

REZONING REPORT

► **FILE #:** 7-L-24-RZ

AGENDA ITEM #: 15

AGENDA DATE: 7/11/2024

► **APPLICANT:** JOHN KANDEL

OWNER(S): John and April Kandel

TAX ID NUMBER: 150 B A 003

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 309 HIGHLAND VIEW DR

► **LOCATION:** Northwest side of Highland View Dr, west of Simpson Rd

► **APPX. SIZE OF TRACT:** 1.04 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Highland View Drive, a minor collector street with a pavement width of 20-ft within a 40-ft right-of-way

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Septic

WATERSHED: Hinds 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: Single family residential - PR (Planned Residential)

South: Single family residential - A (Agricultural)

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

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area is predominantly residential in character, consisting of single-family houses situated on a range of lot sizes. The northern and southern outskirts of the residential developments are surrounded undeveloped and.

STAFF RECOMMENDATION:

► **Approved the RA (Low Density Residential) zone because it is consistent with the Knox County Comprehensive Plan and 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. The surrounding area is predominantly residential, with agricultural and forested lands steadily transitioning to residential since the early 2000s.

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. The low-density intent of the RA zone is consistent with surrounding development.
2. The immediate area surrounding the subject property consists entirely of residential uses, and approving the requested RA zone would maintain the residential character of the community.
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. The subject property is located in an HP (Hillside Protection) area and there are slopes ranging from 15-25% on the rear half of the site. The southern portion of the property along Highland View Drive is relatively flat with sloped under 15%.
2. The RA zone requires properties not served by sanitary sewer to have a minimum lot area of 20,000 sq ft. The subject property is 45,000 sq ft, which based solely on the minimum lot area, could allow up to two lots.

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 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. 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 rezoning request complies with the Comprehensive Plan's implementation policy 2, to ensure that new development is sensitive to existing community character. The lot sizes and uses allowed by the RA zone are more consistent with other residential development in the area compared to those allowed in the A zone.

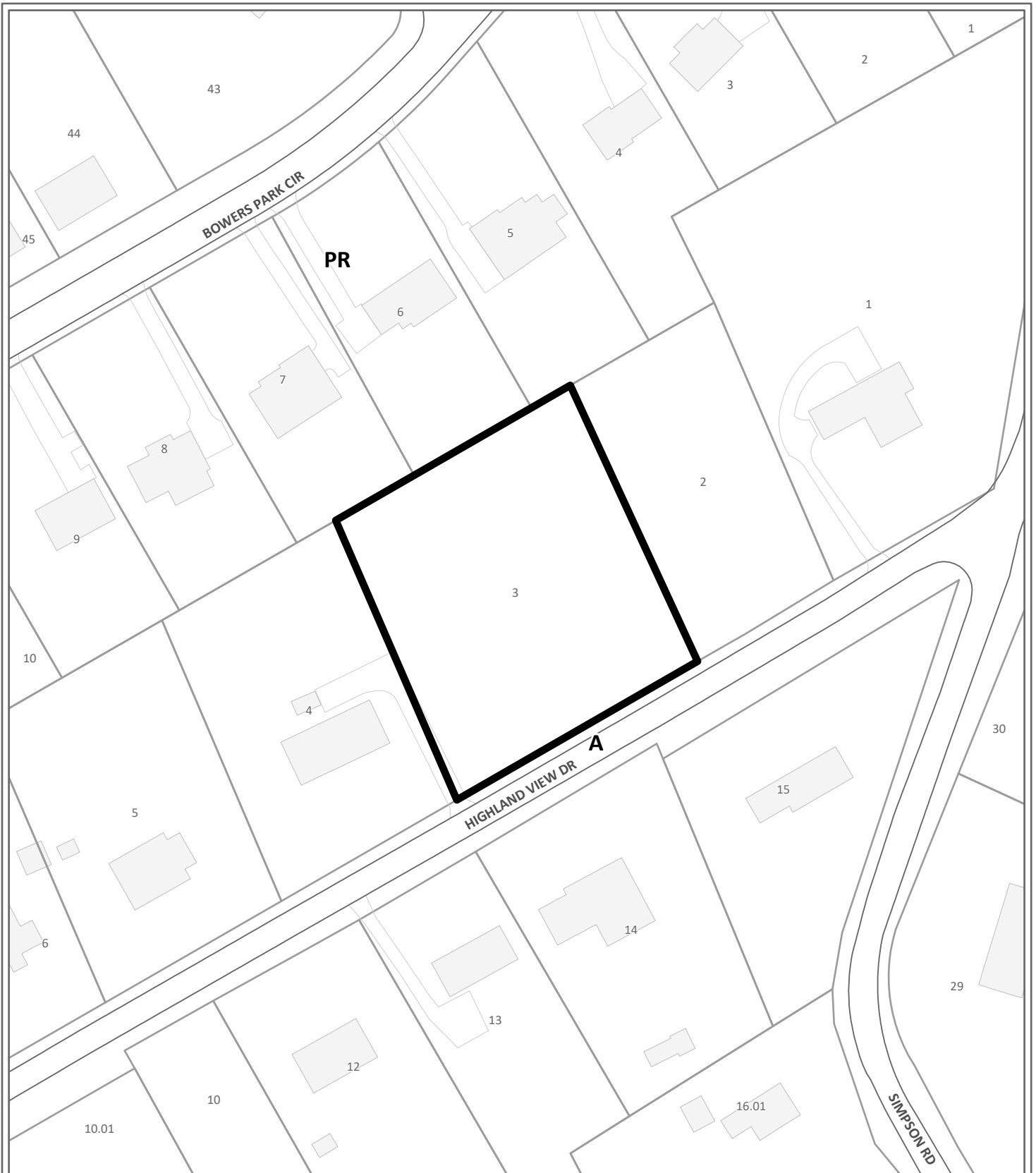
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle 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-L-24-RZ

