

REZONING REPORT

► **FILE #:** 7-F-24-RZ

AGENDA ITEM #: 12

AGENDA DATE: 7/11/2024

► **APPLICANT:** MARVIN F. WEBB

OWNER(S): Marvin F. Webb

TAX ID NUMBER: 46 229

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 206 GARDNER LN (208)

► **LOCATION:** Southeast side of Gardner Ln, northeast of Cottonwood Meadow Rd

► **APPX. SIZE OF TRACT:** 3.72 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Gardner Lane, a local street with a pavement width between 14 - 15 ft within a right-of-way ranging between a 40 ft - 45 ft

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Rural Residential

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

HISTORY OF ZONING: None noted

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

South: Rural residential - A (Agricultural)

East: Rural residential, agriculture/forestry/vacant land - A (Agricultural)

West: Single family residential, multifamily residential - PR (Planned Residential) at 15 du/ac

NEIGHBORHOOD CONTEXT: This is a predominantly residential area with a mix of housing types. Multi-family developments abut the subject property on the west side, and single-family houses on varying lot sizes are spread throughout. Undeveloped, densely forested property lies generally to the east of the subject property.

STAFF RECOMMENDATION:

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

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 surrounding area has transitioned from agricultural to residential in character since the early 1990's. Between 1995-2007, three large residential developments were constructed within 515 ft of the subject property. The developments included multi-family and single-family dwellings on a range of lot sizes.

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

1. The RA (Low Density Residential) zone is intended to provide for areas with low population densities.
2. The RA zone is a more appropriate zoning designation for the subject property than the current A zone since it allows lot sized and development more in the character of the surrounding residential area.
3. 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. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the A, RA, and PR (Planned Residential) zones up to 15 du/ac. The RA zone is consistent with the surrounding area.
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 3.72 ac and based on minimum lot area alone, the subject property could yield between 14-16 lots. However, the configuration of the property would make it challenging to develop at maximum capacity.
3. With an approximate pavement width of 14.5-ft and serving twenty houses Gardner Lane may require road improvements depending on the number of dwellings to be constructed. This would be determined during the permitting phase. A concept plan would be required if more than 6 lots or a public road are proposed.

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 falls within the SR (Suburban Residential) place type. The SR areas are intended to feature a range of lot sizes and focuses primarily on residential uses. Under the Comprehensive Plan, the RA zone is directly related to the SR place type, and is considered appropriate to the implement.
2. This property is located within the Planned Growth Area, which encourages a reasonably compact pattern of development and offering a wide range of housing choices. Approving the requested RA zone aligns with the intent of the Planned Growth Area designation.
3. The recommended rezoning complies with the Comprehensive Plan's implementation policy 5, to create neighborhoods with a variety of housing types and amenities in close proximity. The lot sizes and uses allowed by the RA zone would allow development consistent with that of the surrounding area.

