

REZONING REPORT

▶ **FILE #:** 8-B-23-RZ

AGENDA ITEM #: 23

AGENDA DATE: 8/10/2023

▶ **APPLICANT:** MAX G MORTON

OWNER(S): Max G Morton

TAX ID NUMBER: 56 093

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 8109 COLLIER RD

▶ **LOCATION:** West side of Collier Rd, north of Paradise Dr

▶ **APPX. SIZE OF TRACT:** 1.75 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Collier Rd, a local street with a 20-ft pavement width within 53-ft of right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

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

▶ EXTENSION OF ZONE: No, it is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential - A (Agricultural)

South: Rural residential - A (Agricultural)

East: Single family residential, agricultural/forestry/vacant - PR (Planned Residential) up to 3 du/ac

West: Rural residential - A (Agricultural)

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

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the sector plan and consistent with the surrounding development.**

COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 16.30.01, 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 1992, this area has transitioned from A (Agricultural) zoned properties on large lots to low density residential in the RA and PR zones. This proposed rezoning is consistent with the trend of development in this area.

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

1. The RA zone provides for residential areas with low population densities. The RA zone allows single-family houses with sewer on 10,000 sq ft lots and duplexes on 12,000 sq ft lots with Use on Review approval by the Planning Commission, which is consistent with the RA zone description.
2. In character with the surrounding development built at maximum capacity, this property could be developed with up to 7 lots or 3.9 du/ac.

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 property has access to a local street. Collier Rd is approximately 20-ft, which meets public road standards. A portion of the property is in the School Parental Responsibility Zone, and the County may require sidewalk improvements for future development.
2. 0.43 acres of the parcel are within the HP (Hillside Protection) overlay. The slope analysis identifies a minimal disturbance limit of 0.19 acres within the HP area.
3. The lot sizes allowed in RA are similar to those in the existing neighborhood, so the subject property would likely be developed with lot sizes and low-density residential uses already in the area.

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 district is consistent with the North County Sector Plan Low Density Residential land use designation, which recommends low density residential with densities up to 6 du/ac.
2. This property is located in the Planned Growth Area of the Growth Policy Plan where RA can be considered.
3. The proposed rezoning to RA aligns with Section 9.3 of the General Plan, which ensures that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.
4. The requested zoning district at this location is not in conflict with any other adopted plans.

