

REZONING REPORT

▶ **FILE #:** 7-E-23-RZ

AGENDA ITEM #: 31

AGENDA DATE: 7/13/2023

▶ **APPLICANT:** RONALD PROFFITT

OWNER(S): Gary & Shirley Hubbs

TAX ID NUMBER: 47 169

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 1103 E BEAVER CREEK DR

▶ **LOCATION:** North side of E Beaver Creek Dr, east side of Hartley Ln

▶ **APPX. SIZE OF TRACT:** 0.82 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Beaver Creek Drive, a major collector street with 20 ft of pavement width within a 40-ft right-of-way, and Hartley Lane, a local street with 15 ft of pavement width within a 35-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

▶
EXTENSION OF ZONE: No, this 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: Rural residential, single family residential - A (Agricultural), PR (Planned Residential) up to 5 du/ac

West: Single family residential - RB (General Residential), RA - (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area of Beaver Creek Rd is developed with detached, single-family houses on lots ranging in size from 5,500 sf to 7 acres. Dry Gap Pike is approximately 1/4 mile to the east and has a small commercial node at its intersection with Beaver Creek Rd. The site is within the PRZ (Parent Responsibility Zone).

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the sector plan designation and will allow development compatible with the surrounding land uses and zoning pattern.**

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 COUNTY GENERALLY:

1. The area surrounding the subject property has experienced a transition from the A zone to the PR zone with up to 5 du/ac and the RA zone since the mid 1990's. Most of these rezonings have occurred on Dry Gap Pike and Beaver Creek Road, both of which are major collector roads.

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 which is consistent with the North County sector plan.
2. A rezoning to the RA zone on the subject property is consistent with the zoning intent and area in general.

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. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the PR zone with up to 3 and 5 du/ac and the RB zone.
2. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a maximum density of roughly 4 du/ac. This property could be developed with up to 3 single family lots by right, or 2 duplex lots with use on review approval.
3. The site does not have significant slopes or other environmental constraints.
4. The site is in the PRZ (parental responsibility zone) so sidewalks will likely be required.
5. Commercial zoning is within 0.10 miles from the site.
6. Since E Beaver Creek Road is a major collector, no traffic would be required through residential streets to access the site.

