



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 12-A-23-RZ
12-A-23-SP

AGENDA ITEM #: 22
AGENDA DATE: 12/14/2023

▶ **APPLICANT:** DALE RHOTON
OWNER(S): KME Development, LLC

TAX ID NUMBER: 96 110.03 (PART OF) [View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 3220 E GOVERNOR JOHN SEVIER HWY

▶ **LOCATION:** East side of E Governor John Sevier Hwy, north of Thorn Grove Pk

▶ **TRACT INFORMATION:** 2.6 acres.

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Governor John Sevier Highway, a 3-lane major arterial street with a pavement width of 42 ft within a 100-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Swan Pond Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** OS (Other Open Space) / A (Agricultural), HZ (Historical Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / CA (General Business)

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

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** This is a minor extension of the GC plan designation, but not an extension of the CA zone.

HISTORY OF ZONING REQUESTS: The property, as part of a larger area associated with the Ramsey House, received the HZ overlay in 1988 (9-B-88-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Rural residential - LI (Light Industrial) - A (Agricultural)
South: Commercial - GC (General Commercial) - PC (Planned Commercial)
East: Agriculture/forestry/vacant Land - OS (Other Open Space) - A (Agricultural), HZ (Historical Overlay)
West: Transportation/communications/utilities (towing facility) - LI (Light Industrial), HP (Hillside & Ridgetop Protection Areas) - I (Industrial)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses, including light industrial, low and medium density residential, and the Ramsey House and grounds.

STAFF RECOMMENDATION:

- ▶ **Approve the GC (General Commercial) land use classification because it is compatible with surrounding development and is a minor extension of this classification.**

- ▶ **Approve the CA (General Business) zone because it is compatible with surrounding development, subject to 2 conditions. Deny the request to remove the HZ (Historic) overlay as recommended by the Historic Zoning Commission.**
 1. Prior to any vegetation removal and/or grading work, a wetland determination should be conducted to identify the boundaries of the wetlands within the subject parcel unless otherwise instructed by the Knox County Engineering and Public Works department. Any disturbance on this site should comply with the Knox County Stormwater Ordinance Sec. 26-223-(2) (c).
 2. Provide a 50-ft landscape buffer consistent with the commercial considerations within the Governor John Sevier Highway Corridor Study.

COMMENTS:

This Sector Plan amendment request is only for approximately 2.5-acre of the parcel along E Governor John Sevier Highway (Exhibit A). The OS (Other Open Space) classification for the eastern portion of the parcel would be retained.

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The adjacent property to the south was approved for GC (General Commercial) land use in 2014 (5-D-14-SP). The proposed amendment will be a minor extension of this classification.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No known improvements have been made recently to Governor John Sevier Highway or Thorn Grove Pike close to this site. However, the streets are classified as major arterial and minor collector respectively, and they are sufficient for the traffic that would be generated by commercial use on the site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no apparent errors or omissions in the East County Sector Plan with regards to the requested GC classification here.
2. However, only the subject property has the OS classification among nearby properties along Governor John Sevier Highway, with most of these having LI (Light Industrial) classification. The proposed GC classification will be consistent with the surrounding land uses and zoning, as it would be an extension of this land use classification from the south.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. General planning principles suggest that commercial uses are appropriate at or close to the intersection of major streets, as is the case here, for establishment of commercial nodes.
2. The adjacent property to the south received Use on Review approval for a Dollar General in July 2014 (7-D-14-UR).

In October 2023, the applicant requested the Historic Zoning Commission (HZC) for removal of the HZ (Historic) overlay from the entirety of the property and the HZC denied the request (10-B-23-HZ, see Exhibits B through E for extracts from the HZC case file). For this rezoning application, the applicant has revised the boundary so that the request now includes only 2.5 acres of the 5.77-acre parcel.

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. In 2014, the Historic Ramsey House board subdivided approximately 9.11 acres on the west side of the

property into one 5.77-acre lot (subject parcel) and one 3.34-acre lot (the adjacent parcel to the south). At that time, the HZC recommended the HZ overlay be removed on the 3.34-acre southern parcel and it was approved for a commercial rezoning in the same year (5-G-14-RZ).

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

1. The CA zone is intended to provide for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.
2. The proposed rezoning will be consistent with the zone's intent and the surrounding area that includes a mix of commercial, light industrial, office, and residential uses.
3. The HZ overlay designates areas and structures of sufficient historical and cultural significance to warrant public protection. It is not intended that the use of these structures shall be regulated by this overlay. Therefore, any use permitted by the CA zone would not be in conflict with the HZ overlay.

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 proposed rezoning will be compatible with the Dollar General to the south and the Industrial zoned properties to the west across the highway.
2. The rezoning is not expected to significantly affect the adjacent rural residential use on the north because a landscape screen will be required along the northern boundary per section 4.10.11 of the zoning ordinance.
3. The 5.77-acre parcel includes wetlands and vegetations along the eastern side. The wetlands were not delineated during the plating process. The boundary of the wetlands should be determined and remain undisturbed as mentioned in the condition of this rezoning approval.
4. Retaining the HZ overlay will ensure any new development on the property would be subject to HZC approval, so it would not adversely affect the historic Ramsey House.