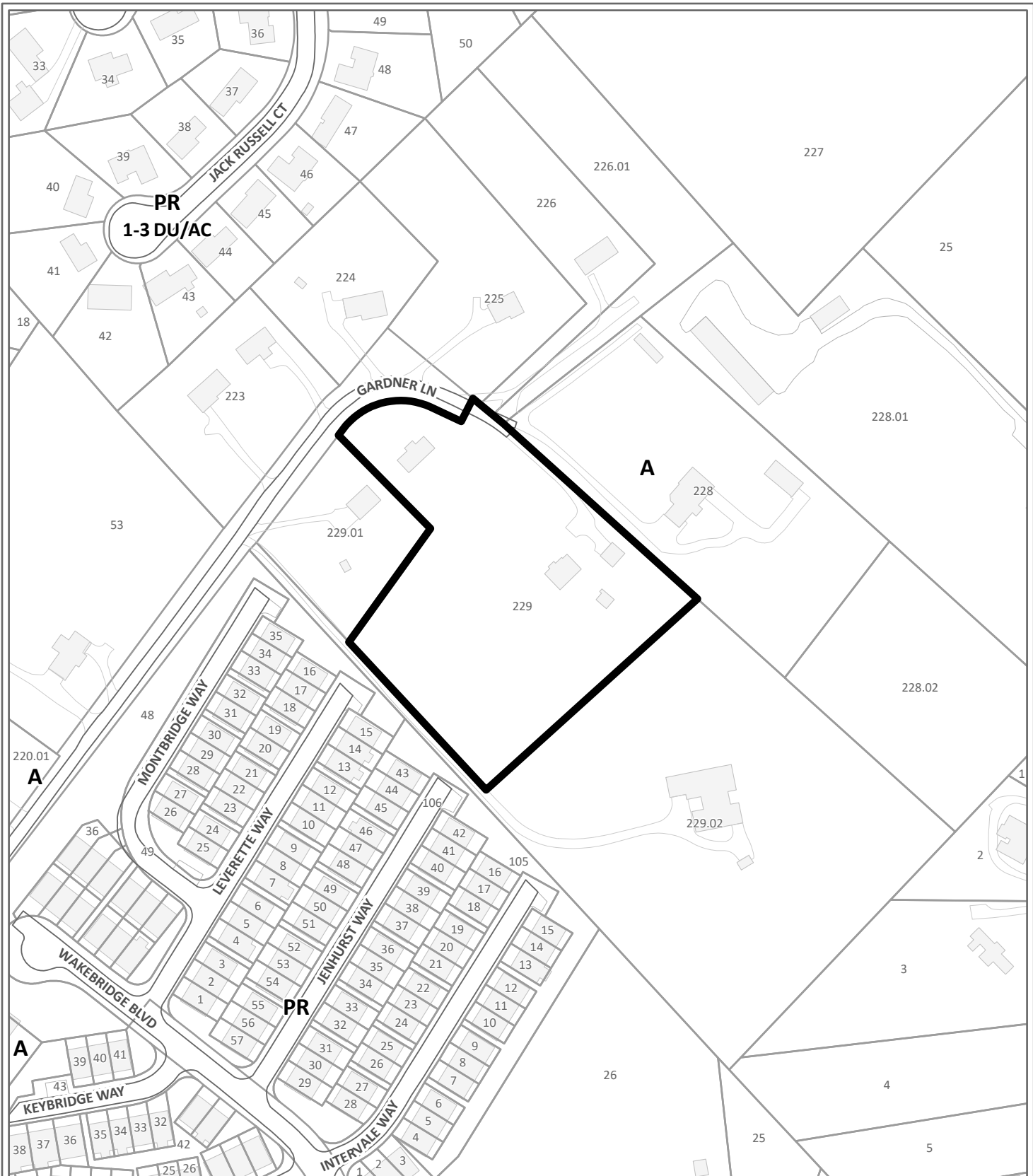
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Copper Ridge Elementary, Powell Middle, and Powell 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-F-24-RZ

Petitioner: Marvin F. Webb

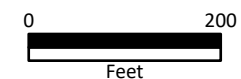


From: A (Agricultural)

To: RA (Low Density Residential)

