

REZONING REPORT

▶ **FILE #:** 10-M-23-RZ

AGENDA ITEM #: 13

AGENDA DATE: 10/5/2023

▶ **APPLICANT:** JIM FOX
OWNER(S): Jim Fox Fox Properties

TAX ID NUMBER: 69 A A 01101 [View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 707 DELAPP DR

▶ **LOCATION:** Northwest side of Delapp Dr, northwest of Henrietta Dr

▶ **APPX. SIZE OF TRACT:** 12,273 square feet

SECTOR PLAN: North City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Delapp Drive, a local street with a 20-ft pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood)

▶ **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood)

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

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

HISTORY OF ZONING: In 2013, this property was included in a governmental rezoning of the neighborhood from R-2 (General Residential) to R-1 (Low Density Residential) and R-1A (Low Density Residential)

SURROUNDING LAND USE AND ZONING: North: Multifamily, single family residential - RN-5 (General Residential Neighborhood), RN-1 (Single-Family Residential Neighborhood)

South: Single family residential - RN-1 (Single-Family Residential Neighborhood)

East: Single family residential - RN-1 (Single-Family Residential Neighborhood)

West: Multifamily - RN-5 (General Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This neighborhood is comprised of a wide range of housing forms, from single family detached houses to townhomes and multifamily communities.

STAFF RECOMMENDATION:

▶ **Approve the RN-2 (Single-Family Residential Neighborhood) district because it is compatible with surrounding development and consistent with adopted plans.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The subject property is located in an area of the Inskip neighborhood that saw a rapid increase in residential density with the development of several condominium communities in the early 2000s. The Inskip Small Area Plan was adopted in 2011, and it recommended downzoning certain properties along Delapp Drive, including the subject property. This recommendation was acted upon in 2013 with a governmental rezoning of the target area from the R-2 (General Residential) district to the R-1A (Low Density Residential) district (case 8-C-13-RZ). The rezoning report stated, "The R-1A zoning is recommended for a small area that, when studied, was deemed more suitable for development of duplexes, as well as single detached dwellings."
2. The City underwent a comprehensive update to its zoning ordinance, and the subject property was adapted to the new zoning categories with the designation of RN-1 (Single-Family Residential Neighborhood) zoning in 2020.
3. The RN-1 district is more restrictive than the original R-1A district. R-1A zoning permitted duplexes by right with a minimum lot area of 10,000 sq ft. The current RN-1 zoning permits consideration of duplexes through special use review with a minimum lot area of 15,000 sq ft. The subject property is approximately 12,000 sq ft in area.
4. Considering the surrounding residential intensity and the original intent of the Inskip Small Area Plan (and subsequent rezoning) to allow single-family detached dwellings and duplexes in this specific target area, the requested RN-2 (Single-Family Residential Neighborhood) district is appropriate for this location.

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

1. The RN-2 zoning district is intended for low density single-family residential development on relatively small lots. Duplex dwellings may also be allowed by special use approval, with a minimum lot area of 10,000 sq ft.
2. The subject property is in an area that has a diverse mix of lot sizes and housing forms ranging from single-family to multifamily. RN-2 zoning at this location would be consistent with surrounding development.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. There are no adverse impacts anticipated to occur with the proposed rezoning. The subject property is the only undeveloped lot in the immediate region. If a duplex were to be proposed on this site, it would be reviewed by the Planning Commission to evaluate its compatibility with neighborhood character and its impact on adjacent properties.