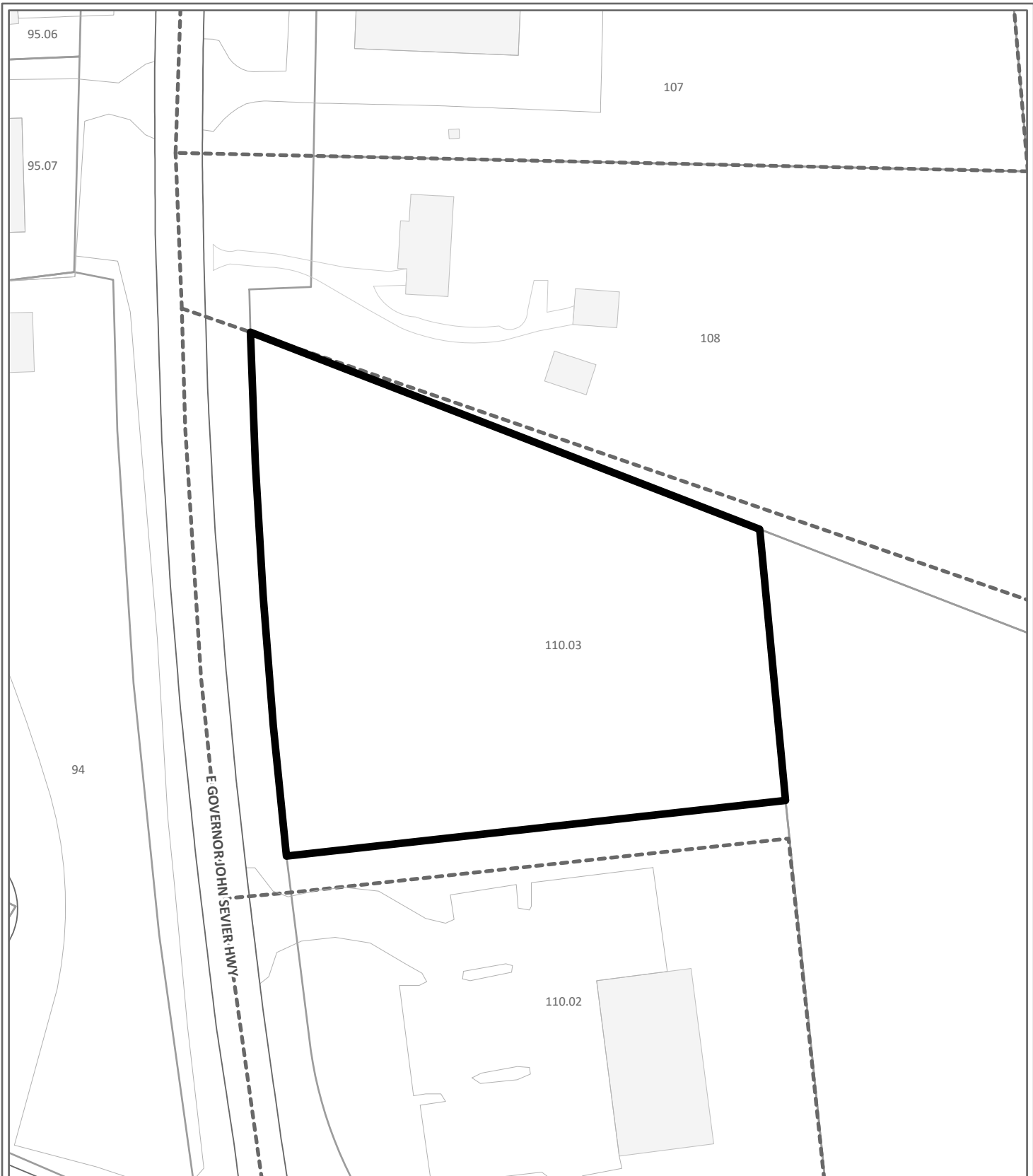
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed CA zone is consistent with the recommended GC land use classification amendment to the East County Sector Plan.
2. The proposed rezoning is compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan.
3. This rezoning request excludes the vegetated portion on the eastern side of the parcel. This is consistent with the General Plan's development policy 9.2 that encourages development practices to respect the natural landscape, minimizing the loss of trees, woodlands, and wildlife habitat.
4. Governor John Sevier Highway is identified as a Development Corridor in the East County Community Plan and the proposed rezoning to the CA zone, which would allow commercial development, is consistent with the plan.
5. The incorporation of landscape screening as a condition of this rezoning is consistent with the Governor John Sevier Highway Corridor Study recommendation for a 50-ft tree protection and landscape buffer. The buffer should be consistent with the illustration provided in the plan to protect the rural, scenic character of the John Sevier Highway Corridor.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 1/22/2024. 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

12-A-23-RZ

Petitioner: Dale Rhoton



From: A (Agricultural), HZ (Historical Overlay)

To: CA (General Business)

