

REZONING REPORT

► **FILE #:** 8-K-24-RZ

AGENDA ITEM #: 36

AGENDA DATE: 8/8/2024

► **APPLICANT:** LARRY KOONTZ

OWNER(S): Larry Koontz

TAX ID NUMBER: 19 P A 018

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 4338 YORK RD

► **LOCATION:** East side of York Rd, north of Inisbrook Way

► **APPX. SIZE OF TRACT:** 1.01 acres

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via York Road, a major collector street with a pavement width of 20 ft within a 48-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Beaver Creek

► **PRESENT ZONING:** RAE (Exclusive Residential), A (Agricultural)

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

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

► **DENSITY PROPOSED:** 2 du/ac

EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: A portion of the property was part of a rezoning over a larger area from A to RAE in 1980 (11-T-80-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential - RAE (Exclusive Residential)

South: Single family residential - A (Agricultural)

East: Rural residential - A (Agricultural)

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

NEIGHBORHOOD CONTEXT: The area comprises single family houses on lots with a wide range of acreage and undeveloped forested lands.

STAFF RECOMMENDATION:

► **Deny the PR (Planned Residential) zone with up to 2 du/ac because there are no substantial changing conditions in the area that warrants the rezoning.**

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 is characterized by single family houses and undeveloped forested lands. The adjacent Wolf Lair subdivision was developed in the 1970s. There are no known significant changes in the surrounding developments that warrant the proposed rezoning.

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 which encourage more imaginative solutions to environmental design problems. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.

2. A portion of the property along the northeast lot line is in the HP area, with slopes in the up to 15% and 15-25% ranges. There are also steeper slopes on the southern lot line that are not in the HP area. The presence of slopes over the majority of the property would make it challenging to develop with an additional dwelling. This is something the PR zone would typically help to mitigate since it allows clustering. However, the PR zone is intended for larger properties and has a periphery boundary requirement of 35 ft. This would likely need a reduction at the time of the development plan should this request be approved.

3. At the requested density of 2 du/ac, this 1-acre property could accommodate a maximum of 2 single family houses or a duplex. This is one more unit than the property's current dual RAE and A zones would allow. There is RA zoning across the street. This zoning is older, legacy zoning that predates the sector plans and General Plan that were in place prior to the Comprehensive Plan. The RA zone is not consistent with the Knox County Comprehensive Plan, as its minimum lot size yields a density a little over 4 du/ac. It is not a zone that can be considered under the new plan's RL place type. The surrounding A and RAE zones are consistent with the Comprehensive Plan.

4. 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.

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. No significant adverse impacts would be anticipated with the requested rezoning. There are a couple of somewhat smaller lots with the PR zone approximately 0.25-mile southwest of the subject property.

2. At 2 du/ac, the density would be similar to the adjacent Wolf Lair subdivision across the street. However, as mentioned previously, this development is not consistent with the Comprehensive Plan.

3. Any development under the PR zone would require development plan approval by the Planning Commission where issues such as access to the site and stormwater management will be reviewed by the Knox County Engineering & Public Works Department.

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

1. The proposed rezoning is consistent with the subject property's location in the Rural Area of the Growth Policy Plan and meets all three conditions described in Policy 4.3 of the plan's 2024 amendment – a maximum density of 2 du/ac, availability of water/sewer infrastructure, and along a collector street with at least 18-ft pavement width.

2. The proposed rezoning is compatible with the recommended RL (Rural Living) place type as defined in the Comprehensive Plan, which allows consideration of the PR zone with a density up to 2 du/ac as a partially related zone.

3. Partially related zone considerations must meet additional criteria provided in Appendix H of the Comprehensive Plan to ensure their compatibility with the place type.

