



REZONING REPORT

▶ **FILE #:** 9-M-23-RZ

AGENDA ITEM #: 23

AGENDA DATE: 9/14/2023

▶ **APPLICANT:** JOSHUA HAUN

OWNER(S): Luke Ray

TAX ID NUMBER: 83 O C 030

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 4504 STRAWBERRY PLAINS PIKE

▶ **LOCATION:** South side of Strawberry Plains Pk, east side of Neubert Rd

▶ **APPX. SIZE OF TRACT:** 3.25 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Strawberry Plains Pike, a minor arterial with a 20-ft pavement width within a 46-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston-French Broad

▶ **PRESENT ZONING:** RB (General Residential) [shown as A (Agricultural) on the application, but this was a map error]

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

▶ **EXISTING LAND USE:** Rural Residential

▶ **EXTENSION OF ZONE:** No

HISTORY OF ZONING: No previous requests noted. See Planning Comments for more information on a mapping error pertaining to the zoning.

SURROUNDING LAND USE AND ZONING:

North: Single family residential, rural residential - RB (General Residential)

South: Single family residential - RB (General Residential)

East: Single family residential - RB (General Residential)

NEIGHBORHOOD CONTEXT: West: Single family residential - RB (General Residential)

The area feels rural in character with larger rural residential and agricultural lots adjacent to the Holston River. The area begins to transition to smaller single family residential lots to the east of Neubert Road.

STAFF RECOMMENDATION:

▶ **Withdraw this request as it is no longer needed.**

COMMENTS:

Upon researching this parcel for the rezoning request, Planning discovered there had been a mapping error. The subject parcel and other neighboring parcels were incorrectly changed from the RB (General Residential) zone to the A (Agricultural) zone when the zoning map was amended for two nearby parcels with their rezoning

requests. These other parcels were erroneously included and should be zoned RB, not A. We have corrected the map error, so the parcels are now shown with the correct zone of RB. In light of these findings, the rezoning from A to RA (Low Density Residential) is no longer needed as the RB zone is a higher zone than RA.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/23/2023. 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.



Re: [Applications] Re: rezoning application

Shelley Gray <shelley.gray@knoxplanning.org>
To: "lucandiray@gmail.com" <lucandiray@gmail.com>

Wed, Aug 16, 2023 at 11:51 AM

Cc: Matthew Ingledew <matt.jrfund@gmail.com>, Applications <applications@knoxplanning.org>, Josh Haun <josh.haun@truelinels.com>, Michelle Portier <michelle.portier@knoxplanning.org>, Josh Anderson <josh.anderson@knoxplanning.org>, Dori Caron <dori.caron@knoxplanning.org>

Re: Refund / [4504 Strawberry Plains Pike](#)

Good morning/afternoon,

Upon researching your parcel for the rezoning request (File #9-M-23-RZ), Planning discovered there had been a mapping error. The subject parcel (Parcel ID 083OC030) was incorrectly changed from the RB (General Residential) zone to the A (Agricultural) zone with a neighboring parcel upon that parcel's rezoning when it should not have been included. Therefore, the subject parcel should be zoned RB, not A. In light of these findings, the rezoning from A to RA (Low Density Residential) is no longer needed as the RB zone is a higher zone than RA. We have corrected the map error, so the parcel is now shown with the correct zone of RB. A refund is warranted, and **we have withdrawn the case from the Planning Commission agenda that was scheduled for September 14, 2023.**

Per our telephone conversation earlier this morning, we have requested a refund to your credit card for \$650.00 (plus the convenience fee). Please allow 7-10 days processing time. Your refund receipt and zoning map is attached for your records.

Thank you,

Shelley

On Thu, Aug 3, 2023 at 12:31 PM Shelley Gray <shelley.gray@knoxplanning.org> wrote:

Thank you for your payment. A copy of your receipts and completed application for **File # 9-M-23-RZ** is attached. **This request will be heard by the Planning Commission at 1:30 pm on September 14, 2023.** Please [register to speak](#) by 9 am the day of the meeting.