Petitioner: John Kandel



From: A (Agricultural)

To: RA (Low Density Residential)

Original Print Date: 6/3/2024

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

Map No: 150

Jurisdiction: County

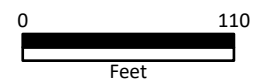
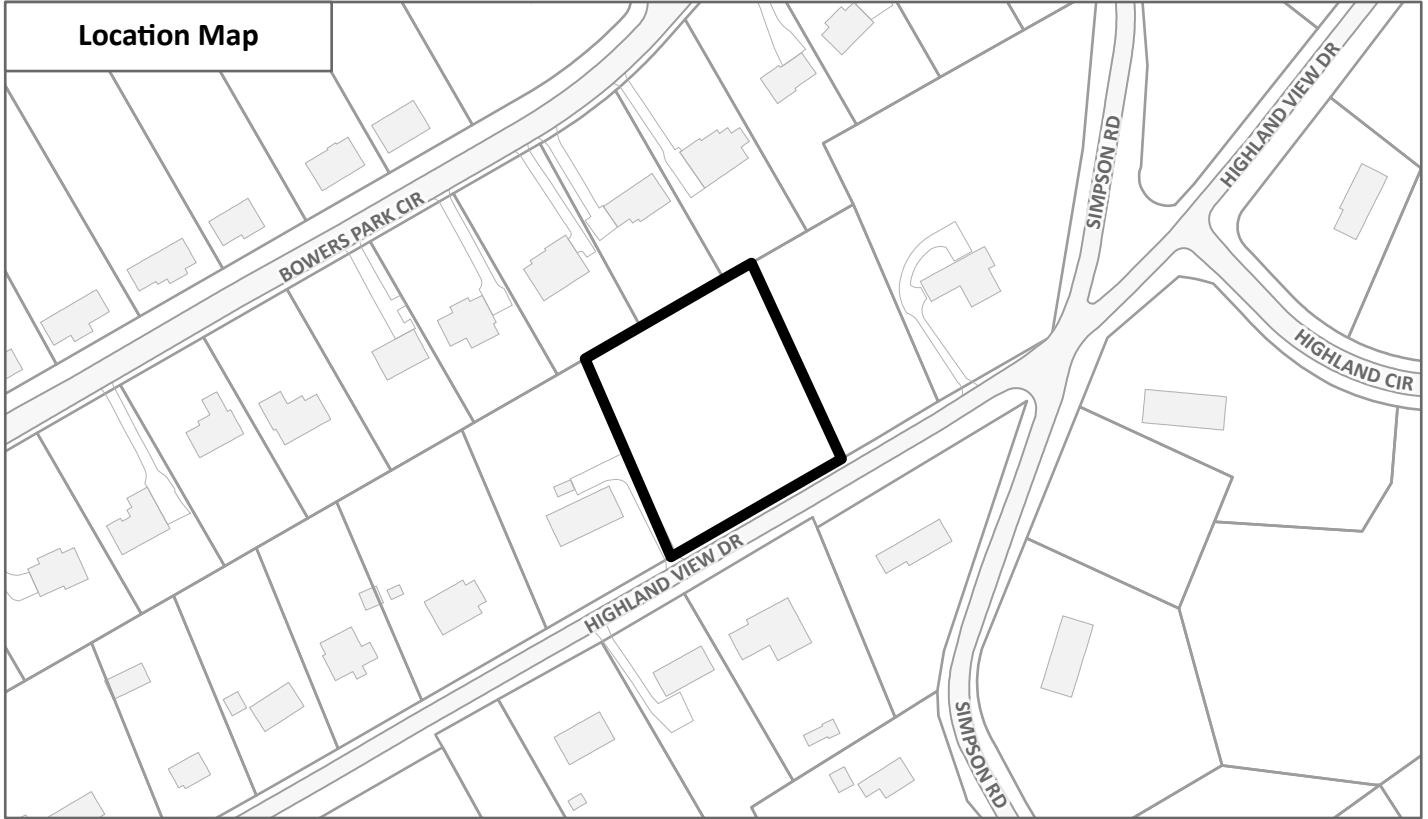
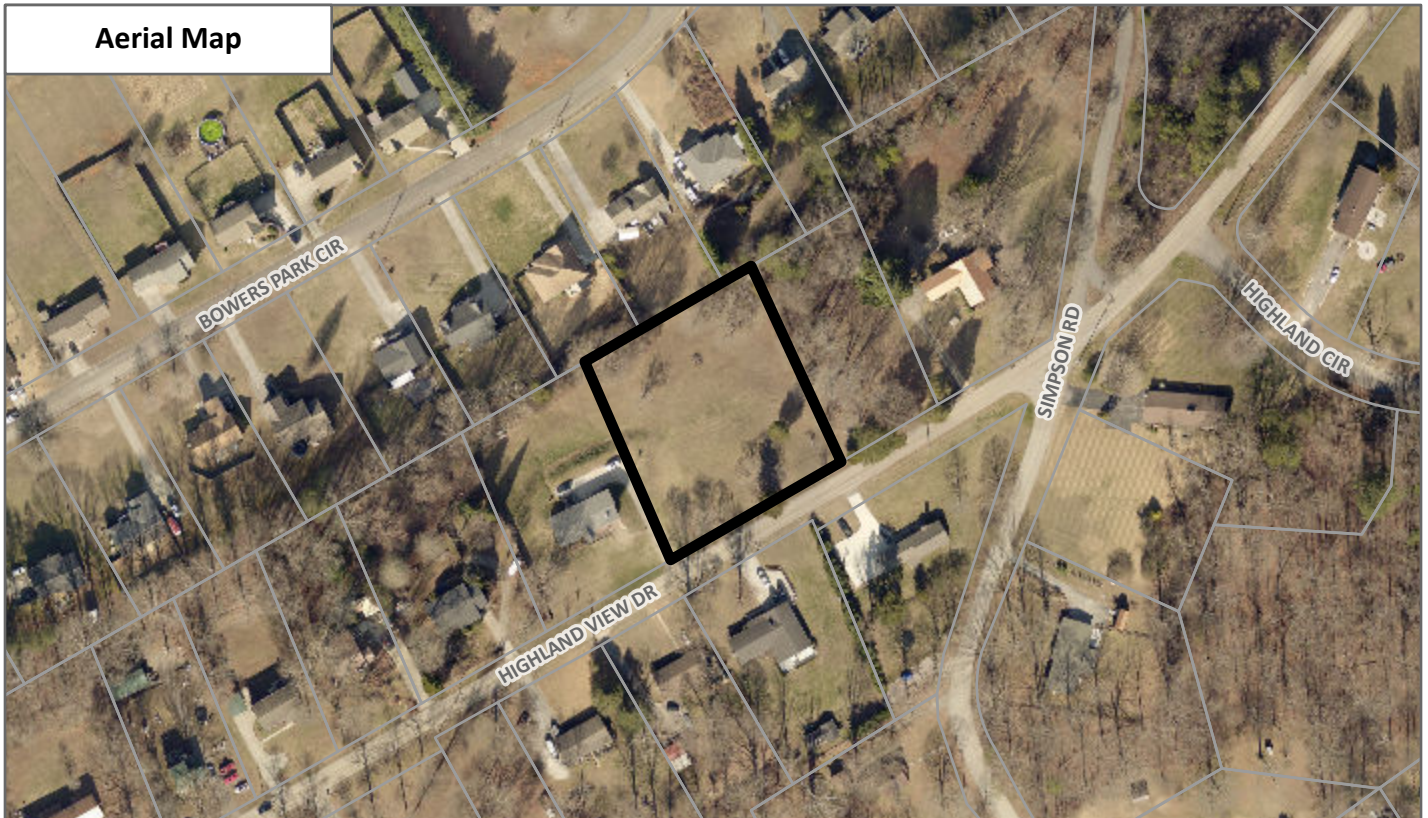