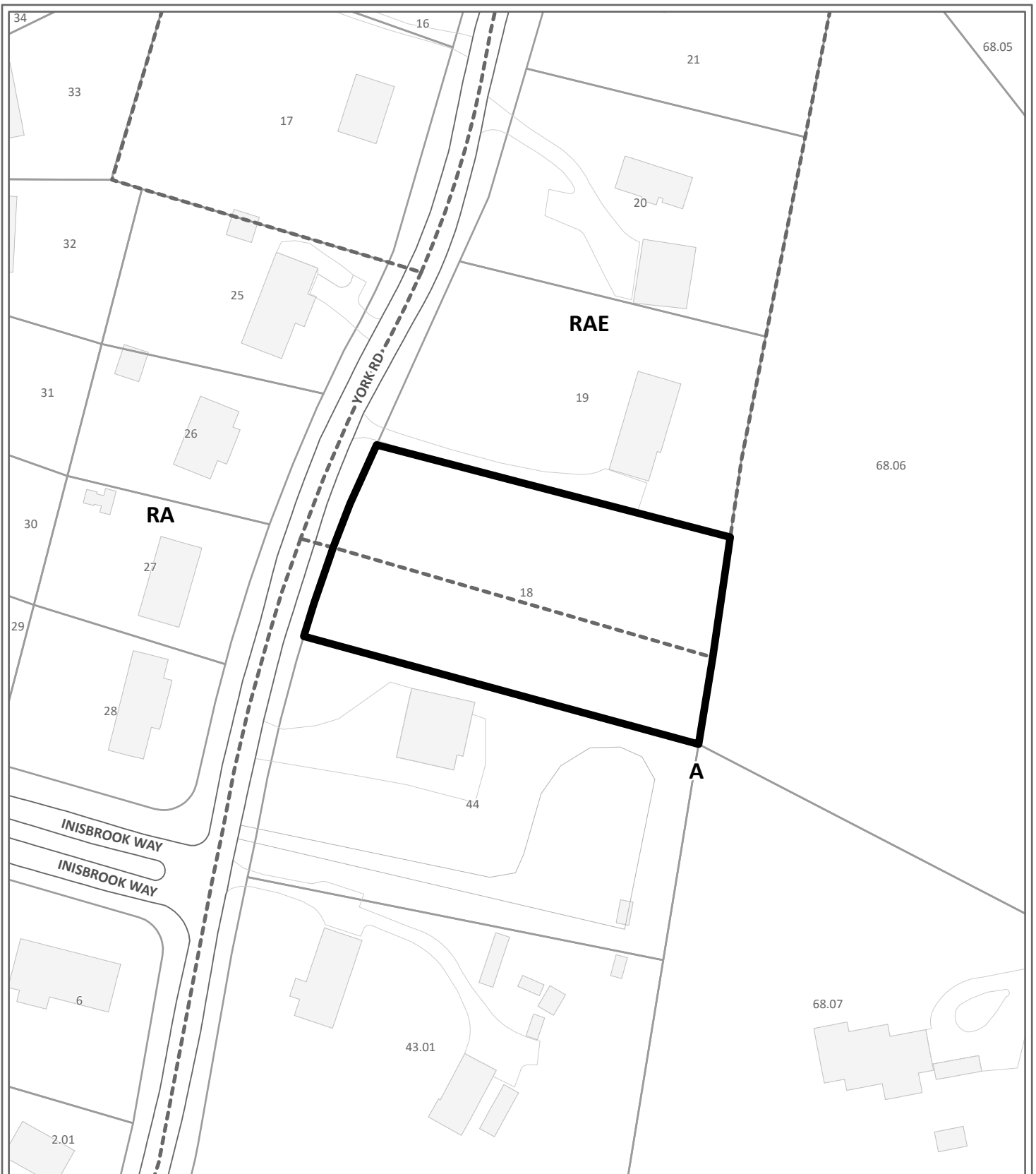
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Copper Ridge 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

8-K-24-RZ

Petitioner: Larry Kootnz

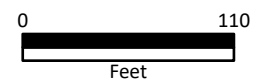


From: RAE (Exclusive Residential), A (Agricultural)

