



REZONING REPORT

▶ **FILE #:** 8-I-23-RZ

AGENDA ITEM #: 26

AGENDA DATE: 8/10/2023

▶ **APPLICANT:** STEPHEN WARD

OWNER(S): Richard & Linda Shanton

TAX ID NUMBER: 66 144.01, 14501 (P/O)

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 4613 W and 4609 W. BEAVER CREEK DR

▶ **LOCATION:** North side of W Beaver Creek Dr, across from intersection of W Beaver Creek Dr and Savannah Trace Way

▶ **APPX. SIZE OF TRACT:** 1.09 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W Beaver Creek Dr, a major collector with a 17-ft pavement width within 55-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 & Rural Residential

▶ EXTENSION OF ZONE: Yes, it is an extension.

HISTORY OF ZONING: None noted.

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

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

East: Rural residential - A (Agricultural)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The north side of W Beaver Creek Rd is primarily large residential residential, while the southside is mostly large lot single family subdivisions.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is an extension of zoning from the south and is consistent with the sector plan and 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. The area surrounding the subject property has seen a moderate transition from agricultural to residential land use since the late 1990s.
2. The proposed RA zoning would serve as a minor extension of the zone to the south of the subject property. There are several individual properties and subdivisions in the area that have been developed under RA zoning.

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 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 in character with the RA zone description.

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 direct access to a major collector street, so the minimal traffic generated by a use in this zone would not require traffic through residential streets.
2. In character with the surrounding development this 1.09-acre property built at maximum capacity, could be developed with up to 4 lots or 3.7 du/ac.

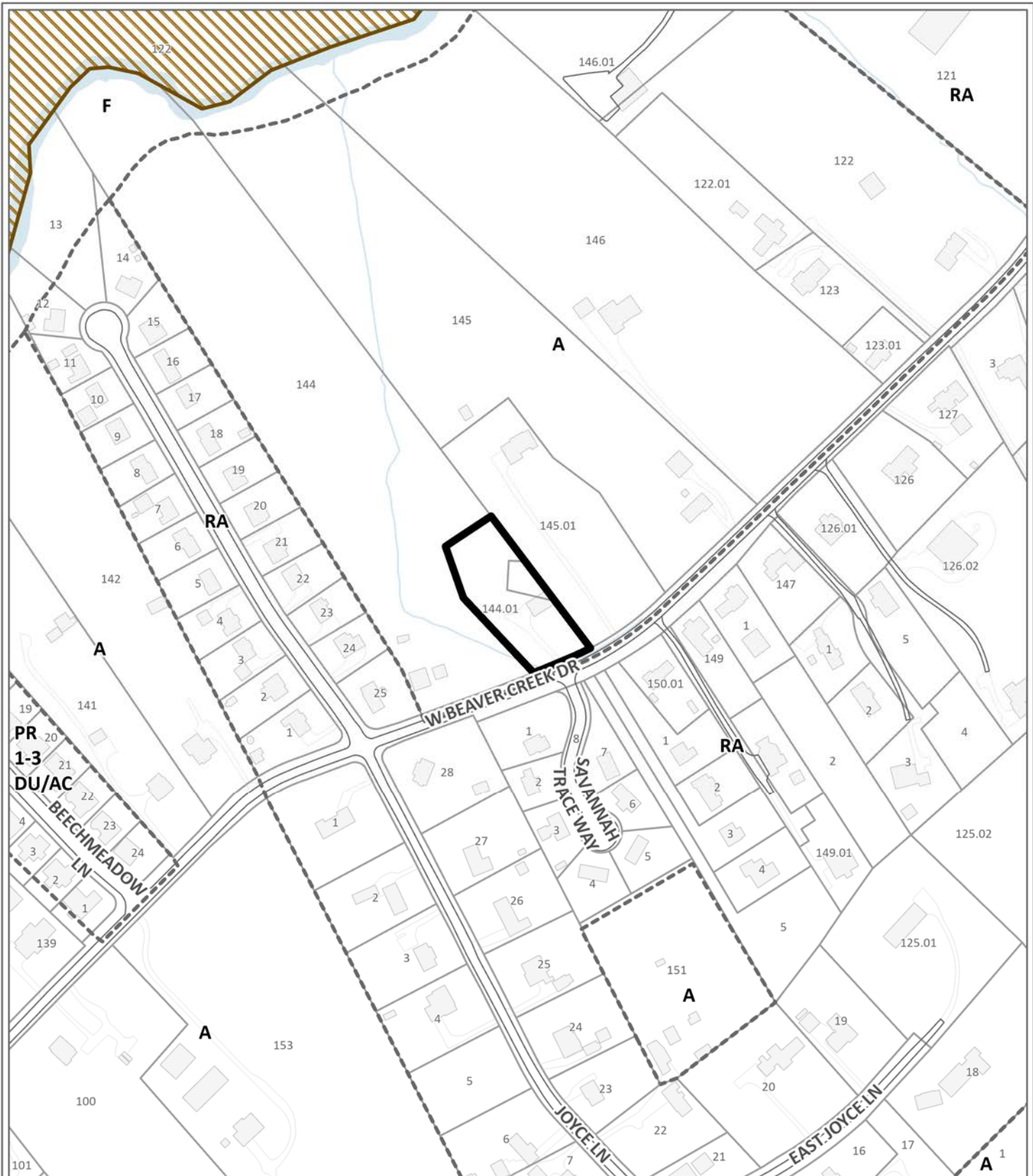
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan designates this property LDR (Low Density Residential) land use classification, which allows consideration of density up to 5 du/ac, consistent with the requested RA zoning.
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.

