

# REZONING REPORT

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► **FILE #:** 7-Q-24-RZ **AGENDA ITEM #:** 28

POSTPONEMENT(S): 7/11/2024 **AGENDA DATE:** 8/8/2024

► **APPLICANT:** PETR FESYUK

OWNER(S): Petr Fesyuk

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TAX ID NUMBER: 38 122 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 7404 WILLOW FORK LN

► **LOCATION:** North side of E Emory Rd, east side of Willow Fork Ln

► **APPX. SIZE OF TRACT:** 2.5 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Emory Rd, a major arterial street with a pavement width of 24-ft within a right-of-way of 50-ft.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Beaver Creek

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

► **ZONING REQUESTED:** PR (Planned Residential)

► **EXISTING LAND USE:** Rural Residential

► **DENSITY PROPOSED:** up to 6 du/ac

EXTENSION OF ZONE: No, it is not an extension of the zone.

HISTORY OF ZONING: A request to rezone this parcel from A to PR up to 5 du/ac was withdrawn prior to County Commission action (6-G-18-RZ).

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

South: Single family residential - A (Agricultural)

East: Rural residential - A (Agricultural)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area of Halls is mostly single family subdivisions and attached houses. This property is a mile from the Halls greenway, library, schools and the commercial node at Maynardville Pike and E Emory Rd. This property abuts the last few large agricultural tracts on E Emory Rd in this area.

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## STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with up to 6 du/ac because it is consistent with Knox County Comprehensive Plan and surrounding development.**

## COMMENTS:

This rezoning is for 2.5 acres of a 5.7 acre parcel. It is for the front half of the property, which has street

frontage on E Emory Rd and is currently accessed off of Willow Fork Ln. The rear of the property, which is in the Stream Protection Area, would remain A (Agricultural).

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. Since 1990, there have been some A to PR rezonings at densities ranging from up to 1-5.5 du/ac in the area. The general residential trend along E Emory Rd (SR-131) consists of small and medium-sized lots of single family detached residential houses, attached subdivisions, and some large agricultural tracts.
2. This property is within 1.5 miles of Halls schools and a senior center, the library, a greenway and water trail, 2 parks, and Maynardville Pike commercial corridor.

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

1. The PR zone is intended to provide flexibility for different types of residential development. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone. At the requested density of 6 du/ac, this 2.5-acre property could have up to 15 units.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 applicant has been asked to verify sight distance at this time. TDOT recommends 496 ft of sight distance in both directions from the property. This can be achieved by establishing the entrance at the eastern edge of the property (Exhibit B). PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as access are further evaluated, and community input may be provided regarding the proposed development plan.
2. E Emory Rd is a major arterial street, which provides major movement within an area. Additionally, there is a planned greenway (see Exhibit A) along E Emory Rd that will connect to the existing greenway by the library.

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 property is designated with the TN (Traditional Neighborhood) place type, which allows the PR zone with density from 5-9 du/ac to be considered as a partially related zone. When the proposed zone is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district be compatible with the current zoning of adjacent sites. The proposed PR zoning and required development plan review by the Planning Commission can ensure the zone is compatible with the current A zoning of adjacent sites.
2. This PR rezoning avoids the FEMA Floodway area of the parcel and more than half of the parcel (3.2 acres) will remain Agricultural, making this is consistent with the Comprehensive Plan's Policies 2 and 7, ensure that development is sensitive to existing community character, and encourage development practices that conserve and connect natural features and habitat.

ESTIMATED TRAFFIC IMPACT: 176 (average daily vehicle trips)

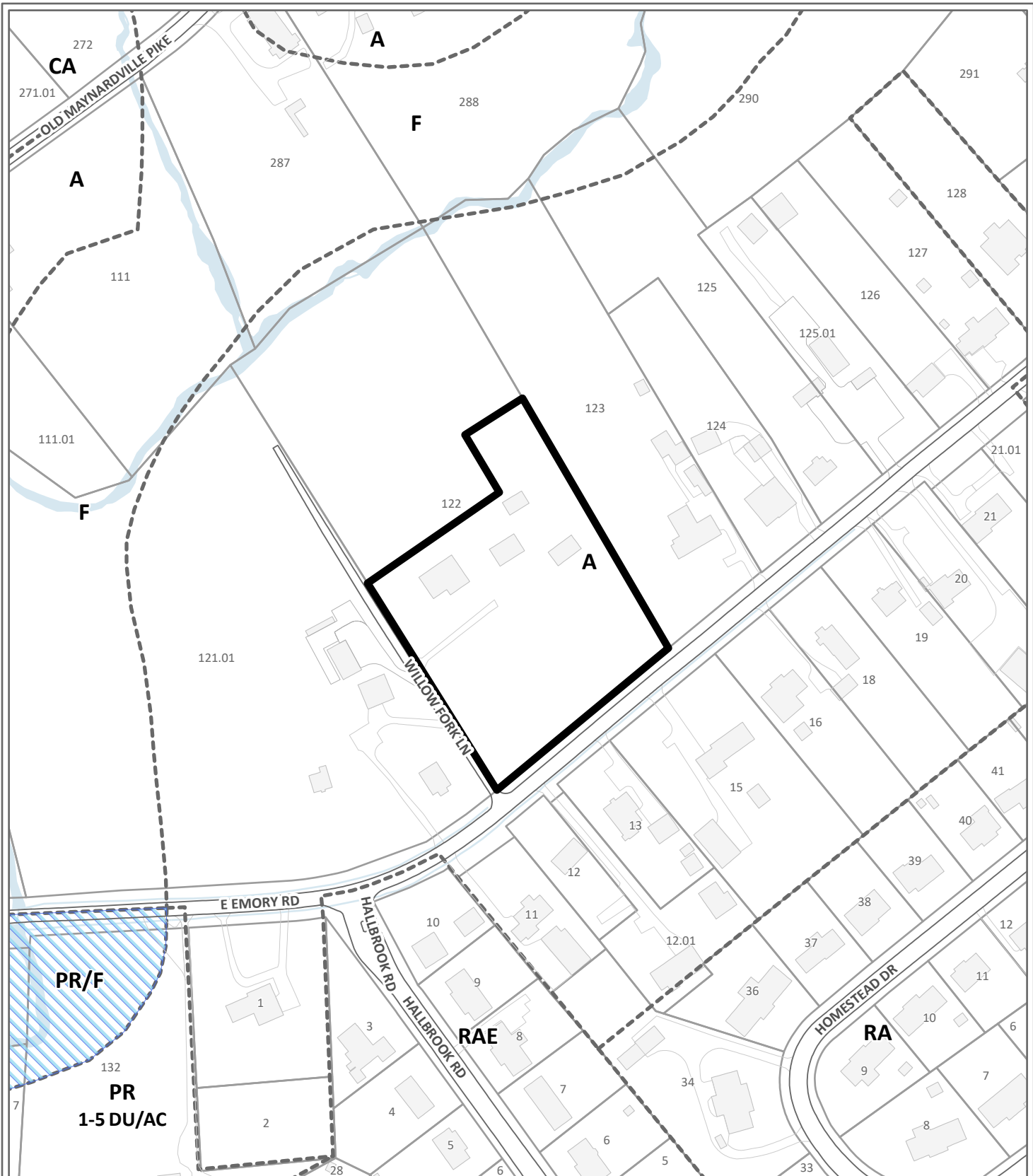
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 6 (public school children, grades K-12)