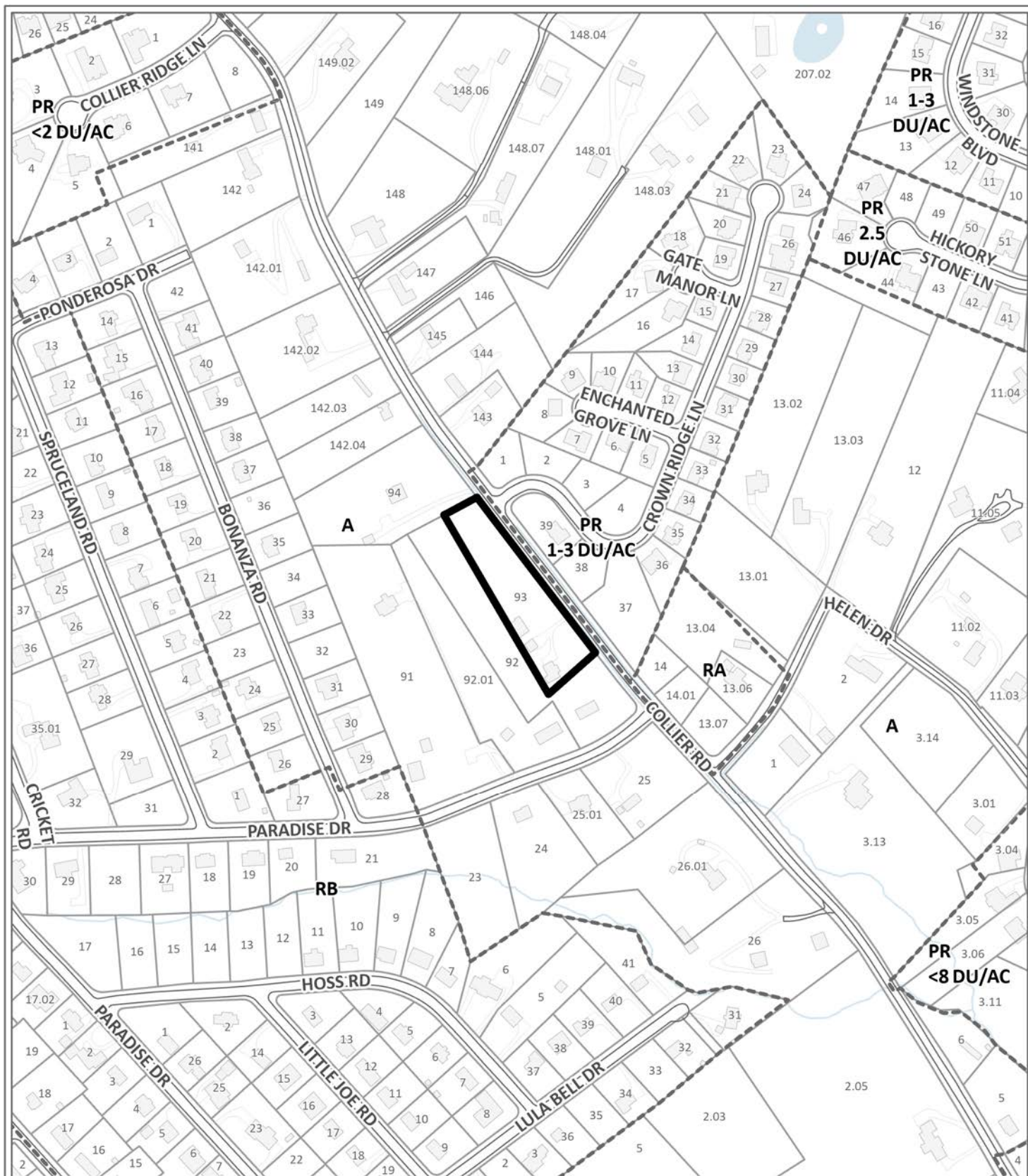
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Powell Elementary, Powell Middle, and Powell 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 9/25/2023. 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

8-B-23-RZ