Map No: 46

Jurisdiction: County

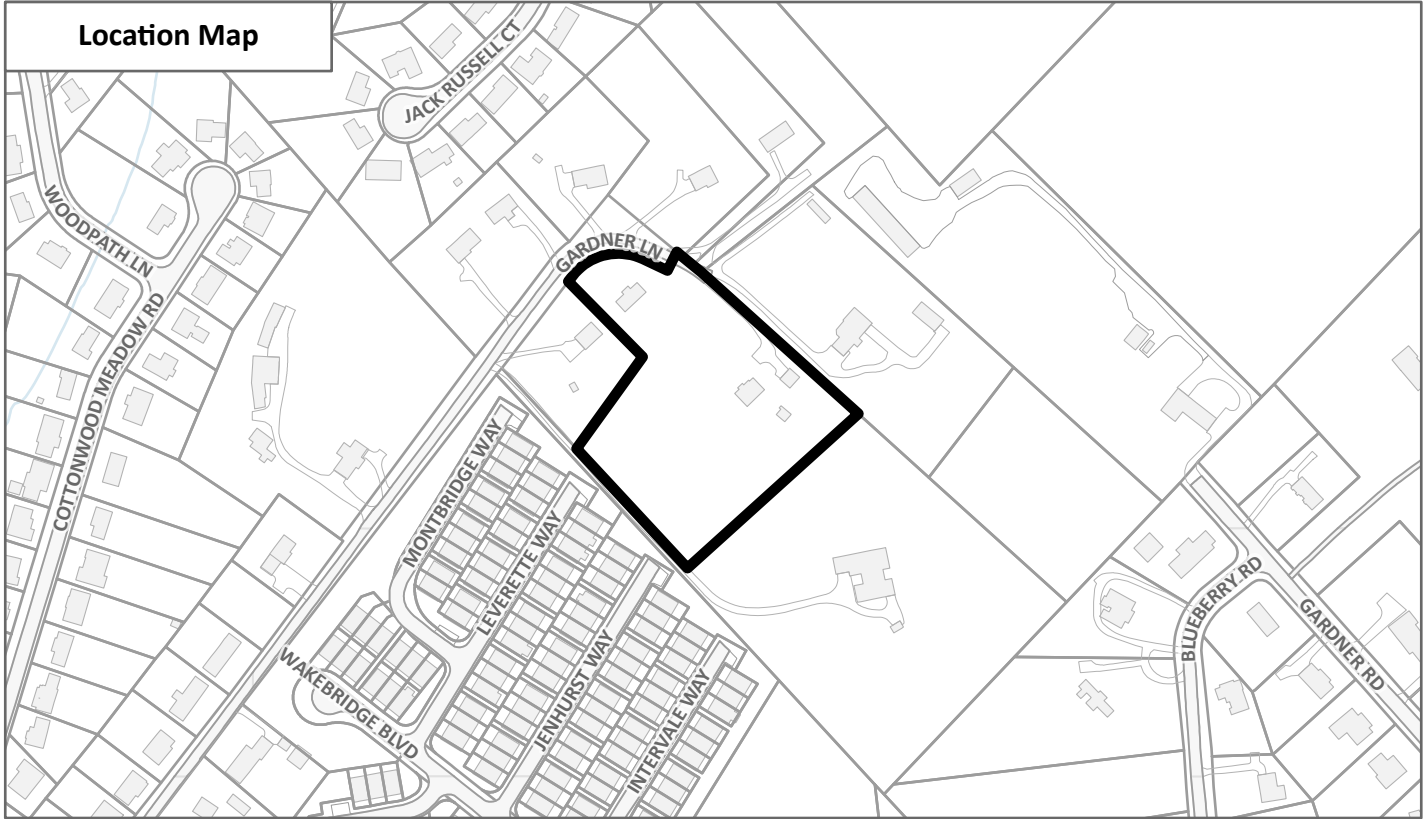


Original Print Date: 6/3/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