Schools affected by this proposal: Halls Elementary, Halls Middle, and Halls High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 9/16/2024. 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.



**REZONING**

**7-Q-24-RZ**

**Petitioner:** Petr Fesyuk



**From:** A (Agricultural)

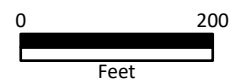
**To:** PR (Planned Residential) up to 6 du/ac

**Original Print Date:** 6/21/2024

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

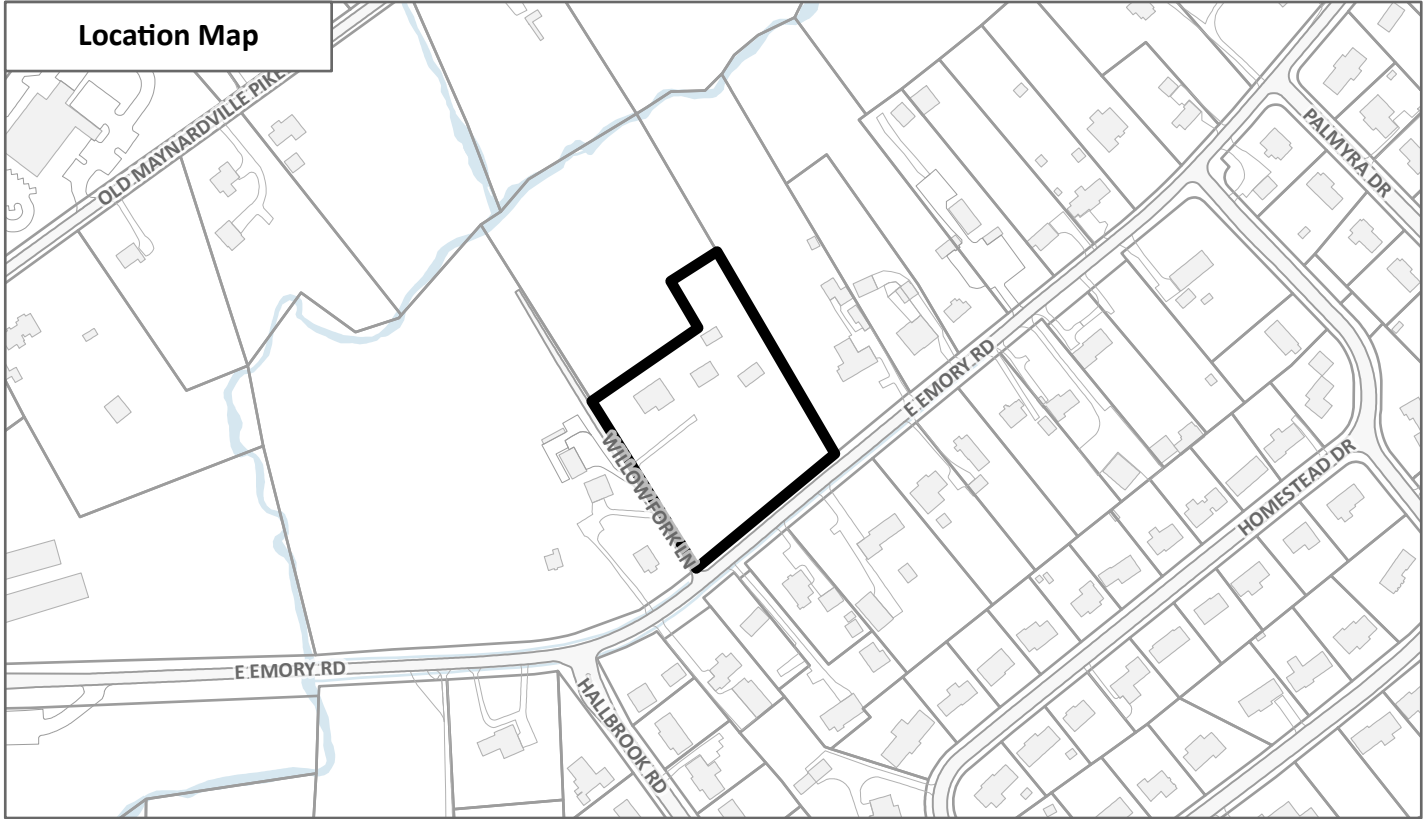