Petitioner: Max G Morton



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

Map No: 56
Jurisdiction: County

Original Print Date: 7/18/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

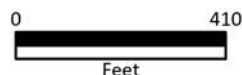
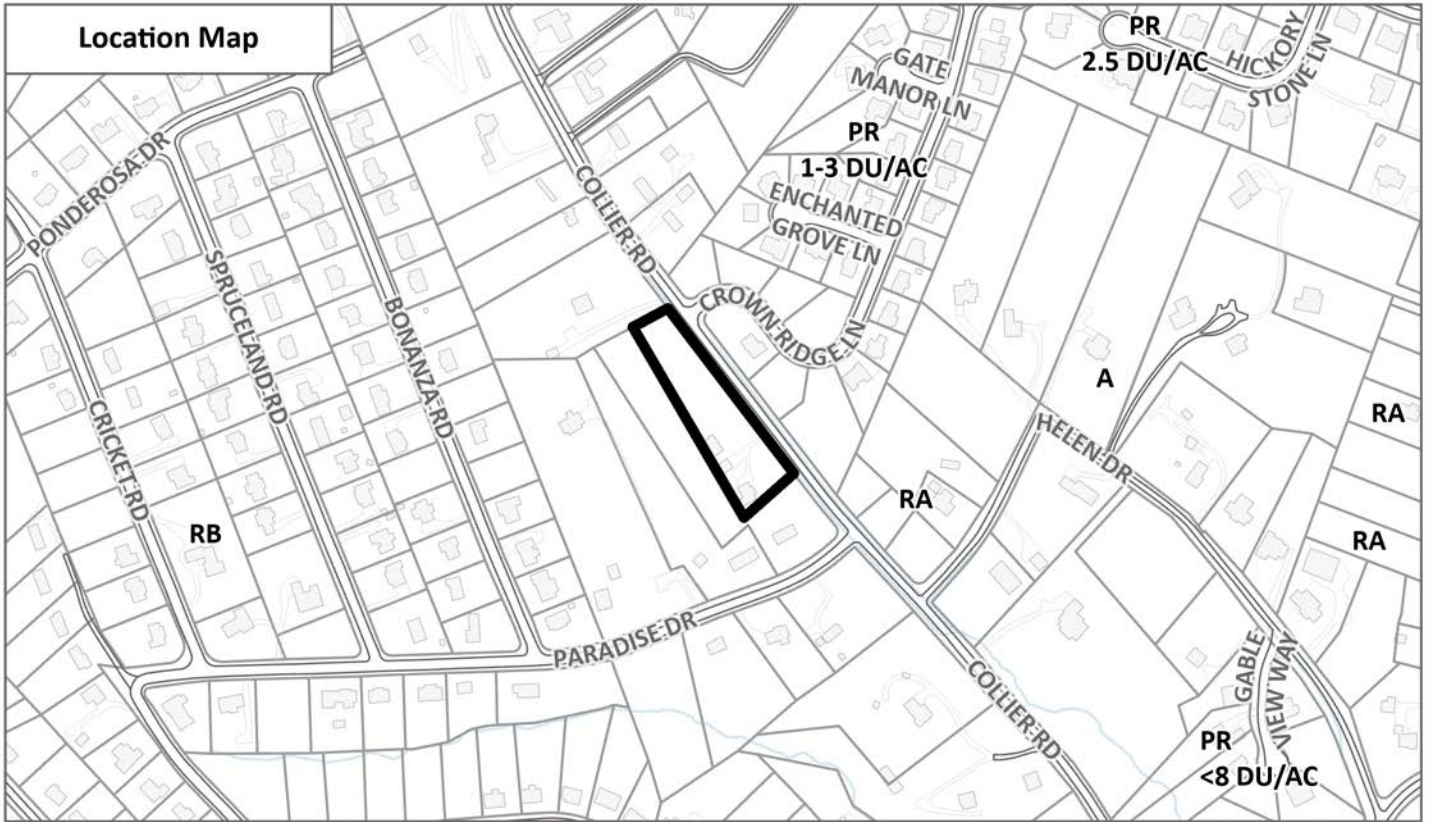