If recommended for approval by the Planning Commission, this request will require legislative approval from either Knoxville City Council or Knox County Commission. The applicant must attend all meetings listed on the staff report, which will be emailed to the applicant and will be available on Planning's website at knoxplanning.org/cases.

For information on the legislative approval process please call the appropriate jurisdiction:

- Knoxville City Council, City Recorder's Office: 865.215.2075
- Knox County Commission: 865.215.2534

Please review the attached Sign Posting and Removal Requirement. This document provides the date when the public notice sign must be posted on the property and the date it must be removed.

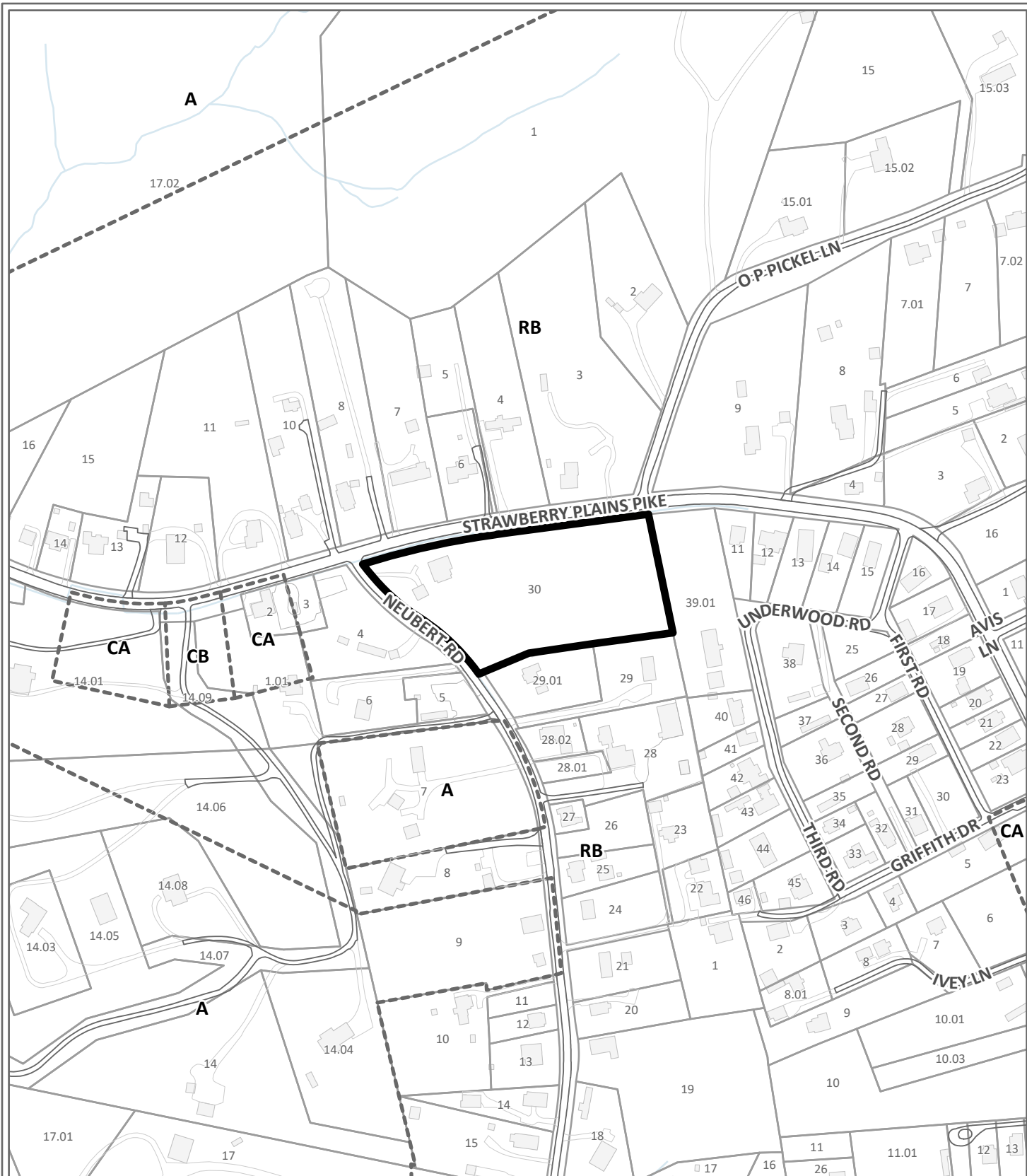
Thank you

On Wed, Jul 26, 2023 at 3:33 PM Oscar Iniguez <oscar.iniguez@knoxplanning.org> wrote:

No problem Than you

On Wed, Jul 26, 2023 at 2:36 PM Matthew Ingledew <matt.jrfund@gmail.com> wrote:

Hi Oscar,



REZONING

9-M-23-RZ

Petitioner: Joshua Haun



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

Map No: 83
Jurisdiction: County

Original Print Date: 8/18/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

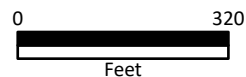
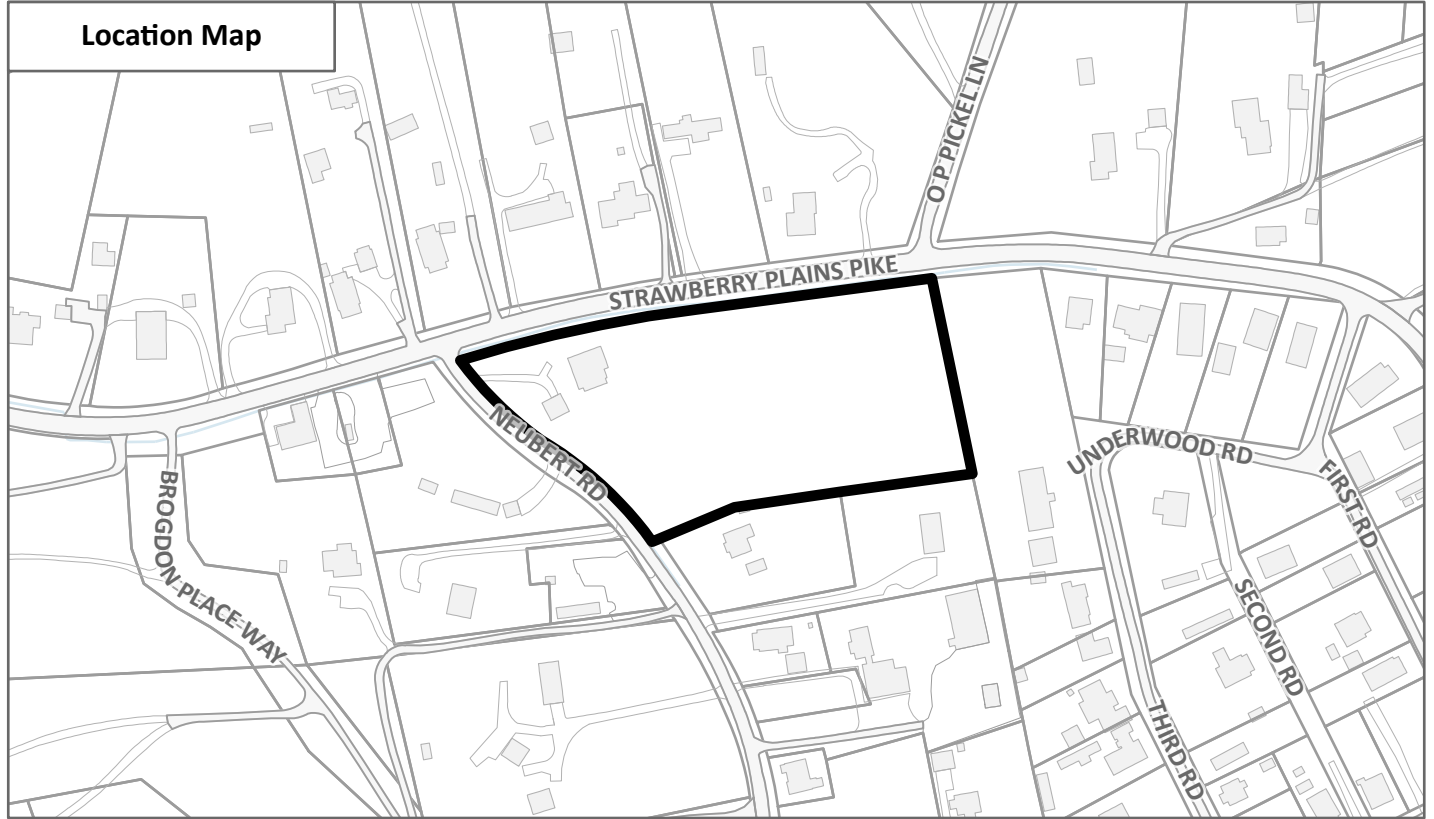


