

## REZONING REPORT

► FILE #: 12-B-23-RZ AGENDA ITEM #: 23

AGENDA DATE: 12/14/2023

► APPLICANT: DENNIS VAULTON

OWNER(S): Dennis Vaulton

TAX ID NUMBER: 55 L B 001.09 <u>View map on KGIS</u>

JURISDICTION: County Commission District 7

STREET ADDRESS: 2920 MAYBERRY WAY

► LOCATION: East side of Mayberry Way, north of Ball Campground Rd.

► APPX. SIZE OF TRACT: 0.98 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Mayberry Way, a private road with a pre-existing joint

permanent access easment with 18-ft of pavement/gravel within a 28-ft 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

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EXTENSION OF ZONE: Yes, this in an extension of the plan designation.

HISTORY OF ZONING: None noted.

SURROUNDING LAND North: Single family residential, rural residential - A (Agricultural)

USE AND ZONING: South: Single family residential - RB (General Residential)

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

West: Rural residential - RAE (Agricultural, Estate)

NEIGHBORHOOD CONTEXT: The area is comprised mostly of single family detached residential

development. There are several amenities in the near area, including a public library, gas station, restaurants and pharmacy within walking distance.

### STAFF RECOMMENDATION:

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

#### **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):

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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 is primarily residential. There is an increased demand for housing. This rezoning creates the opportunity for development that helps to meet this demand.

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. A rezoning to the RA zone on the subject property is consistent with the zoning intent and area in general since the surrounding area has a variety of housing types and lot sizes.

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 the RA zoning is intended to provide areas for low population density, no adverse impacts are anticipated by the rezoning of this property. Bell Campground Pike is a minor collector, so no traffic is required through residential streets to access this property.
- 2. The site is in the Hillside and Ridgetop Protection Area and does contain steep slopes. The steepest slopes are concentrated at the rear of the site and will likely hinder development of the rear of the property. The steepest slopes are concentrated at the rear of the site and will likely hinder development of the rear of the property.
- 3. There is also a closed contour line in the northwest corner of the site, indicating the potential presence of a sinkhole. A 50-ft sinkhole buffer may be required from the closed contour line, and this would be determined during the permitting process.

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:

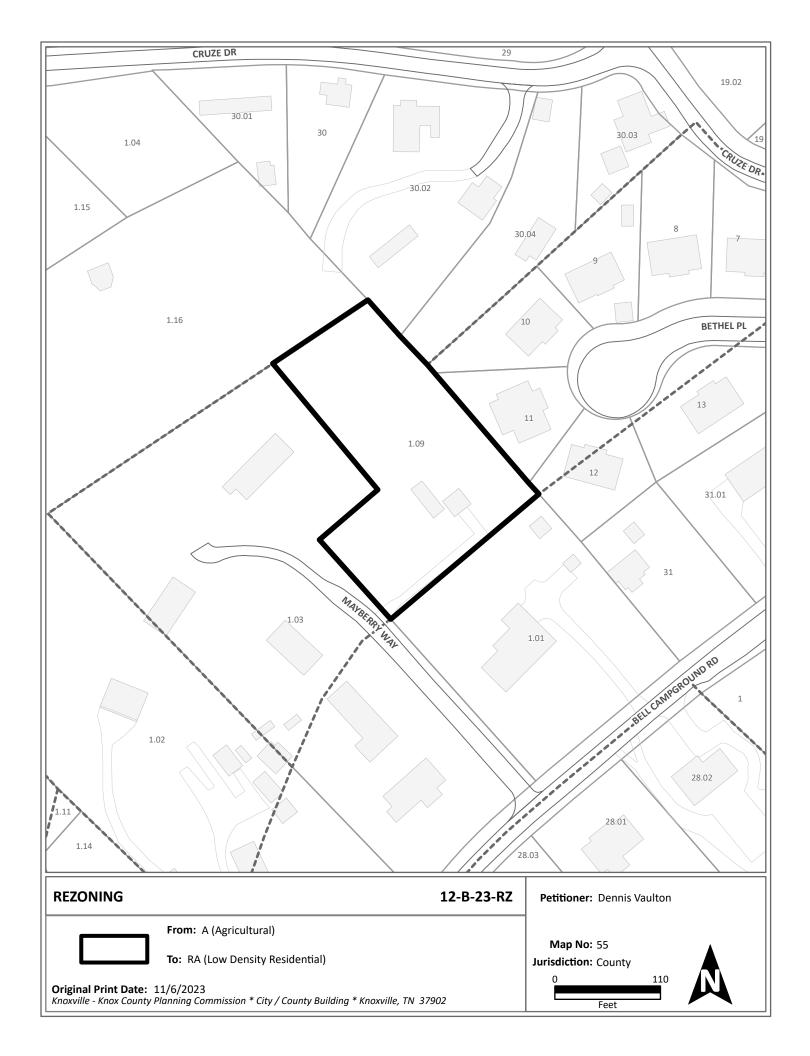
- 1. The subject property is designated with the LDR (Low Density Residential) land use classification in the North County Sector Plan, which allows consideration of the RA zone in the Planned Growth Areas of the Growth Policy Plan.
- 2. The requested rezoning is consistent with the General Plan's development policy 9.3, the intent of which is to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: Not required.