**Map No:** 38

**Jurisdiction:** County



## Exhibit A. Contextual Images

Location Map



Aerial Map

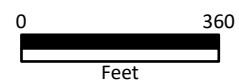


CONTEXTUAL MAPS 1

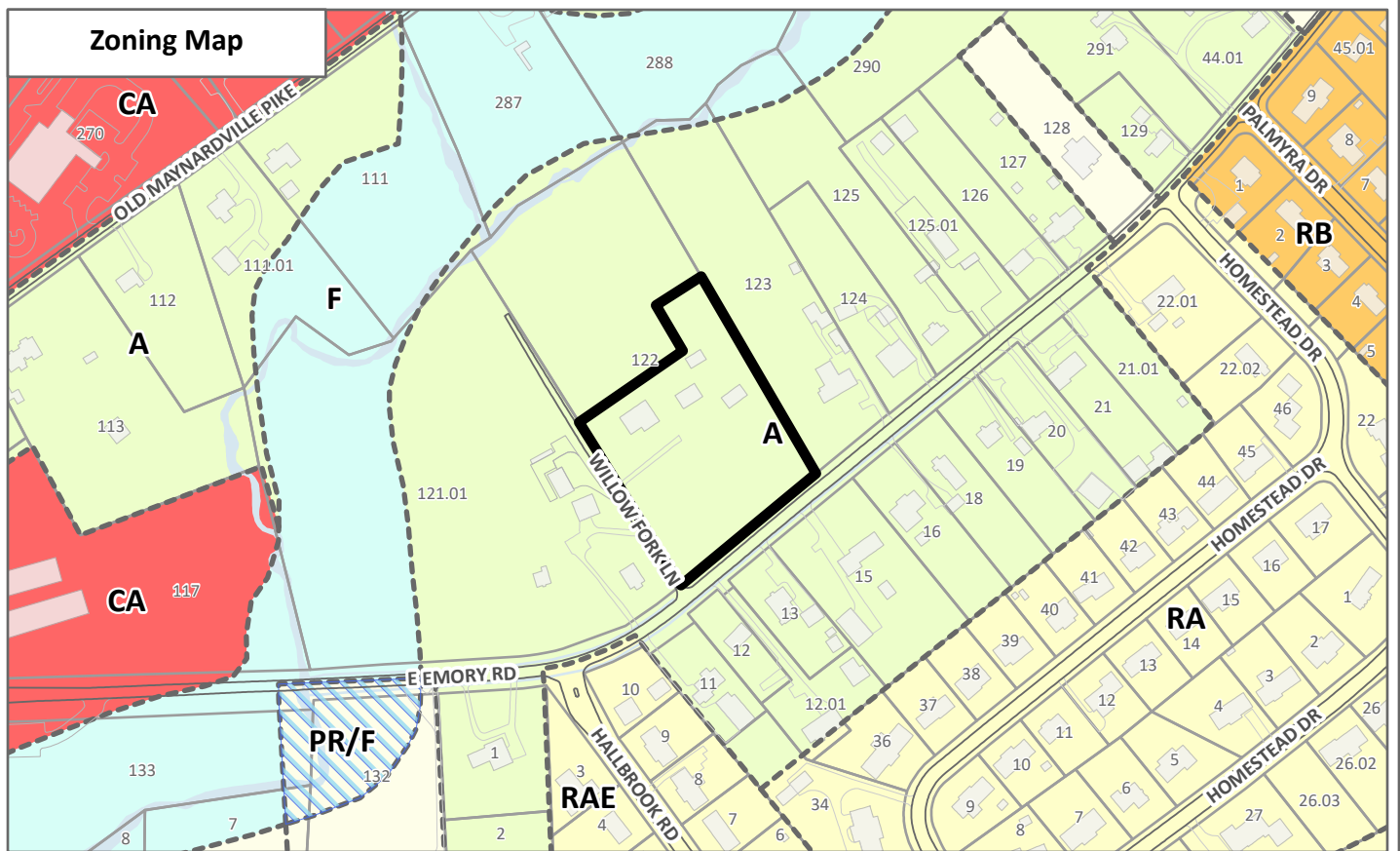
7-Q-24-RZ



