

# REZONING REPORT

► **FILE #:** 12-E-24-RZ

**AGENDA ITEM #:** 28

**AGENDA DATE:** 12/12/2024

► **APPLICANT:** EVER ARIAS

OWNER(S): Jose Parra

TAX ID NUMBER: 105 112

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 1420 CHERT PIT RD

► **LOCATION:** North side of Chert Pit Rd, southeast of Brent Dr

► **APPX. SIZE OF TRACT:** 1.2 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Chert Pit Road, a major collector street with a 20-ft pavement width within a 52-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Karns Fire Department

WATERSHED: Ten Mile Creek

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

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

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



EXTENSION OF ZONE: Yes, this is an extension of the RA zone from the south, west, and east sides.

HISTORY OF ZONING: None noted.

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

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

East: Multi-family residential, single family residential - RA (Low Density Residential)

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

NEIGHBORHOOD CONTEXT: The surrounding area is predominantly residential, comprised of single-family dwellings on a range of lot sizes and limited multi-family developments.

## STAFF RECOMMENDATION:

► **Approve the RA (Low Density Residential) zone because it is consistent with the Knox County Comprehensive Plan and the 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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Since the early 1980s, there has been a steady transition from A (Agricultural) zoning to residential zoning, such as RA (Low-Density Residential) and PR (Planned Residential) with densities ranging from up to 2.5 to up to 4 du/ac. Following that, development trends in the surrounding area have been primarily residential, consisting of single-family and two-family developments.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The RA zone is intended to provide for residential areas with low population densities. The requested RA zone is compatible with the surrounding zoning, largely consisting of properties zoned RA and PR with densities ranging from up to 2.5 to up to 4 du/ac.

2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth in the future would be compatible with the surrounding land uses. The allowable uses in the RA zone, which are primarily residential and civic in nature, align with the area's surrounding character.

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

1. The RA zone is considered a low-density residential zone. As such, it is not anticipated to negatively impact the surrounding area, which is mainly residential.

2. Based on the minimum lot area alone, the subject property could approximately yield four lots. The potential development that would be allowed under the RA zone is consistent with the residential developments in the area.

3. There is a blue line stream on the property that runs from the southeast corner to the northwest side and separates the steeper rear portion of the property from the flatter front half. Based on the slope analysis (Exhibit B), the northern half of the property has relatively steep slopes, ranging from 25% to over 40%. Due to the blue line stream, a stream buffer would likely be required. The Knox County Department of Engineering & Public Works will determine the need for a stream buffer during the design phase.

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 subject property's place type is SR (Suburban Residential) in the Comprehensive Plan. The RA zone is listed as directly related to the SR place type. The housing mix of the SR place type calls for predominantly single-family dwellings with lots smaller than one acre and attached residential dwellings such as duplexes, both of which are permitted in the RA zone.

2. The rezoning complies with the Comprehensive Plan's Implementation Policy 2, to ensure that development is sensitive to existing community character. The allowable residential uses in the RA zone align with the surrounding area's character, which consists of single-family and duplex developments.

3. The subject property is within the Planned Growth Area of the Growth Policy Plan, which encourages a reasonably compact development pattern. The allowable lot sizes and housing types in the RA zone support the intent of the Planned Growth Area.