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-I-23-RZ

Petitioner: Stephen Ward



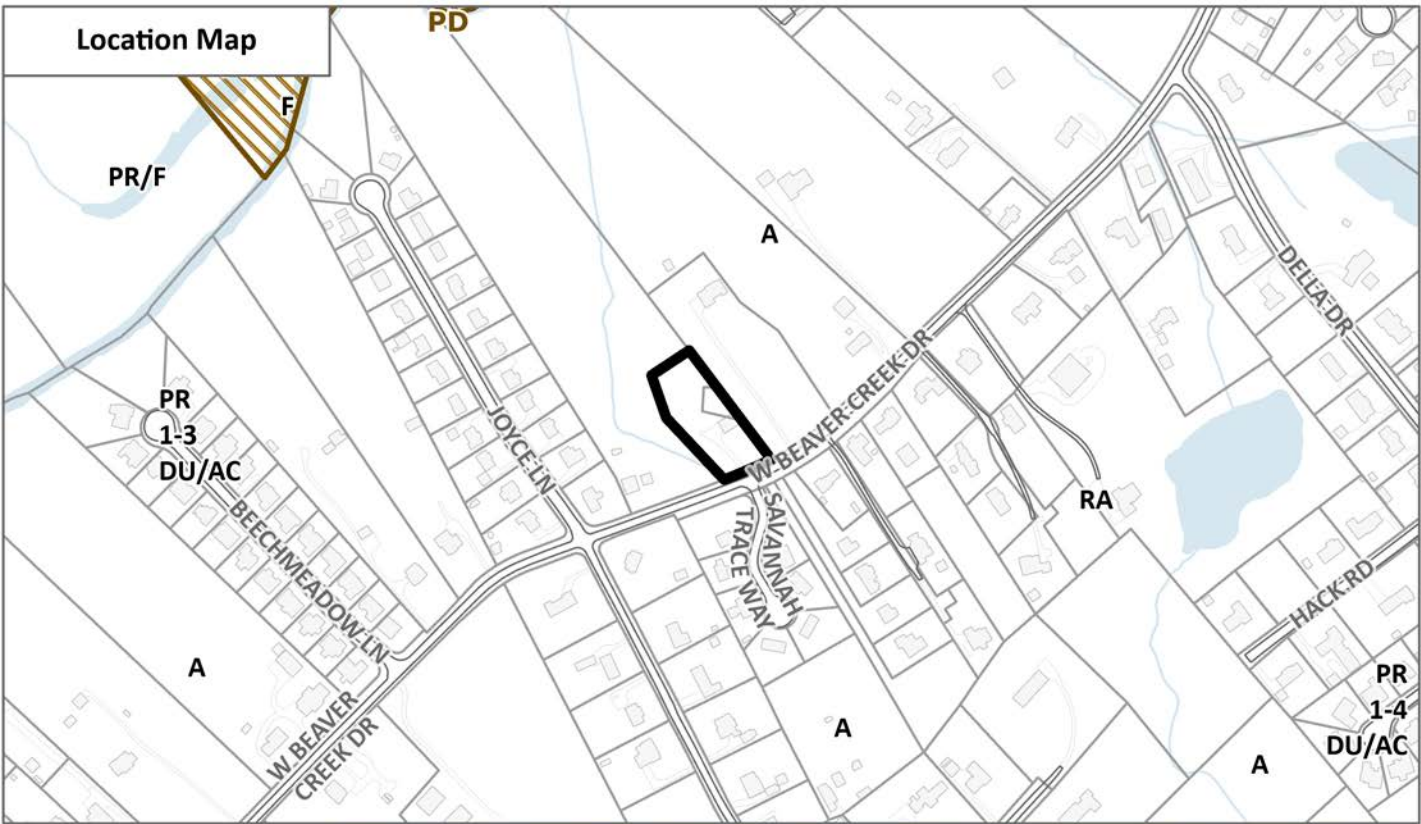
From: A (Agricultural)
To: RA (Low Density Residential)