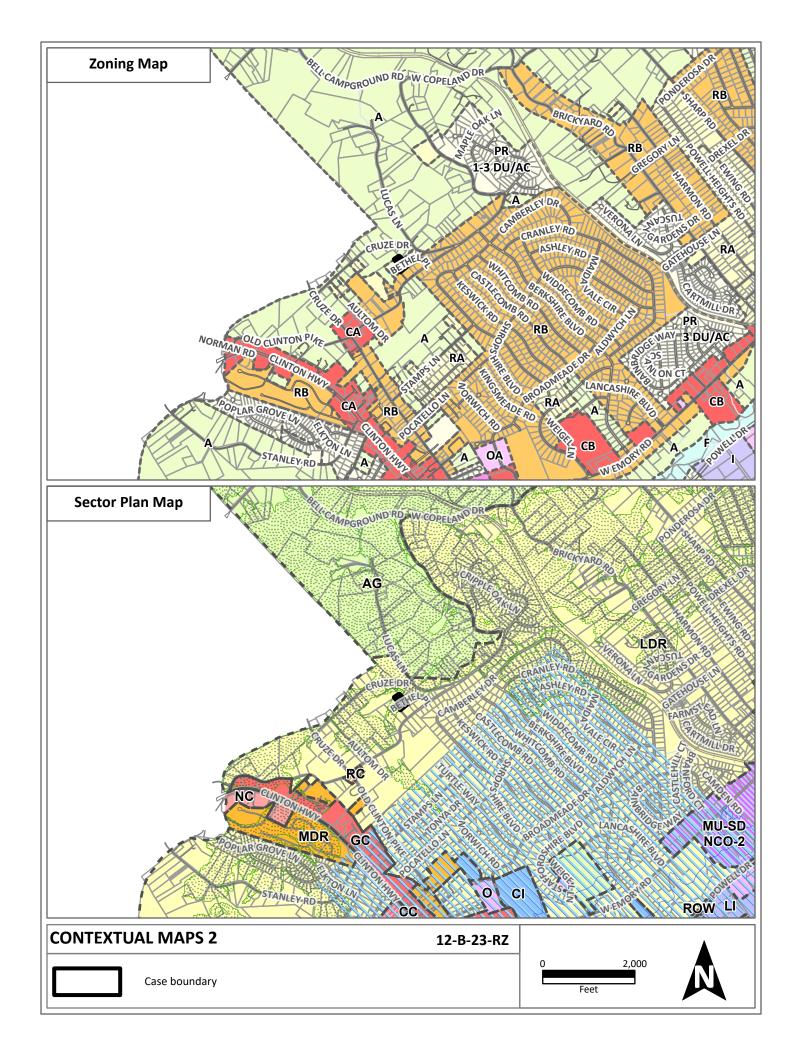
ESTIMATED STUDENT YIELD: Not applicable.

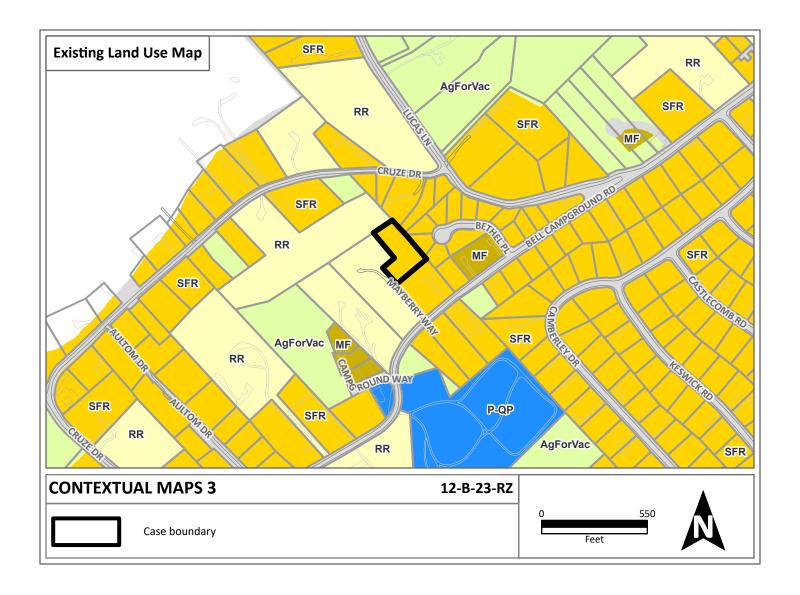
If approved, this item will be forwarded to Knox County Commission for action on 1/22/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.