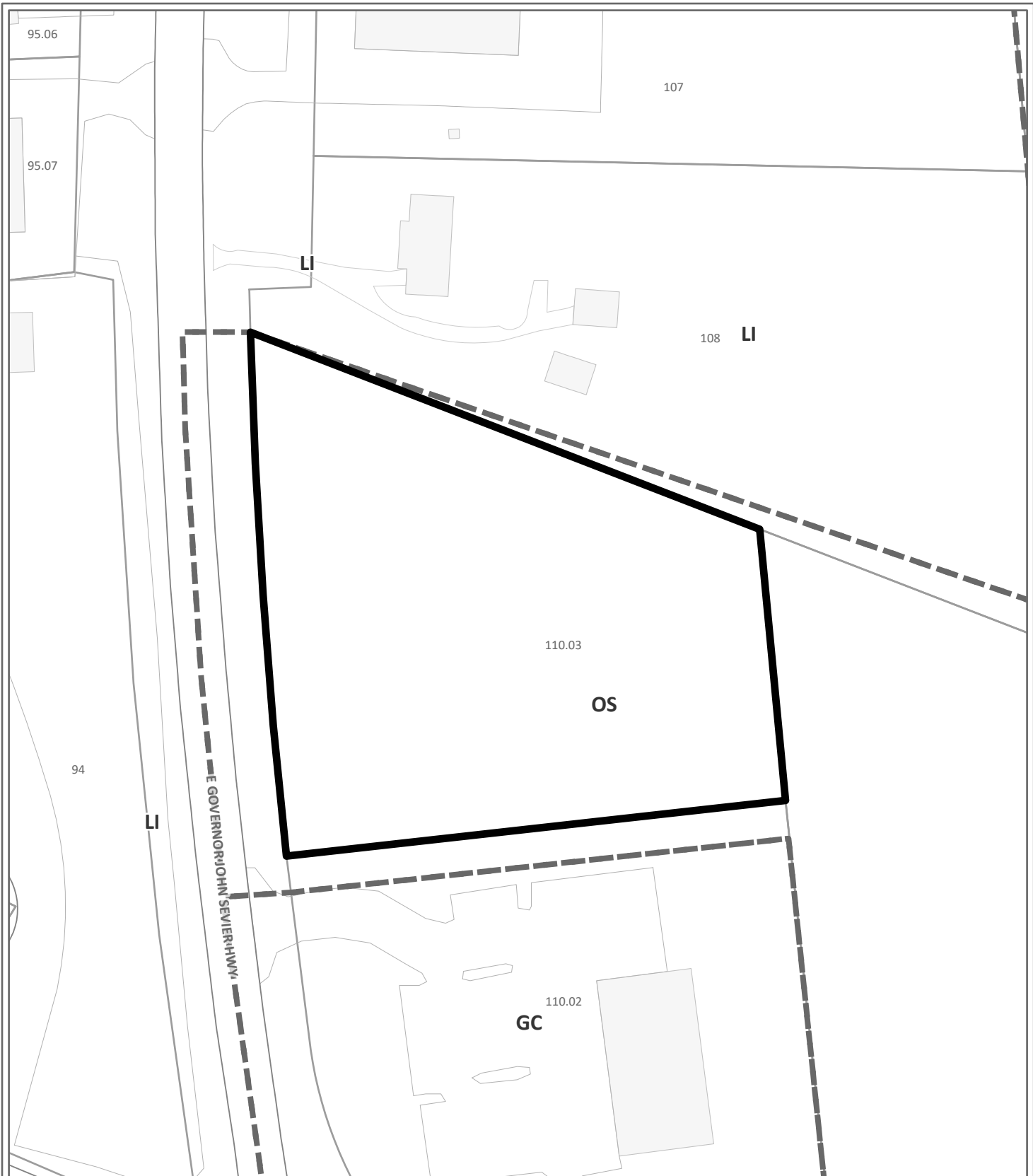
Map No: 96

Jurisdiction: County

Original Print Date: 11/13/2023

*Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902*





**12-A-23-SP
EAST COUNTY SECTOR PLAN MAP**

Petitioner: Dale Rhoton



From: OS (Other Open Space)
To: GC (General Commercial)

Map No: 96
Jurisdiction: County

Original Print Date: 11/13/2023
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

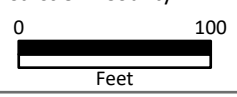
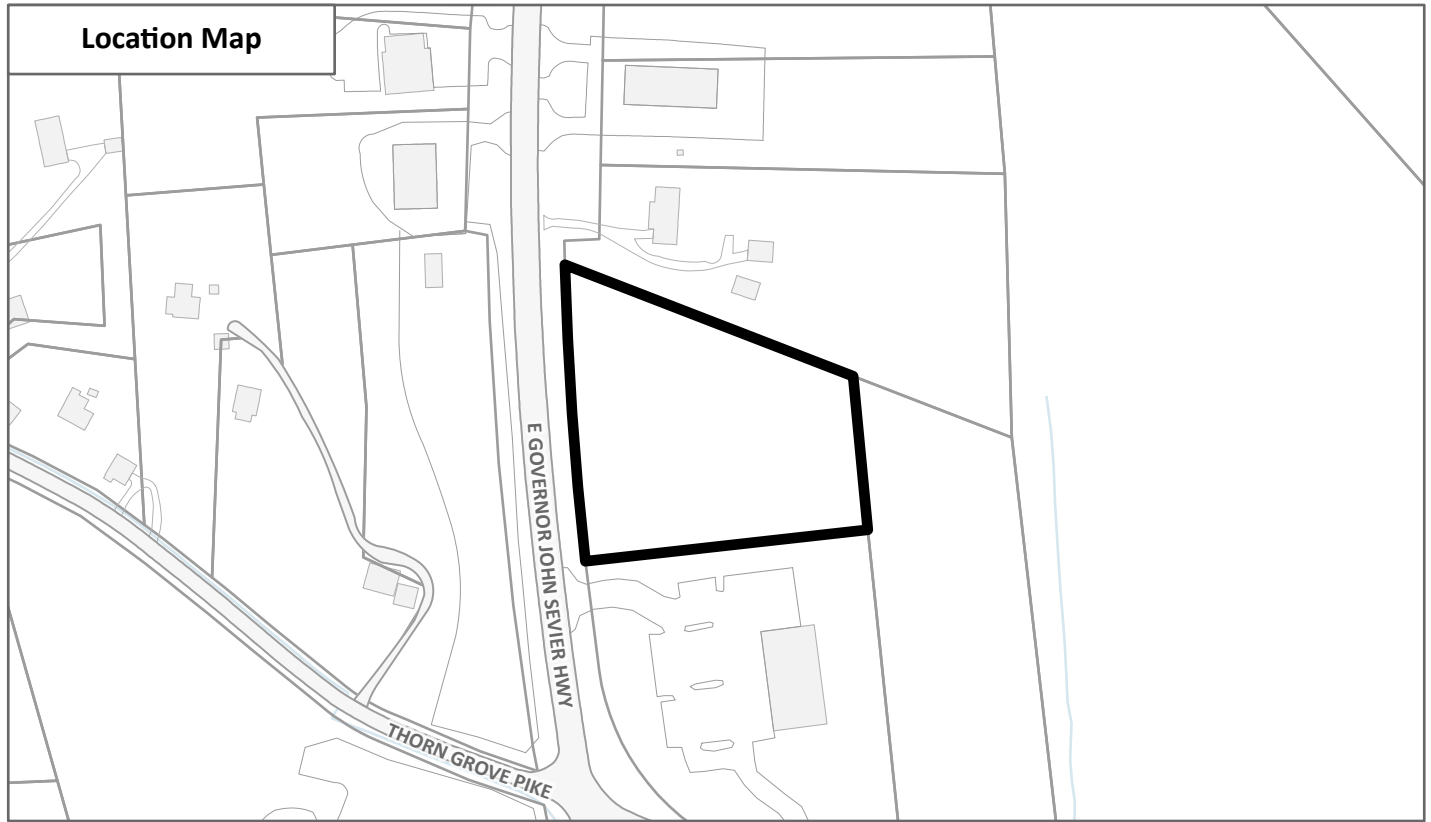