Map No: 66
Jurisdiction: County

Original Print Date: 7/19/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



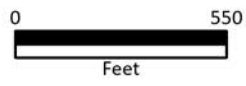
Exhibit A. Contextual Images



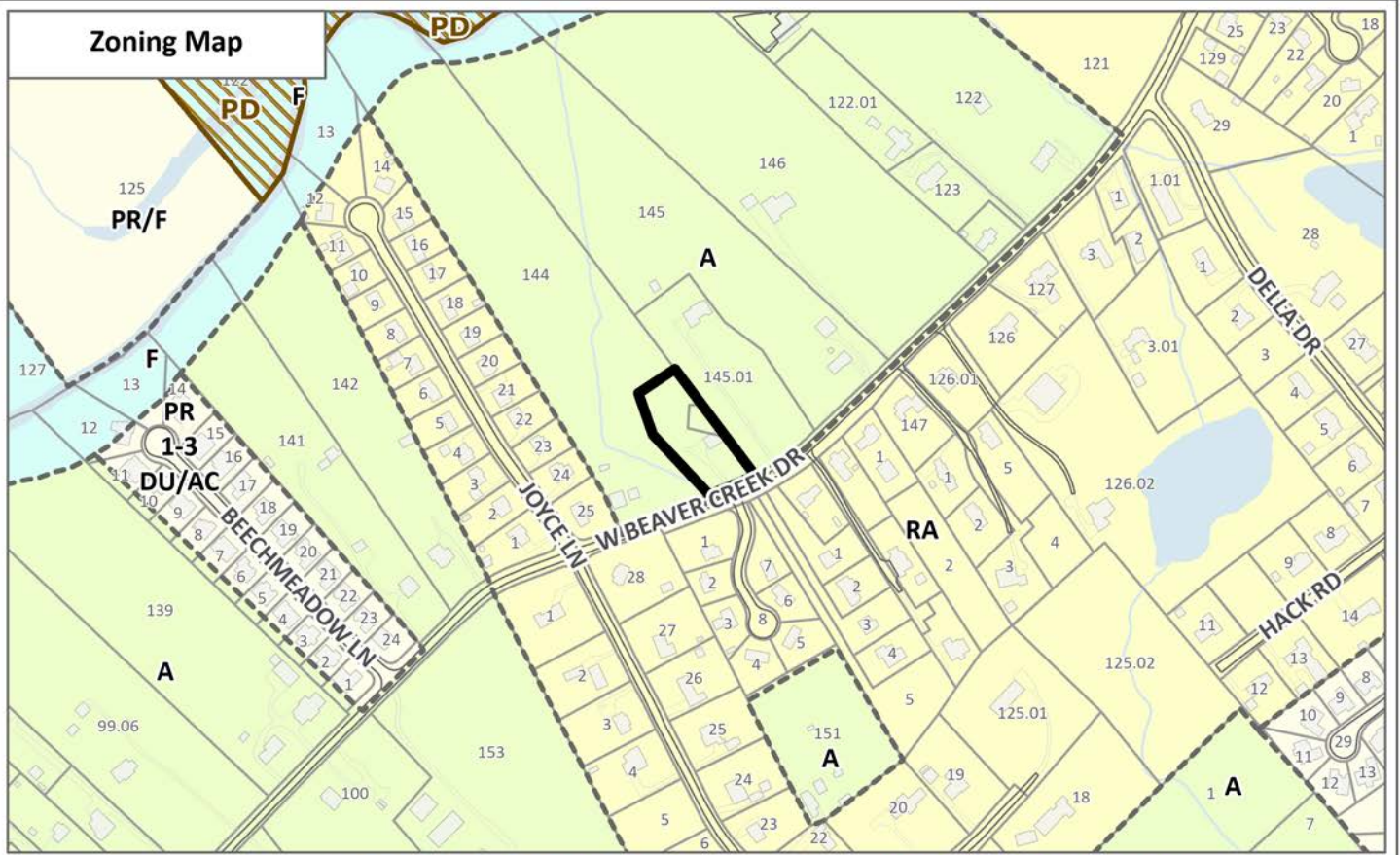
CONTEXTUAL MAPS 1

8-1-23-RZ

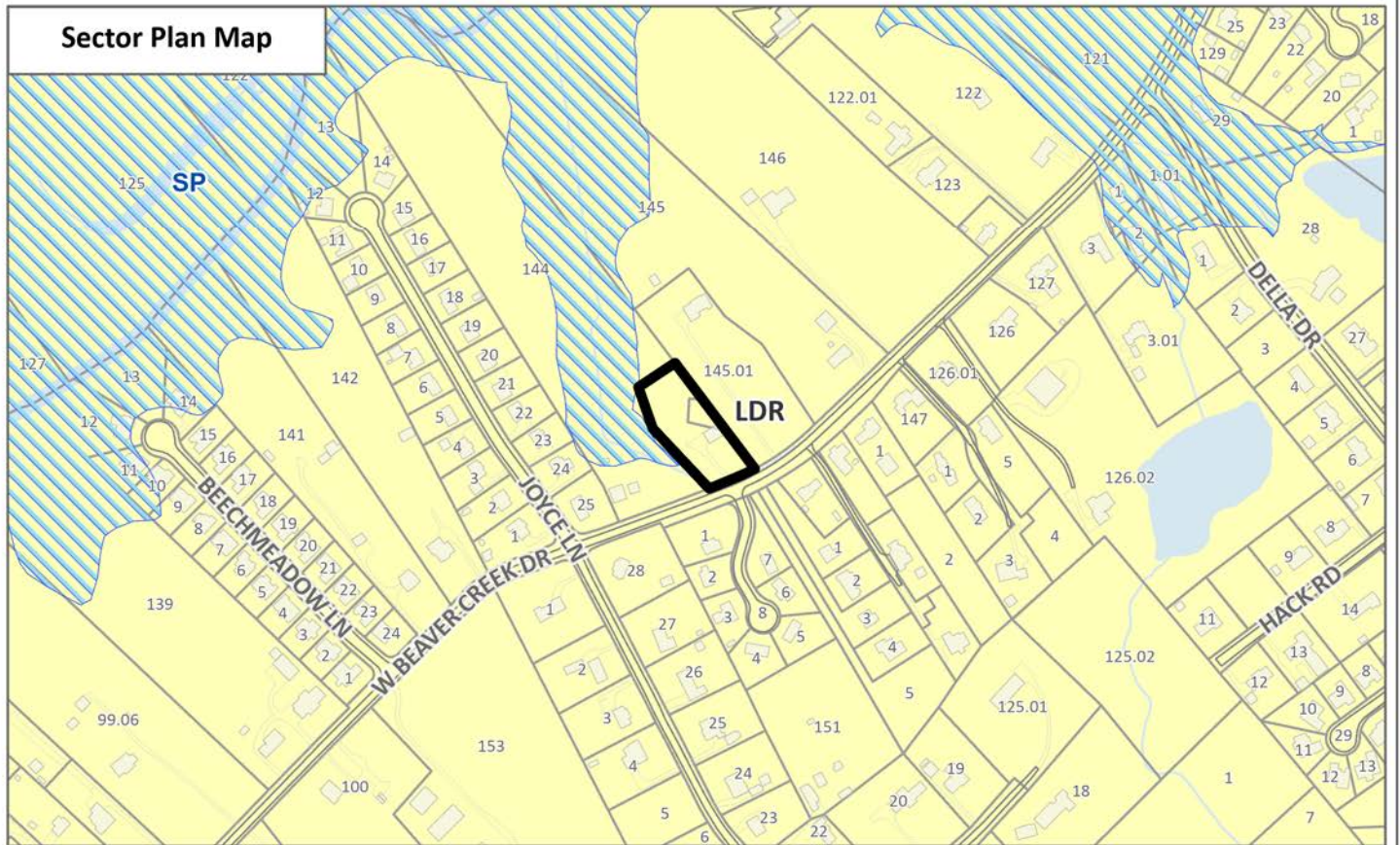
 Case boundary



Zoning Map



Sector Plan Map

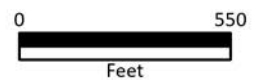


CONTEXTUAL MAPS 2

8-I-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

Stephen Ward

Applicant Name

Affiliation

6/27/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-I-23-RZ

File Number(s)

CORRESPONDENCE

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

Stephen Ward Ward Land Surveying, LLC

Name / Company

P.O. Box 30654 Knoxville TN 37950-2412

Address

865-690-0104 / SWard@WardLS.com

Phone / Email

CURRENT PROPERTY INFO

Richard & Linda Shanton

Owner Name (if different)

4613 W Beaver Creek Dr Knoxville TN

Owner Address

865-659-0011

Owner Phone / Email

4613 W and 4609 W. BEAVER CREEK DR

Property Address

66 144.01, 14501 (p/o)

Parcel ID

Part of Parcel (Y/N)?

1.09 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of W Beaver Creek Dr, across from intersection of W Beaver Creek Dr and Savannah Trace Way

General Location

City

Commission District 6

A (Agricultural)

Single Family Residential

County District

Zoning District

Existing Land Use

Northwest County

Planning Sector

LDR (Low Density Residential)

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 _____	
<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	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$650.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<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)		

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	Stephen Ward Please Print	6/27/2023 Date
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Property Owner Signature	Richard & Linda Shanton Please Print	6/27/2023 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

Stephen Ward

Surveyor

Applicant Name

Affiliation

06/26/2023

08/10/2023

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

Stephen Ward

Ward Land Surveying, LLC

Name

Company

PO BOX 30654

Knoxville

TN

37930-0654

Address

City

State

ZIP

865.690.0104

SWard@WardLS.com

Phone

Email

CURRENT PROPERTY INFO

Richard & Linda Shanton

4613 W Beaver Creek

865.659.0011

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4613 and 4609 W Beaver Creek

Map 066 Parcel 14401, 14501 (part of)

Property Address

Parcel ID

HPUD

HPUD

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

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

Stephen W. Ward Digitally signed by Stephen W. Ward
Date: 2023.06.26 13:33:00 -04'00'