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. RN-2 zoning is consistent with the LDR (Low Density Residential) land use classification in the North City Sector Plan and the One Year Plan.
2. This rezoning request is consistent with the General Plan's development policy 8.1 to encourage growth in the existing urban area and develop infill housing on vacant lots that is compatible with neighboring residents in scale, design and site layout.
3. This rezoning aligns with the Inskip Small Area Plan, which recommends zoning that is equivalent the proposed RN-2 district.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

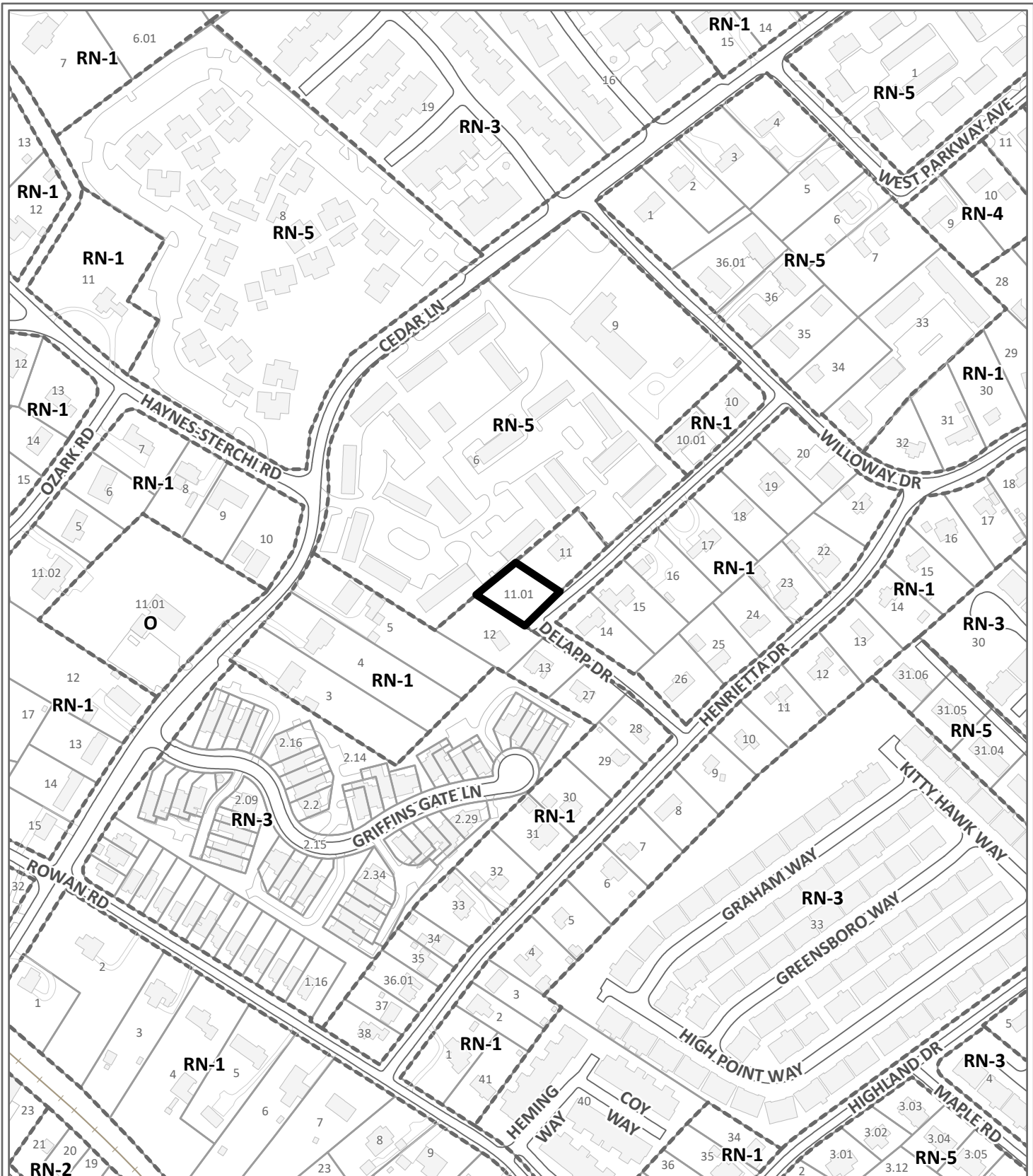
1. This property has access to all necessary utilities, and existing infrastructure can support the uses permitted in the RN-2 zoning district.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Inskip Elementary, Gresham Middle, and Central High.