To: PR (Planned Residential) 2 du/ac

Map No: 19

Jurisdiction: County

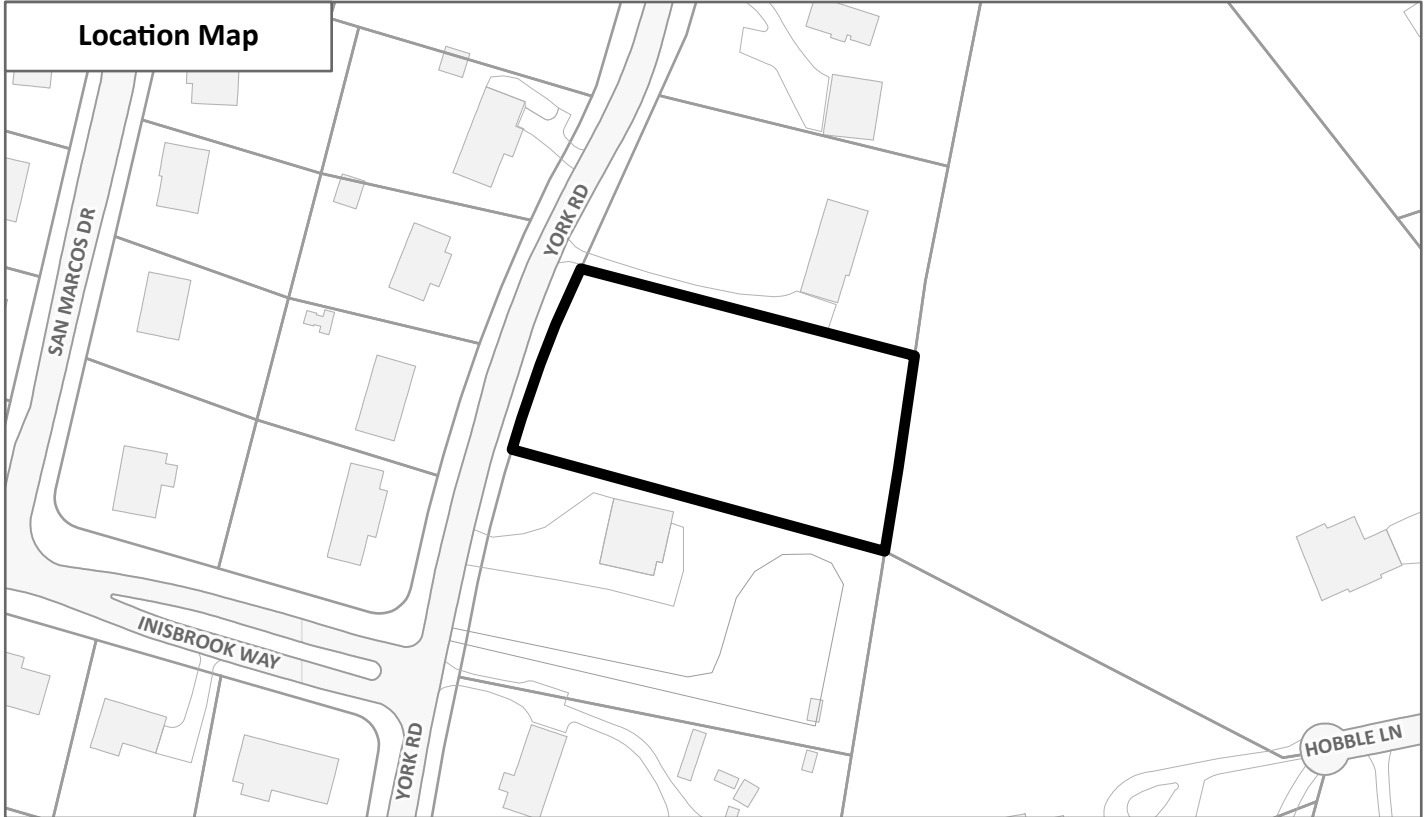


Original Print Date: 7/10/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map