Exhibit A. Contextual Images

Location Map



Aerial Map

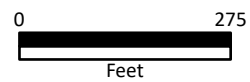


CONTEXTUAL MAPS 1

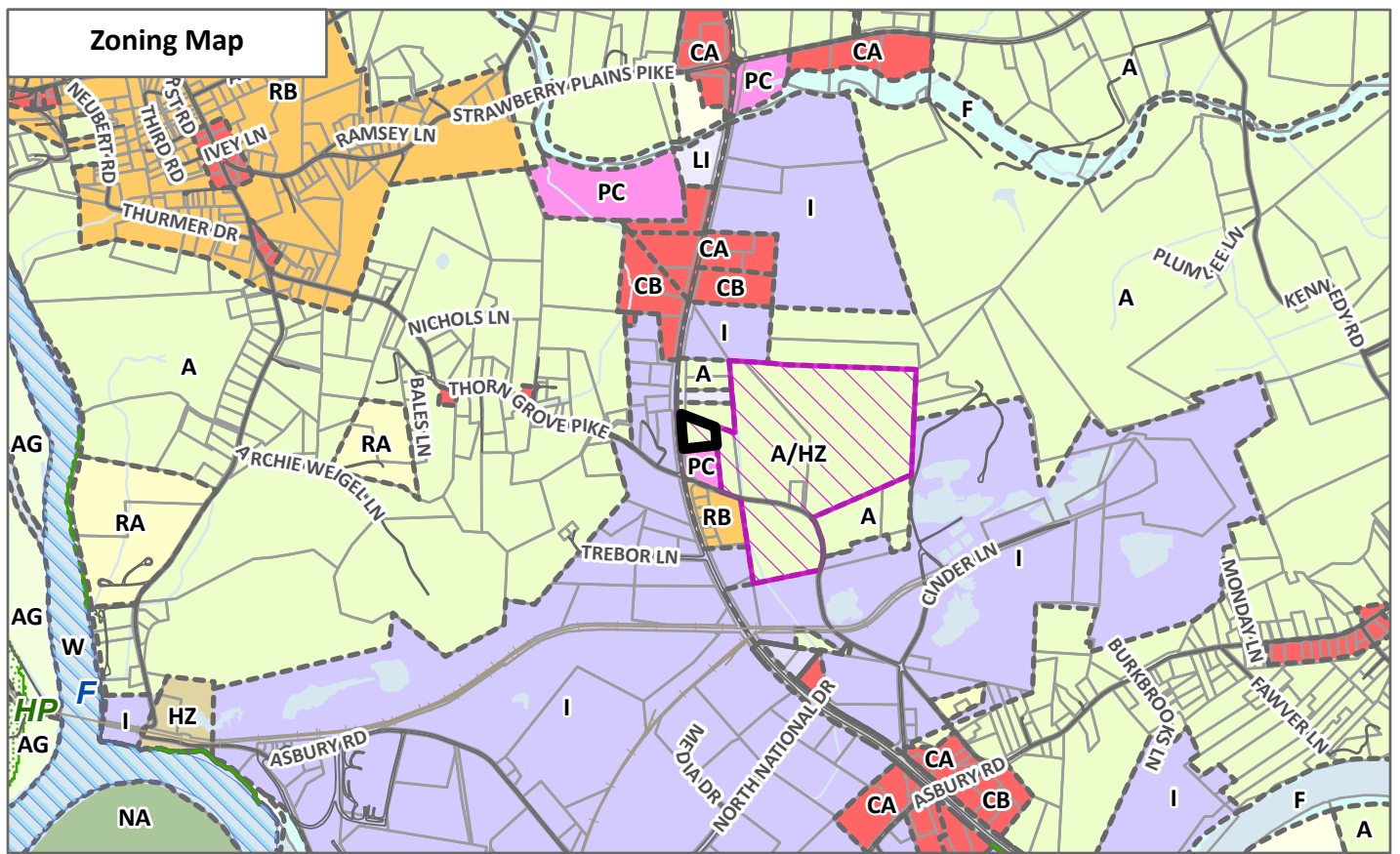
12-A-23-SP / 12-A-23-RZ



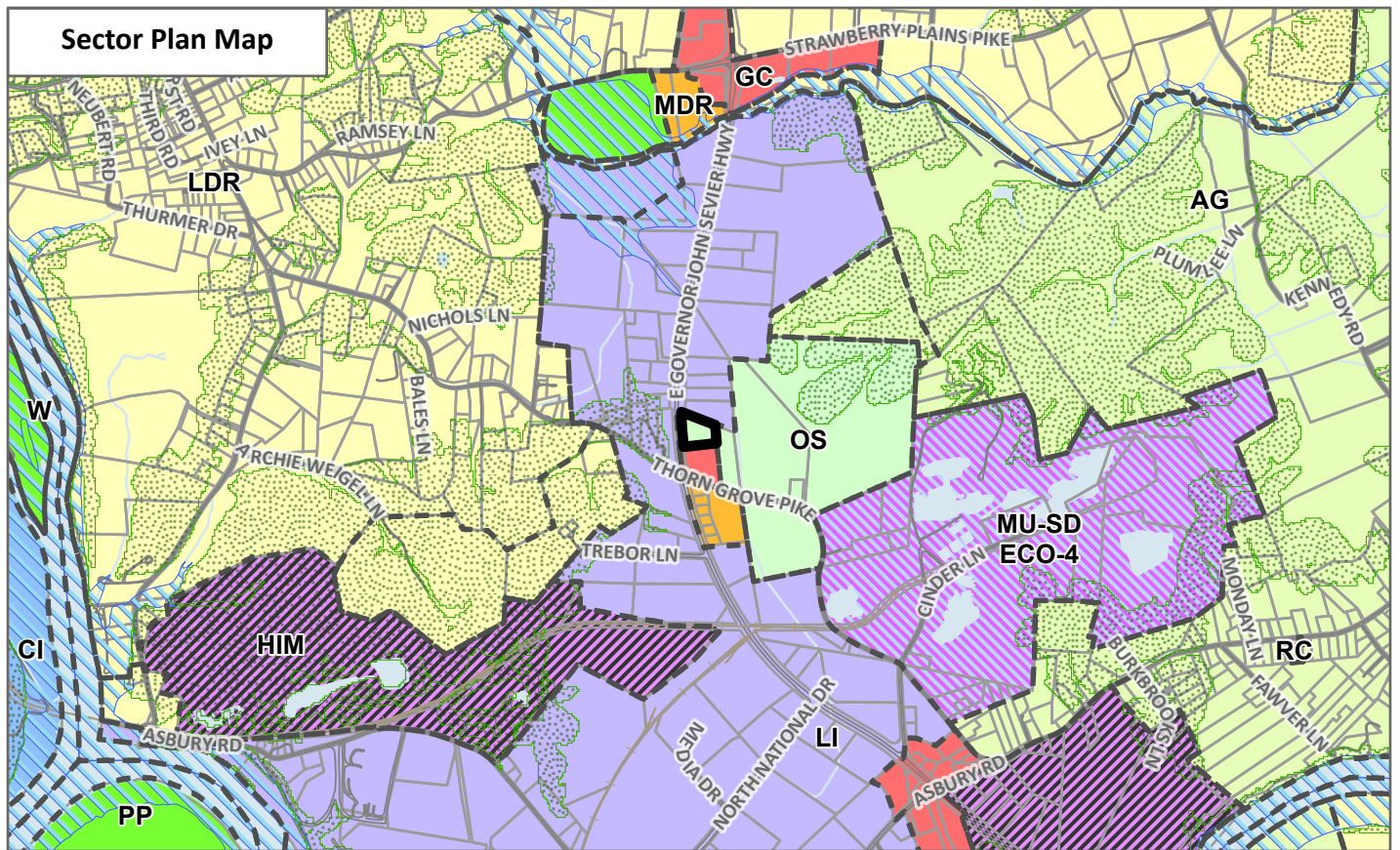
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