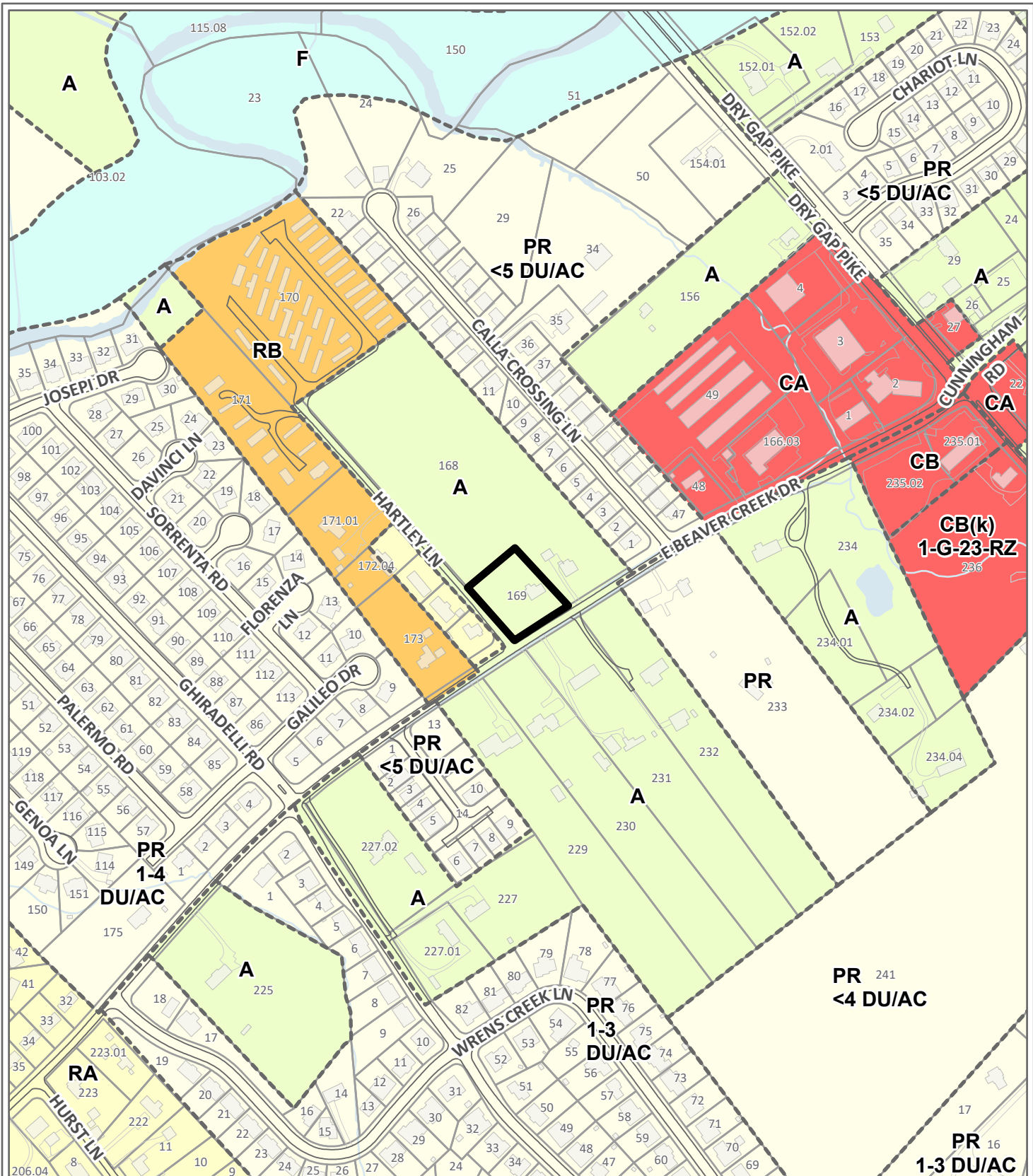
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The subject property is designated as the LDR (Low Density Residential) land use classification in the North County Sector Plan, which allows consideration of the PR zone with a density of up to 5 du/ac and the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.
2. Neither the requested nor the recommended zones are in conflict with the General Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/28/2023. 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

7-E-23-RZ

Petitioner: Ronald Proffitt



From: A (Agricultural)

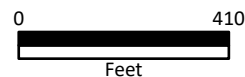
To: RA (Low Density Residential)