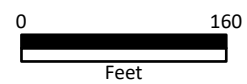


CONTEXTUAL MAPS 1

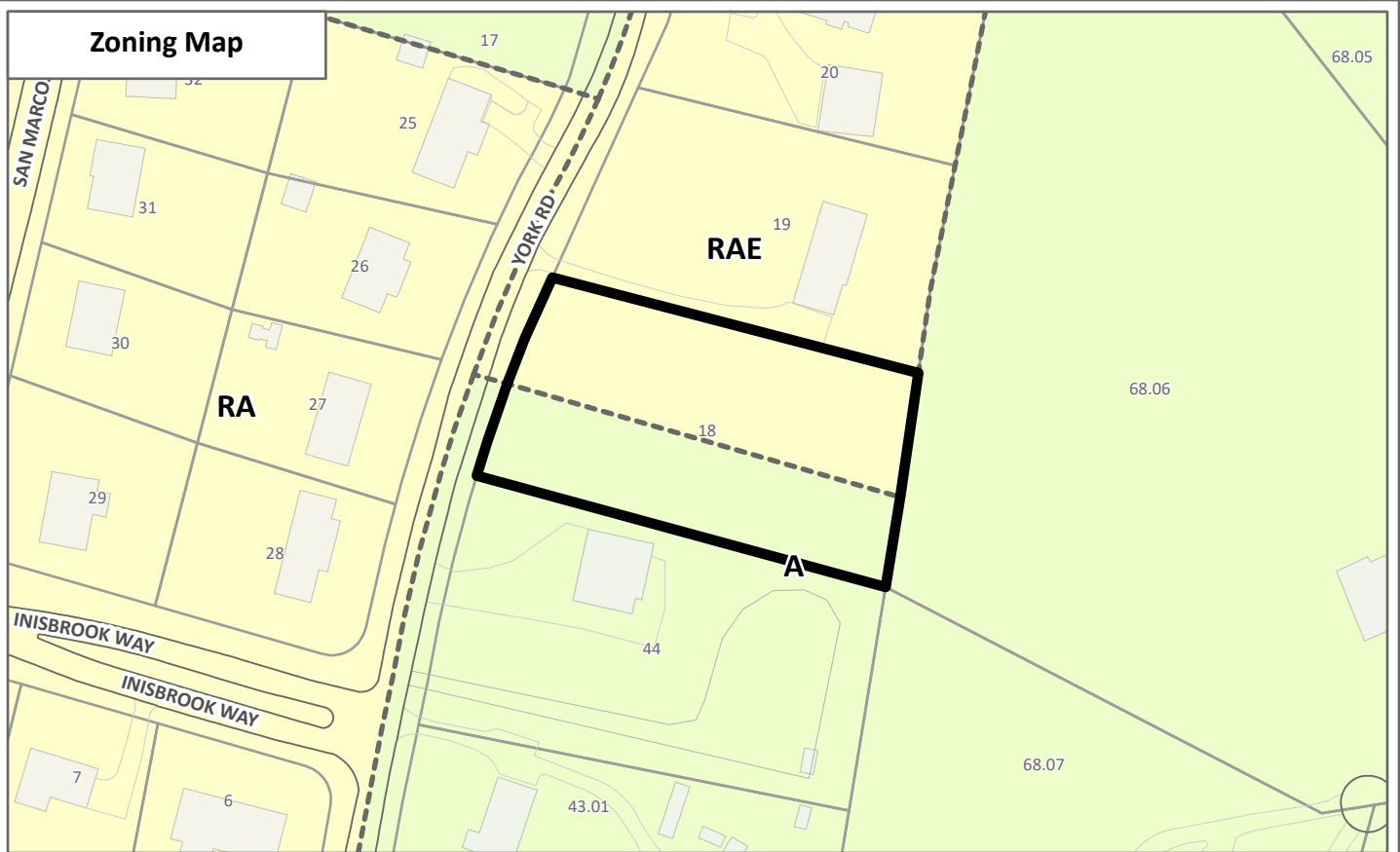
8-K-24-RZ



