

# REZONING REPORT

▶ **FILE #:** 4-L-23-RZ

**AGENDA ITEM #:** 29

**AGENDA DATE:** 4/13/2023

▶ **APPLICANT:** SERGHEY BOTEZAT

OWNER(S): Serghey Botezat

TAX ID NUMBER: 92 004.05

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 BALL CAMP PIKE

▶ **LOCATION:** **North side of Ball Camp Pike and south side of Schaad Rd, west of Johnson Rd**

▶ **APPX. SIZE OF TRACT:** **4.01 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: The subject property is a double-frontage lot, so access could be via Schaad Road or Ball Camp Pike. Schaad Road is a minor arterial with an approximately 77-ft pavement width inside a right-of-way that varies in width from 91 to 100 ft. Ball Camp Pike is a major collector with a 20-ft pavement width inside a right-of-way that varies from 50 to 58 ft in width in this location.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: West Knox Utility District, Knoxville Utiliti

WATERSHED: Grassy Creek

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

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

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

▶ **DENSITY PROPOSED:** **up to 10 du/ac**

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Public/quasi-public land (school) - A (Agricultural)

South: Agricultural/forestry/vacant - I (Industrial)

East: Institutional (church) - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area consists primarily of single-family residential uses. It is across the street from Amherst Elementary School, and the latest phase of the Schaad Road extension project begins less than a half a mile to the west.

**STAFF RECOMMENDATION:**

▶ **Approve the PR (Planned Residential) zone with up to 10 du/ac because it is consistent with the sector plan and is a suitable location for this residential intensity, subject to one condition.**

**1. Providing a Type B Landscape Screen along shared lot lines with A (Agricultural) zoned properties.**

**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. Schaad Road has been undergoing an extension for the past several years. At the time of the 2016 Northwest County Sector Plan update, Schaad Road had been extended from Oak Ridge Highway to Olive Branch Lane. The remaining extension from Olive Branch Lane to Ball Camp Pike is underway with a target completion date of 2024. The extension is a 4-lane facility with 2 lanes on either side of a large median.
2. This property is along the newly completed section of Schaad Road, which is classified as a minor arterial.

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

1. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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. Since Schaad Road is a major thoroughfare, it will provide direct access to a development on this parcel and traffic would not be required through residential streets to reach this development.
2. A landscape screen would buffer adjacent single family residential properties from this development and would provide a level of separation.
3. The property is directly across the street from Amherst School and is in the Parental Responsibility Zone. Sidewalks have been provided on both sides of Schaad Road and increase safety for pedestrians.

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 property is within the Urban Growth Boundary of the Growth Policy Plan and appears to be serviced by both water and wastewater.
2. The requested PR zoning with up to 10 du/ac is consistent with the MDR (Medium Density Residential) land use classification, which permits consideration of densities up to 12 du/ac in the Urban Growth Boundary, though it is recommended that such density be within 1/4 mile of transit service.
3. Sub-section 11.2 of the General Plan applies standards for residential density, and states that medium density from 6 to 12 du/ac in the County's Planned Growth and Urban Growth Areas is appropriate along collector or arterial roads, waterfronts, and as buffer zones between lower density residential and more intense uses.
4. Sub-section 10.11 of the Development Policies Section of the General Plan calls for allowance of higher densities, smaller yards and narrower lots for portions of planned developments that do not abut or face conventional suburban developments, but also states such developments should provide deeper setbacks, wider lots or landscape buffers where the new development abuts lower density housing.
5. The requested zoning does not appear to be in conflict with any other adopted plans.