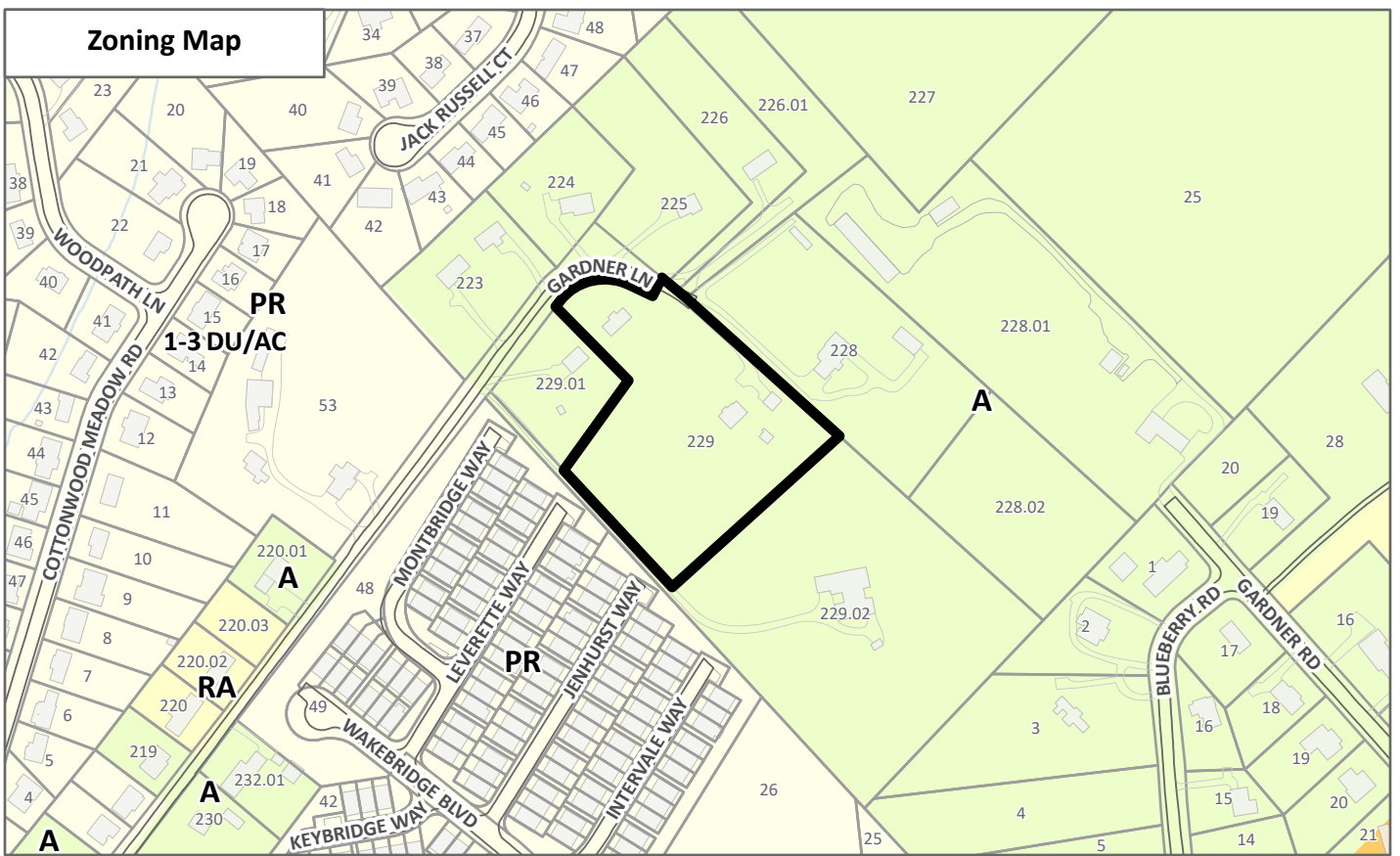
7-F-24-RZ



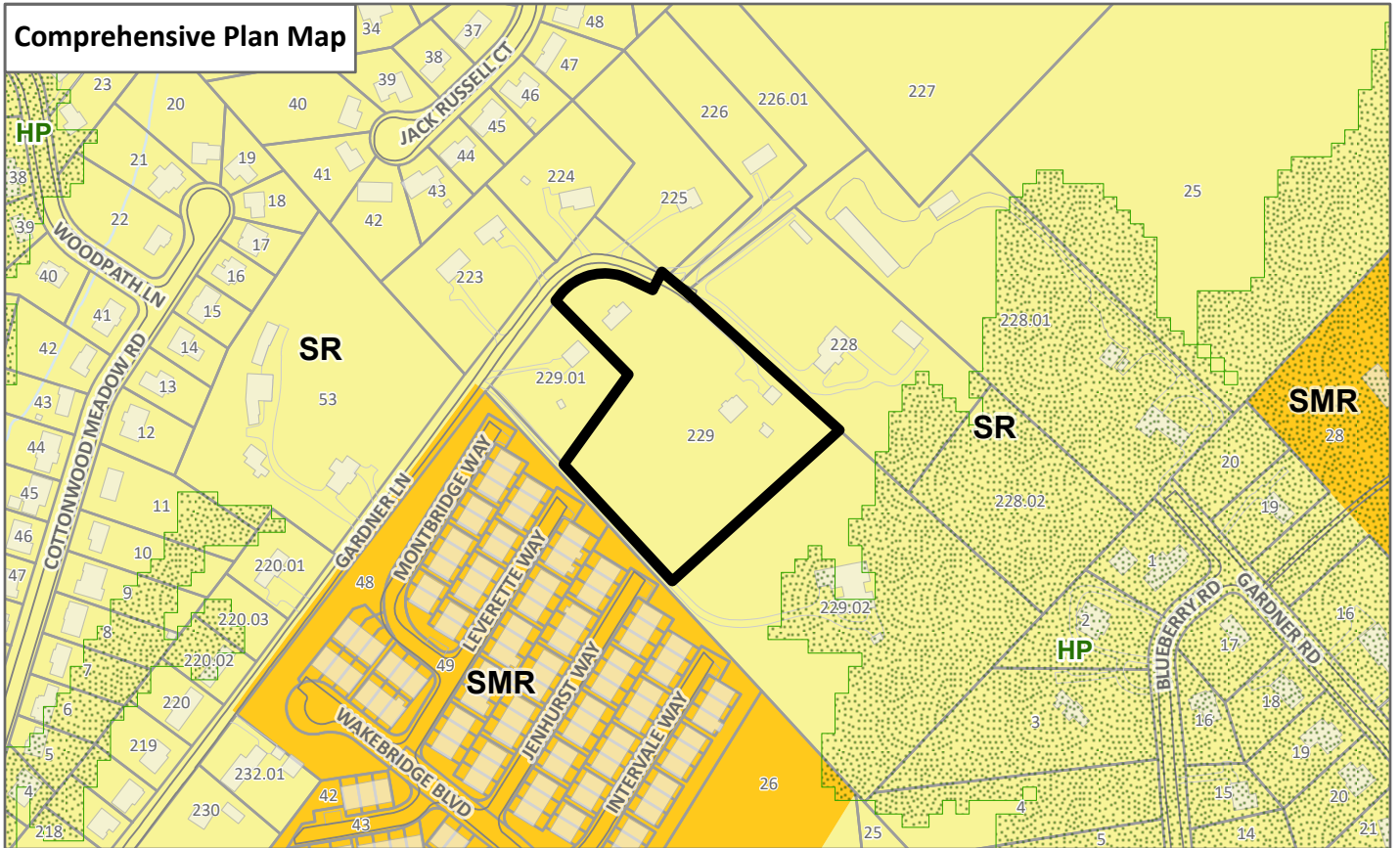
Case boundary



Zoning Map



Comprehensive Plan Map