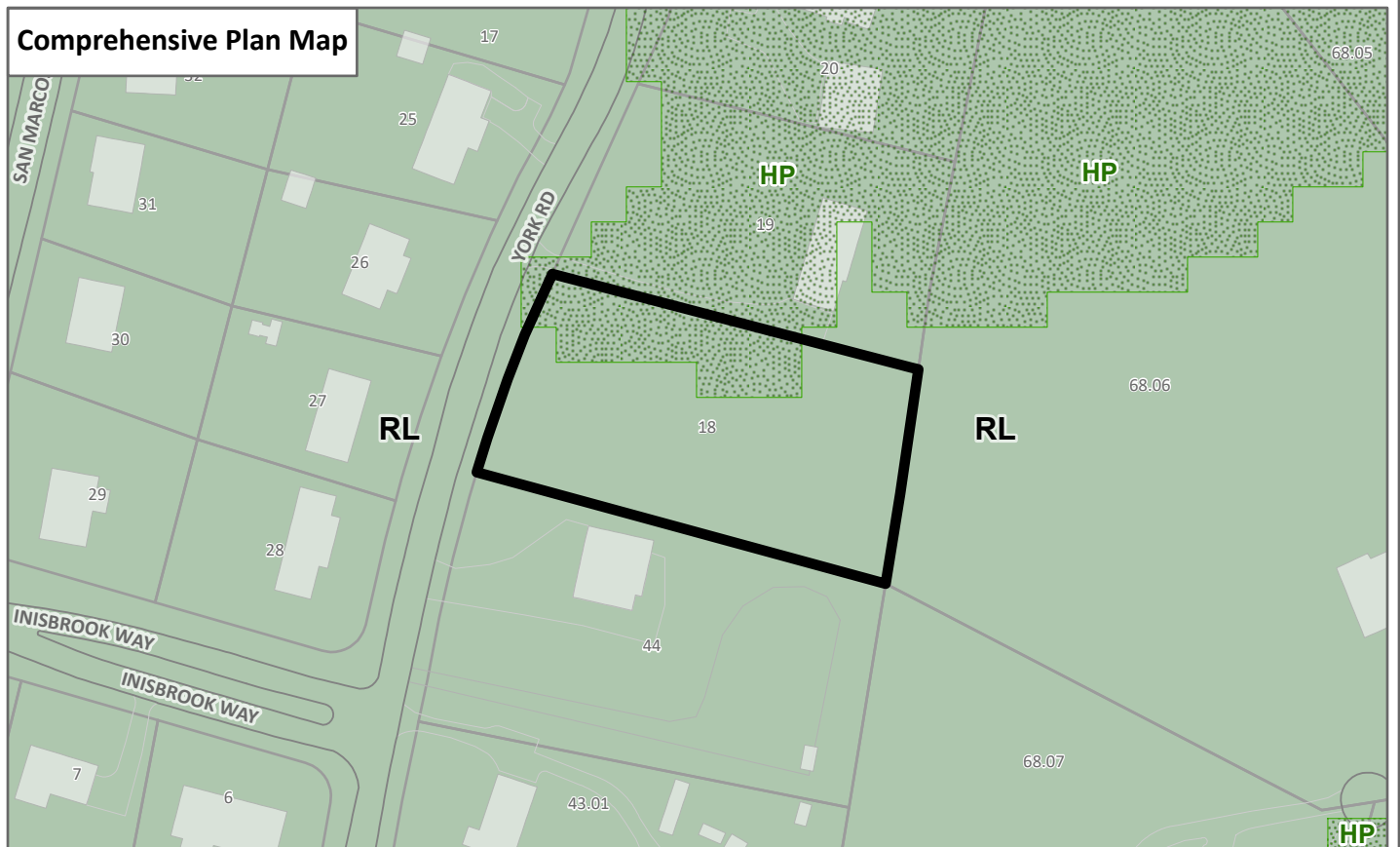
Case boundary



Zoning Map



Comprehensive Plan Map

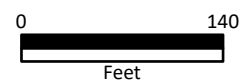