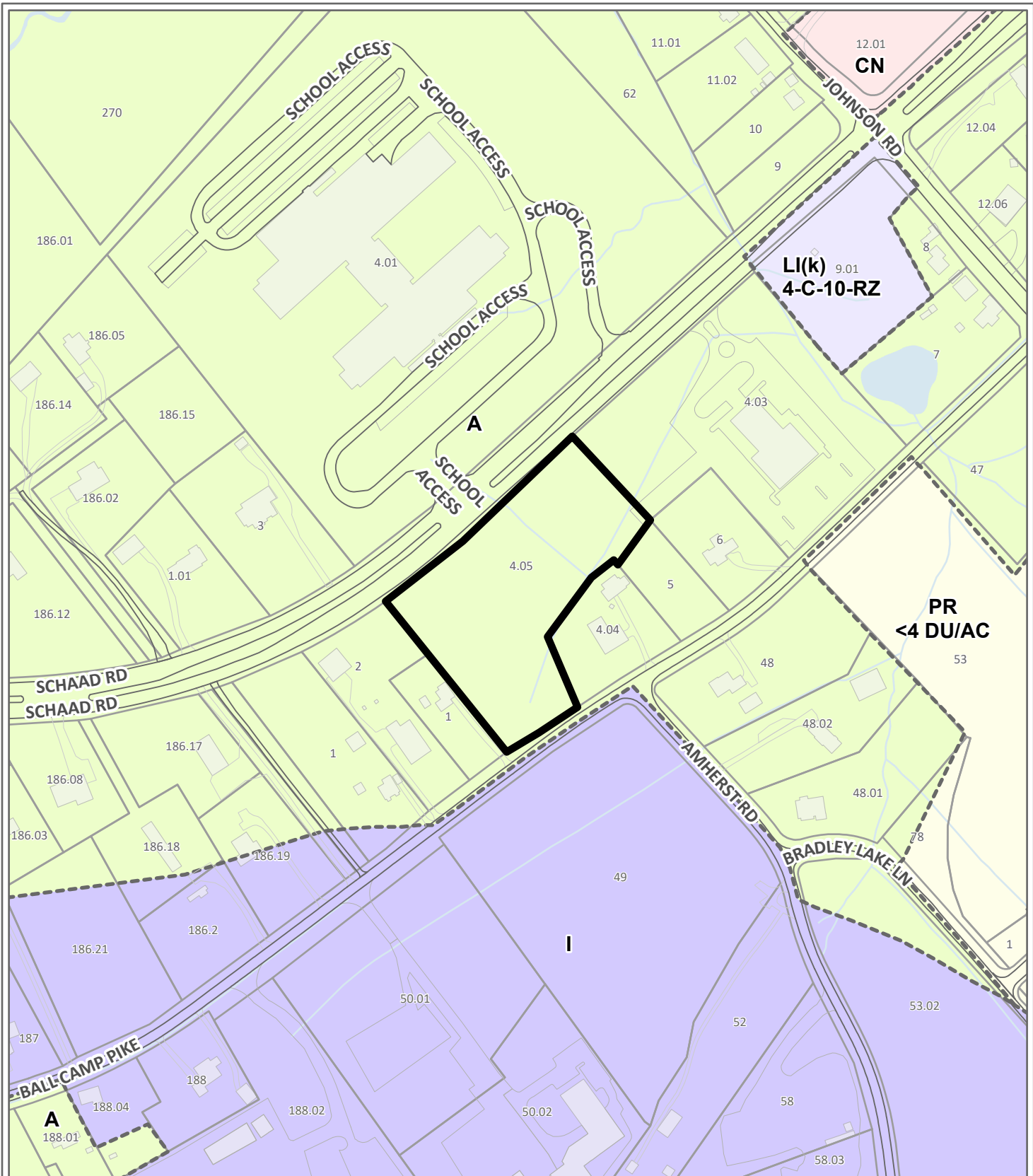
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 17 (public school children, grades K-12)

Schools affected by this proposal: Amherst 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.