Exhibit A. Contextual Images

Location Map



Aerial Map

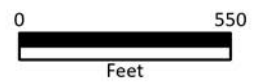


CONTEXTUAL MAPS 1

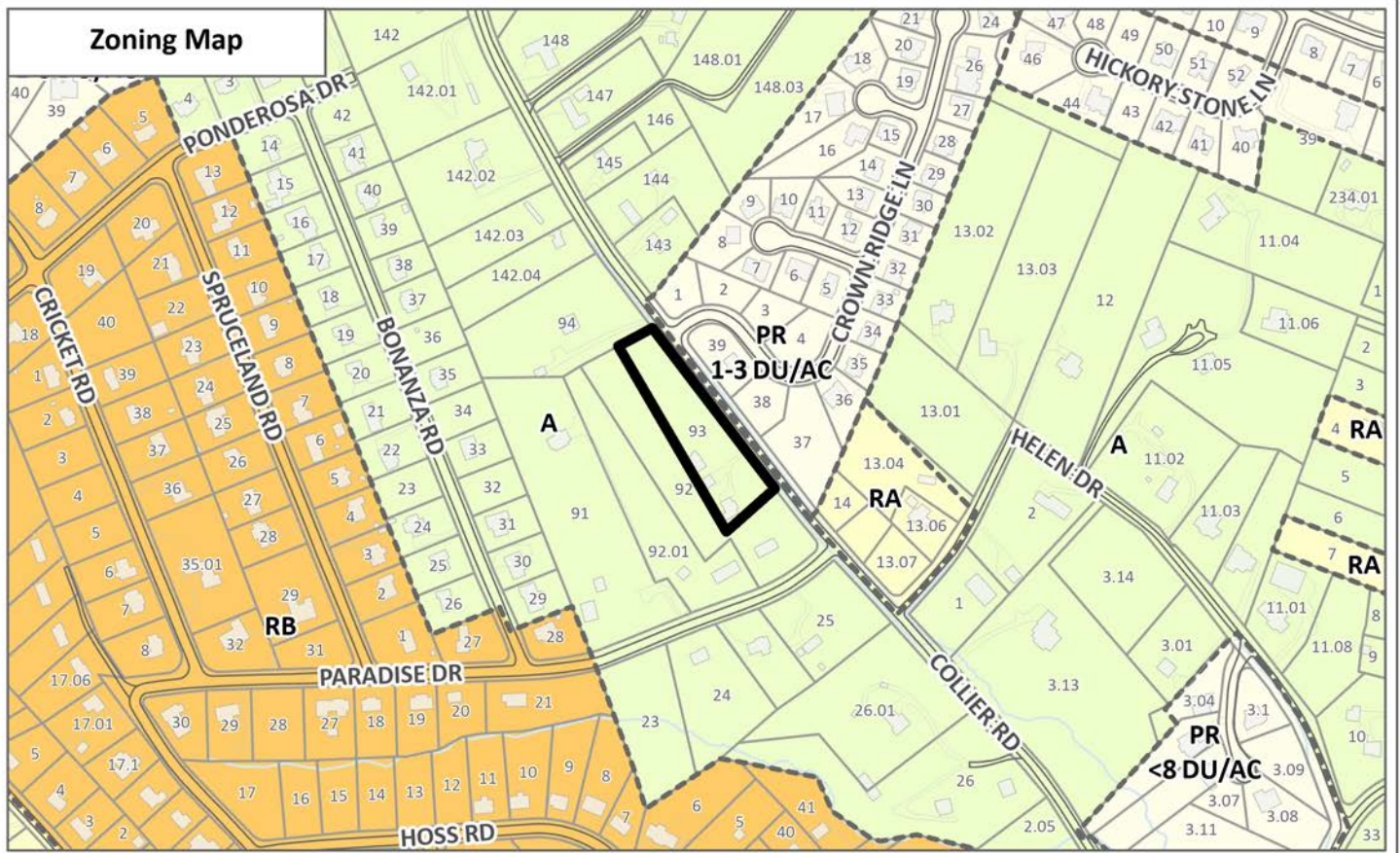
8-B-23-RZ



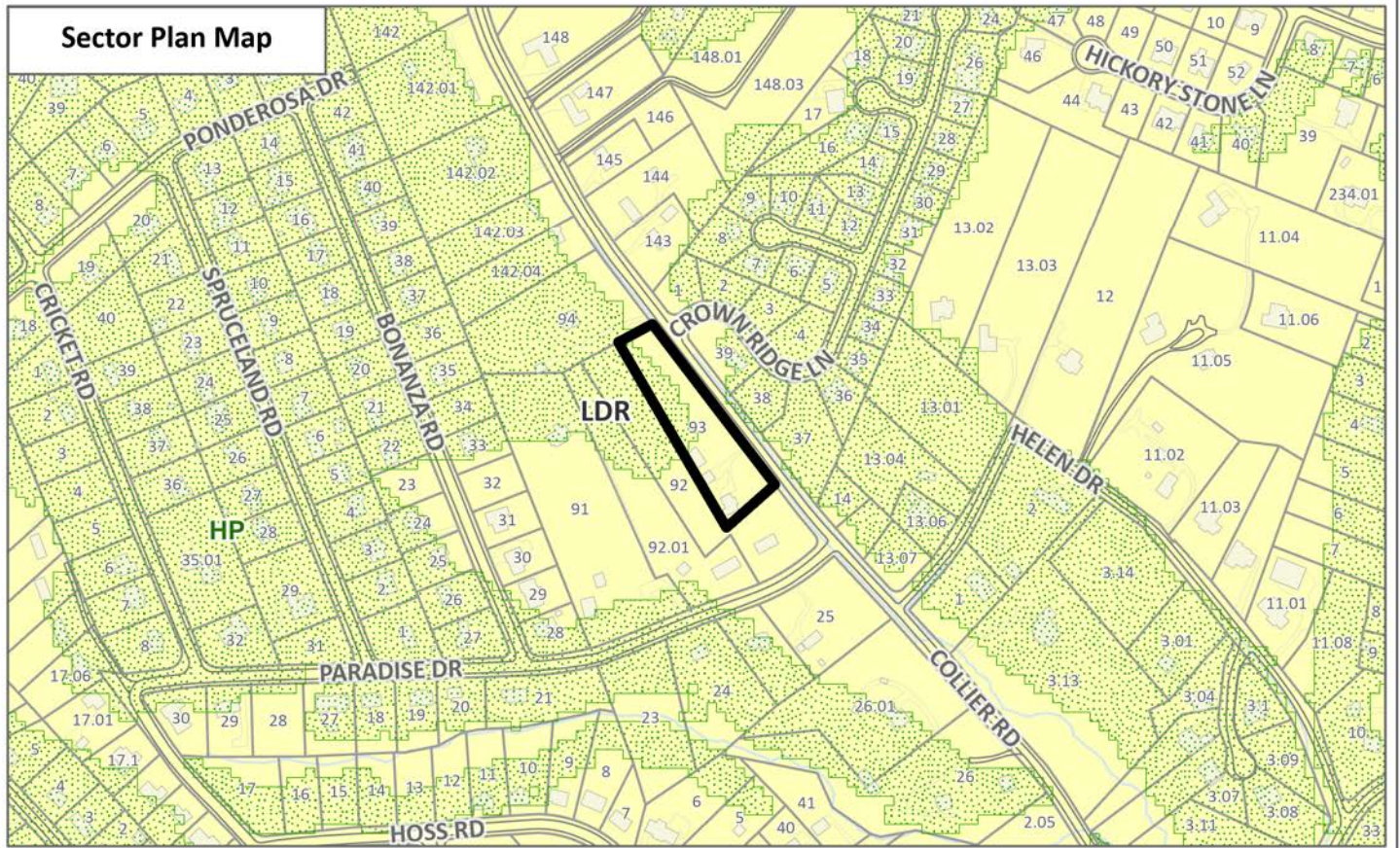
Case boundary



Zoning Map



Sector Plan Map

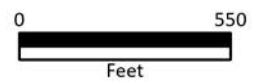


CONTEXTUAL MAPS 2

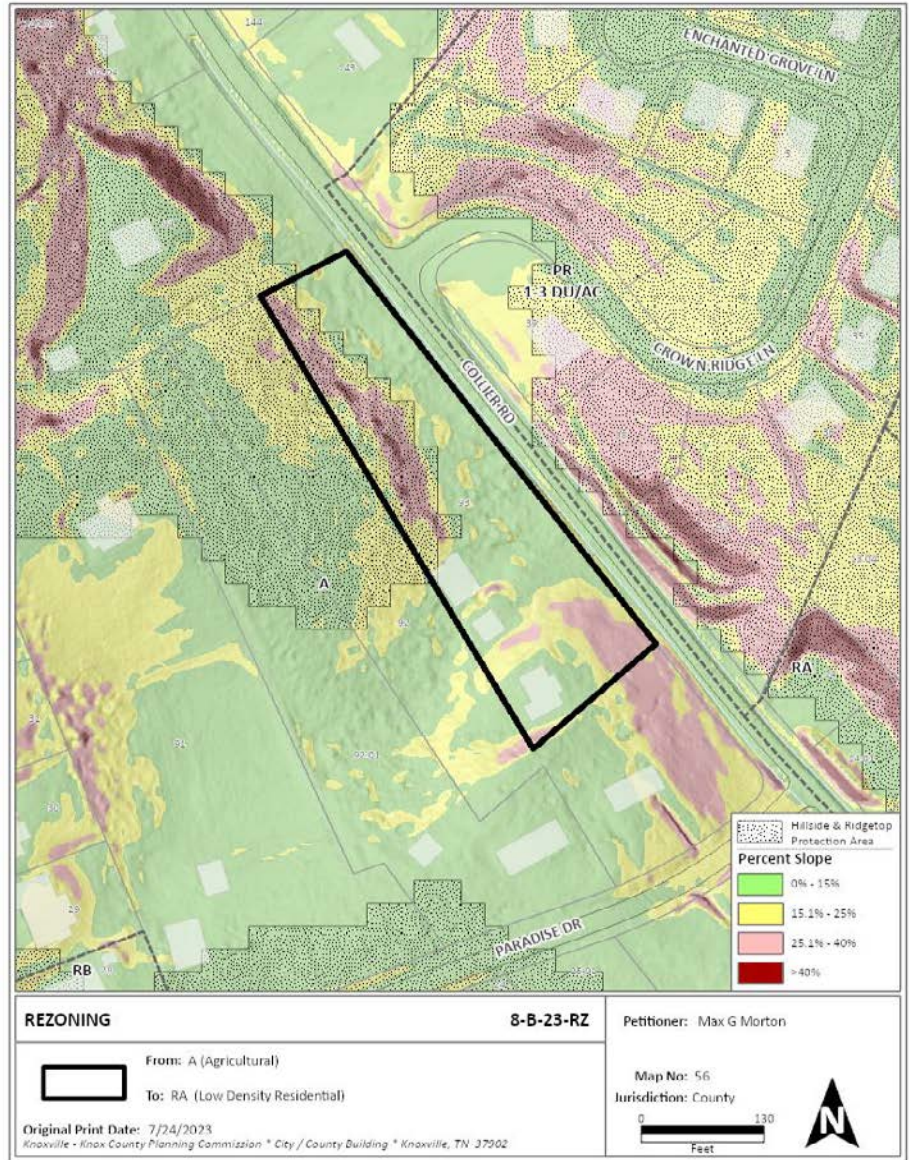
8-B-23-RZ



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	76,103	1.75			
Non-Hillside	57,313	1.32	N/A		
0-15% Slope	2,799	0.06	100%	2,799	0.06
15-25% Slope	7,203	0.17	50%	3,601	0.08
25-40% Slope	8,014	0.18	20%	1,603	0.04
Greater than 40% Slope	775	0.02	10%	78	0.002
Ridgetops					
Hillside Protection (HP) Area	18,790	0.43	Recommended disturbance budget within HP Area	8,080	0.19
			Percent of HP Area	0.43	





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

Max G Morton

Applicant Name

Affiliation

6/20/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-B-23-RZ

File Number(s)

CORRESPONDENCE

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

Max G Morton

Name / Company

161 Country Walk Dr Powell TN 37849

Address

Phone / Email

CURRENT PROPERTY INFO