CONTEXTUAL MAPS 2

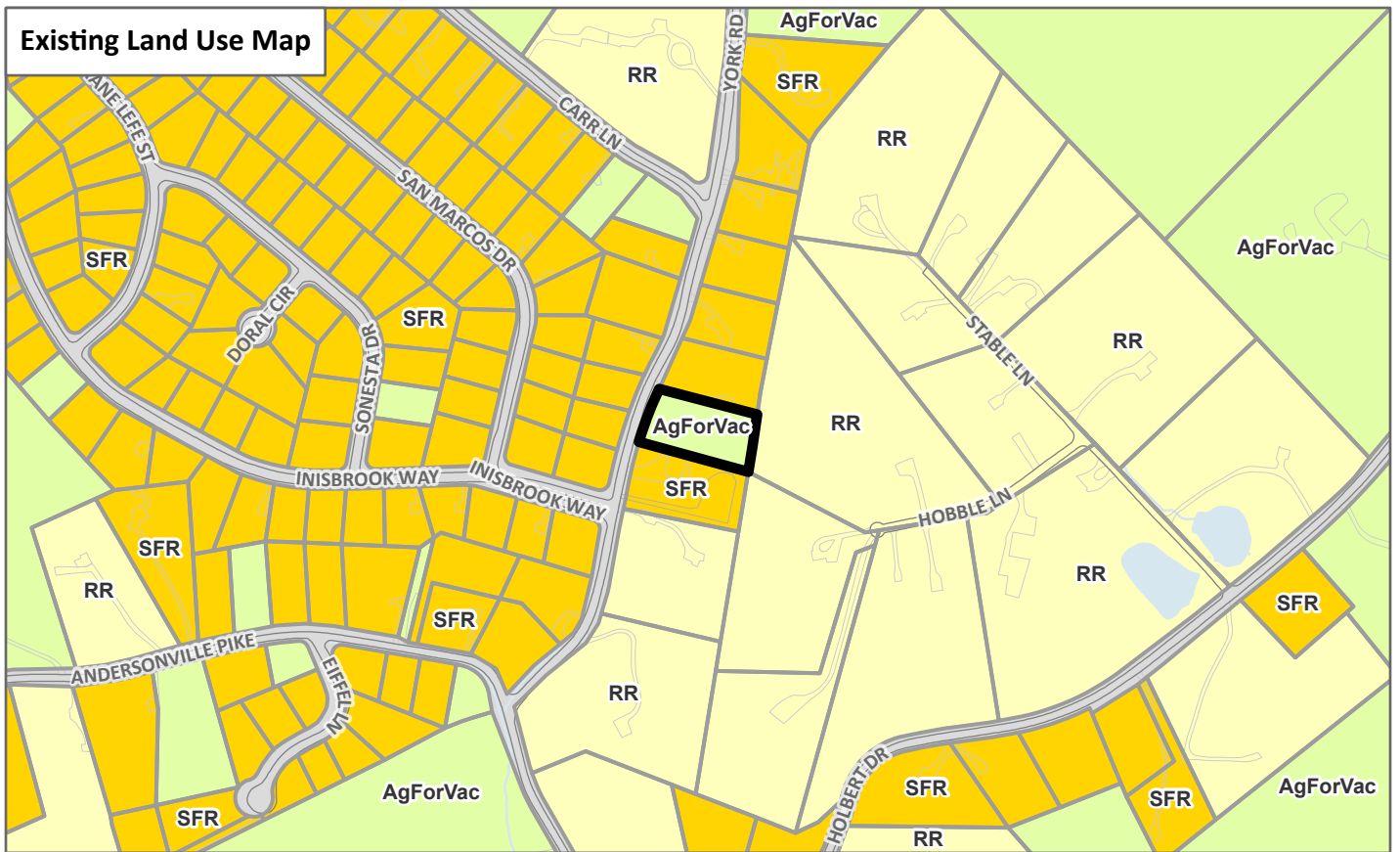
8-K-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