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

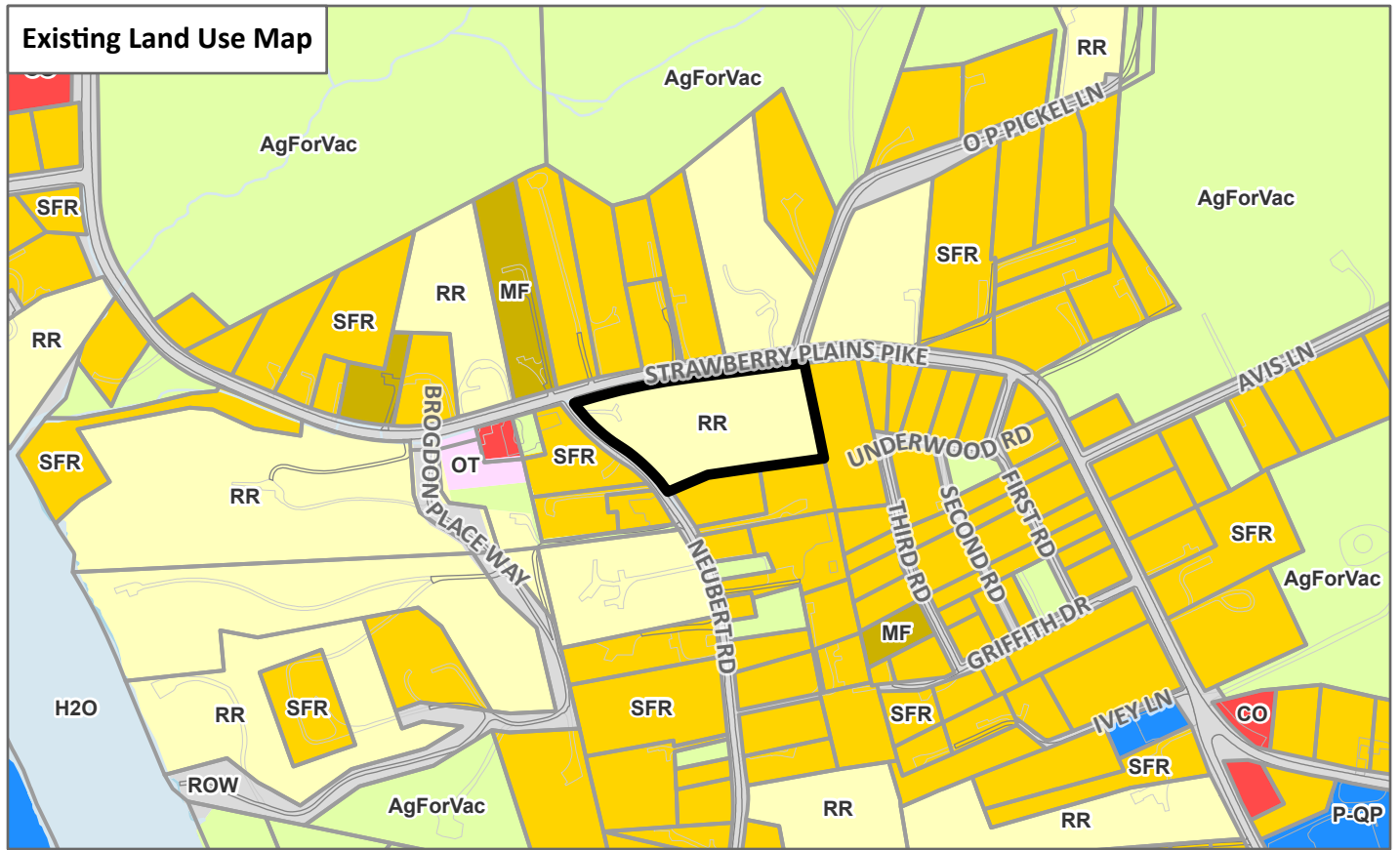
9-M-23-RZ



Case boundary



Existing Land Use Map

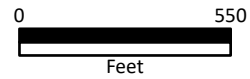


CONTEXTUAL MAPS 3

9-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

Joshua Haun

Applicant Name

Affiliation

8/3/2023

Date Filed

9/14/2023

Meeting Date (if applicable)

9-M-23-RZ

File Number(s)

CORRESPONDENCE

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

Michael Messina Trueline Land Surveying

Name / Company

PO Box 32242 Knoxville TN 37930

Address

865-607-0131 / mike.messina@truelinels.com

Phone / Email

CURRENT PROPERTY INFO

Luke Ray

Owner Name (if different)

4504 Strawberry Plains Pike Knoxville TN 37914

Owner Address

415-745-0186

Owner Phone / Email

4504 STRAWBERRY PLAINS PIKE

Property Address

83 O C 030

Parcel ID

3.25 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Strawberry Plains Pk, east side of Neubert Rd

General Location

City **Commission District 9 A (Agricultural)**

Rural Residential

County District

Zoning District

Existing Land Use

East County

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

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	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

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	Joshua Haun Please Print	8/3/2023 Date
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Phone / Email		
Property Owner Signature	Luke Ray Please Print	8/3/2023 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

JOSHUA HAUN

Applicant Name

7/24/2023

Date Filed