Map No: 47

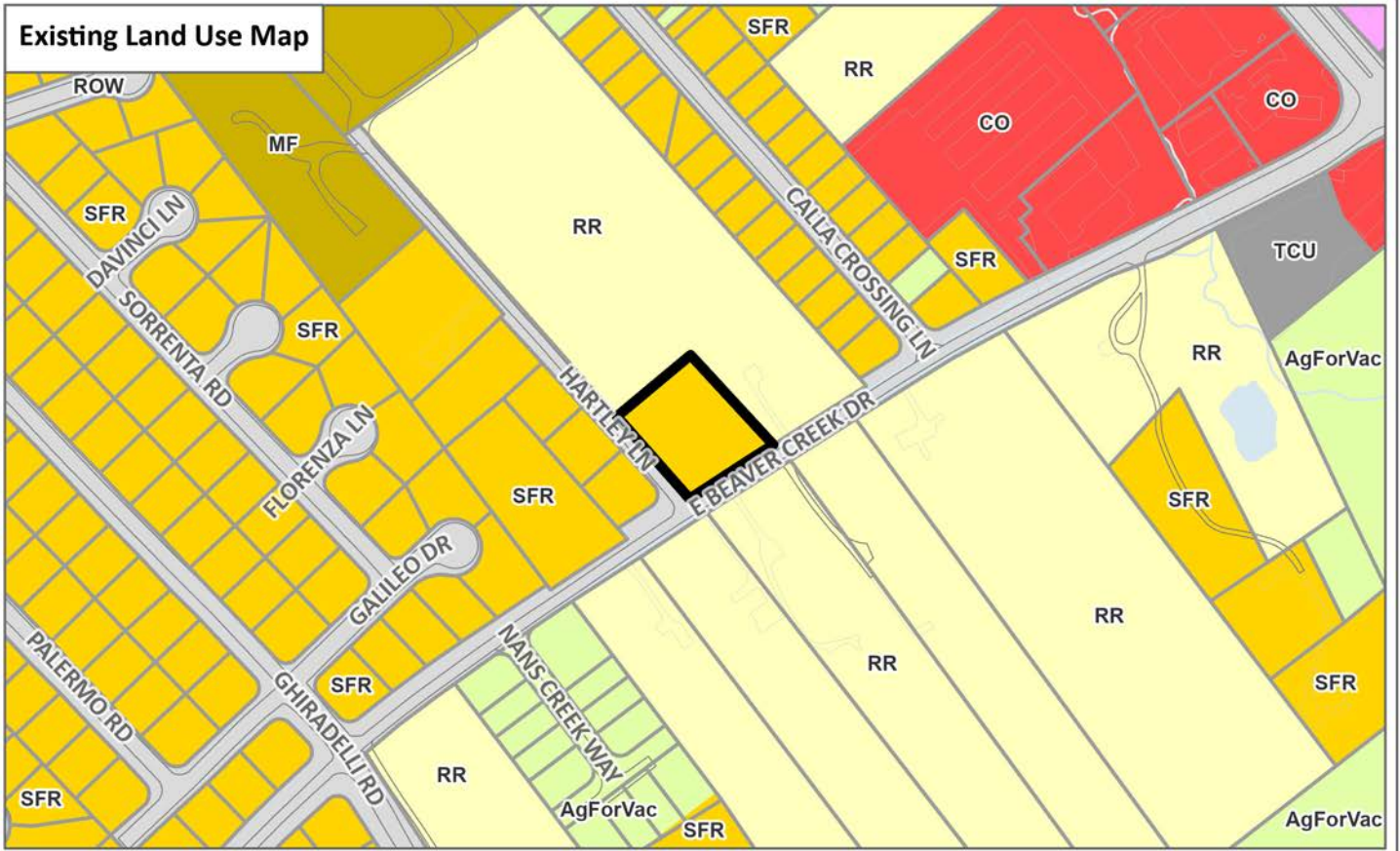
Jurisdiction: County

Original Print Date: 6/8/2023

