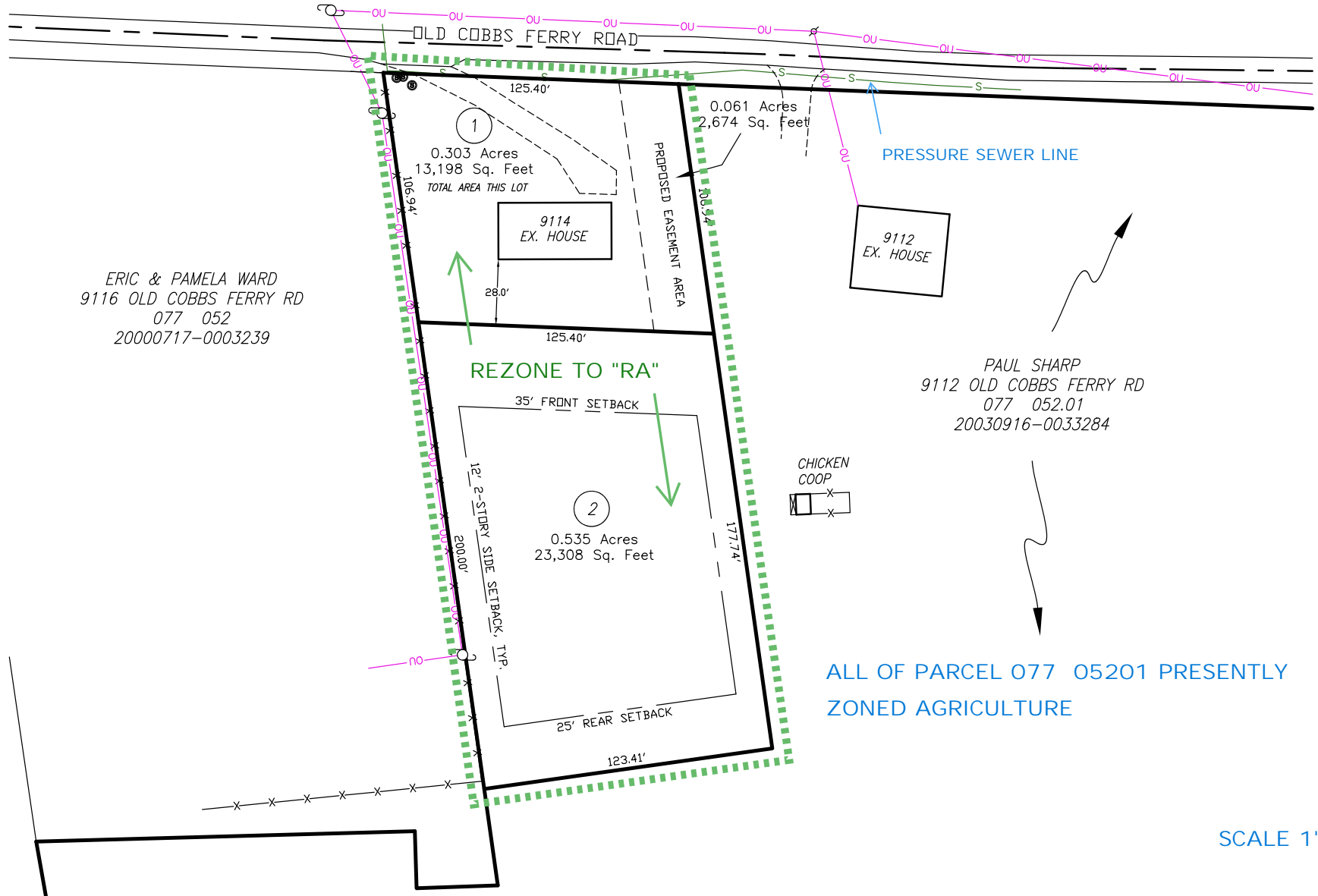
Case boundary



Exhibit A. Street View Old Cobbs Ferry Rd



EXHIBIT FOR REZONING PART OF PROPERTY OF PAUL SHARP,
IN ANTICIPATION OF FUTURE RESUBDIVISION AS SHOWN



SCALE 1"=40'



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

Ralph Smith

Applicant Name

Affiliation

2/14/2023

Date Filed

4/13/2023

Meeting Date (if applicable)

4-F-23-RZ

File Number(s)

CORRESPONDENCE

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

Ralph Smith Professional Land Systems

Name / Company

205 Lamar Ave. Ave. Clinton TN 37716

Address

865-599-1508 / ralph6169@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Paul Sharp

Owner Name (if different)

3520 Hackworth Rd Knoxville TN 37931

Owner Address

865-567-9635

Owner Phone / Email

9112 OLD COBBS FERRY RD

Property Address

77 052.01 (part of)

Parcel ID

Part of Parcel (Y/N)?

0.838 acres

Tract Size

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

S of Old Cobbs Ferry Rd, east of intersection of W Emory Rd & Old Cobbs Ferry Rd

General Location

City

Commission District 6

A (Agricultural)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

Northwest County

Planning Sector

RR (Rural Residential), HP (Hillside Protection), SP (Strea

Sector Plan Land Use Classification

Rural 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

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

Applicant Signature: **Ralph Smith** Please Print **2/14/2023** Date

Phone / Email

Property Owner Signature: **Paul Sharp** Please Print **2/14/2023** Date

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

Ralph Smith

Survey Company (PLS)

Applicant Name

Affiliation

Feb. 7, 2023

April 13, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Ned 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

Paul Sharp

3520 Hackworth Rd

865-567-9635

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

9112 Old Cobbs Ferry Rd

077 05201

Property Address

Parcel ID

WKUD

WKUD

N

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**
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