Max G Morton

Owner Name (if different)

161 Country Walk Dr Powell TN 37849

Owner Address

Owner Phone / Email

8109 COLLIER RD

Property Address

56 093

Parcel ID

1.75 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Collier Rd, north of Paradise Dr

General Location

City

Commission District 7

A (Agricultural)

Single Family Residential

County District

Zoning District

Existing Land Use

North 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	
Additional Information	Total Number of Lots Created
<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

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Max G Morton Please Print	6/20/2023 Date
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Phone / Email

Property Owner Signature	Max G Morton Please Print	6/20/2023 Date
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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

Max G Morton
Applicant Name

Owner
Affiliation

Date Filed

Meeting Date (if applicable)

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

Max G Morton
Name

Company

161 Country Walk Dr
Address

Powell
City

TN
State

37849
ZIP

865-454-9644
Phone

max.g.morton@gmail.com
Email

CURRENT PROPERTY INFO

161 Country Walk Dr Powell, TN 37849 865-803-2134
Property Owner Name (if different) Property Owner Address Property Owner Phone

8109 Collier Rd Powell, TN 37849
Property Address

056-093
Parcel ID

Hallsdale Powell
Sewer Provider

Hallsdale Powell
Water Provider

N
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 *Residential* (RA, confirmed via email)
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

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property **AND 2)** The application and all associated materials are being submitted with his/her/its consent


Applicant Signature

Max G. Morton
Please Print

06-15-2023
Date

865-803-2134
Phone Number

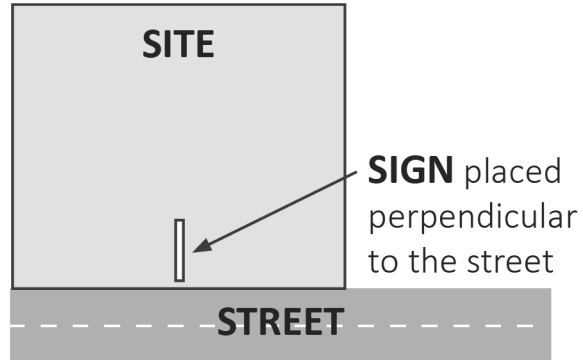
max.g.morton@gmail.com
Email


Property Owner Signature

Max G. Morton
Please Print

Date Paid

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:

_____ 7/28/2023 _____ and _____ 8/11/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Max Morton

Date: 06/23/2023

File Number: 8-B-23-RZ

- Sign posted by Staff
- Sign posted by Applicant