

REZONING REPORT

► **FILE #:** 7-B-24-RZ

AGENDA ITEM #: 11

AGENDA DATE: 7/11/2024

► **APPLICANT:** R. TRACY CLAIBORNE

OWNER(S): Todd Claiborne

TAX ID NUMBER: 84 077

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 1508 OSBORNE RD (1510 OSBORNE RD)

► **LOCATION:** South side of Osborne Rd, east of Moshina Rd

► **APPX. SIZE OF TRACT:** 1.16 acres

GROWTH POLICY PLAN: Urban Growth Boundary

ACCESSIBILITY: Access is via Osborne Road, a major collector street with a pavement width of 18-ft within a 41-ft right-of-way

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Swan Pond Creek

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

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

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

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - A (Agricultural)

South: Rural residential - A (Agricultural)

East: Agriculture/forestry/vacant land - A (Agricultural)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area has a rural character, with forested and agricultural lands and single-family houses on large lots. Single-family houses on smaller lots are moderately interspersed and located off of side streets. There is a townhouse development south of the subject property.

STAFF RECOMMENDATION:

► **Approved the RA (Low Density Residential) zone because it is consistent with the Knox County Comprehensive Plan and surrounding development in the area.**

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. The area to the northeast of the subject property has been slowly transitioning from forested and agricultural land to residential uses since the early 1990s.
2. Strawberry Plains Pike is nearby to the south and contains some PR zoning with up to 4 du/ac in addition to commercial nodes at intersections with other classified streets.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THIS RESOLUTION.

1. The RA (Low Density Residential) zone is intended to maintain a residential environment. The lot sizes allowed in the RA zone permits low density development consistent with the low density, rural nature of the area in general.
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.

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 low-density residential intent of the RA zone is consistent with surrounding development and is not anticipated to cause any adverse impacts.
2. The minimum lot area in the RA zone is 10,000 sq ft for single-family houses and 12,000 sq ft for duplexes. With a lot area of 1.16 ac, based on minimum lot area alone, the subject property could yield between 4-7 dwelling units, depending on the type of dwelling desired.

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 site is designated as the SR (Suburban Residential) place type in the Knox County Comprehensive Plan. The RA zone is listed as being directly related to the SR place type. The allowed uses within RA align with the primary and secondary uses of SR, which are predominantly residential and civic in nature.
2. The subject property is located within the Knoxville Urban Growth Boundary of the Growth Policy Plan, which aims to encourage a reasonably compact pattern of development.
3. Rezoning the property to RA complies with the Comprehensive Plan's implementation policy 2, to ensure that new development is sensitive to existing community character. The lot sizes and allowable uses of the RA zone are compatible with other residential development in the area.