If approved, this item will be forwarded to Knoxville City Council for action on 11/14/2023 and 11/28/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



REZONING

10-M-23-RZ

Petitioner: Jim Fox



From: RN-1 (Single-Family Residential Neighborhood)

To: RN-2 (Single-Family Residential Neighborhood)

Map No: 69

Jurisdiction: City

Original Print Date: 8/29/2023

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

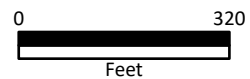
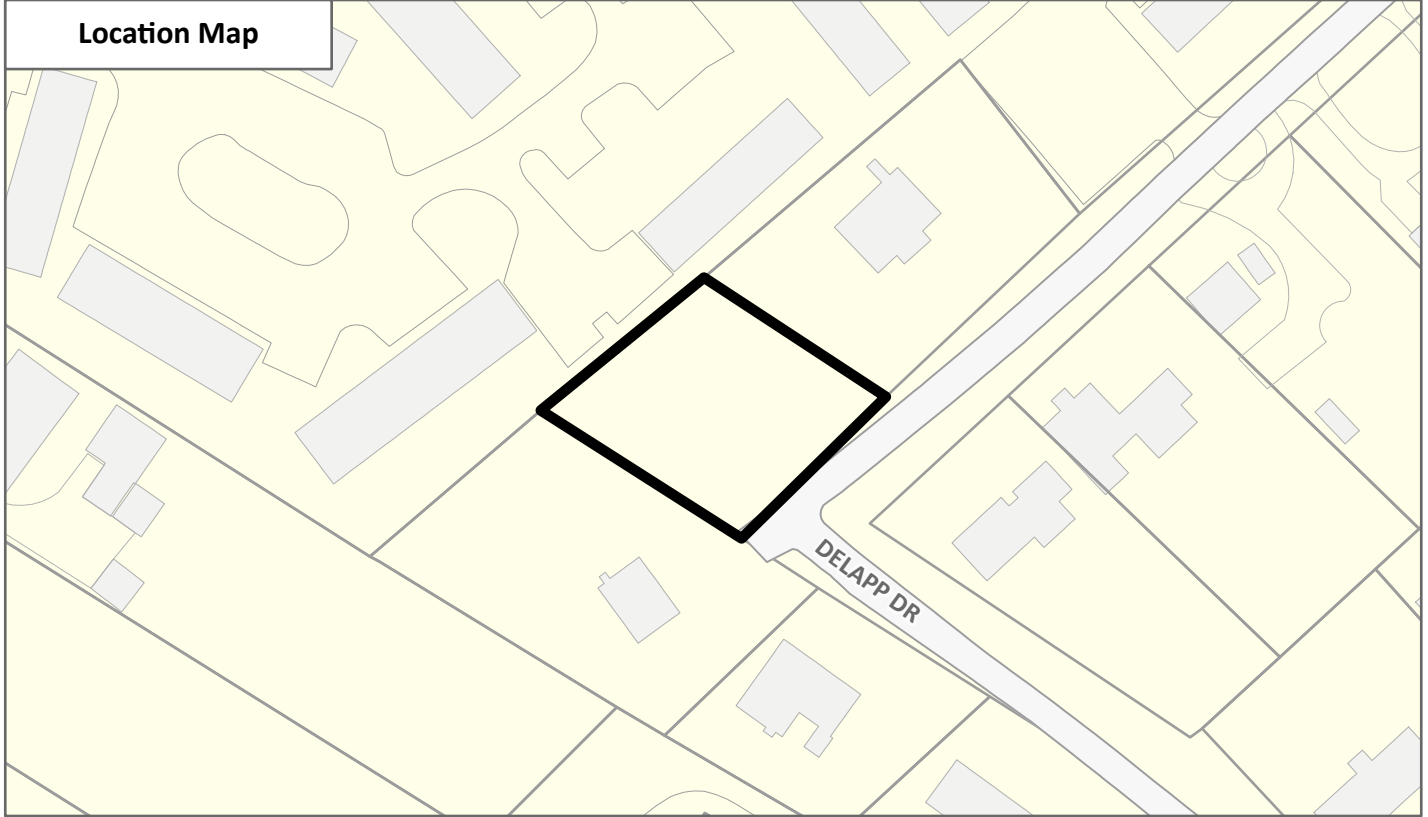