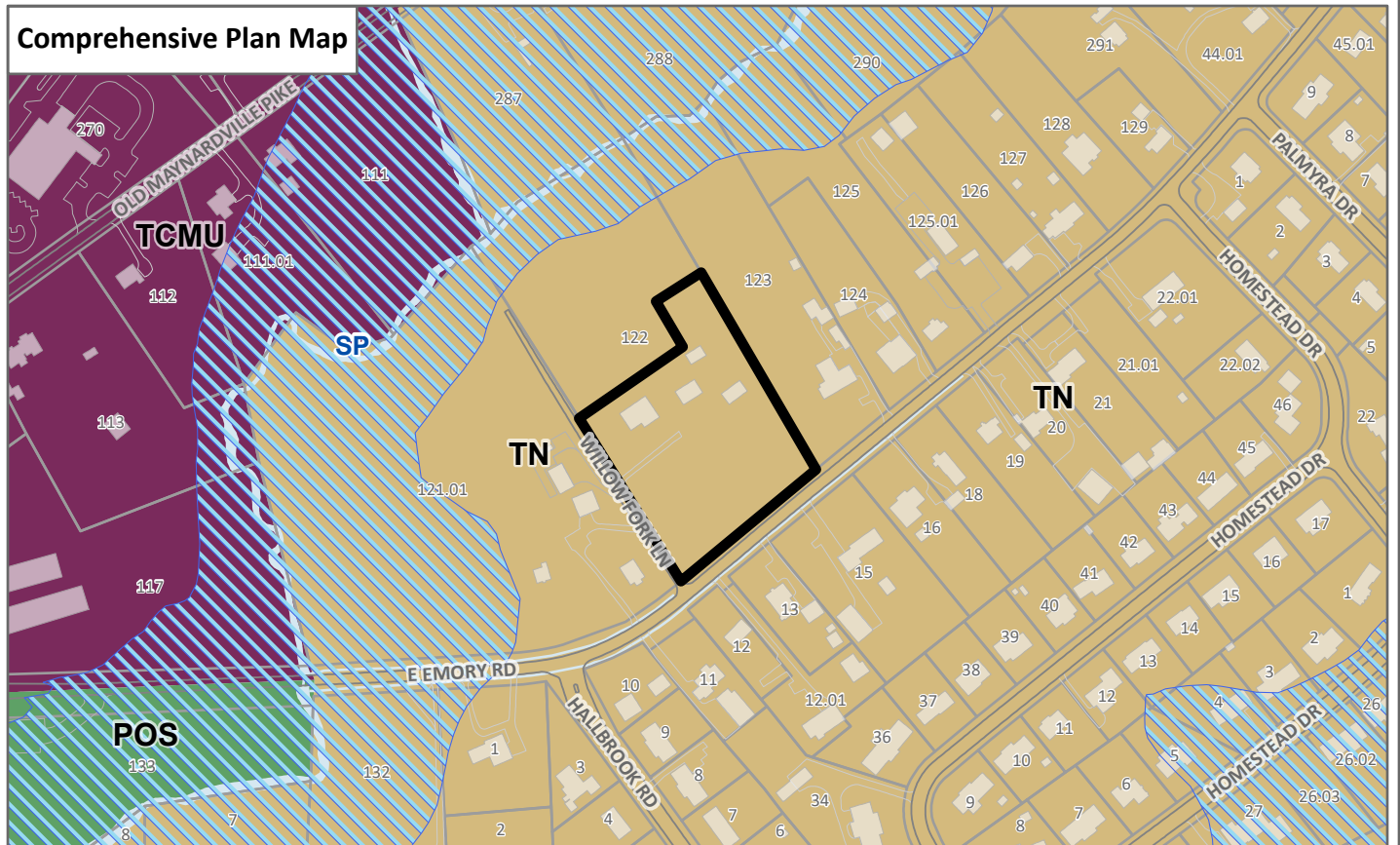
Case boundary



## Zoning Map



## Comprehensive Plan Map



## CONTEXTUAL MAPS 2

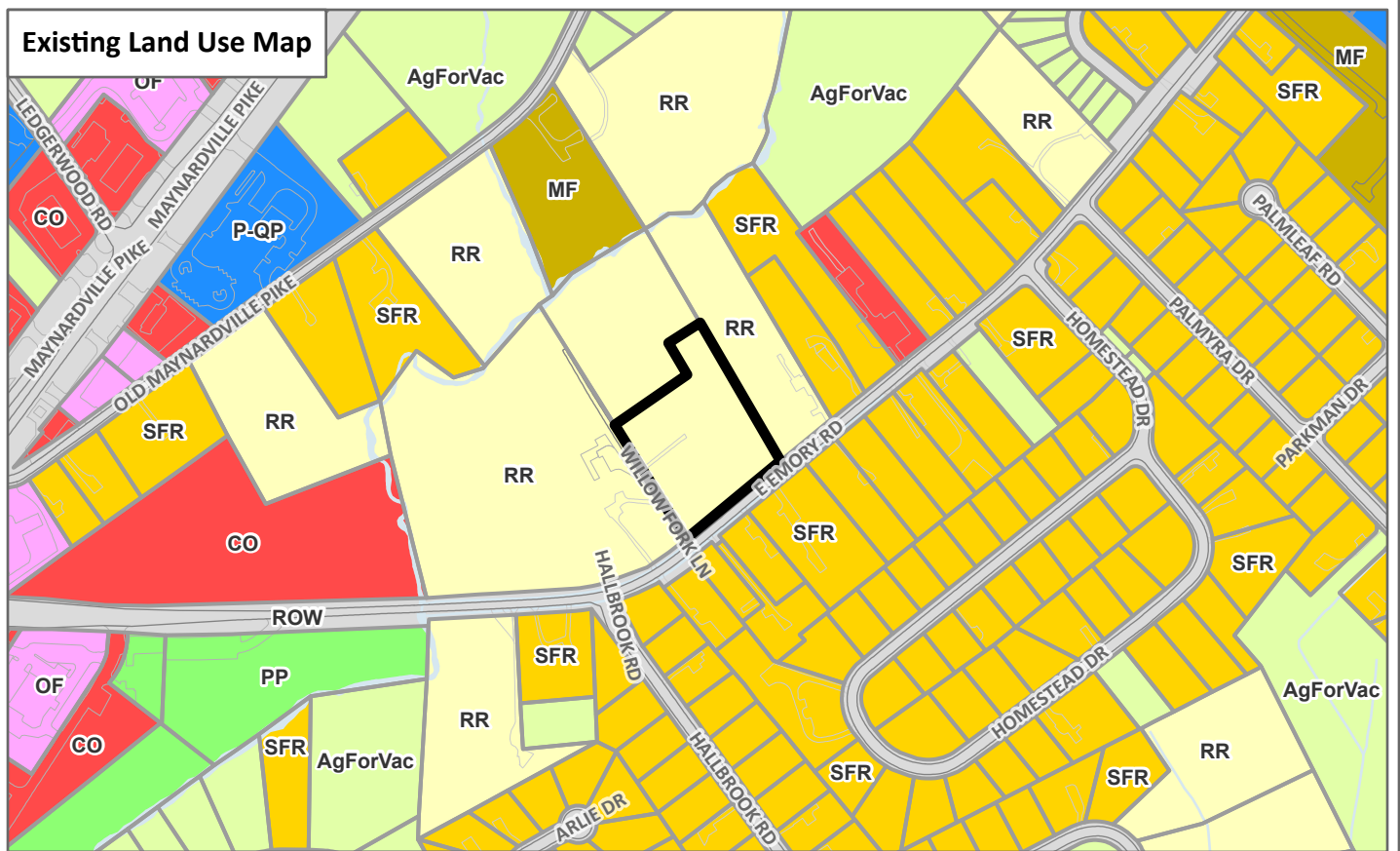
7-Q-24-RZ



Case boundary



Existing Land Use Map



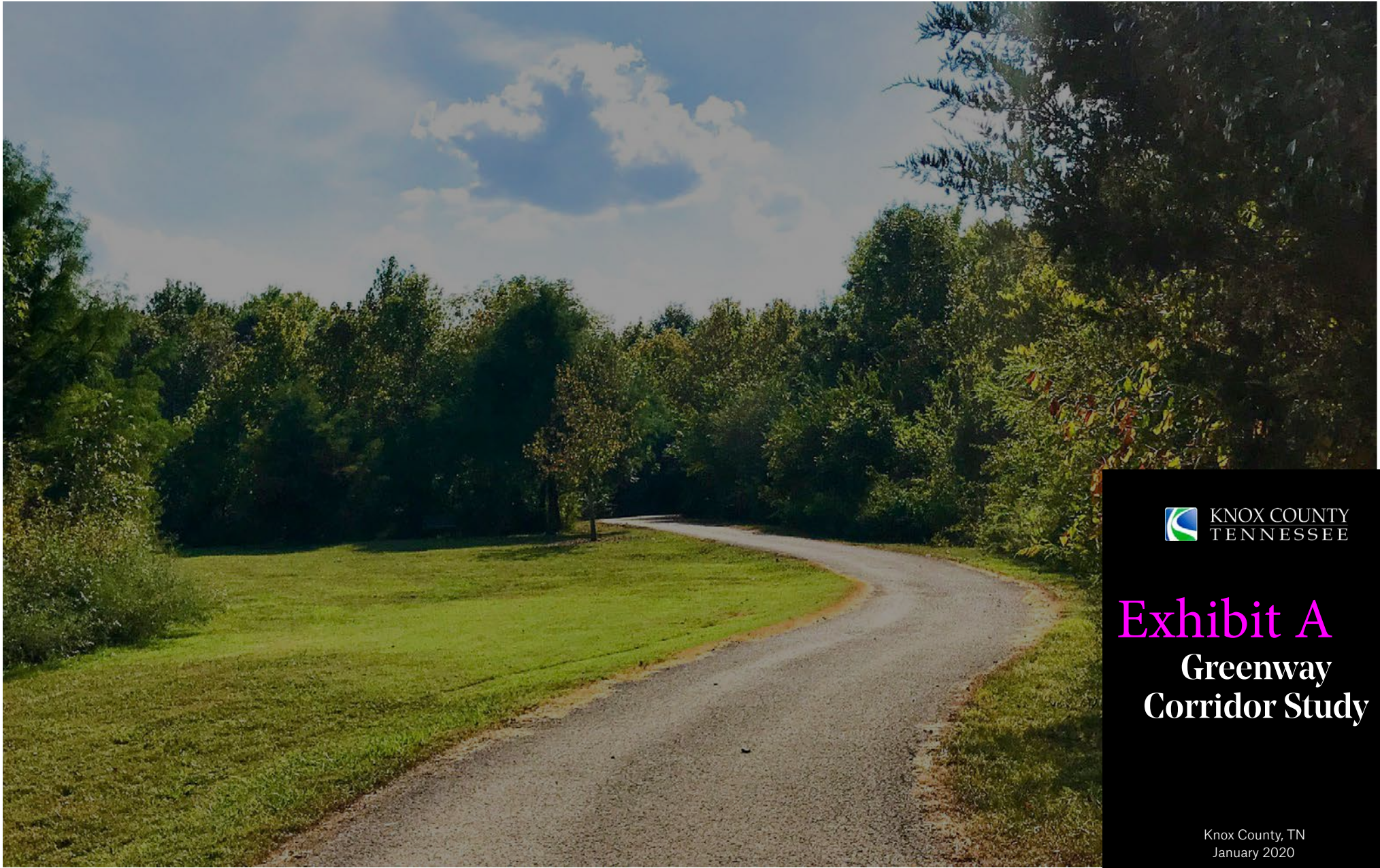