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS


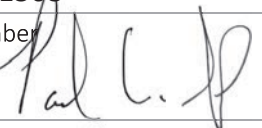
- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

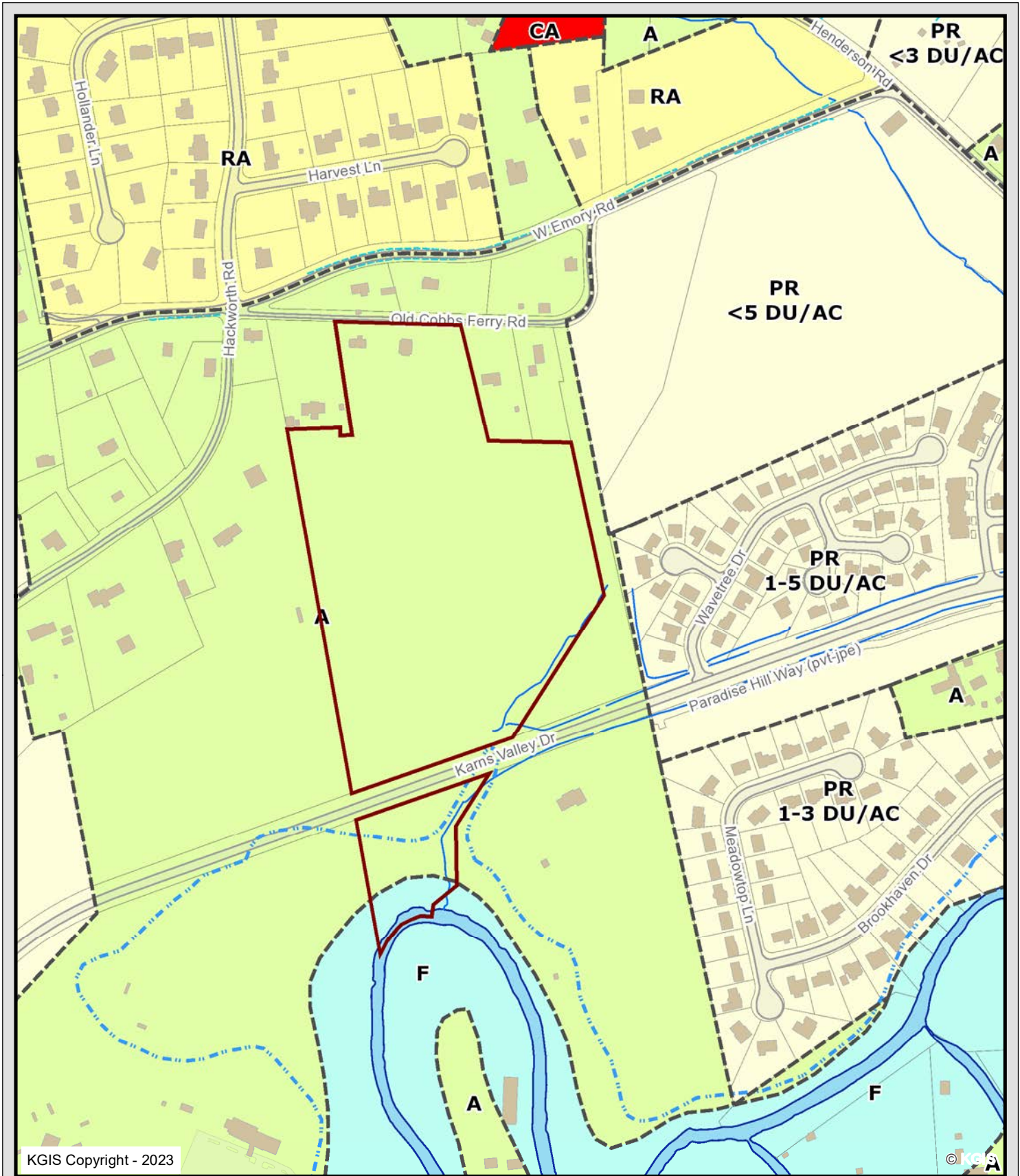
- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

| Fee 1 | Total |
|-------|-------|
| | |
| Fee 2 | |
| | |
| Fee 3 | |
| | |

AUTHORIZATION

| | | |
|---|---------------------|--------------|
|  | Ralph Smith | Feb. 7, 2023 |
| Applicant Signature | Please Print | Date |
| 865-599-1508 | ralph6169@gmail.com | |
| Phone Number | Email | |
|  | Paul Sharp | Feb. 7, 2023 |
| Property Owner Signature | Please Print | Date |

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.

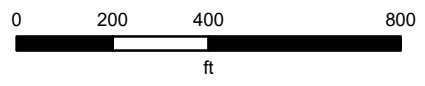


9112 Old Cobbs Ferry Rd

Knoxville - Knox County - KUB Geographic Information System

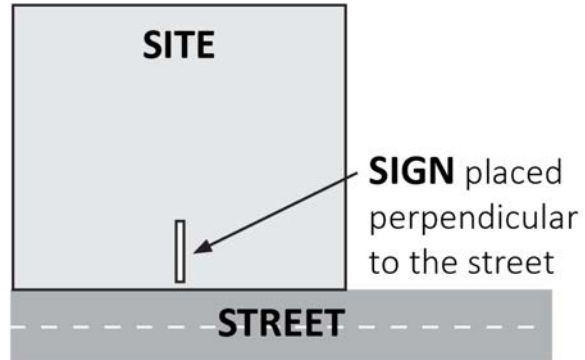


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, 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:

_____ 3/31/2023 _____ and _____ 4/14/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ralph Smith

Date: 2/14/23

File Number: 4-F-23-RZ

- Sign posted by Staff
- Sign posted by Applicant