Exhibit A. Contextual Images

Location Map



Aerial Map

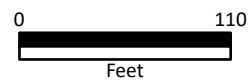


CONTEXTUAL MAPS 1

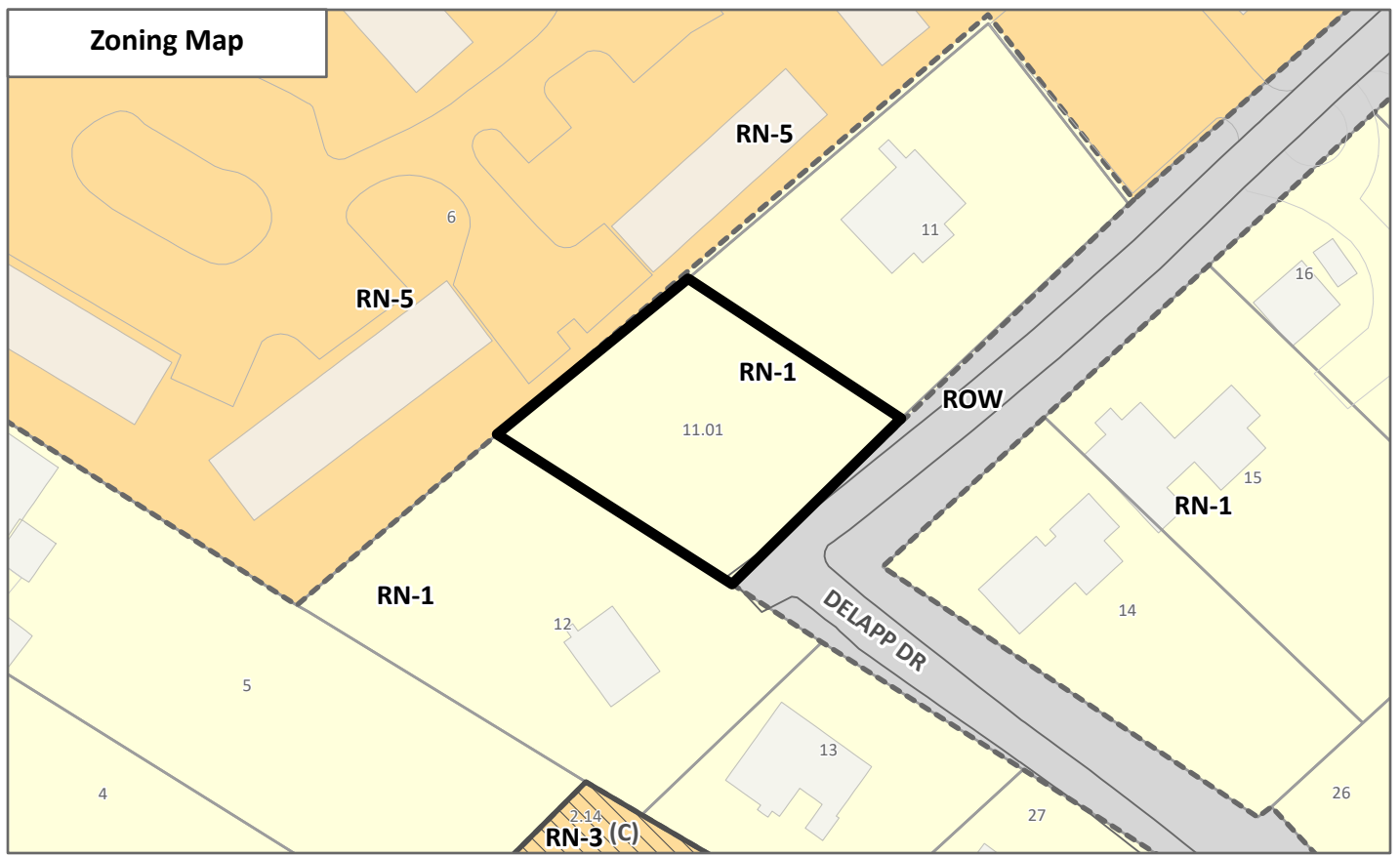
10-M-23-RZ



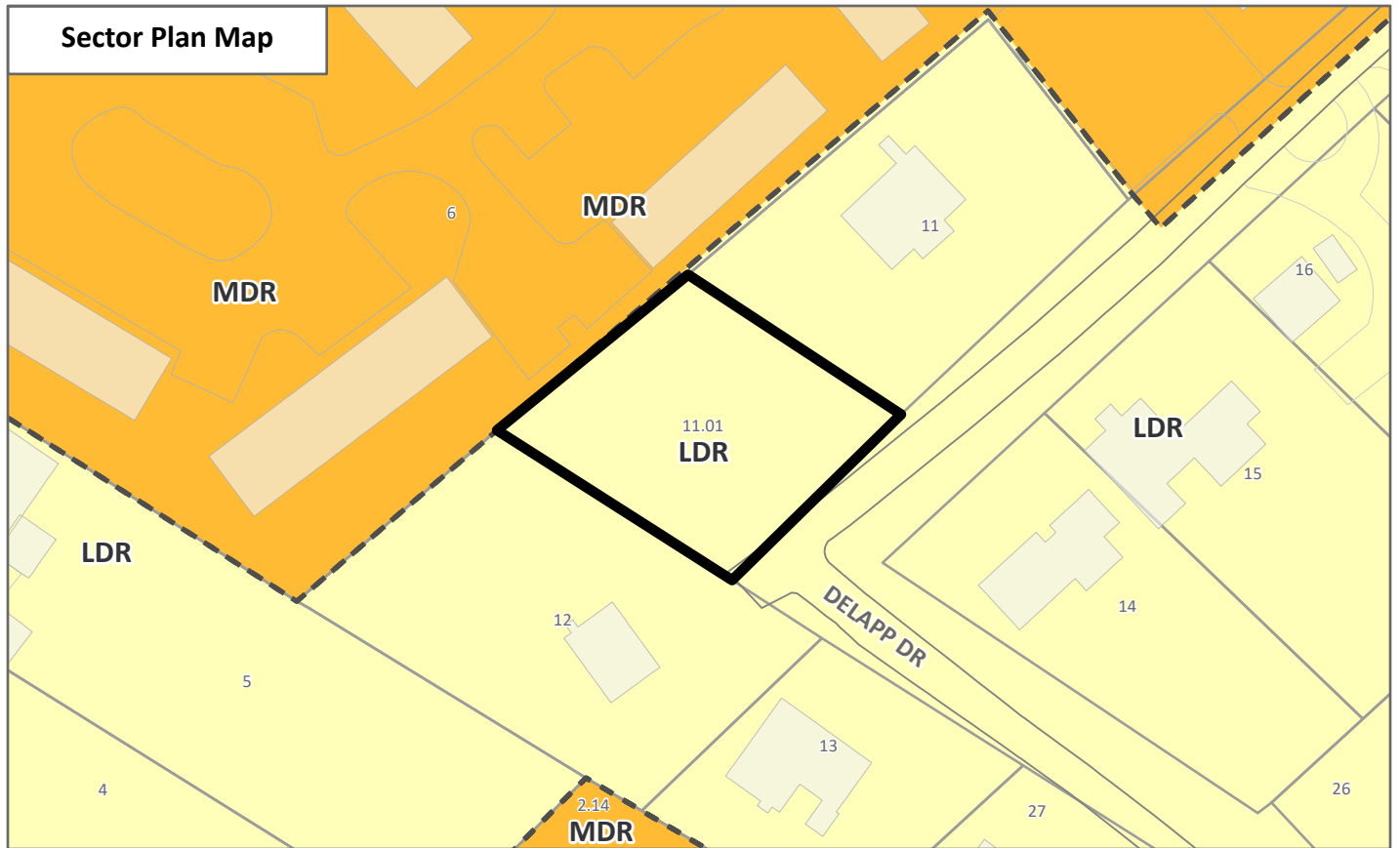
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