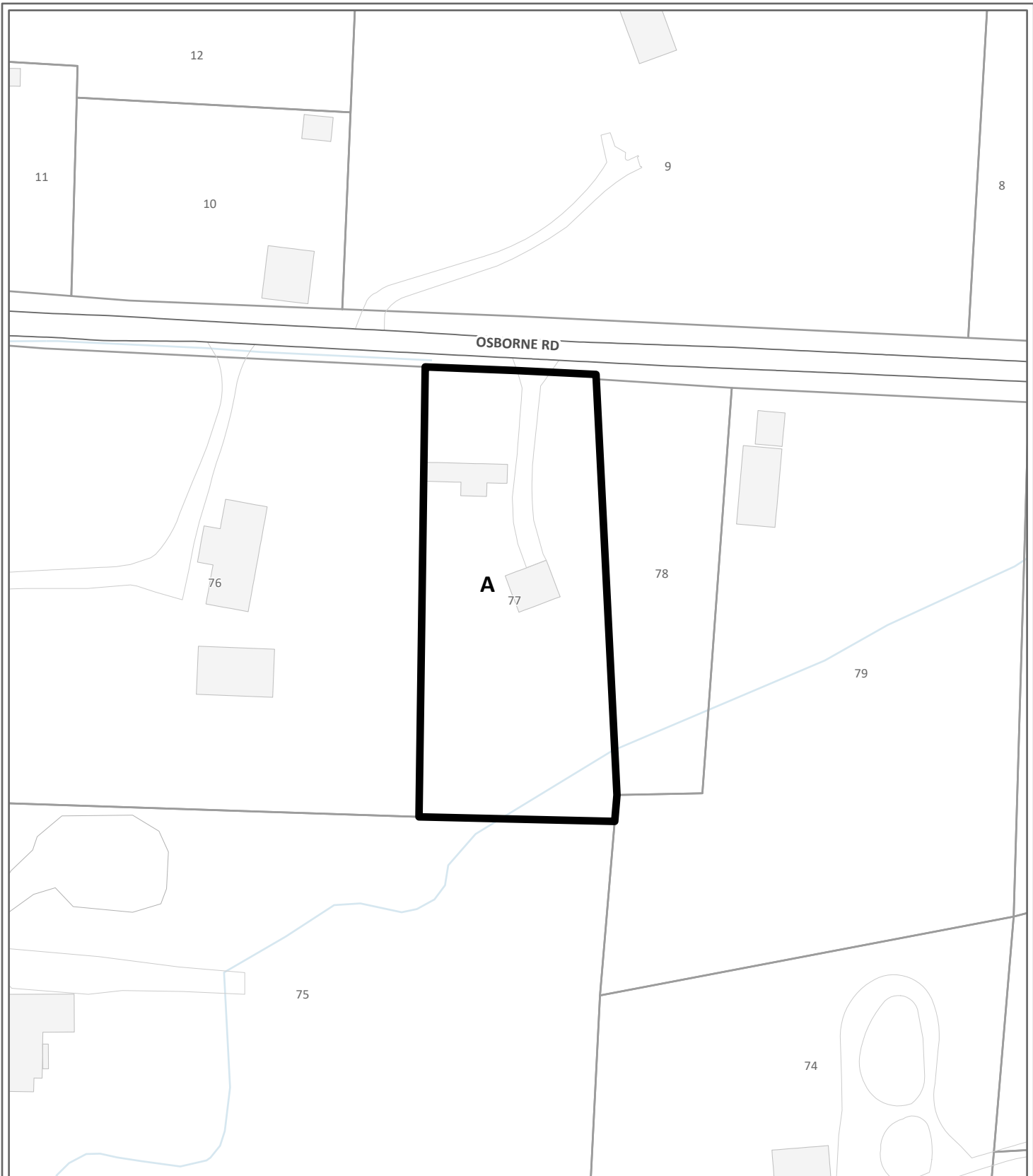
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Sunnyside Pr/Chilhowee Int, Carter Middle, and Carter 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 8/19/2024. 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-B-24-RZ

Petitioner: R. Tracy Claiborne



From: A (Agricultural)

To: RA (Low Density Residential)