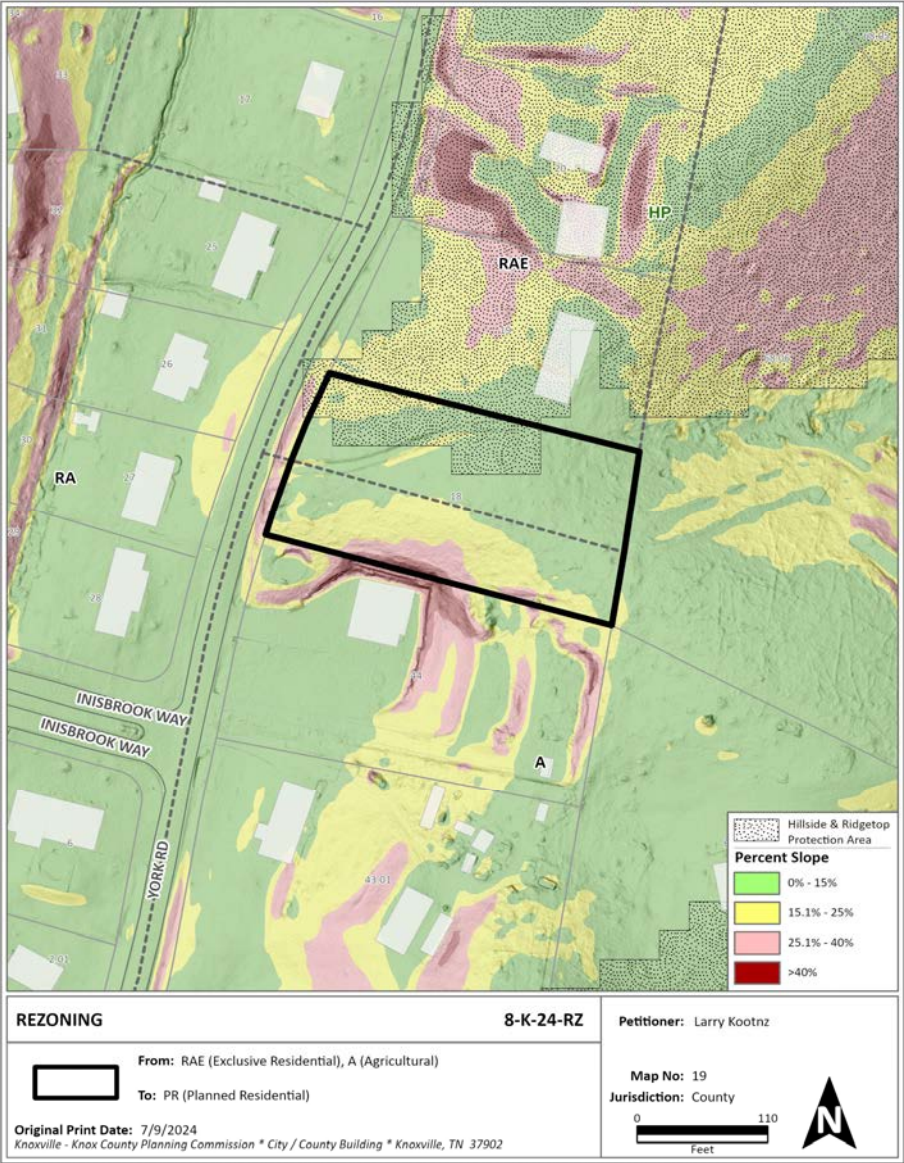
8-K-24-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	1.01		
Non-Hillside	0.79	N/A	
0-15% Slope	0.15	100%	0.15
15-25% Slope	0.06	50%	0.03
25-40% Slope	0.00	20%	0.00
Greater than 40% Slope	0.00	10%	0.00
Ridgetops			
Hillside Protection (HP) Area	0.21	Recommended disturbance budget within HP Area (acres)	0.18
		Percent of HP Area	85.2%