**ZONING MAP**

**4-L-23-RZ**

**Petitioner:** Serghy Botezat

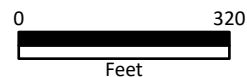


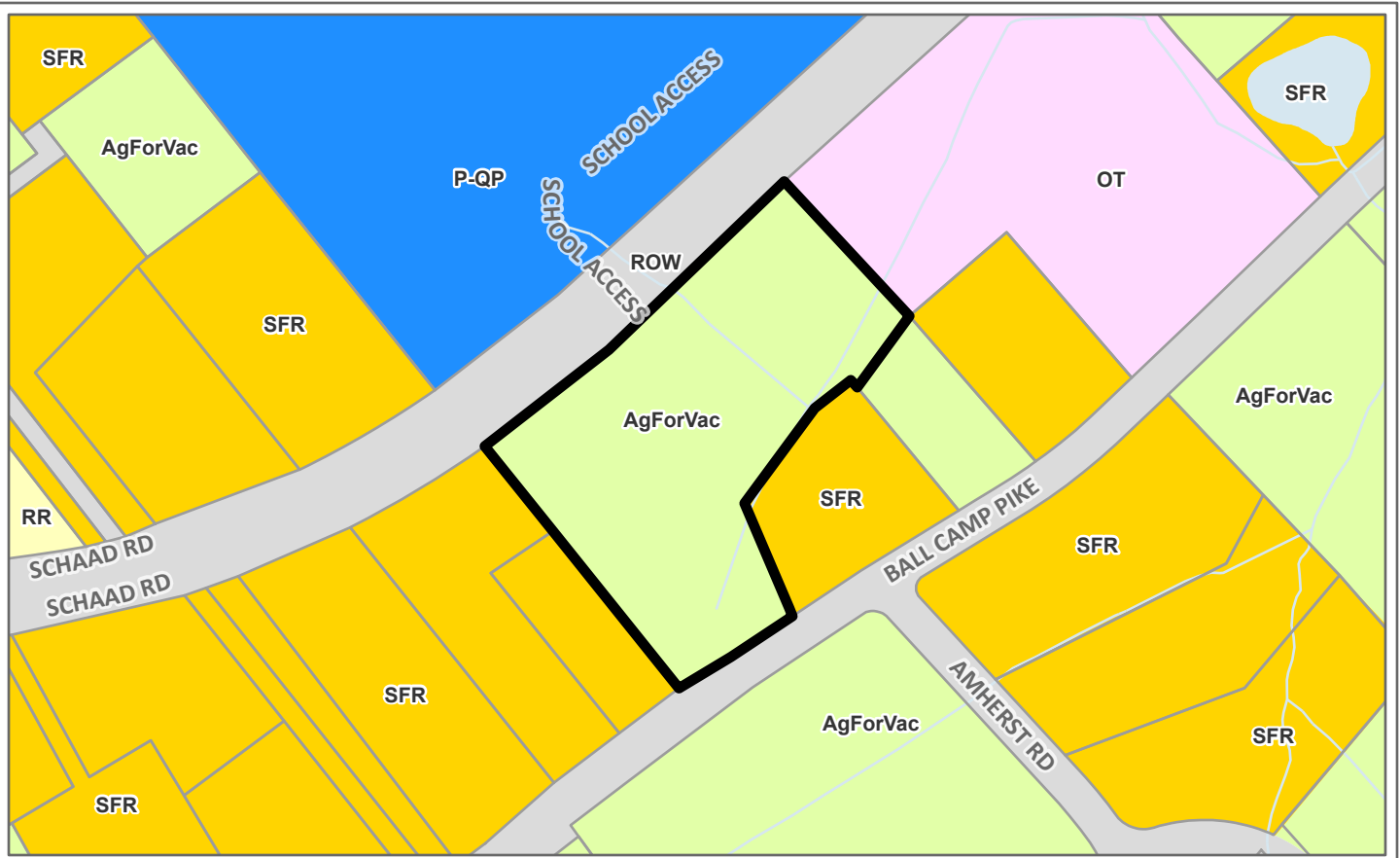
**From:** A (Agricultural)  
**To:** PR (Planned Residential)