Map No: 84

Jurisdiction: County

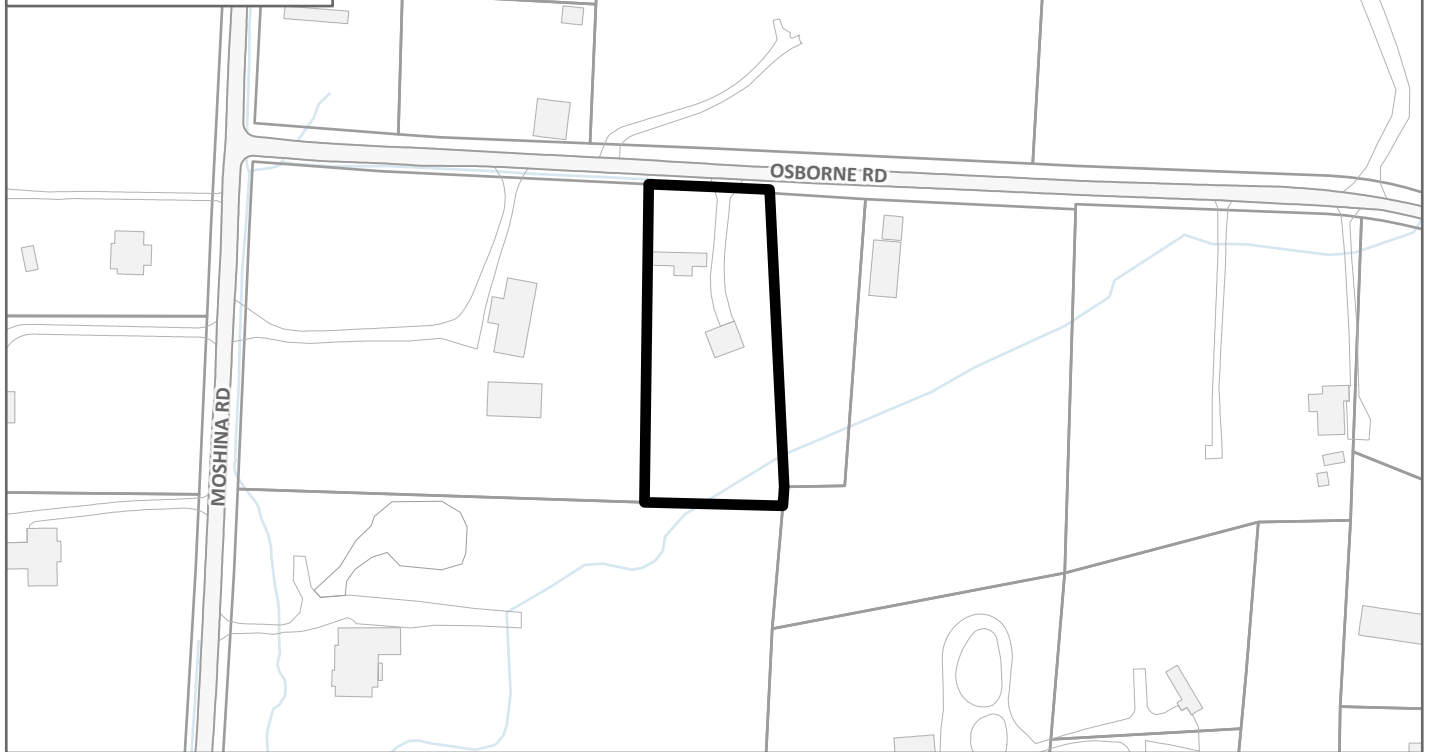


Original Print Date: 6/3/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map