CONTEXTUAL MAPS 3

7-Q-24-RZ



Case boundary





KNOX COUNTY  
TENNESSEE

# Exhibit A

## Greenway Corridor Study

Knox County, TN  
January 2020

Figure 1-1. Greenway Study Corridors

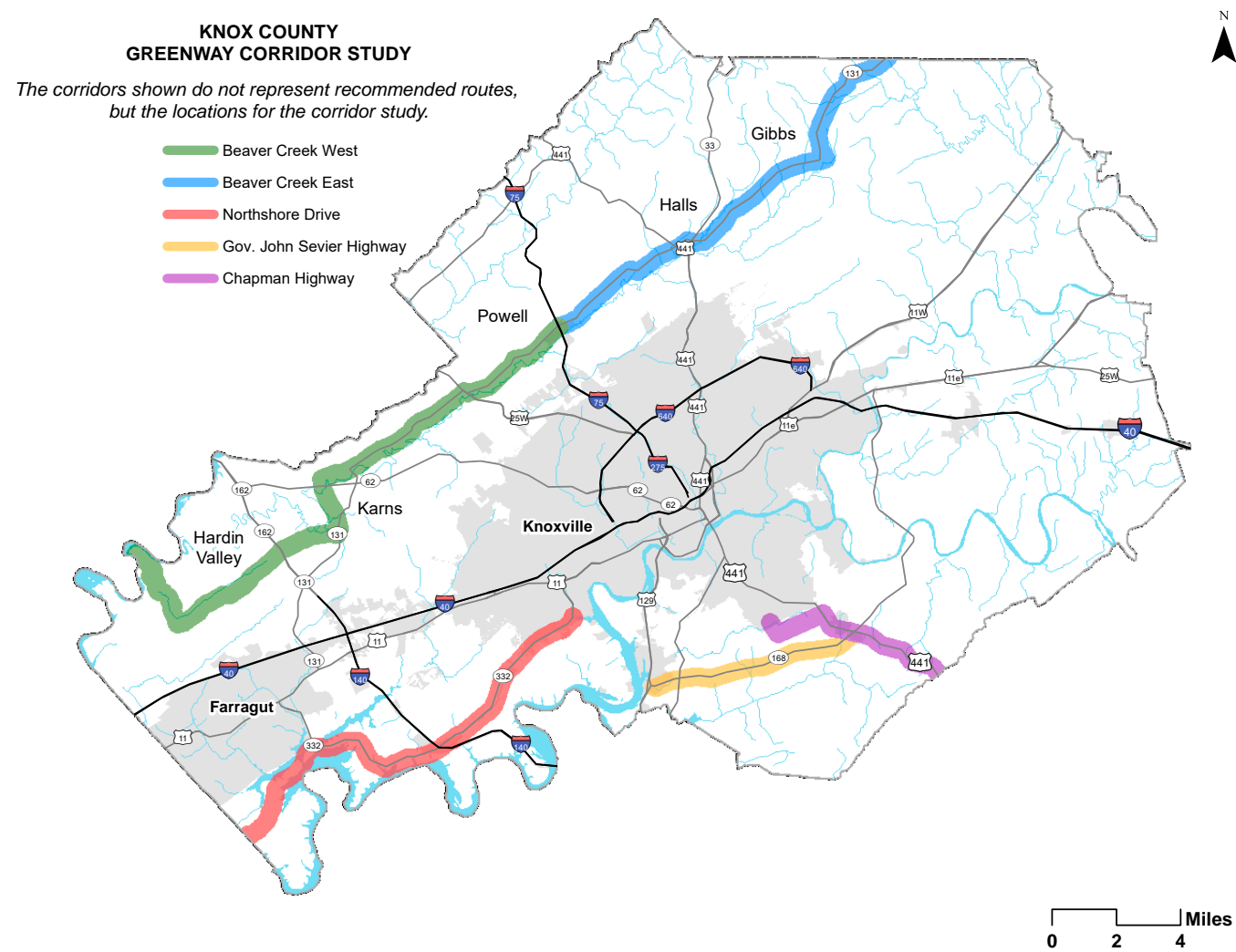