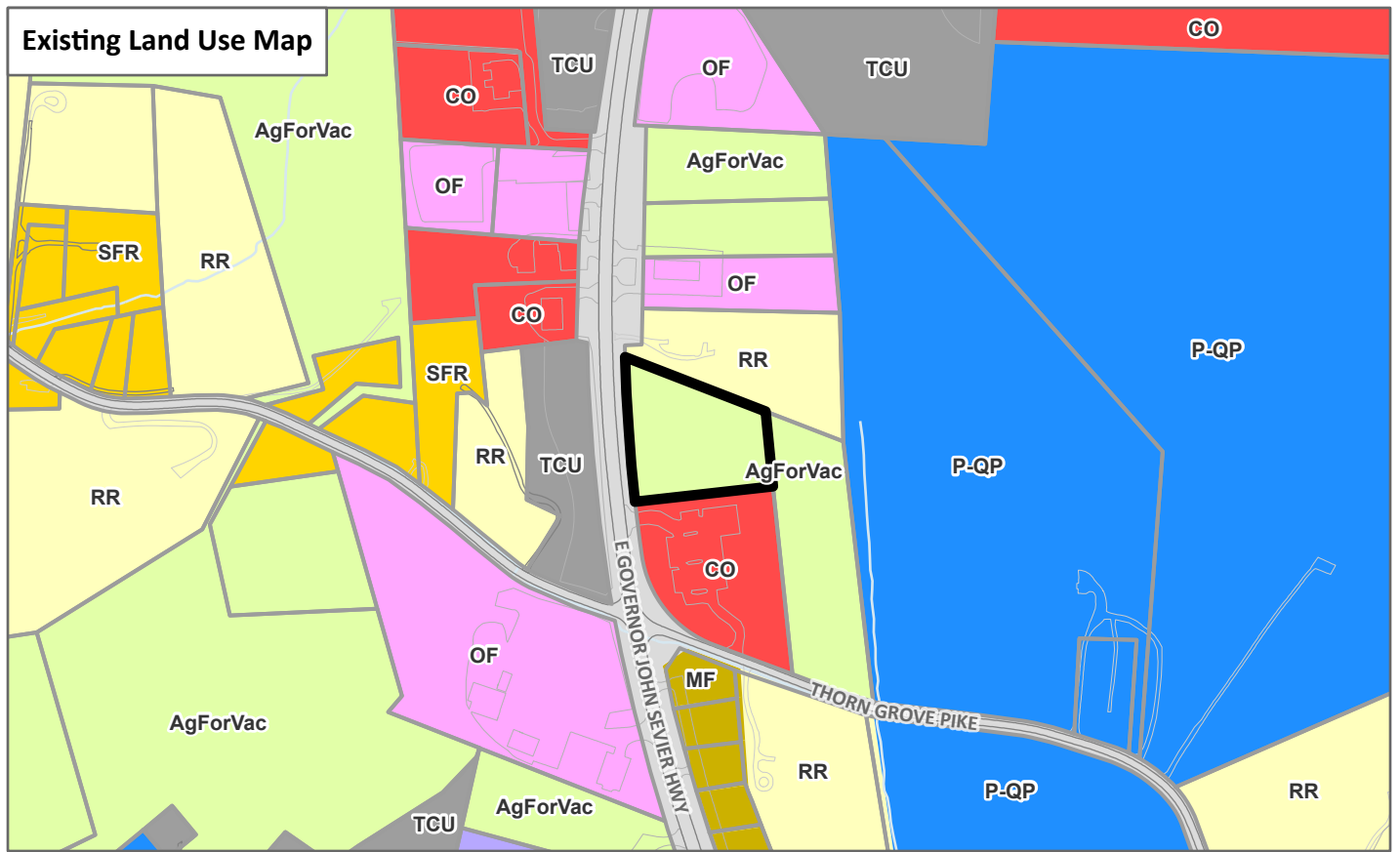
12-A-23-RZ / 12-A-23-SP



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

12-A-23-SP / 12-A-23-RZ



Case boundary

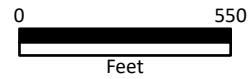


Exhibit B: HZC Case Map



10-B-23-HZ
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS



3220 Governor John Sevier Hwy. 37914
Ramsey House H

Original Print Date: 10/4/2023
Knoxville/Knox County Planning -- Historic Zoning Commission

Petitioner: William Rhoton

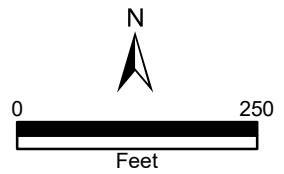


Exhibit C: HZC Staff Report



Staff Report

Knox County Historic Zoning Commission

File Number: 10-B-23-HZ

Meeting: 10/19/2023
Applicant: William Rhoton
Owner: KME Development LLC

Property Information

Location: 3220 Governor John Sevier Hwy. **Parcel ID** 96 11003
District: Ramsey House H
Zoning: A (Agricultural)
Description: n/a
5.77-acre vacant parcel originally associated with the Historic Ramsey House.

Description of Work

Level III

Applicant is initiating the process to remove the HZ overlay on an approximately 5.77-acre parcel at the intersection of E. Gov. John Sevier Highway and Thorn Grove Pike. The parcel has an HZ overlay associated with the Ramsey House.