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

Larry Kootnz

Applicant Name

Affiliation

6/24/2024

Date Filed

8/8/2024

Meeting Date (if applicable)

8-K-24-RZ

File Number(s)

CORRESPONDENCE

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

Larry Koontz

Name / Company

PO Box 71224 Knoxville TN 37938

Address

865-567-9693 / lkoontzconstruction@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Larry Koontz

Owner Name (if different)

PO Box 71224 Knoxville TN 37938

Owner Address

865-567-9693 / lkoontzconstruc

Owner Phone / Email

4338 YORK RD

Property Address

19 P A 018

Parcel ID

1.01 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of York Rd, North of Inisbrook Way

General Location

☐ City

Commission District 8

RAE (Exclusive Residential), A (Agricultural)

Agriculture/Forestry/Vacant Land

☒ County District

Zoning District

Existing Land Use

RL (Rural Living), HP (Hillside Ridgetop Protection)

Land Use (City)/Place Type (County)

Rural 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)

2 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.

Larry Kootnz

6/24/2024

Applicant Signature

Please Print

Date

Phone / Email

Larry Koontz

6/24/2024

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

Larry Koontz

Property owner

Applicant Name

August 8, 2024

Affiliation

June 19, 2024

~~June 24, 2024~~

File Number(s)

Date Filed

Meeting Date (if applicable)

8-K-24-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

Larry Koontz

Larry Koontz Construction

Name

Company

PO Box 71224

Knoxville

TN

37938

Address

City

State

ZIP

865-567-9693

lkoontzconstruction@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Larry Koontz (same)

PO Box 71224 Knoxville, TN 37938

865-567-9693

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4338 York Road Knoxville, Tn 37938

019PA018

Property Address

Parcel ID

Hallsdale Powell

Hallsdale Powell

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ 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

PR at 2 du/ac

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

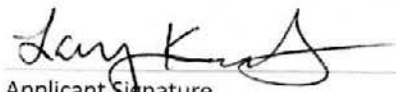
Fee 2

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



Applicant Signature

Larry Koontz

Please Print

6/19/2024

Date

865-567-9693

Phone Number

lkoontzconstruction@gmail.com

Email



Property Owner Signature

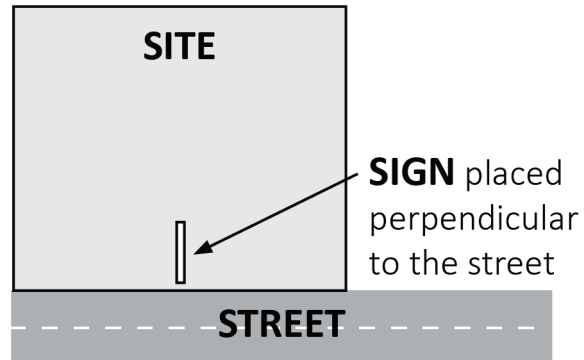
Larry Koontz

Please Print

06/20/2024, SG

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:

_____ **07/26/2024** _____ and _____ **08/09/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Larry Kootnz

Date: 06/20/2024

File Number: 8-K-24-RZ



Sign posted by Staff



Sign posted by Applicant