Exhibit A. Contextual Images

Location Map



Aerial Map

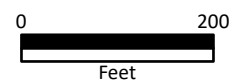


CONTEXTUAL MAPS 1

7-L-24-RZ



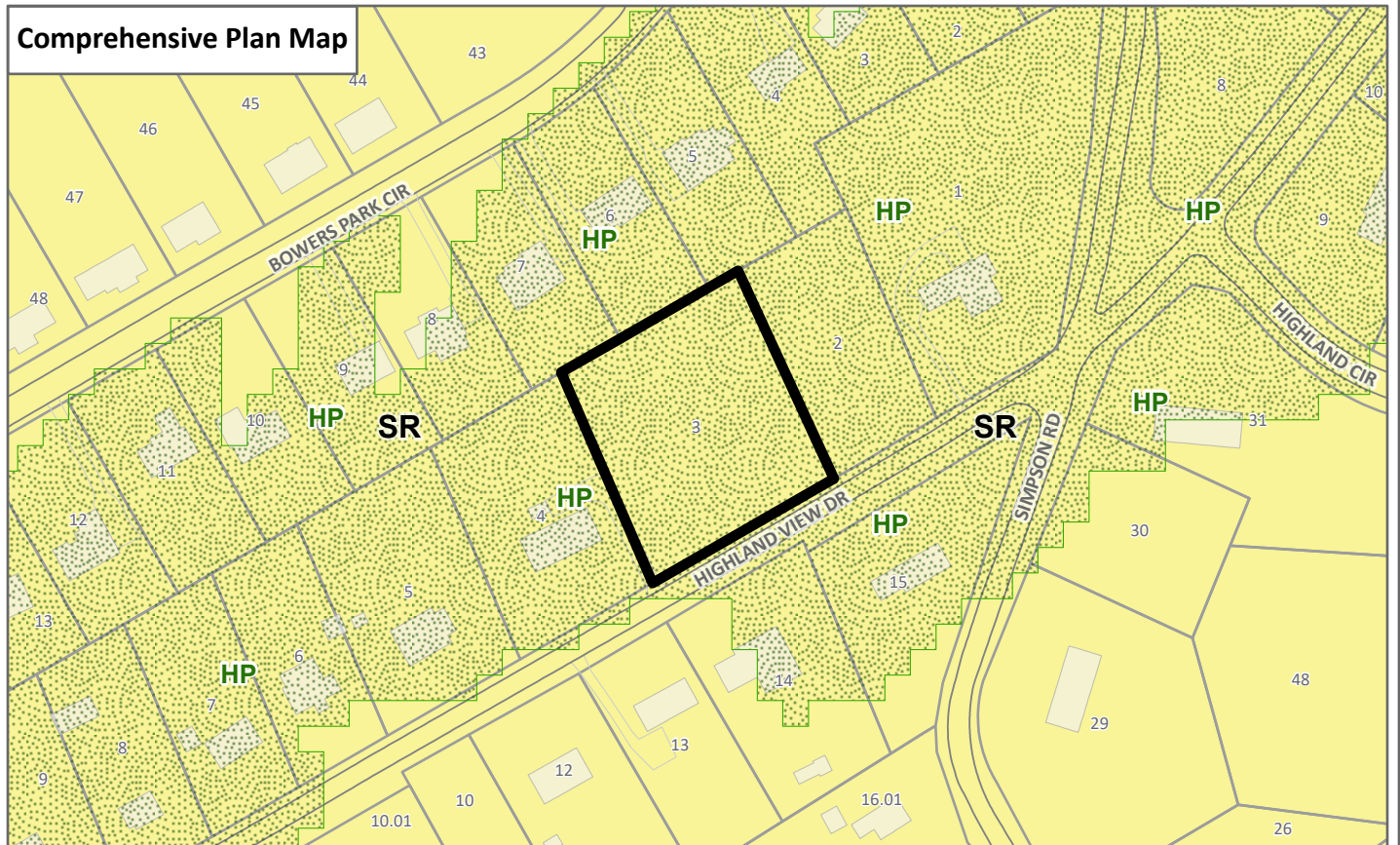
Case boundary