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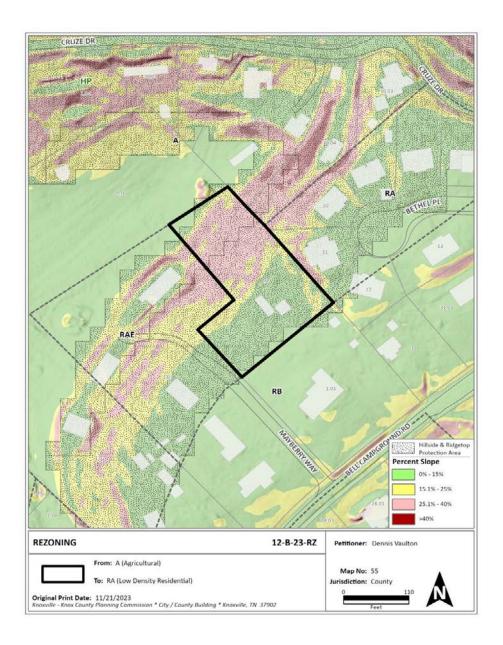


# **Exhibit A. Contextual Images Location Map** CRUZE DR BETHEL PL **Aerial Map CONTEXTUAL MAPS 1** 12-B-23-RZ 200 Case boundary





CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	1.0		
Non-Hillside	0.0	N/A	
0-15% Slope	0.4	100%	0.4
15-25% Slope	0.2	50%	0.1
25-40% Slope	0.3	20%	0.1
Greater than 40% Slope	0.0	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	0.9	Recommended disturbance budget within HP Area (acres)	0.6
		Percent of HP Area	63.2%





## **Development Request**

	DEVELOPMENT	SUBDIVISION	ZONING
Diannin	Development Plan	☐ Concept Plan	☐ Plan Amendment
Plannin	☐ Planned Development	☐ Final Plat	☐ Sector Plan
KNOXVILLE I KNOX COUNTY	☐ Use on Review / Special Use		☐ One Year Plan
	☐ Hillside Protection COA		✓ Rezoning
Dennis Vaulton			
Applicant Name		Affiliation	
10/18/2023	12/14/2023	12-B-23-RZ	
Date Filed	Meeting Date (if applicable)	File Number(s)	
CORRESPONDENCE	All correspondence related to this application sh	nould be directed to the app	roved contact listed below.
Dennis Vaulton			
Name / Company			
2920 Mayberry Way Powell 1	TN 37849		
Address			
865-209-7799			
Phone / Email			
CURRENT PROPERTY IN	NFO		
Dennis Vaulton	2920 Mayberry Way Powell TN 3	7849 86	5-209-7799
Owner Name (if different)	Owner Address	Ow	ner Phone / Email
2920 MAYBERRY WAY			
Property Address			
55 L B 001.09		0.9	8 acres
Parcel ID	Part of P	arcel (Y/N)? Tra	ct Size
Hallsdale-Powell Utility Distr	ict Hallsdale-Powell U	tility District	
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
East of Mayberry Way, north	of Ball Campground Rd.		
General Location			
City Commission District			ily Residential
<b>☑</b> County District	Zoning District	Existing La	and Use
	LDR (Low Density Residential), HP (Hillside Pro		rowth Area, Rural Area
Planning Sector	Sector Plan Land Use Classification	Growth Po	licy Plan Designation

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DEVELOPMENT RE	QUEST				
☐ Development Plan	☐ Planned Development	Use on Review / Special Use		Related City (	Permit Number(s)
☐ Hillside Protection CC	)A	Residential Non-resi	dential		
Home Occupation (speci	ify)				
Other (specify)					
SUBDIVSION REQU	JEST				
				Related Rezo	ning File Number
Proposed Subdivision Na	ame			-	
Unit / Phase Number		Total Number of Lo	ts Created		
Additional Information					
☐ Attachments / Addition	onal Requirements				
ZONING REQUEST					
✓ Zoning Change RA (	(Low Density Residential)			Pending Plat File Number	
Prop	oosed Zoning				
☐ Plan					
Amendment Pro	oposed Plan Designation(s)				
	/ ) 2 : 7 : 8				
Proposed Density (units, Additional Information	/acre) Previous Zoning Rec	quests			
STAFF USE ONLY					
PLAT TYPE			Fee 1		Total
Staff Review	Planning Commission		\$650.00		
ATTACHMENTS  Property Owners / Op	otion Holders Varian	ce Request	Fee 2		
ADDITIONAL REQUI		se nequest	1 66 2		
☐ COA Checklist (Hillsid					
☐ Design Plan Certificat			Fee 3		
<ul><li>Site Plan (Developme</li><li>Traffic Impact Study</li></ul>	nt Request)				
Use on Review / Spec	ial Use (Concept Plan)				
AUTHORIZATION					
1 1	of perjury the foregoing is tru	re and correct: 1) He/she/it is the own	ner of the pro	perty, AND 2) th	e application and
an associated material	s are being submitted with his/ Dennis Vau	·			10/18/2023
Applicant Signature	Please Print				Date
Phone / Email					
	Dennis Vau	ılton			10/18/2023
Property Owner Signatu	re Please Print	t			Date