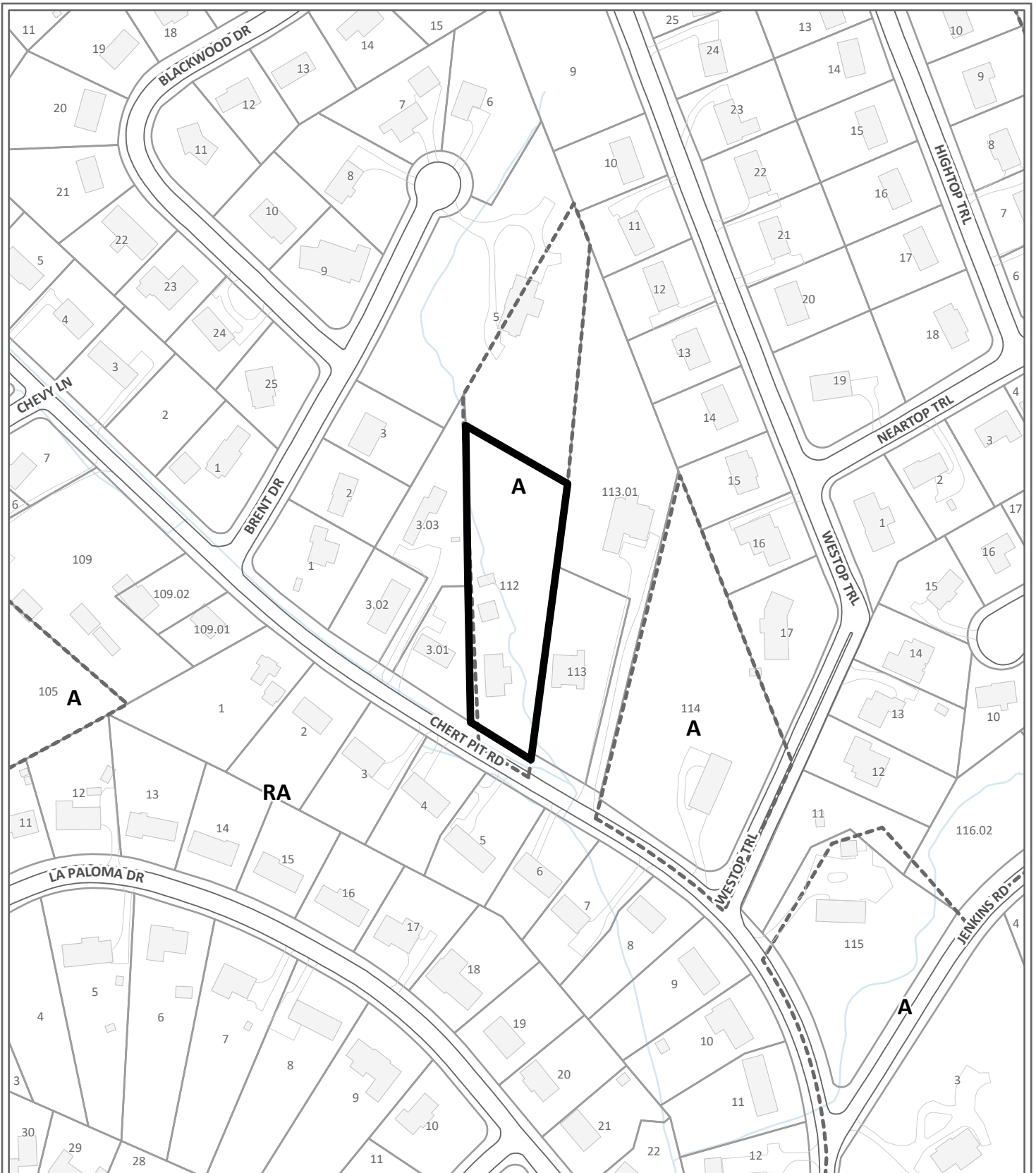
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Ball Camp Elementary, Karns Middle, and Hardin Valley Academy.

- 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 1/27/2025. 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