Applicable Design Guidelines

Secretary of the Interior's Standards for Rehabilitating Historic Buildings.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Comments

N/A

Staff Findings

1. The Ramsey House was listed on the National Register of Historic Places in 1969 and received a historic (HZ) overlay in 1988.
2. Review of the HZ overlay's removal by the Historic Zoning Commission is the first step in the process. The County HZC is charged with providing a recommendation to the Planning Commission to approve, approve with conditions, or deny the removal of the overlay. The Planning Commission is the body which will vote on the overlay's removal, along with any additional zoning changes. The HZC's purview is to evaluate how removing the historic overlay would affect the integrity of the Ramsey House overall (see Exhibit E: Definition of integrity).
3. The property is currently zoned A (agricultural). Per Section 5.80.01 of the Knox County Zoning Code, the HZ overlay does not regulate uses and does not prohibit development on the site. The HZ overlay is intended to "designate areas and structures of sufficient historical and cultural significance to warrant public protection" and "require that new construction ... be appropriate to their character."
4. Section 5.80.05 of the HZ code notes that "the historic zoning commission may recommend establishing a zone boundary around structures warranting public protection which includes adjoining property having a conspicuous visual relationship to the historic structure and which boundary may extend up to one-quarter mile from the property line of the land pertaining to any such historic structure." The zone boundary was not specifically referenced in the 1988 rezoning but is relevant to the discussion.
5. In 2014, the Historic Ramsey House board subdivided approximately 9.11 acres on the west side of the property into one 5.77-acre parcel and one 3.34-acre parcel (see Exhibit C, 2014 plat). The Historic Zoning Commission reviewed the removal of the overlay on the 3.34-acre parcel in April 2014 (see Exhibit D, HZC Minutes). The HZC recommended the HZ overlay be removed on the 3.34 parcel.
6. In May 2014, the Planning Commission reviewed the parcel's rezoning request from A/HZ to CA (General Business). Instead of the CA zoning, the Planning Commission approved PC (Planned Commercial) zoning, "because of the site's proximity to the Ramsey House and grounds" and because PC Zoning would allow the Planning Commission "to review a development plan for the site, at which time staff may recommend appropriate landscaping, lighting, access, and signage in order to remain compatible and functional with the Ramsey House property." The Planning Commission also removed the HZ overlay at this meeting. The site was ultimately developed by the buyer/current owner/seller of the parcel in question for a Dollar General. (See Exhibit F: Rezoning report)
7. The applicant for the HZ removal and the rezoning in 2014 was the APTA/Ramsey House. In 2014, the Ramsey House Board and APTA (Association for Preservation of Tennessee Antiquities) supported the removal of the HZ overlay and the rezoning request, as they were selling the property. The applicant for HZ removal in 2023 is the potential buyer of the property. Per a letter from the Historic Ramsey House current staff and Board of Directors, the Ramsey House does not support the removal of the HZ overlay.
8. There are no historic structures on the site. There is a 50' stream buffer on the east side of the parcel, along with a 3,441 sq. ft. recorded wetland area on the adjacent 3.34 acre parcel, at the center of the overall site. Per the 2014 HZC review, no archaeological resources have been found on the site, though details of any archaeological surveys were not submitted.
9. The NPS defines integrity by seven aspects, including setting (the character of the place where the historic

resource is located, including natural and manmade features such as vegetation, open space, and viewsheds); feeling (surviving physical features that express the site's historic character and help the visitor experience an awareness of its history); and association (the relationship between a historic event or person and the property, which "can occur only if the property's historic physical features, or character, survive"). [See Exhibit E: National Register 101: Seven Aspects of Integrity]

10. The HZC should determine if the parcel in question contributes to the setting, feeling, and association of the overall Ramsey House property. In the opinion of staff, the 2014 rezoning to PC and the development of the 3.34 acre parcel at the southwest corner of the property to a Dollar General detracts from the overall integrity of the Ramsey House, which was originally a large agricultural and residential property, with land both cleared and covered with trees. At present day, the existing vegetation buffer does provide a visual buffer between the Ramsey House property and development fronting E. Governor John Sevier Highway, though site clearing and additional impervious surface may affect the adjoining vegetation and wetlands.

11. At the date of the agenda posting (10/11/2023), the applicant and the Ramsey House Board have not actively communicated. Some compromise may be possible to retain the HZ overlay on the rear portion of the parcel, which features the wetlands and stream buffer and adjoins the Ramsey House property.

Staff Recommendation

Staff recommends the Historic Zoning Commission determine that removing the HZ overlay on the entire 5.77-acre parcel would have an adverse effect on the historic integrity of the Ramsey House property.

Exhibit D: April 2014 HZC Minutes



MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING APRIL 17, 2014

City HZC Present

Sean Bolen

Scott Busby

Steve Cotham

Faris Eid

Sandra Martin

Lorie Matthews

Melissa McAdams

Andie Ray

County HZC Present

Bill Belser

David Butler

Bart Carey

Mike Crowder

Carol Montgomery

Others Present

Jerry Caldwell

Art Clancy

Helen Bryenton

Connie Decker

Wayne Decker

John Lyle

Gayle Mantler

Fiona McAnally

Rebecca Ridner

City HZC Absent

Jason Woodle

County HZC Absent

None

Staff Present

Dori Caron

Crista Cuccaro

Kaye Graybeal

Melvin Wright

Comm. Chair Busby called the meeting to order and noted there was a quorum. He stated that the meeting was being televised and recorded. He also asked that speakers limit their presentations to 5 minutes and to sign in when they reached the podium. He also noted that any decisions can be taken to Chancery Court if appealed within 60 days. Comm. Chair Busby then swore in all visitors and Applicants that planned to speak on any Agenda item. Roll call was taken. There were no visitors to introduce. Comm. Chair Busby introduced and welcomed Steve Cotham as a newly seated Knoxville Historic Zoning Commissioner.

Action: Knoxville Comm. Chair Busby handed the meeting over to the Knox County Comm. Chair David Butler.

Request for removal of HZ Overlay by Association for the Preservation of Tennessee Antiquities (APTA)

Recommendation for Ramsey House property– (5-G-14-RZ)

Discussion: Ms. Graybeal reviewed the zoning history of the Ramsey House property. A 3.37 acre portion of the 9.41 acres is proposed to be rezoned to allow for potential commercial development, including removing the Historic overlay from this piece of the parcel as well the remainder of the 9.41 acres added in 1986. Maps were handed out to assist with visualizing the proposal. Ms. Graybeal read the proposed Findings of Fact into the record. The portion of the parcel proposed to be rezoned was clarified. A power point presentation was viewed assisting with the clarification. She noted there is nothing historic on the proposed parcel to be rezoned. Further she noted there was a vegetation buffer which would prevent being able to see the proposed commercial development, this buffer being owned by APTA thus them ensuring it would remain intact. The additional 9.41 acres was granted an historic overlay at the request of former board members to protect the Ramsey House context from inappropriate development. The concern is whether additional commercial development will further detract from the Ramsey property. The purview of the Commission today is to forward an opinion to the Knox County Commission on whether lifting the historic overlay will be a detriment to the historic integrity of the Ramsey property. Ms. Graybeal noted that staff identifies that there is already commercial development in the area. It was clarified that under the current HZ overlay, the exterior of any new construction would need to come before the HZC for review.