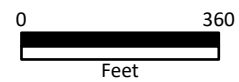


CONTEXTUAL MAPS 2

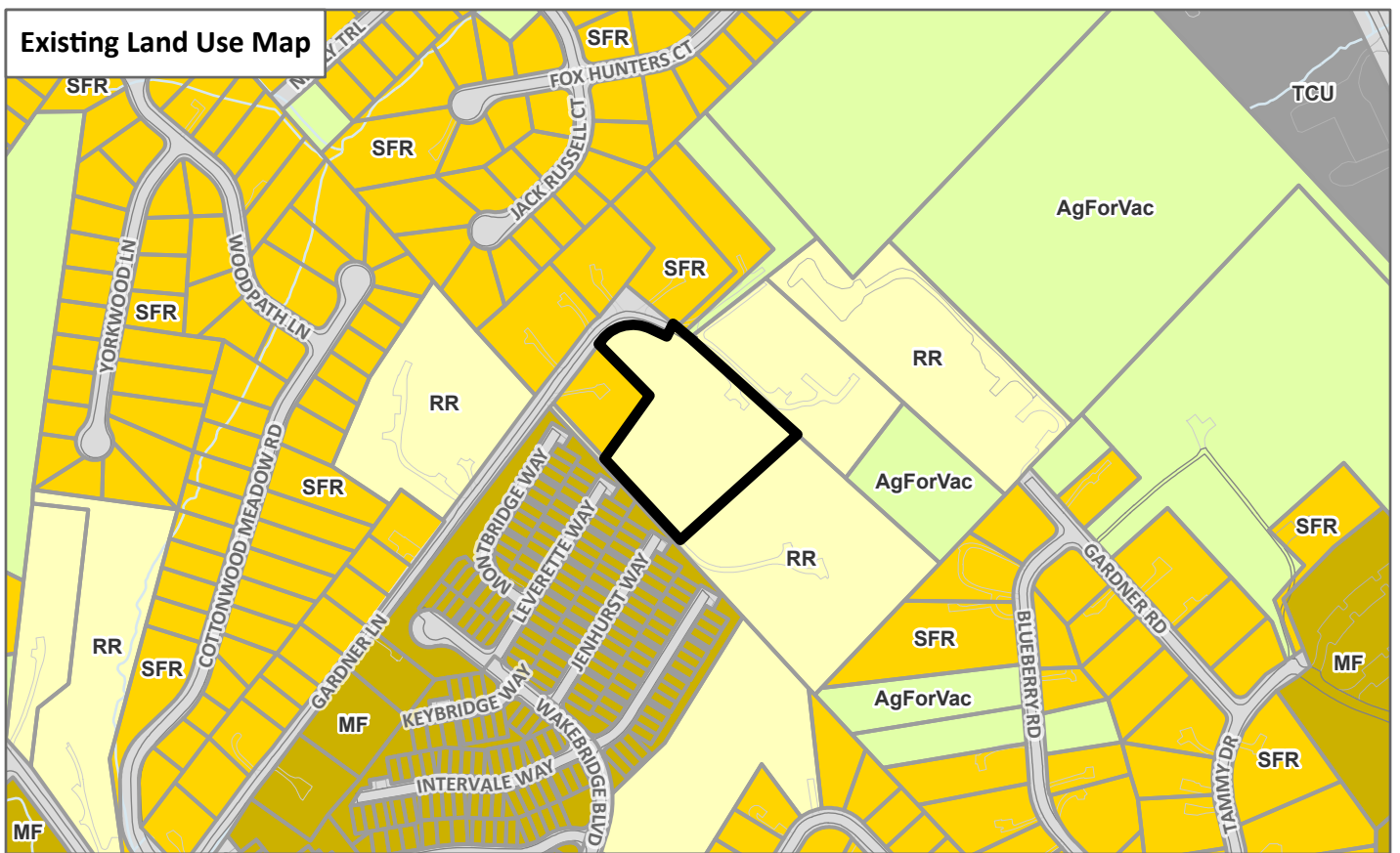
7-F-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