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# Development Request DEVELOPMENT SUBDIVISION ZONING

Planning KNOXVILLE I KNOX COUNTY	<ul><li>☐ Development Plan</li><li>☐ Planned Development</li><li>☐ Use on Review / Special Use</li><li>☐ Hillside Protection COA</li></ul>	□ Concept Plan □ Final Plat	☐ Plan Amendment ☐ SP ☐ OYP ☑ Rezoning	
DENNIS VAULT	TON		NER	
Applicant Name		Affilia	tion	
			File Number(s)	
Date Filed	Meeting Date (if applicable)	12-		
CORRESPONDENCE	All correspondence related to this application	n should be directed to the a	pproved contact listed below.	
	wner 🔲 Option Holder 🔲 Project Surve	yor 🗌 Engineer 🗌 Arcl	nitect/Landscape Architect	
DENNIS VAU Name	LTON			
Name	Com	pany	_	
2920 MAYBE	RRY WAY POWA	ELL TA	1, 37849 ZIP	
865-209-779 Phone	Email Email			
CURRENT PROPERTY IN	FØ			
Property Owner Name (if differ	rent) Property Owner Addre	SS	Property Owner Phone	
same as Al	oove			
Property Address		Parcel ID		
HALLS-PALE -	POWELL HALLSPA	IE-POWELL	_	
Sewer Provider	Water Provide		Septic (YN)	
STAFF USE ONLY				
General Location		Tract :	Size	
☐ City ☐ County ☐ District	Zoning District	Existing Land Use		
Planning Sector	Sector Plan Land Use Classificati			
MANDROU SPETAY	Sector Plan Land Lich (Tacciticati	on Groun	th Policy Plan Decignation	

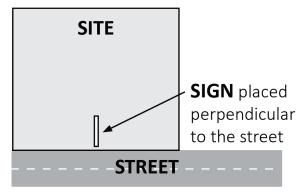
DEVELOPMENT REQUEST			
☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Prote	ection COA	Related City	Permit Number(s)
Home Occupation (specify)		*****	
, , , , , , , , , , , , , , , , , , , ,			
Other (specify)	****		
SUBDIVISION REQUEST			
	TN-SERVICE INTO A SECTION AND	Related Rez	oning File Number
Proposed Subdivision Name			
Unit / Phase Number Combine Parcels Divide Parcel Total	Number of Lots Created		
Other (specify)			
☐ Attachments / Additional Requirements			
ZONING REQUEST			
- D A	TO THE STATE OF TH	Pending F	Plat File Number
Zoning Change Proposed Zoning	A. A		
☐ Plan Amendment Change			
Proposed Plan Designation(s)			
Proposed Density (units/acre) Previous Rezoning Requests	· · · · · · · · · · · · · · · · · · ·		
Other (specify)			
STAFF USE ONLY			
PLAT TYPE	Fee 1		Total
☐ Staff Review ☐ Planning Commission	0001 65	50,00	
ATTACHMENTS	Fee 2		
☐ Property Owners / Option Holders ☐ Variance Request	1662		
ADDITIONAL REQUIREMENTS  Design Plan Cartification (Final Blat)			650.00
☐ Design Plan Certification (Final Plat) ☐ Use on Review / Special Use (Concept Plan)	Fee 3		
☐ Traffic Impact Study	-		
☐ COA Checklist (Hillside Protection)			
(ABIARO) AND			
☐ 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 associa	ted materials are being subm	itted with his/he	r/its consent
Dill H			- 1
Denny Vaulon Dennis VAY	10N		7-123
Applicant Signature Please Print		Date	
665-209-7799			
Phone Number Email	_		
Lenny Vaulton DENNIS VAUL	Ton		
Property Owner Signature Please Print		Date Pa	ıld



## Sign Posting & Removal Requirement

Revised April 2021

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-ofway 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:

December 1, 2023	and	December 15, 2023
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Dennis Vaulton		_
Date: 10/18/2023		Sign posted by Staff
File Number: 12-B-23-RZ		Sign posted by Applicant