Zoning Map



Comprehensive Plan Map

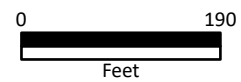


CONTEXTUAL MAPS 2

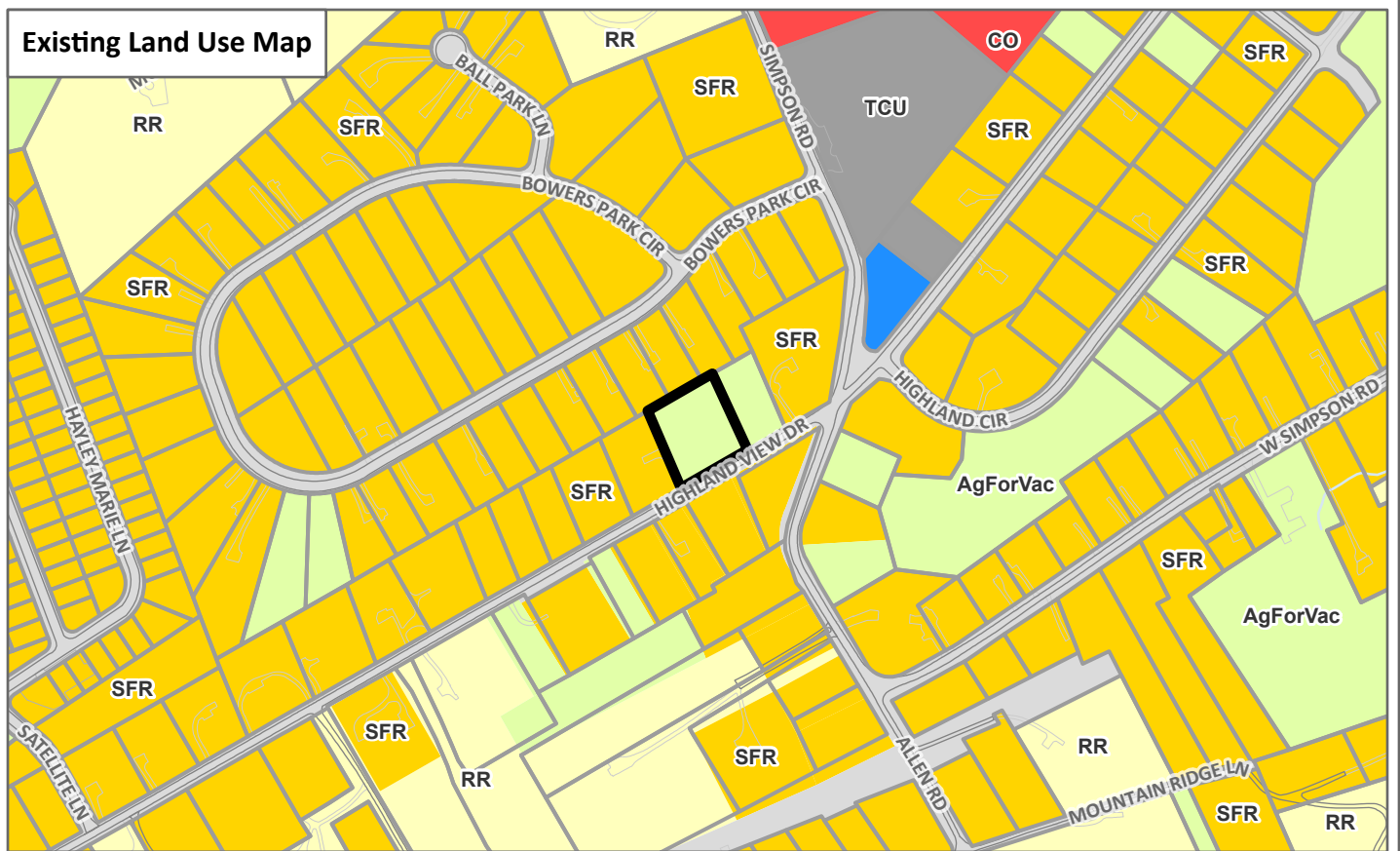
7-L-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