Wayne Decker, the president the Ramsey House Board, also the vice-president of APTA. He stated the APTA owns the Ramsey House facilities and noted their (APTA) Board has voted to approve the sale of this parcel. Mr. Decker gave a brief overview of the history of the Ramsey House. With the sale of this parcel, they can increase their endowment, the revenues from which will go a long way in support of their mission, the educational programs they provide as well as enhance the facilities. He touched on the tree line and also noted the buffer zone is wetlands upon which there can be no development, which they consider a benefit to their property. Gayle Mantler, representing the Broadway group, respectfully asked on their behalf that the Commission remove the historic overlay (HZ) on all 9+ acres if possible. She noted they only want the other zoning changes on the smaller parcel they want to subdivide (3.37 acres). Mr. Decker noted they did not realize the full future development ramifications of an HZ overlay. Mr. Decker noted that maintenance of the buffer and wetlands is part of their contract with the buyer as an additional level of protection. Ms. Graybeal noted that MPC planning staff found that commercial zoning of this proposed parcel was compatible with the surrounding area and current zoning there. Significant discussion regarding the opinion that retaining the HZ overlay would be very restrictive for most commercial development, as it would require a significantly more substantive process to obtain approvals and permitting for development.

Tim Morris, civil engineering and landscape architecture representative for the Applicant was also present. It was clarified that the design criteria for this parcel would be found in the Secretary of Interior Standards for Rehabilitation, which are overall less specific than local design guidelines, but would curtail most typical commercial development. Mr. Decker again stated the protection is there for the Ramsey House regardless of the historic overlay. He noted their Board would never do anything that would be detrimental to the Ramsey House. They feel this proposed subdividing and sale of the smaller parcel is

not an important part of the property.

Fiona McAnally, was Executive Director for Ramsey House from 2001 to 2004. Ms. McAnally also resided on the property. She is requesting that the Commission postpone any decision today until there can be further discussion about this community asset. She noted the property became the flagship of the newly formed Association for the Preservation of Tennessee Antiquities (APTA). She offered additional historic perspectives to bring the property to a total of 100 acres. She stated she drives through the intersection regularly and that the land around the area has many residences and described that in some detail. She thought initially that this proposal was due to financial hardship of the nonprofit overseeing the property. She again restated she would like to see organizations and entities that have donated to and supported this property be given times to explore alternative strategies. Elaine Clark, president of the French Broad Preservation Association, noted they oppose the zoning change for two reasons: the historic overlay is there to protect its visibility and the property itself and also the community has a sector plan (East County Sector Plan) in force which does not include the recommendation for commercial zoning.

Mr. Decker clarified their contract with the proposed buyer of the parcel contains language that the historic property signage in place be kept intact. Knox County Chair David Butler clarified the role of the Commission today was to determine if this parcel being sold affects the integrity of the Ramsey House as an historic property.

Dr. Charles Faulkner noted he had taught historical archeology at UT. He noted he had surveyed and performed archaeological excavations at the property over many years. Dr. Faulkner stated in his opinion was such that this parcel does not contain anything historically or architecturally relating to the Ramsey House.

Connie Wallace, Ramsey House Board member, reiterated that TDEC would not allow the buffer/wetland area to be developed. She stated they have no interest in ever clearing that area and the only value of this land to the Board and Ramsey House is its monetary value. Mr. Decker closed by noting that the Ramsey House is on a solid financial foundation.

Action: Comm. Montgomery moved that the Commission recommend denial of lifting the A / HZ overlay but to allow the additional commercial overlay. The Motion failed due to lack of a Second.

Action: Comm. Belser moved to recommend that the HZ overlay be lifted on the 3.37 acre parcel only. The Motion was seconded by Comm. Chair Butler. The Motion carried unanimously.

Staff member Kaye Graybeal noted the Commissioners had been given a copy of the Annual Report to the Mayor and invited feedback. There was no further business.

Action: Comm. Montgomery moved to adjourn the meeting. The Motion was seconded by Comm. Carey. The Motion carried unanimously and the meeting was adjourned.

Exhibit E: National Register 101

From the

LOUISIANA State Historic Preservation Office

Office of Cultural Development,
Department of Culture, Recreation and Tourism

National Register 101

Seven Aspects of Integrity

By Patricia L. Duncan
National Register Coordinator, Division of Historic Preservation

A CANDIDATE MUST MEET three requirements to qualify for the National Register of Historic Places, as explained in the February issue of *Preservation in Print*. Two of these essentials — significance and age — were covered in that issue. The third qualification — integrity — is the topic of this and the following installments of National Register 101.

The National Register defines integrity as the ability of a property to convey its significance. However, “integrity” is a word generally used to describe a person’s honesty and sincerity. So, why is a word usually associated with humans used to designate a National Register eligibility requirement? The answer can be found in *Webster’s New World Dictionary*, which adds “completeness” to integrity’s definition. Under this broader explanation, buildings, structures, districts, sites and objects can also have integrity.

Of the three Register eligibility requirements, integrity is probably the most complicated and difficult to understand. To simplify things, the National Register staff sometimes tells applicants that integrity means the candidate still has to look historic. However, there are actually seven factors, or “aspects,” that must be evaluated to determine if that historic look survives. These aspects are location, setting, design, materials, workmanship, feeling and association.

LOCATION is the easiest element of integrity to understand. For National Register purposes, location is the particular point or position where the historic property was constructed, the significant person made his/her contribution, or the historic event occurred. Sometimes the relationship between a building and its history is lost if that building is moved from its original site. This is why it is harder to list moved properties on the National Register. To qualify moved candidates must be important to a broader region or group than those associated with the original site. The National Park Service consid-

ers original locations so important that it automatically delists (removes from the Register) properties moved to new sites subsequent to their listing.