Stephen Ward

06/26/2023

Applicant Signature

Please Print

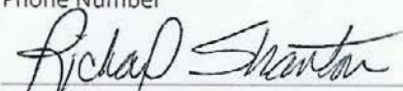
Date

865.690.0104

SWard@WardLS.com

Phone Number

Email



Richard Shanton

Property Owner Signature

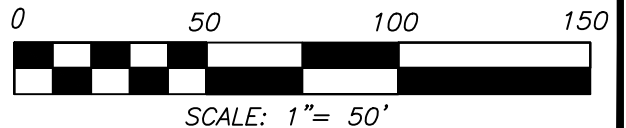
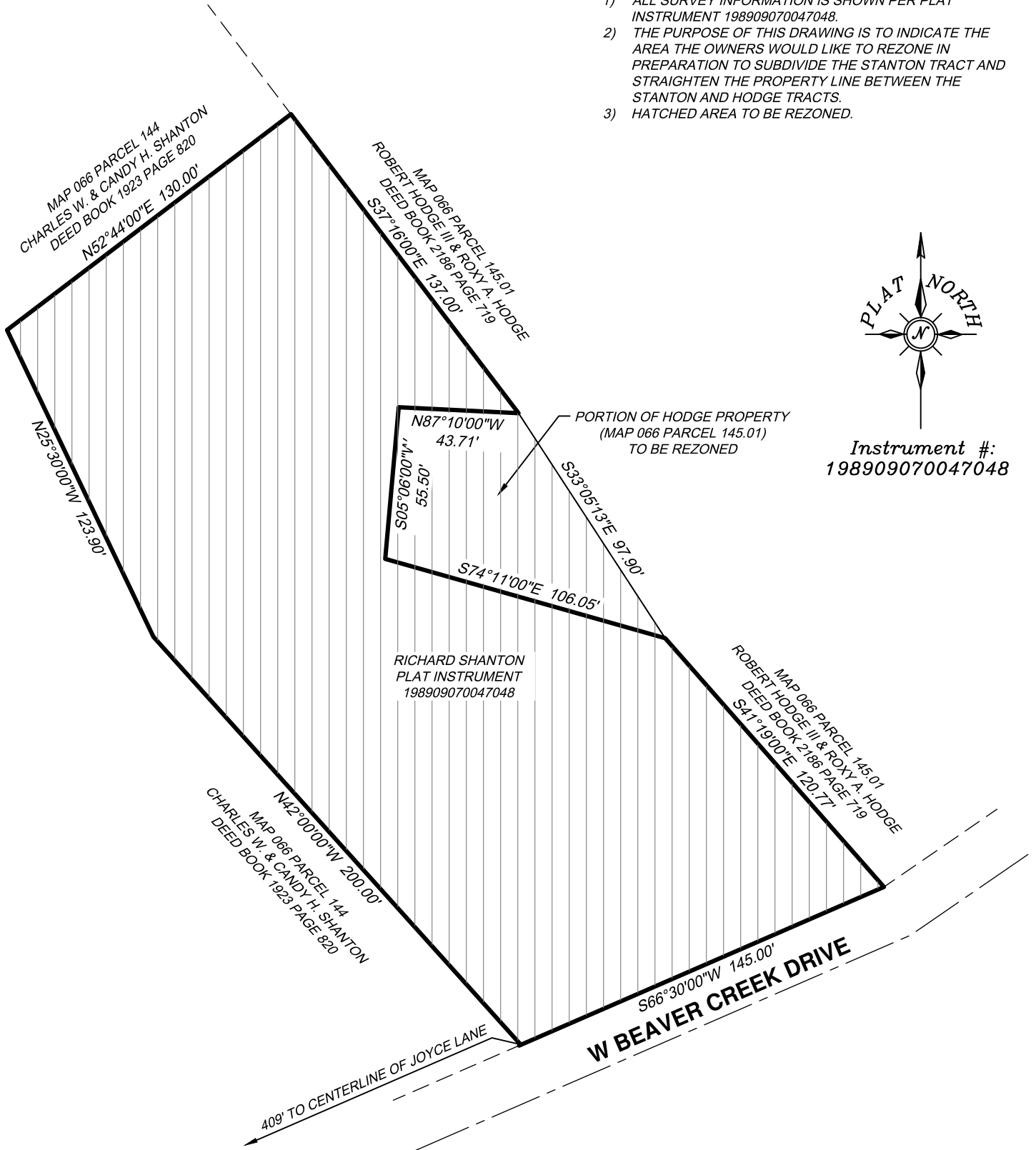
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Date Paid

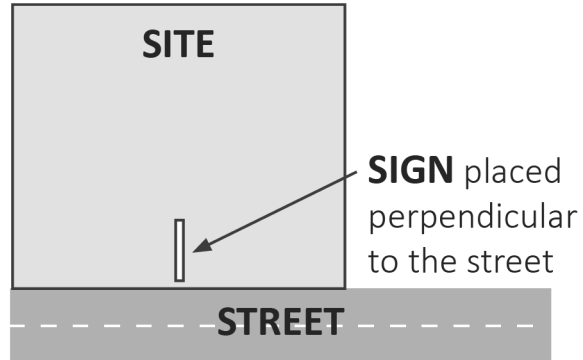
EXHIBIT FOR REZONING APPLICATION

NOTES:

- 1) ALL SURVEY INFORMATION IS SHOWN PER PLAT INSTRUMENT 198909070047048.
- 2) THE PURPOSE OF THIS DRAWING IS TO INDICATE THE AREA THE OWNERS WOULD LIKE TO REZONE IN PREPARATION TO SUBDIVIDE THE STANTON TRACT AND STRAIGHTEN THE PROPERTY LINE BETWEEN THE STANTON AND HODGE TRACTS.
- 3) HATCHED AREA TO BE REZONED.



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: Stephen Ward

Date: 06/27/2023

File Number: 8-I-23-RZ (4613 W Beaver Creek Dr)

- Sign posted by Staff
- Sign posted by Applicant