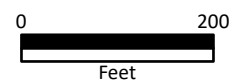


CONTEXTUAL MAPS 1

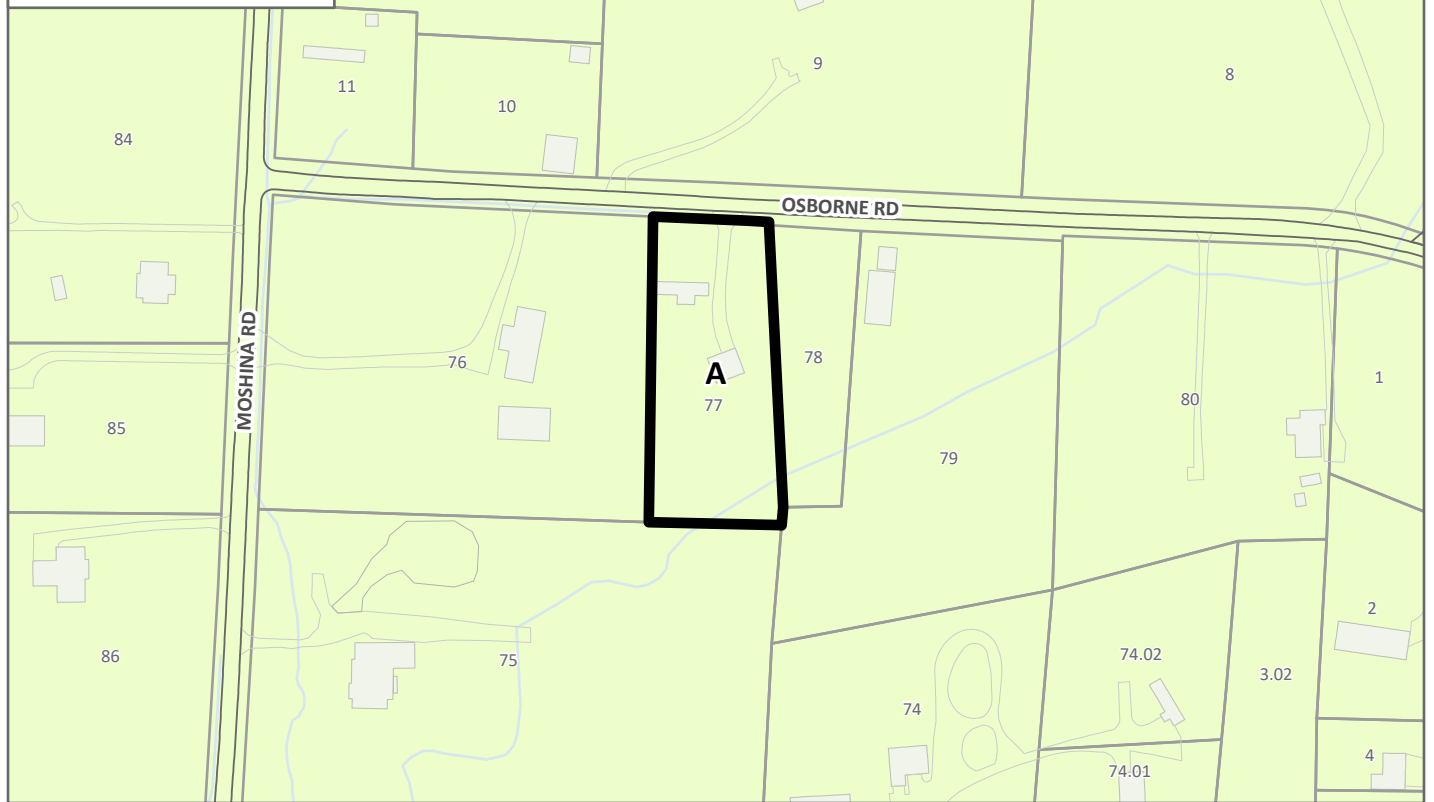
7-B-24-RZ



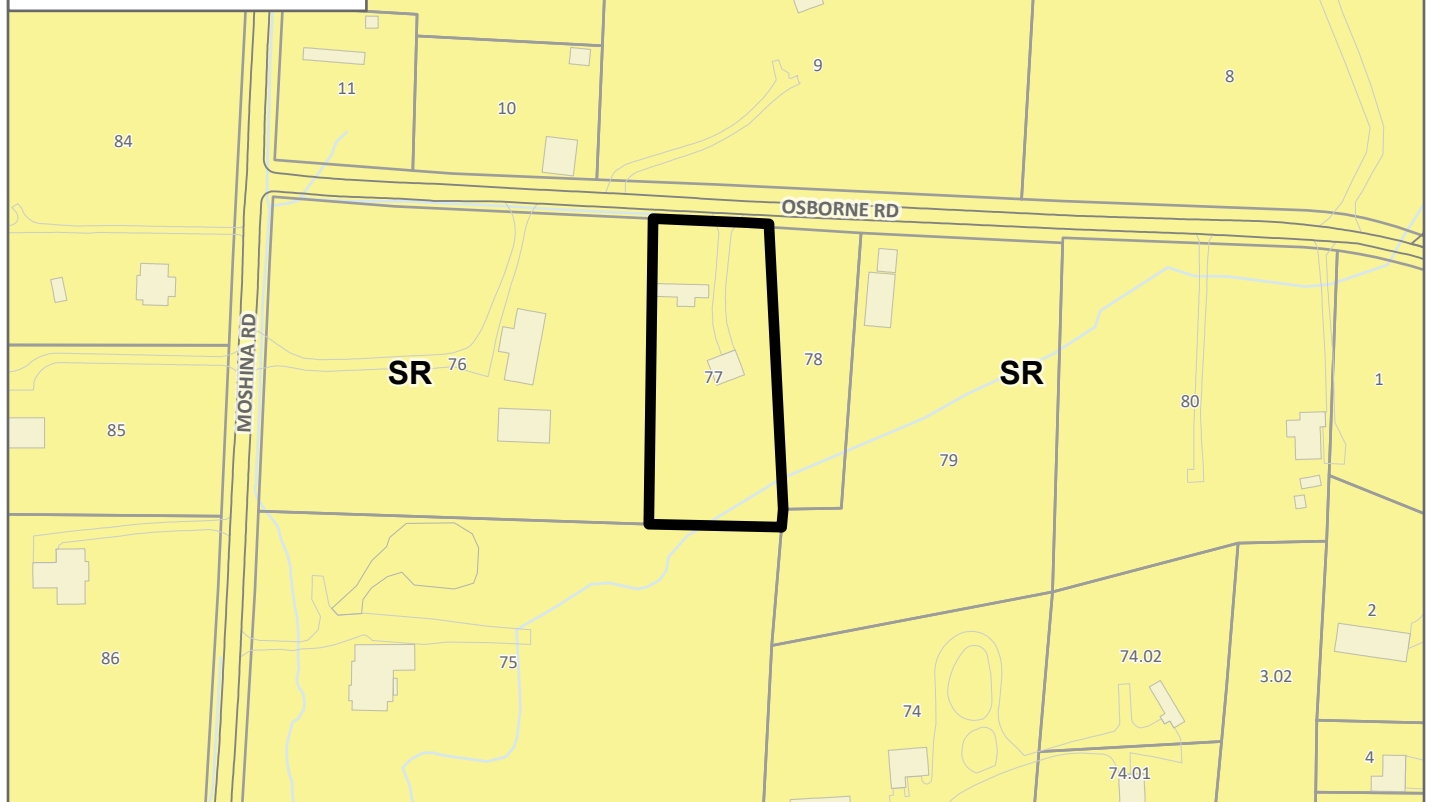
Case boundary



Zoning Map



Comprehensive Plan Map

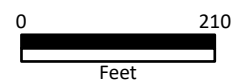


CONTEXTUAL MAPS 2

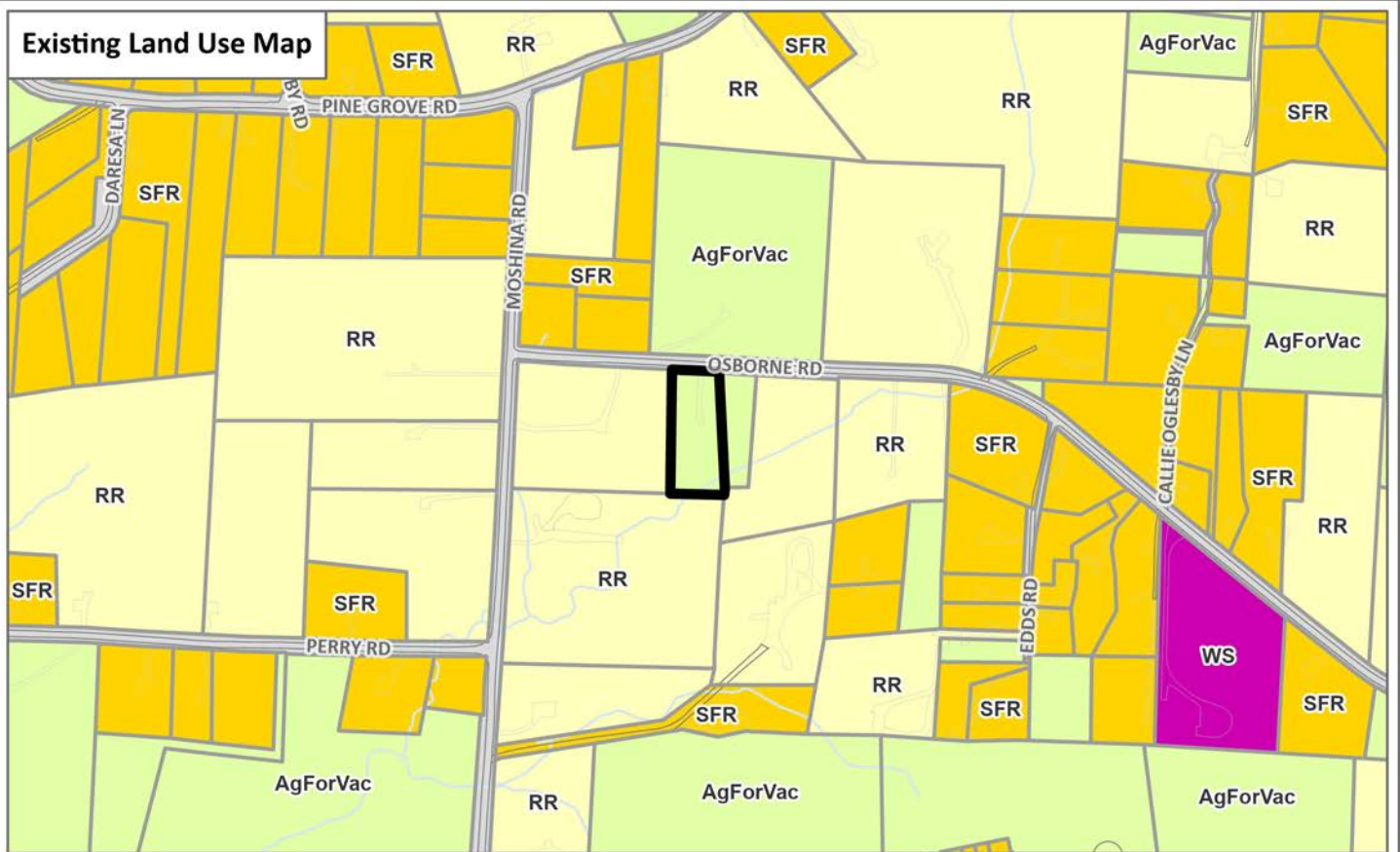
7-B-24-RZ



Case boundary



Existing Land Use Map

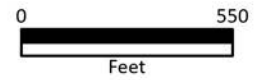


CONTEXTUAL MAPS 3

7-B-24-RZ



Case boundary





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

R. Tracy Claiborne

Applicant Name

Affiliation

5/9/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-B-24-RZ

File Number(s)

CORRESPONDENCE

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

Todd Claiborne

Name / Company

PO Box 14909 Knoxville TN 37924

Address

865-540-4409 / todd@claibornehauling.com

Phone / Email

CURRENT PROPERTY INFO

Todd Claiborne

Owner Name (if different)

PO Box 14909 Knoxville TN 37924

Owner Address

865-540-4409 / todd@claiborne

Owner Phone / Email

1508 OSBORNE RD / 1510 OSBORNE RD

Property Address

84 077

Parcel ID