**Map No:** 92

**Jurisdiction:** County

**Original Print Date:** 4/4/2023  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



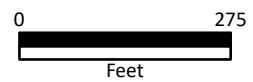


**Existing Land Use and Aerial Maps**

**4-L-23-RZ**



Case boundary





# 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

**Serghey Botezat**

Applicant Name

Affiliation

**2/23/2023**

Date Filed

**4/13/2023**

Meeting Date (if applicable)

**4-L-23-RZ**

File Number(s)

## CORRESPONDENCE

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

**David Harbin; Batson, Himes, Norvell and Poe**

Name / Company

**4334 Papermill Dr. Dr. Knoxville TN 37909**

Address

**865-588-6472 / harbin@bhn-p.com**

Phone / Email

## CURRENT PROPERTY INFO

**Serghey Botezat**

Owner Name (if different)

**8034 Teague Way Knoxville TN 37938**

Owner Address

Owner Phone / Email

**0 BALL CAMP PIKE**

Property Address

**92 004.05**

Parcel ID

**4.01 acres**

Tract Size

Part of Parcel (Y/N)?

**West Knox Utility District, Knoxville Utiliti**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**North side of Ball Camp Pike, south side of Schaad Rd, west of Johnson Rd, east of Olive Branch Ln**

General Location

City

**Commission District 6**

**A (Agricultural)**

**Agriculture/Forestry/Vacant Land**

County District

Zoning District

Existing Land Use

**Northwest County**

Planning Sector

**MDR (Medium Density Residential)**

Sector Plan Land Use Classification

**Urban Growth Area (Outside City Limit)**

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 <b>PR (Planned Residential)</b>	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	
Proposed Plan Designation(s)	

### up to 10 du/ac

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
<b>\$650.00</b>	
Fee 2	
Fee 3	

## AUTHORIZATION

<b>Serghey Botezat</b>	<b>2/23/2023</b>
Applicant Signature	Date
Please Print	

<b>Serghey Botezat</b>	<b>2/23/2023</b>
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

Applicant Name: SERGHEY BOTEZAT

Affiliation

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

Name: DAVID HARBIN

Company: BATSON Himes Norvell Pde

Address: 4334 PAPERMILL RD

City: Knoxville

State: TN

ZIP: 37909

Phone: 865-588-6472

Email: harbin@bhn-p.com

### CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address: 8034 TEAGUE WAY  
KNOXVILLE, TN 37938

Property Owner Phone

Property Address: 0 BALL CAMP PIKE

Parcel ID: PARCEL ID 092 00405

Sewer Provider: KUB

Water Provider: KUB

Septic (Y/N): NO

### 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

Related City Permit Number(s)

Home Occupation (specify)

Other (specify)

**SUBDIVISION REQUEST**

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**

Pending Plat File Number

Zoning Change FROM A to PR  
Proposed Zoning

Plan Amendment Change  
Proposed Plan Designation(s)