7-F-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

Marvin F. Webb

Applicant Name

Affiliation

5/22/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-F-24-RZ

File Number(s)

CORRESPONDENCE

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

Marvin F. Webb

Name / Company

206 Gardner Ln Powell TN 37849

Address

865-938-7632 / mwtn40@hotmail.com

Phone / Email

CURRENT PROPERTY INFO

Marvin F. Webb

Owner Name (if different)

206 Gardner Ln Powell TN 37849

Owner Address

865-938-7632 / mwtn40@hotmail

Owner Phone / Email

206 GARDNER LN / 208

Property Address

46 229

Parcel ID

3.72 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southeast side of Gardner Ln, northeast of Cottonwood Meadow Rd

General Location

☐ City

Commission District 7

A (Agricultural)

Rural Residential

☒ County

District

Zoning District

Existing Land Use

North County

SR (Suburban Residential)

Planned Growth Area

Planning Sector

Land Use (City)/Place Type (County)

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.

Marvin F. Webb

5/22/2024

Applicant Signature

Please Print

Date

Phone / Email

Marvin F. Webb

5/22/2024

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

Marvin F. Webb

Owner

Applicant Name

Affiliation

May 17, 2024

July 11, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

7-F-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

Marvin F. Webb

Name

Company

206 Gardner Lane

powell

TN

37849

Address

City

State

ZIP

(865)938-7632

mwtn40@hotmail.com

Phone

Email

CURRENT PROPERTY INFO

Marvin F. Webb

206 Gardner Lane

(865)938-7632

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

206 Gardner Lane

046 229

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

April 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

☒ 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

Marvin F. Webb

may 17, 2024

Please Print

Date

(865)938-7632

mwtn40@hotmail.com

Phone Number

Email

May 17, 2024


Property Owner Signature

Marvin F. Webb

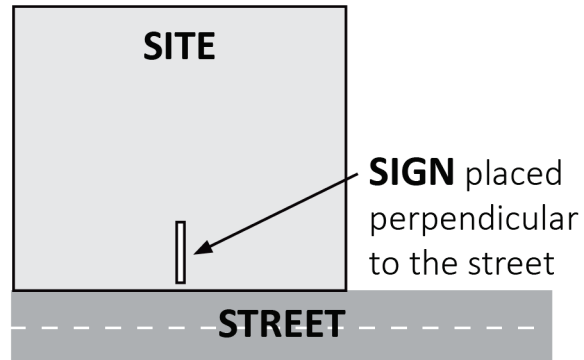
05/22/2024, SG

Please Print

May 17, 2024

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: Marvin F. Webb

Date: 05/22/2024

File Number: 7-F-24-RZ



Sign posted by Staff



Sign posted by Applicant