

REZONING REPORT

▶ **FILE #:** 5-A-23-RZ

AGENDA ITEM #: 20

AGENDA DATE: 5/11/2023

▶ **APPLICANT:** SHELLYE MILBOCKER

OWNER(S): Shellye Milbocker

TAX ID NUMBER: 51 042 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 2509 NORRIS LN

▶ **LOCATION:** West side of Norris Lane, south of Millertown Pike

▶ **APPX. SIZE OF TRACT:** 0.62 acre

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Norris Lane, a local street with a pavement width of 17 ft within a 40-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Northeast Knox Utility District

WATERSHED: Legg Creek

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

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

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

▶
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

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

South: Single family residential - A (Agricultural)

East: Single family residential, agriculture/forestry/vacant - A (Agricultural)

West: Agriculture/forestry/vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is in a rural, residential area with single family homes and small-scale farms.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone for the portion of the parcel requested 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):

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. While there have not been significant changes to the immediate area, many residential lots along Norris Lane and within adjacent neighborhoods are non-conforming with the area regulations of their A (Agricultural) zoning. The residential intensity permitted in the A zone is 1 home per acre, but numerous residential lots in the area are a half-acre in size.
2. The subject property is part of a parcel that currently consists of two non-contiguous pieces with separate addresses. The rezoning is only requested for the northernmost section, which has an existing dwelling on it. Rezoning the parcel from A to RA (Low Density Residential) would bring the parcel into compliance with the zoning ordinance.

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

1. The RA zone is intended for residential areas with low population densities, which are protected from an encroachment of incompatible uses. It permits a density of 1 home per 10,000 square feet - roughly a quarter-acre - if the property is served by a sanitary sewer system, and 20,000 square feet - or about a half-acre - if the property has a septic system. The subject parcel meets the purpose and intensity of use criteria for the RA zone.

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 RA zone is consistent with the dimensions and the residential use of the subject parcel, and is an appropriate zone for many neighboring parcels as well. The homes in this area were built in the 1970s when the A zone regulations permitted residential development on lots as small as 10,000 square feet.
2. There are no adverse impacts anticipated with a rezoning to RA on this property.

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

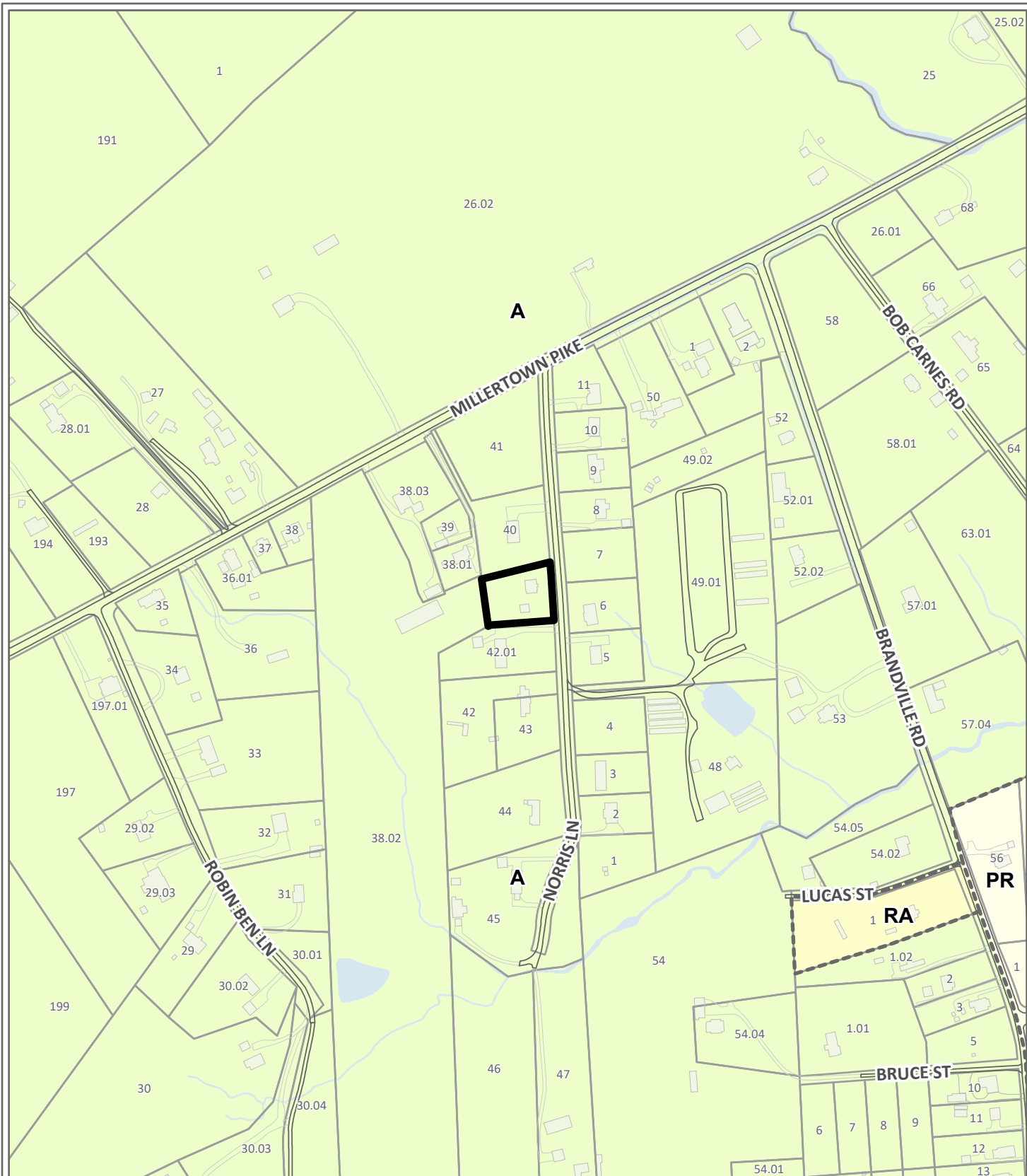
1. The proposed RA zone is consistent with the Northeast County Sector Plan's LDR (Low Density Residential) land use classification for this area.
2. The rezoning is aligned with the Growth Policy Plan's Urban Growth Area designation for this region, which is intended to encourage a reasonably compact pattern of development and offer a range of housing choices in coordination with public facilities and services.
3. The proposed rezoning is not in conflict with the General Plan or any other adopted plans for this region.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: East Knox County Elementary, Holston Middle, and Gibbs High.