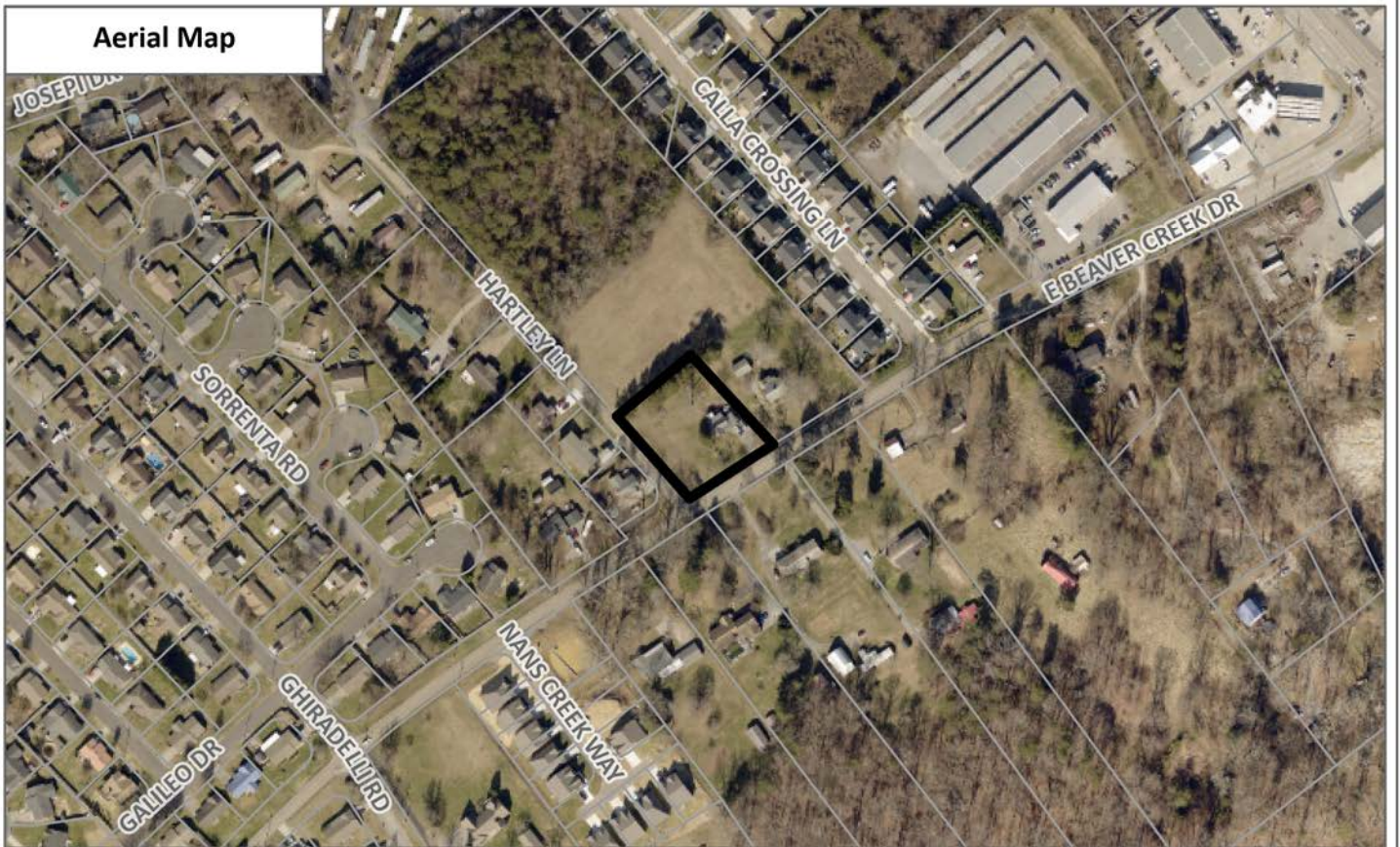
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Existing Land Use Map