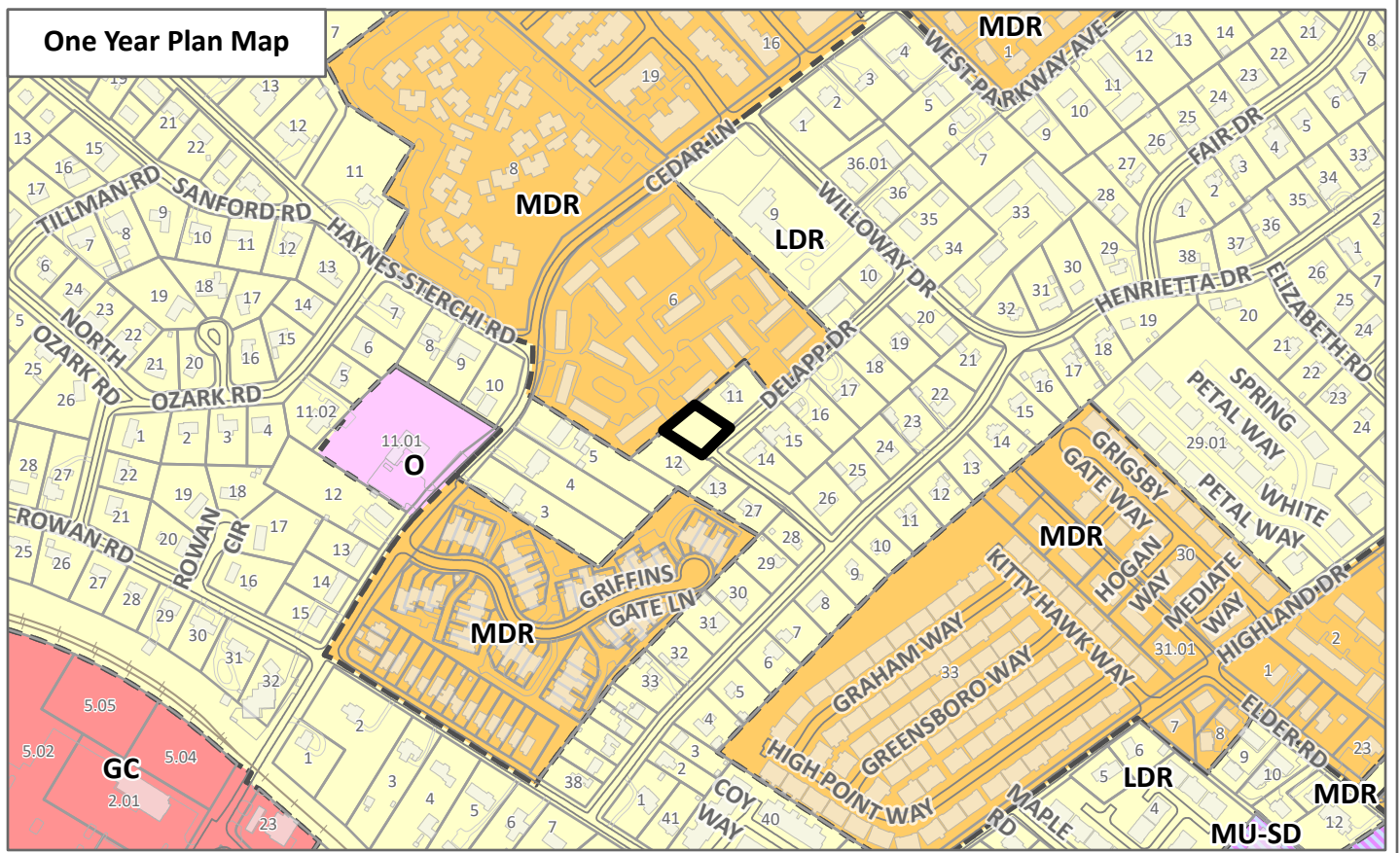
10-M-23-RZ



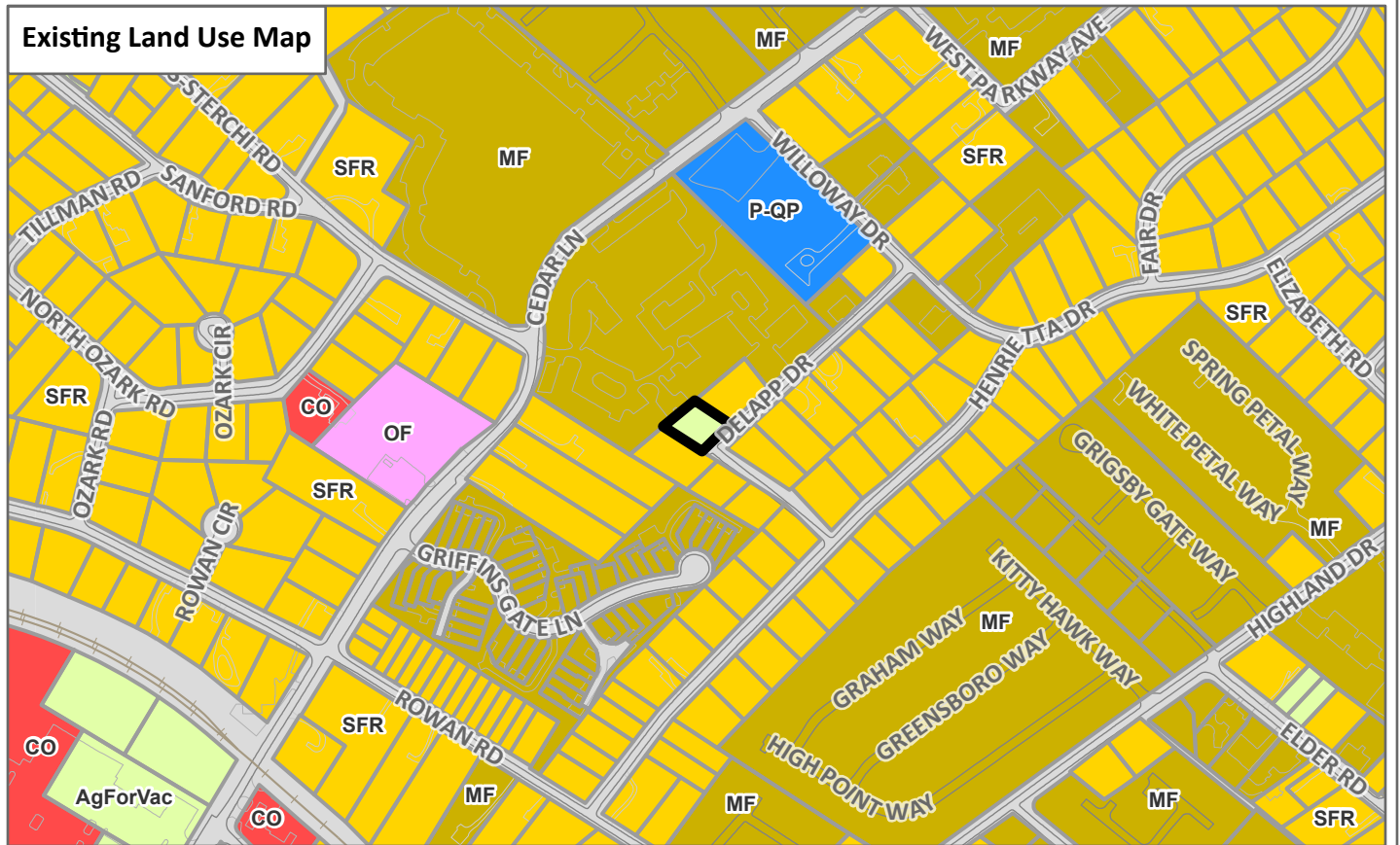
Case boundary



One Year Plan Map



Existing Land Use Map

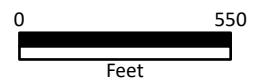


CONTEXTUAL MAPS 3

10-M-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

Jim Fox

Applicant Name

Affiliation

8/28/2023

Date Filed

10/5/2023

Meeting Date (if applicable)

10-M-23-RZ

File Number(s)

CORRESPONDENCE

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

Jim Fox Fox Properties

Name / Company

6237 Mcneely Rd Corryton TN 37721

Address

865-363-8881 / jbfox1264@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Jim Fox Fox Properties

Owner Name (if different)

6237 Mcneely Rd Corryton TN 37721

Owner Address

865-363-8881 / jbfox1264@gm

Owner Phone / Email

707 DELAPP DR

Property Address

69 A A 01101

Parcel ID

Part of Parcel (Y/N)?

12273 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Delapp Dr, northwest of Henrietta Drive

General Location

City

Council District 5