12-E-24-RZ



**From:** A (Agricultural)

**To:** RA (Low Density Residential)

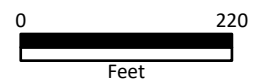
**Original Print Date:** 11/1/2024

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

**Petitioner:** Ever Arias

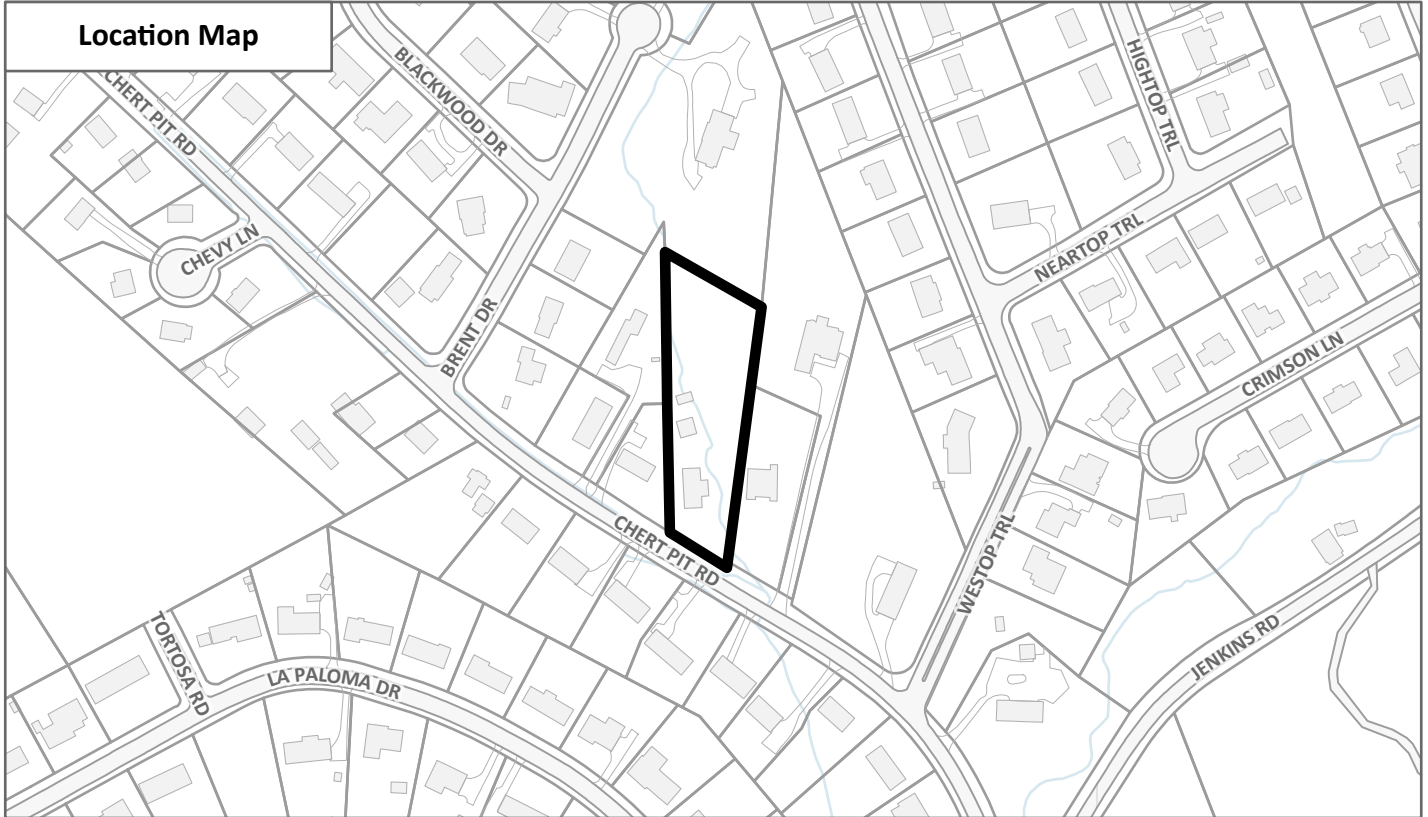
**Map No:** 105

**Jurisdiction:** County



## Exhibit A. Contextual Images

Location Map



Aerial Map

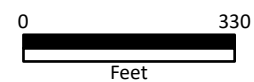


CONTEXTUAL MAPS 1

12-E-24-RZ

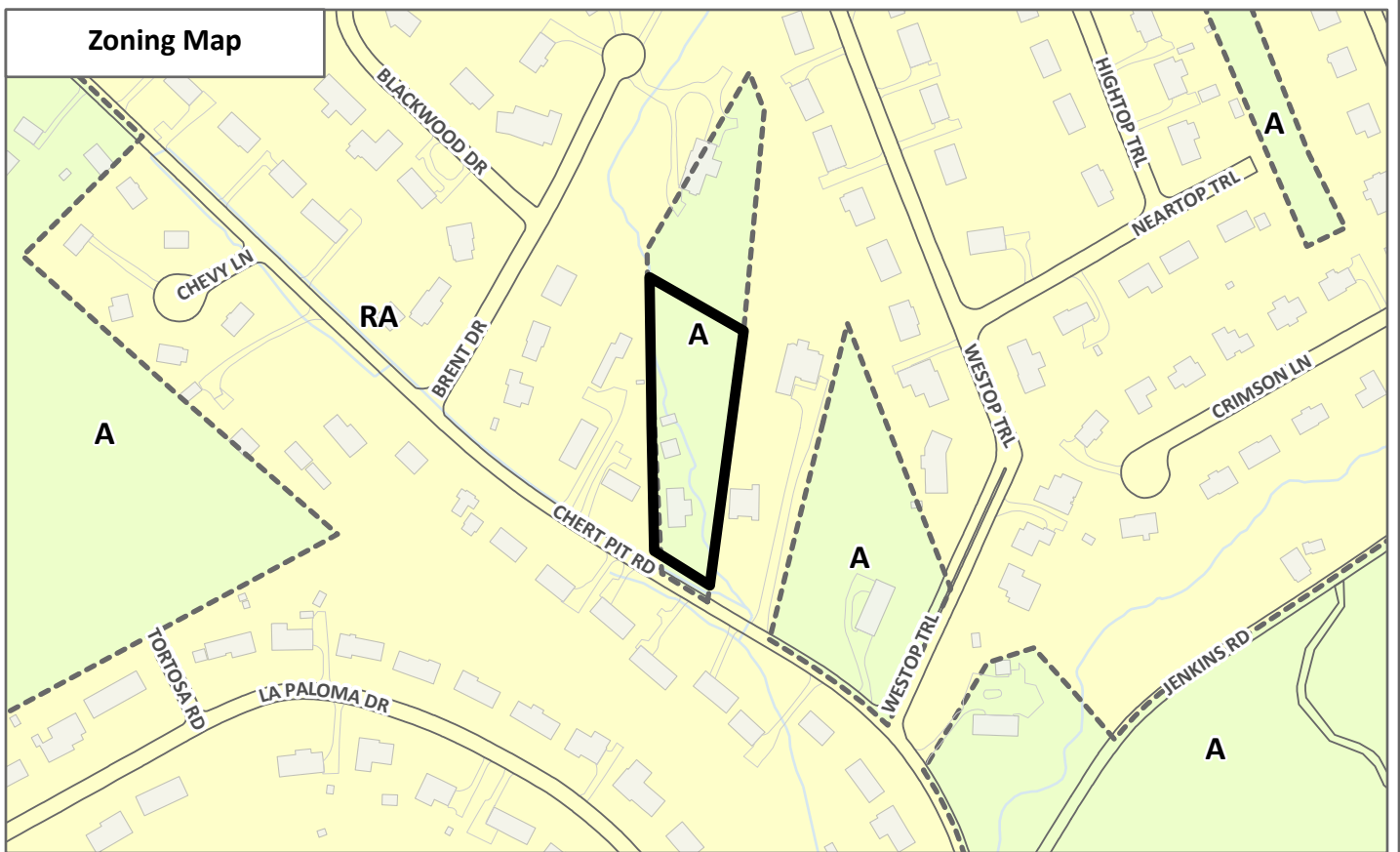


Case boundary

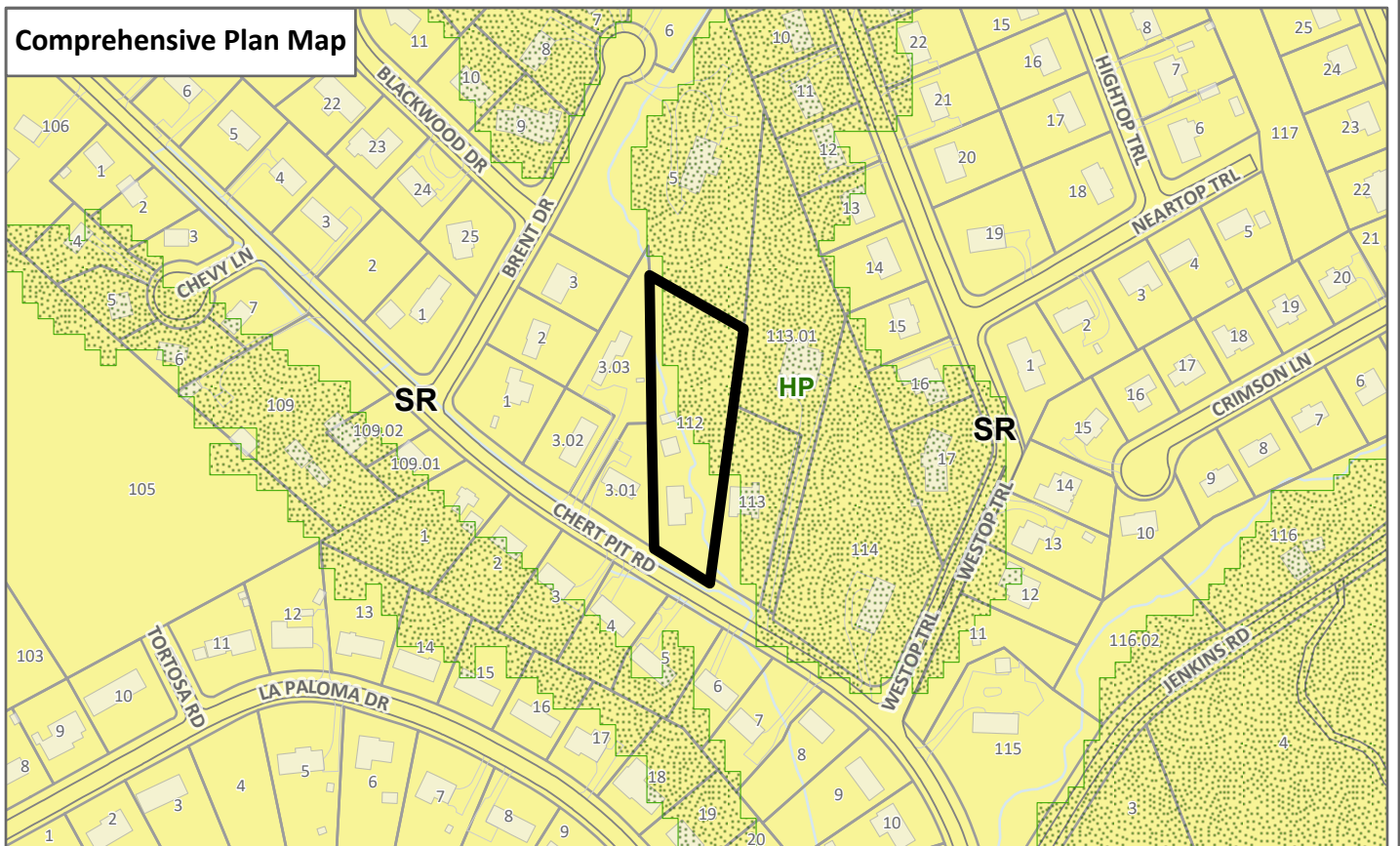




## Zoning Map



## Comprehensive Plan Map



## CONTEXTUAL MAPS 2

12-E-24-RZ

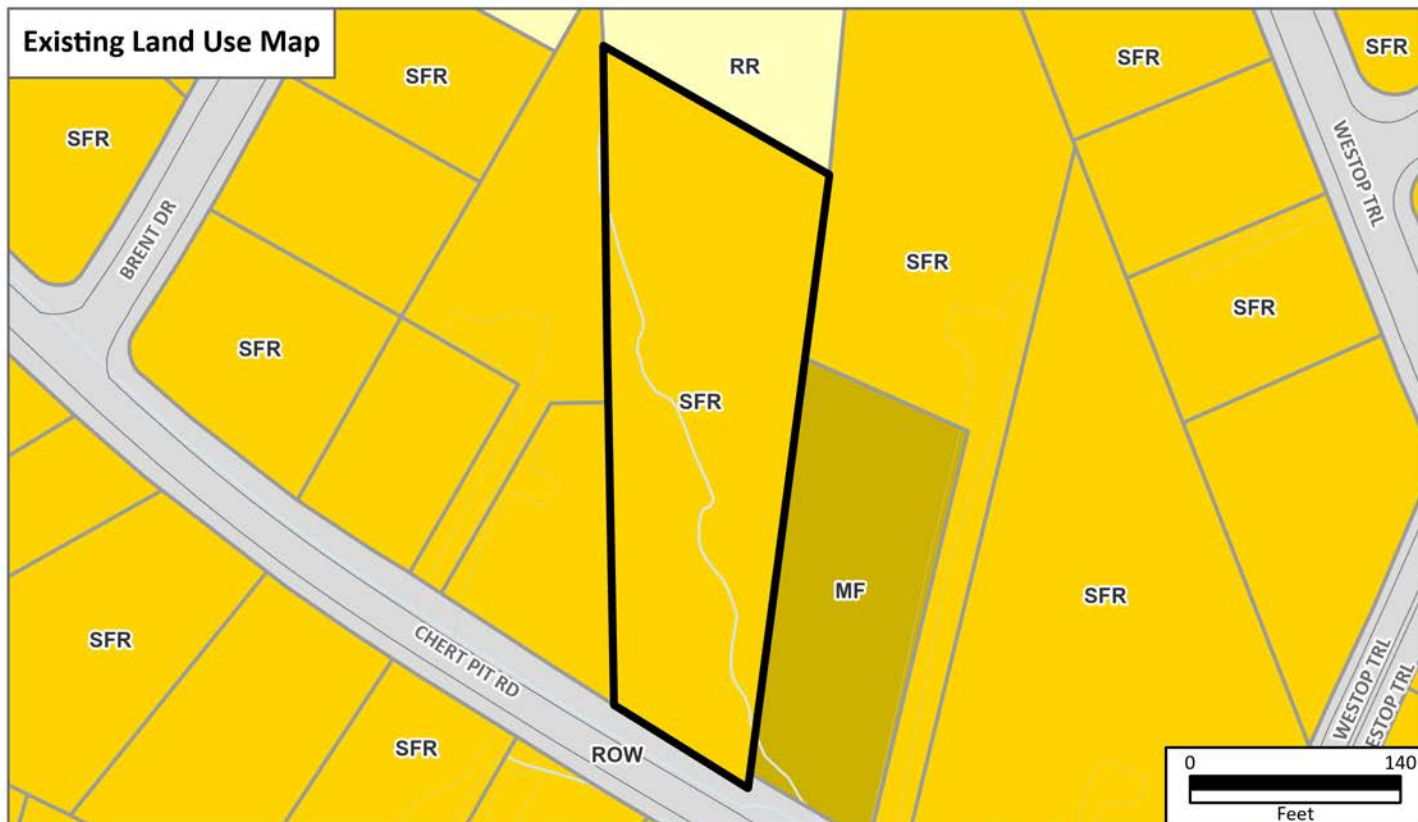


Case boundary

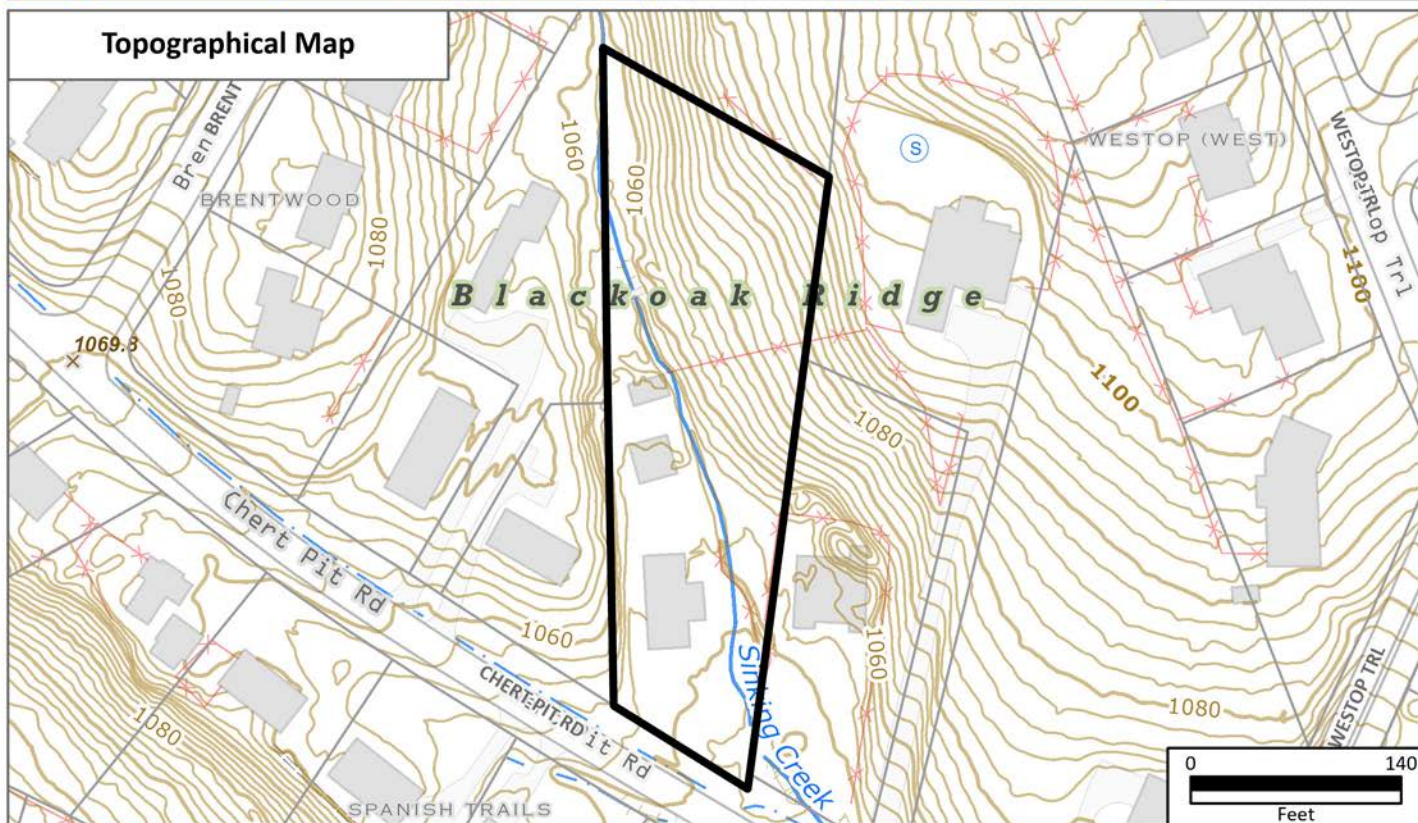


# Exhibit A. Contextual Images

Existing Land Use Map



Topographical Map



CONTEXTUAL MAPS 3