If approved, this item will be forwarded to Knox County Commission for action on 6/26/2023. 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

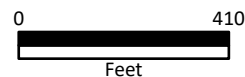
5-A-23-RZ

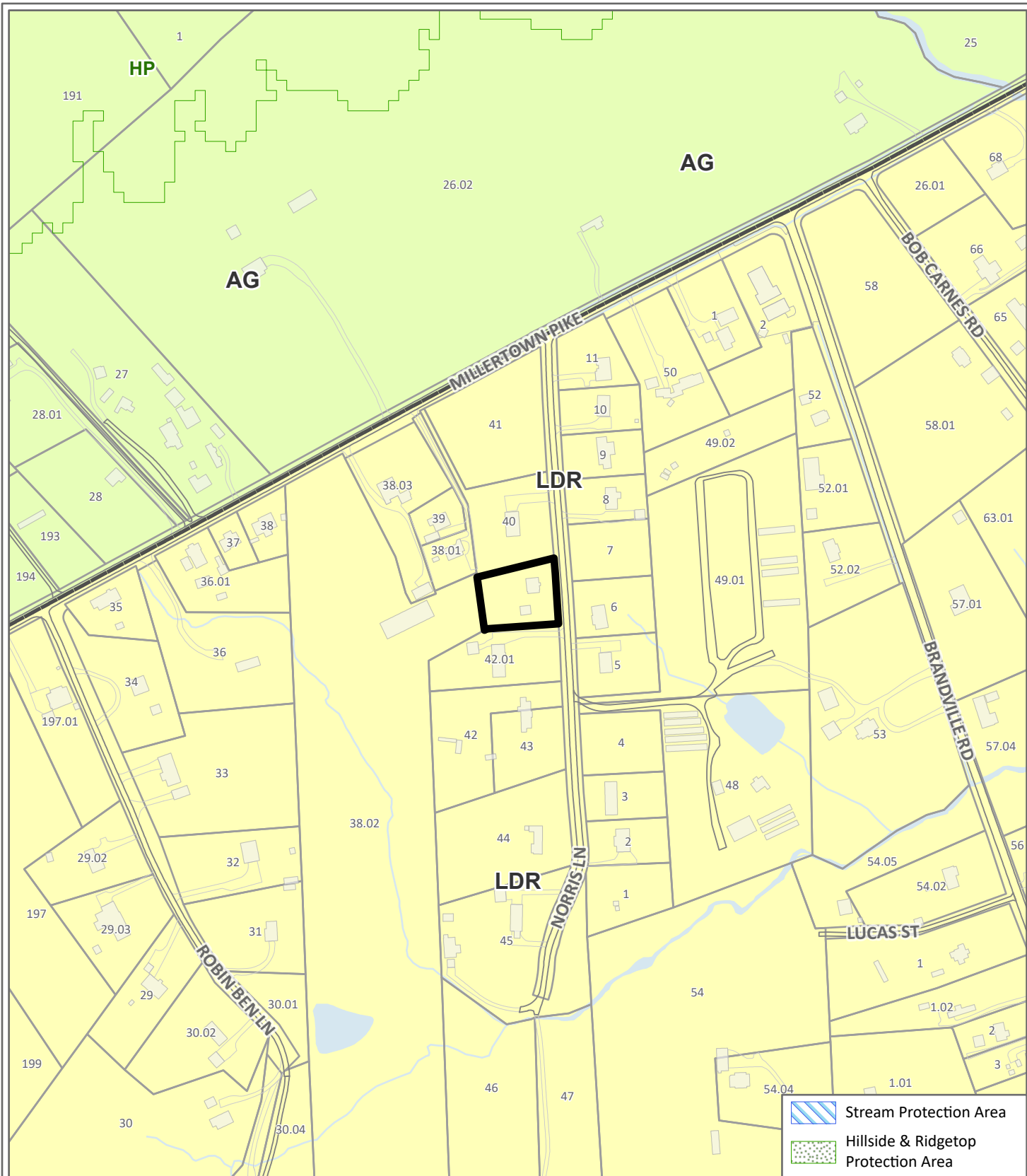
Petitioner: Shellye Milbocker





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

Map No: 51
Jurisdiction: County





 Stream Protection Area
 Hillside & Ridgetop Protection Area

NORTHEAST COUNTY SECTOR PLAN MAP

5-A-23-RZ

Petitioner: Shellye Milbocker

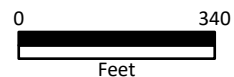


Case boundary

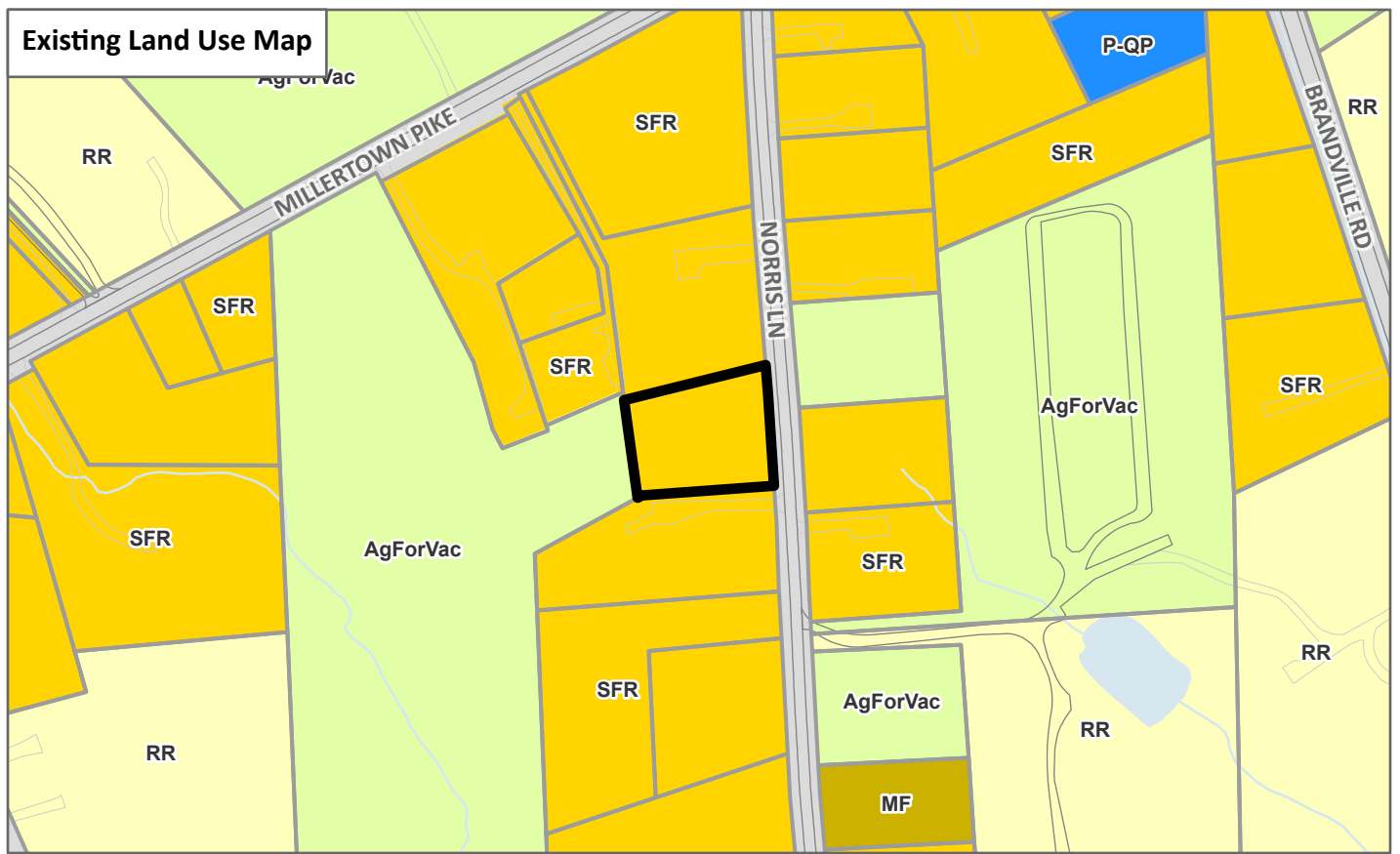
Original Print Date: 5/3/2023

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

Map No: 51
Jurisdiction: County



Existing Land Use Map



Aerial Map

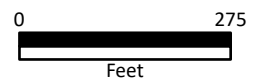


CONTEXTUAL MAPS

5-A-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

Shellye Milbocker

Applicant Name

Affiliation

3/14/2023

Date Filed

5/11/2023

Meeting Date (if applicable)

5-A-23-RZ

File Number(s)

CORRESPONDENCE

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

Shellye Milbocker

Name / Company

2509 Norris Ln Knoxville TN 37924

Address

248-618-9247

Phone / Email

CURRENT PROPERTY INFO

Shellye Milbocker

Owner Name (if different)

2509 Norris Ln Knoxville TN 37924

Owner Address

248-618-9247

Owner Phone / Email

2509 NORRIS LN

Property Address

51 042 (part of)

Parcel ID

Part of Parcel (Y/N)?

0.62 acres

Tract Size