10 PER ACRE  
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	

*David Harbin*  
Applicant Signature

DAVID HARBIN  
Please Print

2/21/2023  
Date

865-588-6472  
Phone Number

harbin@bhn-p.com  
Email

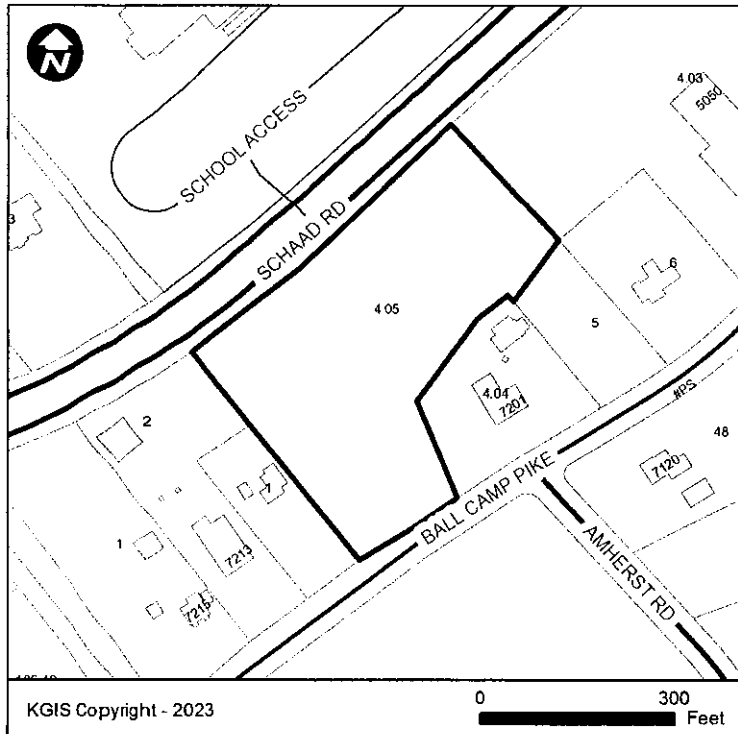
*Serghey Botezat*  
Property Owner Signature

Serghey Botezat  
Please Print

2/21/2023  
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.

## Parcel 092 00405 - Property Map and Details Report



### Property Information

Parcel ID:	092 00405
Location Address:	0 BALL CAMP PIKE
CLT Map:	92
Insert:	
Group:	
Condo Letter:	
Parcel:	4.05
Parcel Type:	NORMAL
District:	W6
Ward:	
City Block:	
Subdivision:	LUCY SMELCHER PROPERTY
Rec. Acreage:	3.93
Calc. Acreage:	
Recorded Plat:	20131030 - 0027734
Recorded Deed:	20131113 - 0030763
Deed Type:	Deed:Deed
Deed Date:	11/13/2013

### Address Information

Site Address: 0 BALL CAMP PIKE  
KNOXVILLE - 37931

Address Type: UNUSED LAND

Site Name:

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

### Owner Information

BOTEZAT SERGHEY  
8034 TEAGUE WAY  
KNOXVILLE TN 37938

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

### Jurisdiction Information

County: KNOX COUNTY

City / Township:

### Other Information

Census Tract: 46.07

Planning Sector: Northwest County

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

### Political Districts

Voting Precinct: 70E

Voting Location: Amherst Elementary School  
5101 SCHAAD RD

TN State House: 89

TN State Senate: 7

County Commission: 6 Terry Hill  
(at large seat 10) Larsen Jay  
(at large seat 11) Kim Frazier

School Board: 6 Betsy Henderson

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

### School Zones

Elementary:

Current Year: AMHERST ELEMENTARY

2023 - 2024: AMHERST ELEMENTARY

Intermediate:

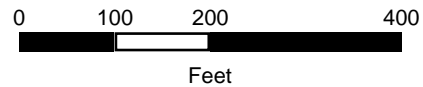
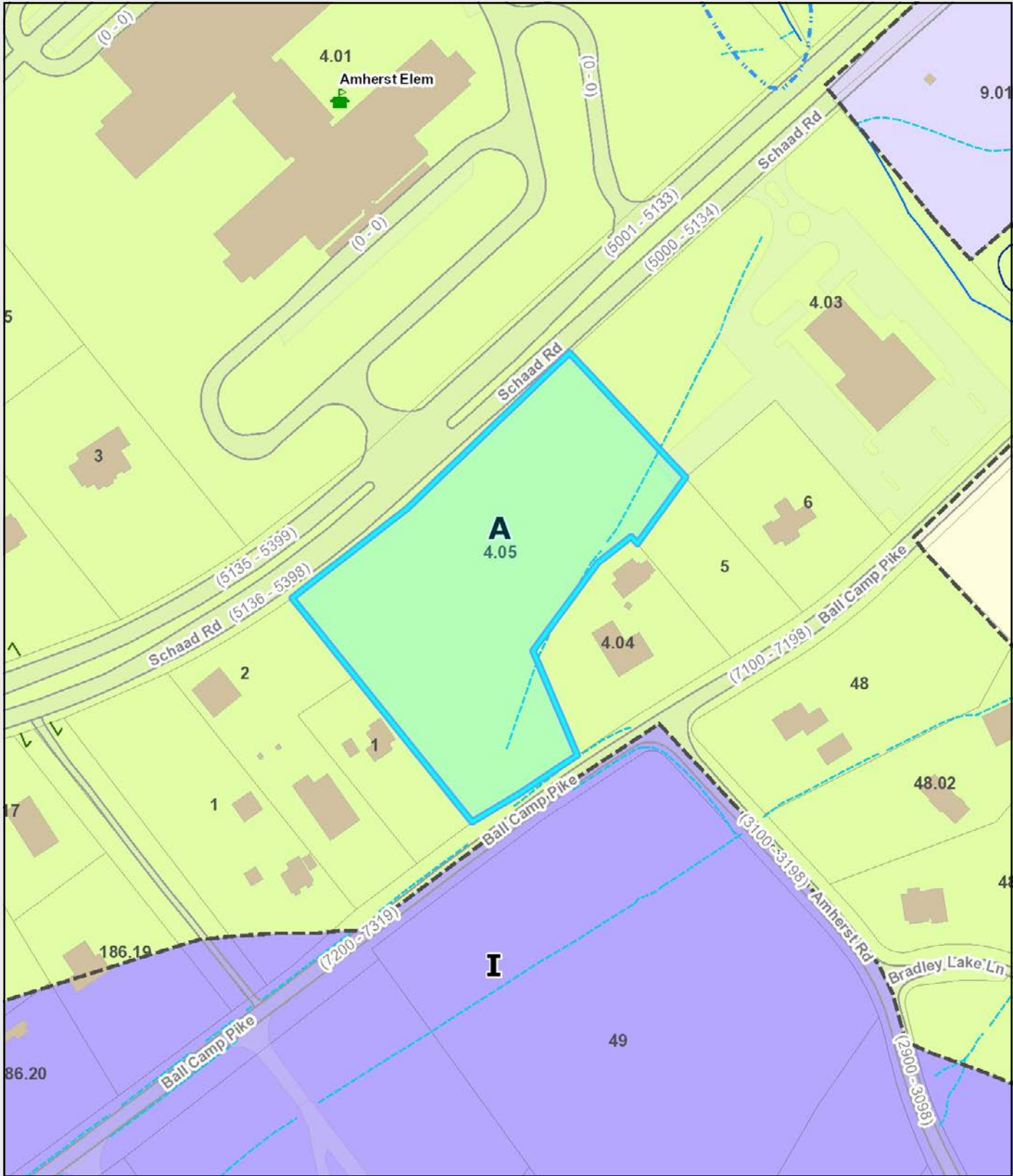
Middle: KARNS MIDDLE

High: KARNS HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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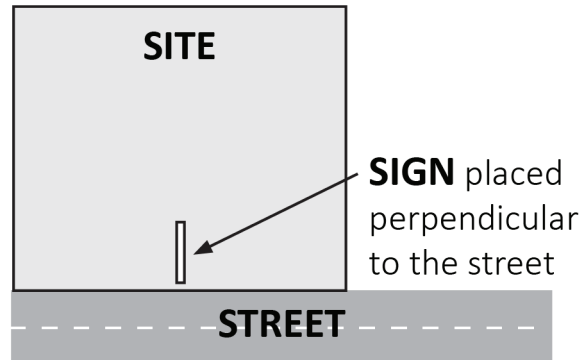


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning,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

\_\_\_\_\_ March 31, 2023 \_\_\_\_\_ and \_\_\_\_\_ April 14, 2023 \_\_\_\_\_  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Serghey Botezat

Date: 2/23/2023

File Number: 4-L-23-RZ



Sign posted by Staff



Sign posted by Applicant