12-E-24-RZ

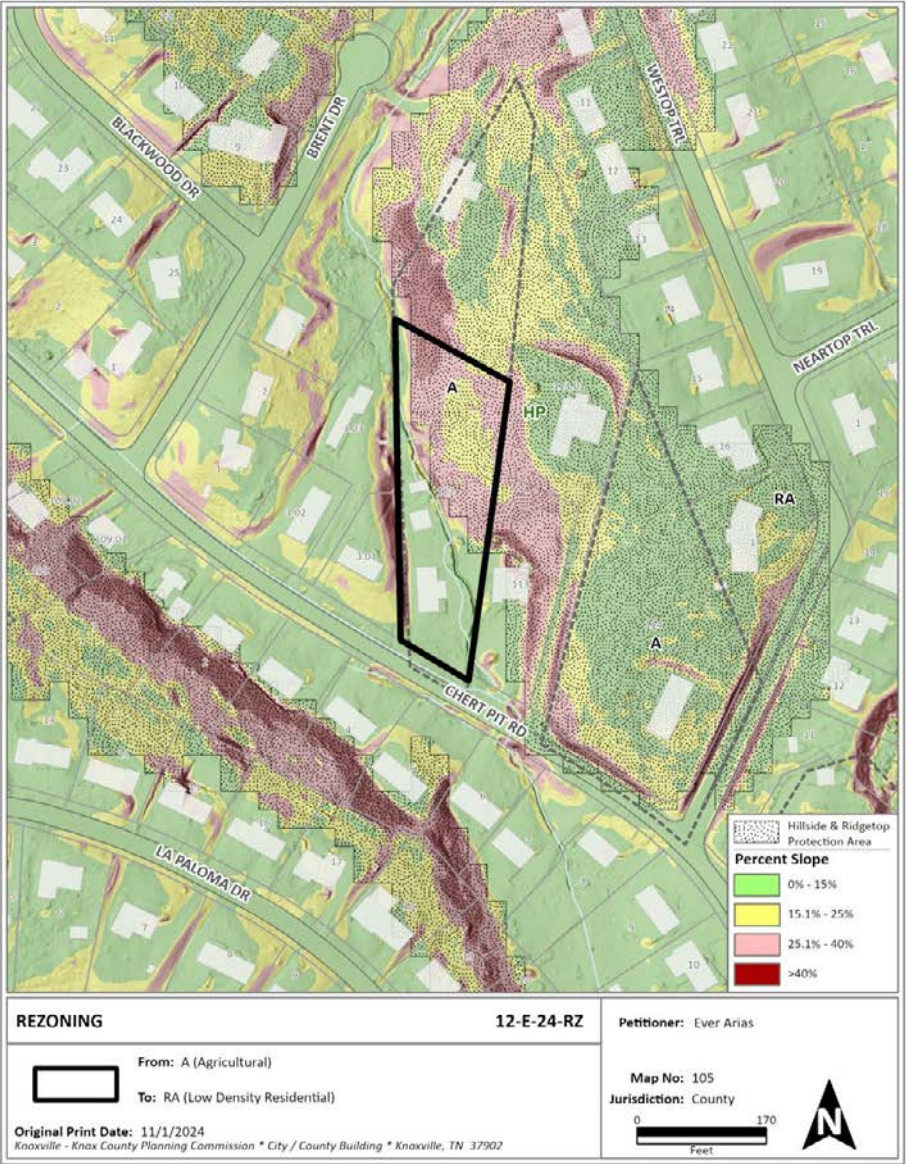


Case boundary





CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	1.20		
Non-Hillside	0.65	N/A	
0-15% Slope	0.01	100%	0.01
15-25% Slope	0.19	50%	0.09
25-40% Slope	0.31	20%	0.06
Greater than 40% Slope	0.05	10%	0.00
Ridgetops			
Hillside Protection (HP) Area	0.55	Recommended disturbance budget within HP Area (acres)	0.17
		Percent of HP Area	30.2%





# 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

**Ever Arias**

Applicant Name

Affiliation

**10/28/2024**

Date Filed

**12/12/2024**

Meeting Date (if applicable)

**12-E-24-RZ**

File Number(s)

## CORRESPONDENCE

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

- ☐ Applicant ☐ Owner ☐ Option Holder ☐ Surveyor ☐ Engineer ☐ Architect

**Michael Shaddle**

Name / Company

**1311 Live Oak Cir Knoxville TN 37932**

Address