7-L-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

John Kandel

Applicant Name

Affiliation

5/28/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-L-24-RZ

File Number(s)

CORRESPONDENCE

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

John and April Kandel

Name / Company

313 Highland View Dr Knoxville TN 37920

Address

423-213-2074 / john.samair@yahoo.com

Phone / Email

CURRENT PROPERTY INFO

John and April Kandel

Owner Name (if different)

313 Highland View Dr Knoxville TN 37920

Owner Address

423-213-2074 / john.samair@ya

Owner Phone / Email

309 HIGHLAND VIEW DR

Property Address

150 B A 003

Parcel ID

1.04 acres

Tract Size

N/A

Sewer Provider

Knox-Chapman Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Highland View Dr, west of Simpson Rd

General Location

☐ City

Commission District 9

A (Agricultural)

Agriculture/Forestry/Vacant Land

☒ County District

Zoning District

Existing Land Use

South County

Planning Sector

SR (Suburban Residential), HP (Hillside Ridgetop Protection)

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 **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.

John Kandel

5/28/2024

Applicant Signature

Please Print

Date

Phone / Email

John and April Kandel

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 ☐ OYP
☒ Rezoning

John Kandel

Applicant Name

April 8, 2024

Date Filed

July 11, 2024

~~April 11, 2024~~

Meeting Date (if applicable)

Affiliation

File Number(s)

7-L-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

John Kandel

N/A

Name

Company

313 Highland View Dr.

Knoxville

TN

37920

Address

City

State

ZIP

423-213-2074

john.samair@yahoo.com

Phone

Email

CURRENT PROPERTY INFO

John H and April D Kandel

313 Highland View Dr., Knoxville, TN, 37920 423-213-2074

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

309 Highland View Dr., Knoxville, TN, 37920

150BA003

Property Address

Parcel ID

N/A

Knox-Chapman

Y

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

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)

2

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

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
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

John H Kandel
Applicant Signature

John Kandel
Please Print

April 8, 2024
Date

423-213-2074
Phone Number

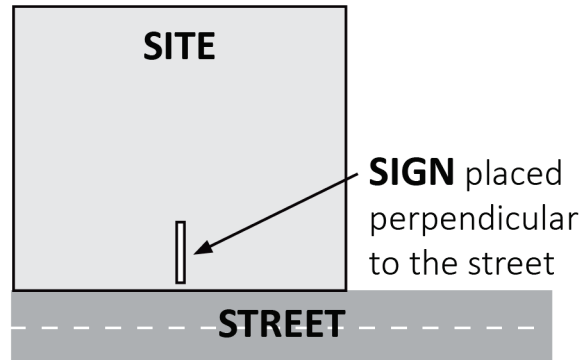
john.samair@yahoo.com
Email

John H Kandel
Property Owner Signature

John Kandel
Please Print

05/28/2024, 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: John Kandel

Date: 05/28/2024

File Number: 7-L-24-RZ



Sign posted by Staff



Sign posted by Applicant