Figure 4-1. Beaver Creek East: Interstate 75 to Clayton Park

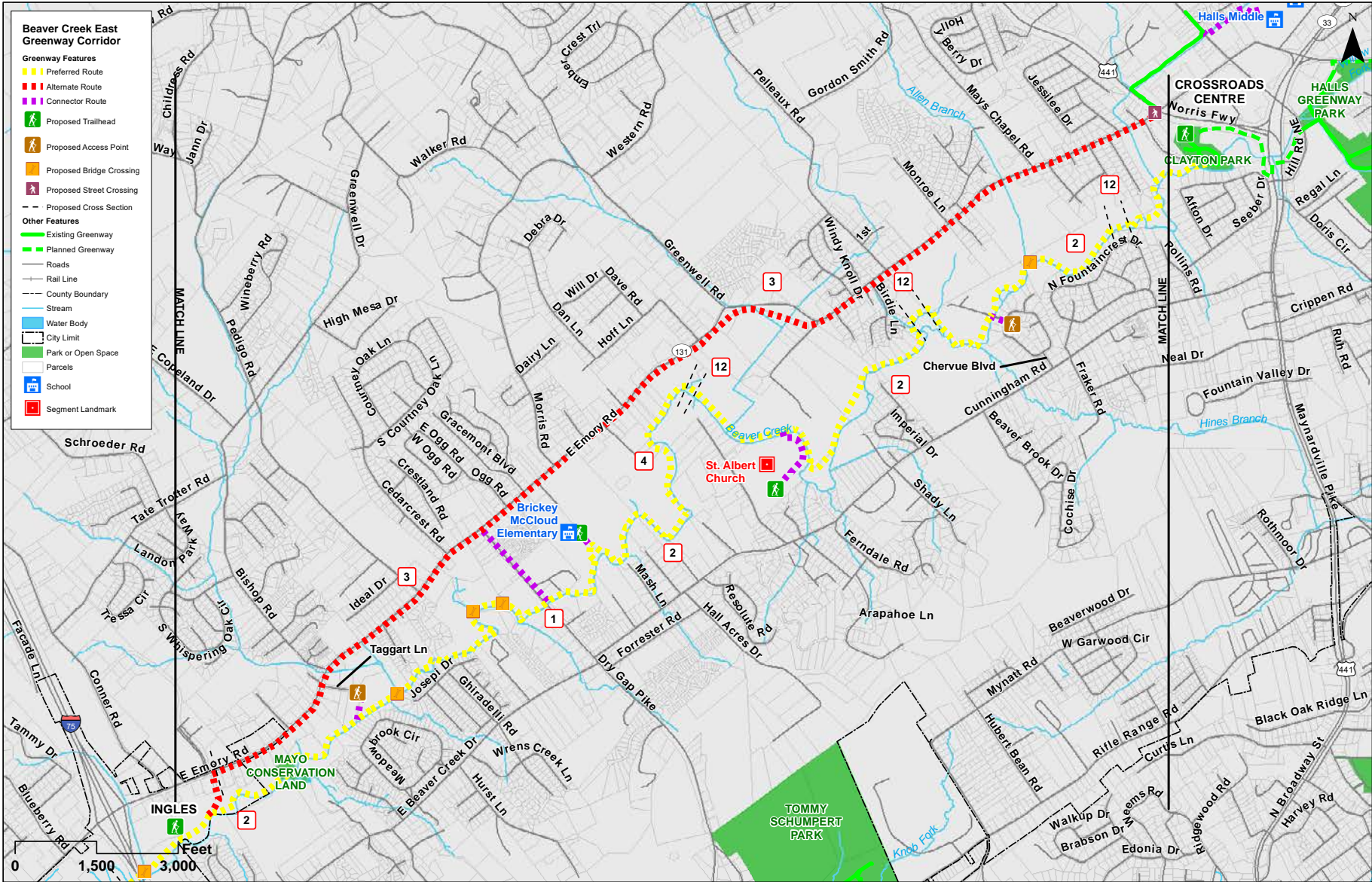


Figure 4-2. Beaver Creek East: Clayton Park to East of Beeler Road

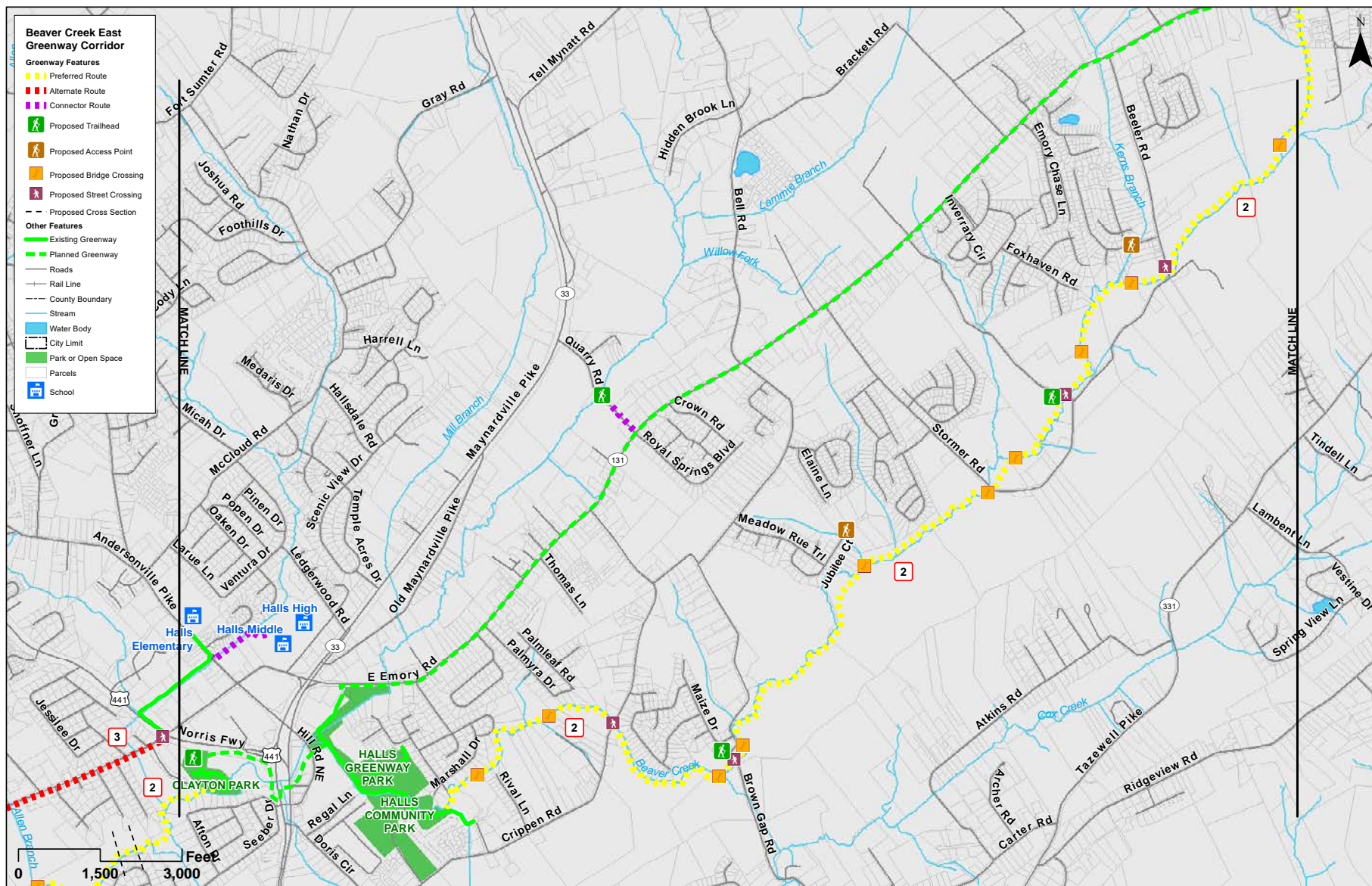
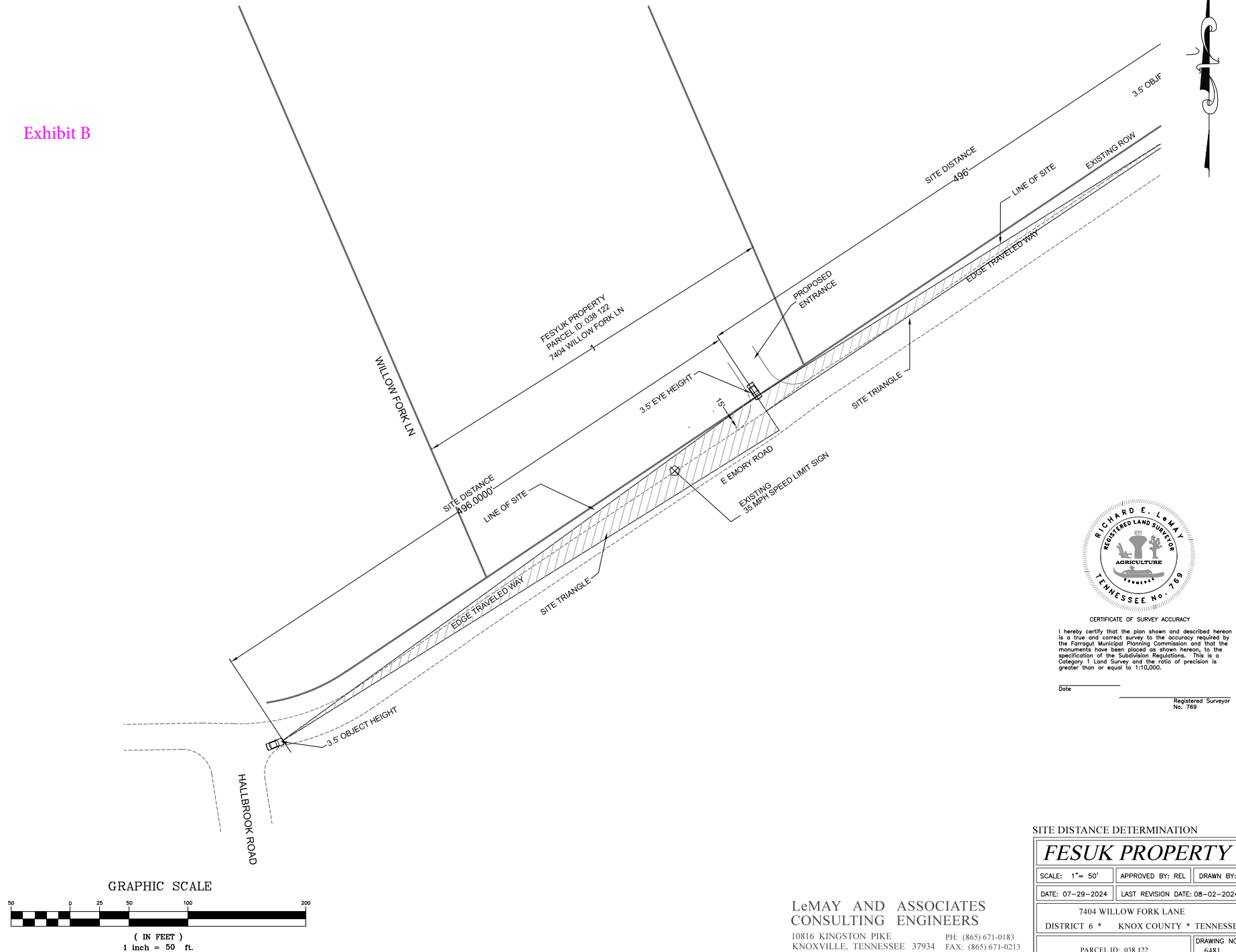