**510-919-9816 / mike@wildoaksurvey.com**

Phone / Email

## CURRENT PROPERTY INFO

**Jose Parra**

Owner Name (if different)

**1420 Chert Pit Rd Knoxville TN 37923**

Owner Address

**865-385-3015**

Owner Phone / Email

**1420 CHERT PIT RD**

Property Address

**105 112**

Parcel ID

**1.2 acres**

Tract Size

Part of Parcel (Y/N)?

**West Knox Utility District**

Sewer Provider

**West Knox Utility District**

Water Provider

**No**

Septic (Y/N)

## COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***



## 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	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	<b>RA (Low Density Residential)</b> Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
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**

Fee 2

Fee 3

Total

## AUTHORIZATION

**By signing below, 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. If there are additional owners or option holders, each additional individual must sign the Property Owners/Option Holders Form.**

Applicant Signature	<b>Ever Arias</b>	<b>10/28/2024</b>
	Please Print	Date

Phone / Email

Property Owner Signature	<b>Jose Parra</b>	<b>10/28/2024</b>
	Please Print	Date

1) Download and fill out this form at your convenience.  
2) Sign the application digitally (or print, sign, and scan).

Knoxville-Knox County Planning offices  
OR email it to [applications@knoxplanning.org](mailto:applications@knoxplanning.org)



# 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

Ever Arias		Son-in-law	
Applicant Name		Affiliation	
10/21/2024	12/12/2024	File Number(s)  <b>12-E-24-RZ</b>	
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

Michael Shaddle