SETTING refers to the character of the place where the historic resource is located. It includes natural and man-made features and how those features relate to the candidate. Items to consider include buildings, dependencies, roads, paths, fences, vegetation, open space, topographical characteristics and view sheds. The latter include the views from the candidate as well as of the candidate from nearby properties. For a setting to have integrity for National Register purposes, it should appear much as it did historically.



The tower on this Lake Charles Victorian residence is an important part of its design. Were it to be lost, the home’s National Register design integrity would be severely compromised.

DESIGN is broadly defined by the National Register as “the combination of elements that creates the form, plan, space, structure, and style of a property.” Elements the Register considers when evaluating design integrity include function, structural systems, other technologies, spatial organization, massing, proportion, scale, materials, color, texture and fenestration patterns. Design is not limited to the work of architects. Community planners, engineers and landscape architects have also created designs that might be Register-eligible. If enough of the resource’s original



Here, the setting (tombstones, paths, fences and trees) reinforces an observer’s sense that Grace Episcopal Church in St. Francisville is indeed historic.

design has been lost, the property will not meet this aspect of integrity.

MATERIALS are “the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.” This definition is complicated because it has to cover archaeological as well as architectural and historical candidates. For the purposes of nominating buildings, materials should be defined as the original wood, nails, shingles, tiles, glass, and/or other substances the builders used to create the historic resource. To have integrity, a property must retain its character-defining exterior materials. Sometimes interior integrity of material is needed as well.

WORKMANSHIP “is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory,” according to the Register. A craft is an occupation requiring special skill, and workmanship refers to the quality of the craftsman’s product. Extraordinary workmanship might be evident in tooling, carving, painting, graining, turning or joinery. It can be found in vernacular as well as high style resources and can include the product of one or multiple craftsmen. Finally, it can apply to an entire resource or any of its parts.

FEELING is a “property’s expression of the aesthetic or historic sense of a

particular period of time.” To have the aspect of feeling, a candidate must have surviving physical features that express its historic character and help the visitor experience an awareness of its history and importance.

ASSOCIATION is defined by the National Register as “the direct link between an important historic event or person and a historic property.” Association relies upon two factors. First, the site must be the actual place where something happened. Second, that relationship must be evident when a visitor observes the site. This connection can occur only if the property’s historic physical features, or character, survive.

Only when one understands the seven aspects of integrity can one determine if a candidate has enough integrity to qualify for Register listing. However, evaluating these factors is more complicated than their definitions might suggest. Next month’s article will discuss applying the aspects to conduct an integrity evaluation.

Much of this article is based upon the National Register Bulletin titled “How to Apply the National Register Criteria for Evaluation,” which is available online at <http://www.nps.gov/history/nr/publications/bulletins/pdfs/nrb15.pdf>.



This stained glass window is proof of the skill and talent of the craftsman who designed, assembled and installed it in Lake Charles’s Temple Sinai c. 1903. Since it is unaltered, it retains its integrity of workmanship.



The Ascension Parish home of 20th-century literary figure Robert Penn Warren has integrity of association because he lived there during what scholars regard as a critical period in his life and career.



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

William Dale Rhoton

Applicant Name

Affiliation

10/13/2023

Date Filed

12/14/2023

Meeting Date (if applicable)

12-A-23-RZ / 12-A-23-SP

File Number(s)

CORRESPONDENCE

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

William Dale Rhoton

Name / Company

4315 French Rd Knoxville TN 37920

Address

865-660-3620 / dale.rhoton1951@gmail.com

Phone / Email

CURRENT PROPERTY INFO

KME Development, LLC

Owner Name (if different)

PO BOX 18968 Huntsville AL 35804

Owner Address

256-553-7287

Owner Phone / Email

3220 E GOVERNOR JOHN SEVIER HWY

Property Address

96 110.03 (PART OF)

Parcel ID

Part of Parcel (Y/N)?

2.6 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of E Governor John Sevier Hwy, north of Thorn Grove Pike

General Location

City **Commission District 9 A (Agricultural), HZ (Historic Overlay)**

County District Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

East County

Planning Sector

OS (Other Open Space)

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 CA (General Business)	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment GC (General Commercial)	
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
\$1,650.00	
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	William Dale Rhoton	10/13/2023
	Please Print	Date

Phone / Email

Property Owner Signature	KME Development, LLC	10/13/2023
	Please Print	Date



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

WILLIAM DALE RHOYON (BUYER w/ CONTRACT)
 Applicant Name Affiliation

10/13/23 DEC. 14, 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

WILLIAM DALE RHOYON
 Name Company

4315 FRENCH RD KNOX, TENN. 37920
 Address City State ZIP

865-660-3620 dale.rhoyon1951@gmail.com
 Phone Email

CURRENT PROPERTY INFO

KME Development (Brendway Group) 256-533-7287
 Property Owner Name (if different) Property Owner Address Property Owner Phone

3220 E. COV. JOHN SEWELL HWY. (PART OF 2.6 ACRES) PARCEL # 09611003
 Property Address Parcel ID

K.U.B. K.U.B. Septic (Y/N)
 Sewer Provider Water Provider

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

Proposed Zoning CA

Plan Amendment Change

Proposed Plan Designation(s) GC

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		

AUTHORIZATION

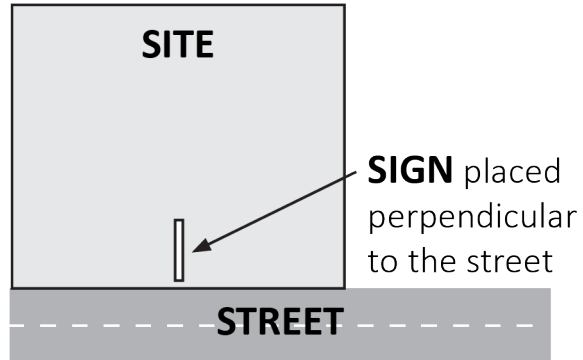
- I declare under penalty of perjury the foregoing is true and correct:
 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

William Dale Rhoads
 Please Print WILLIAM DALE RHOADS
 Date 10/13/23

Phone Number 865-660-3520
 Email dale.rhoads1951@gmail.com

Property Owner Signature See Contract (KME Development)
 Please Print _____
 Date Paid 10/13/23

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:

_____ and _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

- Sign posted by Staff
- Sign posted by Applicant