Meeting Date (if applicable)

SURVEYOR

Affiliation

File Number(s)

9-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

MIKE MESSINA

Name

P.O. BOX 32242

Address

865-607-0131

Phone

TRUELINE LAND SURVEYING

Company

KNOXVILLE

City

TN

State

37930

ZIP

MIKE.MESSINA@TRUELINELS.COM

Email

CURRENT PROPERTY INFO

STRAWBERRY PLAINS PIKE 437 LLC.

Property Owner Name (if different)

4504 STRAWBERRY PLAINS PIKE

Property Owner Address

415-745-0186

Property Owner Phone

4504 STRAWBERRY PLAINS PIKE

Property Address

Knoxville, TN 37914

0830 C 030.00

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

Septic (Y/N)

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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

- Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

Related Rezoning File Number

ZONING REQUEST

Zoning Change **RA**
Proposed Zoning _____

Plan Amendment Change
Proposed Plan Designation(s) _____

1UNIT/ .5 AC +/-

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

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



JOSHUA HAUN

7/24/2023

Applicant Signature

Please Print

Date

865-201-7011

josh.haun@truelinels.com

Phone Number

Email

SG, 08/03/2023



Lucas Ray

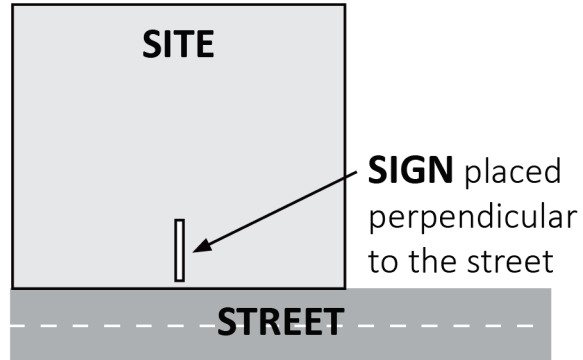
~~7/24/2023~~

Property Owner Signature

Please Print

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:

_____ 09/01/2023 _____ and _____ 09/15/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Joshua Haun

Date: 08/03/2023

File Number: 9-M-23-RZ; 4504 Strawberry Plains Pike

- Sign posted by Staff
- Sign posted by Applicant