Exhibit B



CERTIFICATE OF SURVEY ACCURACY  
I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Farquhar Municipal Planning Commission and that the monuments have been placed as shown hereon, to the specification of the Subdivision Regulations. This is a Category 1 Land Survey and the ratio of precision is greater than or equal to 1:10,000.

Date \_\_\_\_\_ Registered Surveyor No. 769

SITE DISTANCE DETERMINATION

**FESUK PROPERTY**

SCALE: 1"= 50' APPROVED BY: REL DRAWN BY: RELjr.

DATE: 07-29-2024 LAST REVISION DATE: 08-02-2024

7404 WILLOW FORK LANE  
DISTRICT 6 \* KNOX COUNTY \* TENNESSEE

PARCEL ID: 038 122 DRAWING NO.: 6481

LeMAY AND ASSOCIATES  
CONSULTING ENGINEERS  
10816 KINGSTON PIKE PH: (865) 671-0183  
KNOXVILLE, TENNESSEE 37934 FAX: (865) 671-0213



# Development Request

## DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use  
☐ Hillside Protection COA

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☒ Rezoning  
☐ Plan Amendment  
☐ Sector Plan  
☐ City OYP / County Comp Plan

**Petr Fesyuk**

Applicant Name

Affiliation

**5/28/2024**

Date Filed

**7/11/2024**

Meeting Date (if applicable)

**7-Q-24-RZ**

File Number(s)

## CORRESPONDENCE

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

**Petr Fesyuk**

Name / Company

**7404 Willow Fork Ln Knoxville TN 37934**

Address

**865-333-2050 / petrfsyuk@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

**Petr Fesyuk**

Owner Name (if different)

**7404 Willow Fork Ln Knoxville TN 37934**

Owner Address

**865-333-2050 / petrfsyuk@gm**

Owner Phone / Email

**7404 WILLOW FORK LN**

Property Address

**38 122 (part of)**

Parcel ID

**2.5 acres**

Tract Size

**Hallsdale-Powell Utility District**

Sewer Provider

**Hallsdale-Powell Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**North side of E Emory Rd, east side of Willow Fork Ln**

General Location

☐ City **Commission District 7 A (Agricultural)**

☒ County District Zoning District

**Rural Residential**

Existing Land Use

**North County**

Planning Sector

**TN (Traditional Neighborhood)**

Land Use (City)/Place Type (County)

**Planned Growth Area**

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

- ☐ Development Plan   ☐ Planned Development   ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

## ZONING REQUEST

- ☒ Zoning Change   **PR (Planned Residential)**  
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment  
Proposed Plan Designation(s)

**up to 6 du/ac**

Proposed Density (units/acre)   Previous Rezoning Requests

Additional Information

## STAFF USE ONLY

### PLAT TYPE

- ☐ Staff Review   ☐ Planning Commission

### ATTACHMENTS

- ☐ Property Owners / Option Holders   ☐ Variance Request  
☐ Amendment Request (Comprehensive Plan)

### ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)  
☐ Traffic Impact Study  
☐ COA Checklist (Hillside Protection)

Fee 1

**\$650.00**

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.

**Petr Fesyuk**

**5/28/2024**

Applicant Signature

Please Print

Date

Phone / Email

**Petr Fesyuk**

**5/28/2024**

Property Owner Signature

Please Print

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 ☐ PA
- ☒ Rezoning

Petr Fesyuk

Applicant Name		Affiliation
5/27/2024	7/11/2024	File Number(s)
Date Filed	Meeting Date (if applicable)	

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

Petr Fesyuk

Name	Company		
7404 Willow Fork Lane	Knoxville	TN	37938
Address	City	State	ZIP
865-333-2050	petrfesyuk@gmail.com		
Phone	Email		

CURRENT PROPERTY INFO

Property Owner Name (if different)	Property Owner Address	Property Owner Phone
7404 Willow Fork Lane	038 122	
Property Address	Parcel ID	
KUB	KUB	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

General Location		Tract Size
<input type="checkbox"/> City <input type="checkbox"/> County	District	Zoning District
		Existing Land Use
Planning Sector	Land Use / Place Type CITY COUNTY	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

Planned Residential Zone

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

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  
☐ Amendment Request (*Comprehensive Plan*)

### ADDITIONAL REQUIREMENTS

- ☐ 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

*Petr Fesyuk*

Petr Fesyuk

5/27/2024

Applicant Signature

Please Print

Date

865-333-2050

petrfesyuk@gmail.com

Phone Number

Email

*Petr Fesyuk*

Petr Fesyuk

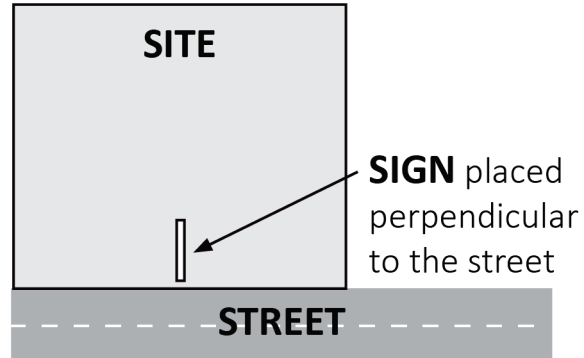
05/27/2024

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:*

\_\_\_\_\_ June 28, 2024 \_\_\_\_\_ and \_\_\_\_\_ July 12, 2024 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Petr Fesyuk

Date: 5/29/2024

File Number: 7-Q-24-RZ



Sign posted by Staff



Sign posted by Applicant