Aerial Map

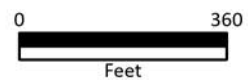


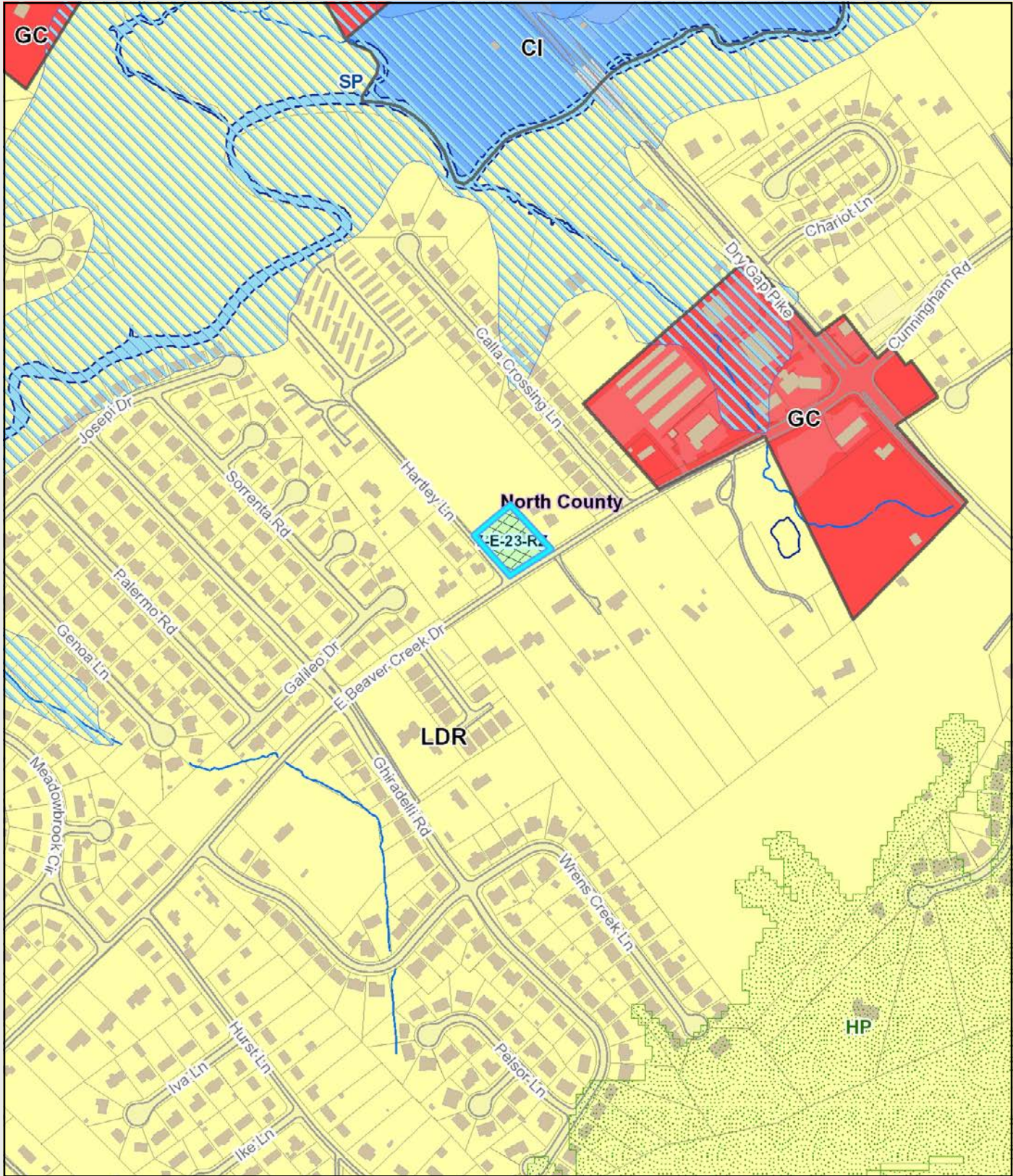
CONTEXTUAL MAPS

7-E-23-RZ

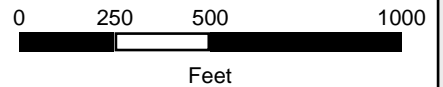


Case boundary





NORTH COUNTY SECTOR PLAN MAP
7-E-23-RZ



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▶ **APPX. SIZE OF TRACT:** 0.82 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Beaver Creek Drive a major collector road with 20 ft of pavement within an 40-ft right-of-way and Hartley Lane a local road with 15 of pavement within an 35-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

▶

EXTENSION OF ZONE: No, this is not an extension of the RA zoning.

HISTORY OF ZONING: None

SURROUNDING LAND USE AND ZONING: North: Agriculture/vacant & Rual residential - A (Agricultural) - LDR (Low Density Residential)

South: Agriculture/vacant & Rual residential- A (Agricultural) - LDR (Low Density Residential)

East: Rual residential - PR (Planned Residential) - LDR (Low Density Residential)

West: Single family residential - RB (General Residential) RA - (Low Density Residential) - LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area of Beaver Creek Rd is developed with detached, single-family houses on lots ranging in size from 5,500 sf to 7 acres. Dry Gap Pike is approximately 1/4 mile to the east and has a small commercial node at its intersenction with Beaver Creek Rd. The site is within the PRZ (Parent Responsibility Zone).

STAFF RECOMMENDATION:

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

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1. The area surrounding the subject property has experienced a transition from the A (Agricultural) zone to the PR (Planned Residential) 5 DU/AC and RA (Low Density Residential) zones since the mid 1990's. Most of these rezonings have occurred on Dry Gap Pike and Beaver Creek Road, both of which are major collector roads.

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 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. Beaver Creek Road is striped and is approximately 20-ft wide with 40-ft ROW. Hartley Ln is an unstriped local road with approximately 16-ft road with 35-ft ROW.

2. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the RB and PR up to 3 and 5 du/ac.

3. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a maximum density of roughly 4 du/ac. This property could be developed with up to 3 single family lots or 2 duplex lots with use on review approval.

4. The site does not have significant slopes or other environmental constraints.

5. The site is in the PRZ (parental responsibility zone) so sidewalks will be required.

6. A Commercial zoning is within .10 miles from the site.

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 as the LDR (Low Density Residential) land use classification in the North County Sector Plan, which allows consideration of the PR zone with a density of up to 5 du/ac and the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.

2. Neither the requested nor the recommended zones are in conflict with the General Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/28/2023. 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.



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

Ronald Proffitt

Applicant Name

Affiliation

5/15/2023

Date Filed

7/13/2023

Meeting Date (if applicable)

7-E-23-RZ

File Number(s)

CORRESPONDENCE

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

Ronald Proffitt

Name / Company

4016 Oakland Dr Knoxville TN 37918

Address

865-388-3773 / jnn1517@att.net

Phone / Email

CURRENT PROPERTY INFO

Gary & Shirley Hubbs

Owner Name (if different)

1103 E Beaver Creek Rd Knoxville TN 37918

Owner Address

865-851-0097

Owner Phone / Email

1103 E BEAVER CREEK DR

Property Address

47 169

Parcel ID

0.82 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

North side of E Beaver Creek Rd, east of Hartley Ln

General Location

City

Commission District 7

A

Single Family Residential

County District

Zoning District

Existing Land Use

North 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

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	Ronald Proffitt Please Print	5/15/2023 Date
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Phone / Email		
Property Owner Signature	Gary & Shirley Hubbs Please Print	5/15/2023 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

Ronald Proffitt
Applicant Name

Affiliation

5-15-23
Date Filed

7/13/2023
Meeting Date (if applicable)

File Number(s)
7-E-23-RZ

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

Ronald Proffitt
Name

Company

4016 oakland Dr Knoxville TN 37918
Address City State ZIP

865-388-3773 JNM1517 at ATT.net
Phone Email

CURRENT PROPERTY INFO

Gary E. Hubbs + Shirley A. Hubbs 1103 E. Beaver Creek Dr. 865-851-0097
Property Owner Name (if different) Property Owner Address Property Owner Phone

1103 E. Beaver Creek Dr 047-169
Property Address Parcel ID

Hallsdale Powell Hallsdale Powell N
Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

North side of E. Beaver Creek Rd, .81 acres
General Location Tract Size

east side of Hartley Ln
 City County 7th A SF
District Zoning District Existing Land Use

North County LDR Planned Growth
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

Proposed Subdivision Name

Related Rezoning File Number

Combine Parcels
 Divide Parcel

Unit / Phase Number

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

RA (Low Density Residential)
Proposed Zoning

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s)

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
901	\$625
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

Ronald Proffitt
Applicant Signature

Ronald Proffitt
Please Print

5-15-23
Date

865-388-3773
Phone Number

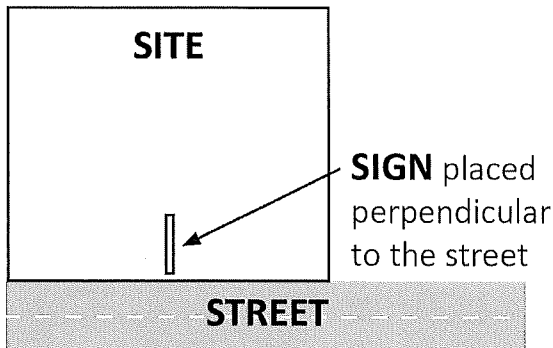
JNN1517@ATT.NET
Email

Shirley Hubbs
Property Owner Signature

Please Print

Gary Hubbs Shirley Hubbs
Date Paid 5/15/2023

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:

June 30, 2023 and July 14, 2023
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ronald Proffitt

Date: 5/15/23

File Number: 7 E 23 RZ

- Sign posted by Staff
- Sign posted by Applicant