1.03 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 Osborne Rd, east of Moshina Rd

General Location

☐ City
☒ County

Commission District 8

District

A (Agricultural)

Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

East County

Planning Sector

SR (Suburban Residential)

Land Use (City)/Place Type (County)

Urban Growth Area (Outside City Limits)

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 **RA (Low Density Residential)**
Proposed Zoning

Pending Plat File Number

- ☐ 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

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.

R. Tracy Claiborne

5/9/2024

Applicant Signature

Please Print

Date

Phone / Email

Todd Claiborne

5/9/2024

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 ☐ OYP
☒ Rezoning

TODD T. CLAIBORNE

Applicant Name

R. TRACY CLAIBORNE

Affiliation

05/09/2024

Date Filed

07/11/2024

Meeting Date (if applicable)

File Number(s)

7-B-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

TODD CLAIBORNE

CLAIBORNE HAULING, LLC

Name

Company

PO BOX 14909

KNOXVILLE

TN

37924

Address

City

State

ZIP

865-540-4409

TODD@CLAIBORNEHAULING.COM

Phone

Email

CURRENT PROPERTY INFO

SAME

same

same

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1508 and 1510 osborne rd 37914

77

Property Address

Parcel ID

kub

kub

yes

Sewer Provider

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

May 1, 2023

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

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify) _____

☐ Attachments / Additional Requirements

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

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		
Fee 3		
		\$650.00

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

TODD T. CLAIBORNE

Please Print

Date

865.540.4409
Phone Number

TODD@CLAIBORNEHAULING.COM

Email


Property Owner Signature
Power of attorney

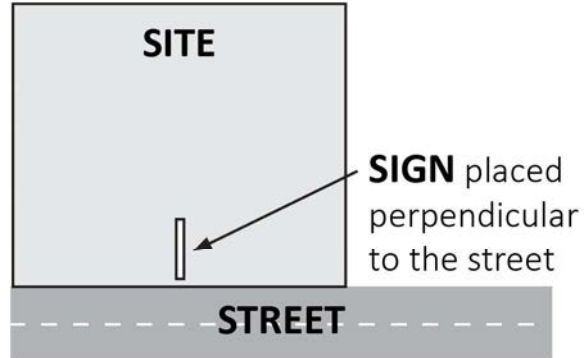
TODD T. CLAIBORNE

Please Print

05/09/2024, 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:

_____ **06/28/2024** _____ and _____ **07/12/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: R. Tracy Claiborne

Date: 05/09/2024

File Number: 7-B-24-RZ



Sign posted by Staff



Sign posted by Applicant