Name	Company		
1311 Live Oak Circle	Knoxville	CA	37932
Address	City	State	ZIP
510 919 9816	mike@wildolivesurvey.com		
Phone	Email		

## CURRENT PROPERTY INFO

Jose Parra	1420 Chert Pit Rd	865 385 3015
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
1420 Chert Pit Rd	105 112	
Property Address	Parcel ID	
KUB	KUB	N
Sewer Provider	Water Provider	Septic (Y/N)

## COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

**View Form**

JULY 2024



## 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)

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

\$650.00

Fee 3

## AUTHORIZATION

By signing below, 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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.

Applicant Signature

Ever Arias - Son in Law

Print Name / Affiliation

Date

865 385 3015

ever.arias9569@icloud.com

Email

Phone Number

Pd. 10/28/2024, SG

Property Owner Signature

Jose Parra

Please Print

Date Paid

Graciela Carmona

Signature Graciela Carmona

10-23-24

10-24-24





# Public Notice and Community Engagement

## Sign Posting and Removal

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.

**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.

## Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

### Acknowledgement

*By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.*

11/29/24  
Date to be Posted

12/13/2024  
~~1/20/2025~~  
Date to be Removed

Have you engaged the  
surrounding property owners  
to discuss your request?

- ☐ Yes ☒ No  
☐ No, but I plan to prior to the  
Planning Commission meeting

*Ever Arias*  
Applicant Signature

EVER ARIAS  
Applicant Name

10-24-24  
Date

12-E-24-RZ  
FILE NUMBER