Northeast Knox Water

Sewer Provider

Northeast Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West of Norris Lane, south of Millertown Pike

General Location

City

Commission District 8

A (Agricultural)

Single Family Residential

County District

Zoning District

Existing Land Use

Northeast County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RA (Low Density Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information	

STAFF USE ONLY

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

AUTHORIZATION

Applicant Signature	Shellye Milbocker Please Print	3/14/2023 Date
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Property Owner Signature	Shellye Milbocker Please Print	3/14/2023 Date
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I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

<u>Shellye Milbocker</u>	<u>Trustee</u>
Applicant Name	Affiliation
<u>7 December 2022</u>	File Number(s)
Date Filed	

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

<u>Scott Stanley</u>	<u>True Meridian Land Surveying</u>
Name	Company
<u>619 Glen Willow Drive</u>	<u>Knoxville TN 37934</u>
Address	City State ZIP
<u>865-675-0175</u>	<u>jscott.stanley@gmail.com</u>
Phone	Email

CURRENT PROPERTY INFO

<u>Shellye Milbocker Trust</u>	<u>4045 Island Park</u>	<u>248-618-9247</u>
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
<u>2325 & 2509 Norris Lane</u>	<u>051-042</u>	
Property Address	Parcel ID	
<u>N/A</u>	<u>KUB(2325) & Well Water(2509)</u>	<u>Y</u>
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

<u> </u>	Tract Size
General Location	
<input type="checkbox"/> City <input type="checkbox"/> County	
<u> </u>	<u> </u>
District	Zoning District
<u> </u>	<u> </u>
Planning Sector	Sector Plan Land Use Classification
<u> </u>	<u> </u>
	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

Final Plat of the John D. & Carolyn Sue Lowe Property

Proposed Subdivision Name _____

Unit / Phase Number _____ Combine Parcels Divide Parcel **2** Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change **Lot 1 to be rezoned to RA**

Plan Amendment Change

Proposed Zoning _____

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____ Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number
12-I-22

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		

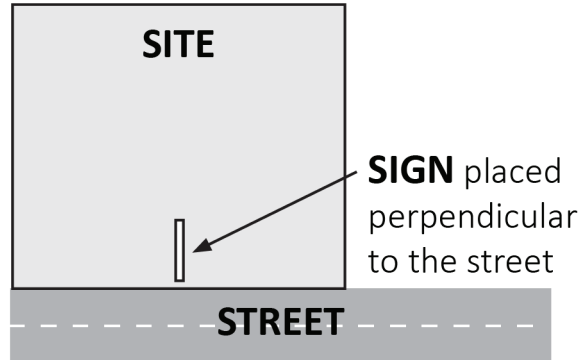
AUTHORIZATION

 <small>dotloop verified 03/09/23 8:05 PM EST CRN9-CYAH-PRHE-54X3</small>	Shellye Milbocker Please Print	03/09/2023 Date
Applicant Signature		

 <small>dotloop verified 03/09/23 8:05 PM EST RZ2E-VZHC-ZALF-LH8F</small>	Shellye Milbocker Please Print	03/09/2023 Date
Property Owner Signature		

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:

_____ April 28, 2023 _____ and _____ May 12, 2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Shellye Milbocker

Date: 3/14/2023

File Number: 5-A-23-RZ

- Sign posted by Staff
- Sign posted by Applicant