RN-1 (Single-Family Residential Neighborhood)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

North City

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

N/A (Within City Limits)

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 RN-2 (Single-Family Residential Neighborhood)	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: **Jim Fox** Please Print **8/28/2023** Date

Phone / Email _____
Property Owner Signature: **Jim Fox Fox Properties** Please Print **8/28/2023** 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

Jim Fox Applicant Name Owner Affiliation

08/25/2023 Date Filed 10/05/2023 Meeting Date (if applicable) File Number(s)
10-M-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

Jim Fox Name Fox Properties Company

6237 McNeely Rd Address Corryton City TN State 37721 ZIP

615-363-8881 Phone JBFOX1264@gmail.com Email

CURRENT PROPERTY INFO

Jim Fox Property Owner Name (if different) Property Owner Address Property Owner Phone

707 Delapp Dr Property Address 069AA01101 Parcel ID

KUB Sewer Provider KUB Water Provider Septic (Y/N)

STAFF USE ONLY

12,207 sq feet

General Location Tract Size

City County RN-1 District LDR Existing Land Use

North City Planning Sector LDR Sector Plan Land Use Classification N/A 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

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

RN-2
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
0801	\$650.00	
Fee 2		\$650.00
Fee 3		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

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Jim Fox
Applicant Signature

Jim Fox
Please Print

8-25-23
Date

865-363-8881
Phone Number

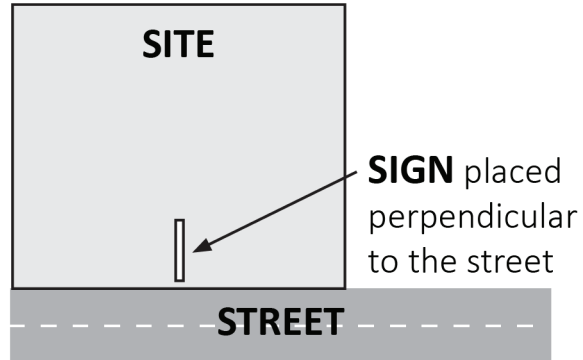
JB Fox 1264 @ GMAIL.COM
Email

Jim Fox
Property Owner Signature

Jim Fox
Please Print

SG, 08/28/2013
Date Paid

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:

_____ 09/22/2023 _____ and _____ 10/06/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jim Fox

Date: 08/28/2023

File Number: 10-M-23-RZ

- Sign posted by Staff
- Sign posted by Applicant