

REZONING REPORT

▶ **FILE #:** 9-C-24-RZ

AGENDA ITEM #: 37

AGENDA DATE: 9/12/2024

▶ **APPLICANT:** MARK & EMILY CAMPEN

OWNER(S): Mark Campen

TAX ID NUMBER: 58 J A 01001

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 1916 FENWOOD DR

▶ **LOCATION:** Southwest side of Fenwood Dr, northwest side of Montrose Rd

▶ **APPX. SIZE OF TRACT:** 4.88 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Fennwood Drive, Montrose Road, Hamlet Road and Westchester Drive, which are all local streets within right-of-ways that vary in width.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: First Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Rural Residential

EXTENSION OF ZONE: No.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land, single-family residential, multifamily residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Single-family residential - EN (Established Residential Neighborhood), HP (Hillside Protection)

East: Single-family residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Single-family residential - EN (Established Residential Neighborhood), RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This Fountain City neighborhood is predominantly single-family residential and wooded. A stream runs through the property towards First Creek.

STAFF RECOMMENDATION:

- ▶ **Deny the RN-2 (Single-Family Residential Neighborhood) district because it does not meet the criteria for a rezoning. The HP (Hillside Protection Overlay) would be retained.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The subject property is in the middle of the Fountain City Town Hall neighborhood and is surrounded by RN-1 (Single-Family Residential Neighborhood) and EN (Established Neighborhood) zoning. This neighborhood has remained unchanged for decades. There are no developments or residential amenities nearby that warrant a more intensive residential rezoning at this location.
2. The subject parcel is adjacent to a 154-acre area of EN zoning that was granted in 2008 in response to petitions from property owners there. The intent of the EN zone is to provide stability to older, large-lot neighborhoods by preserving the existing character and development pattern through design guidelines. This indicates that the lack of change in this neighborhood is a deliberate choice by residents.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested RN-2 (Single-Family Residential Neighborhood) district is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks compared to the RN-1 district.
2. The RN-2 district permits all the same uses as the RN-1 district, but there are significant differences in the dimensional standards. For example, rezoning from RN-1 to RN-2 would reduce the minimum lot size for a single-family home from 10,000 to 5,000 sq ft. The subject property is 4.88 acres in size. The RN-1 zone permits consideration of up to 21 single-family units with its minimum lot size. This would be doubled to 42 units in the RN-2 zone. The feasibility of this number of units would be limited topographical challenges and protections, as well as other dimensional standards. However, this dramatic increase in residential intensity is worth noting since the dimensional standards are the primary distinction between the two zoning districts.

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

1. Most of the lots surrounding the subject property far exceed the minimum lot size in the RN-1 district. Halving the minimum lot size requirements with a rezoning to RN-2 on such a large parcel could result in development that is out of character with the neighborhood.
2. The subject property is part of a wooded, stream-bed corridor that connects to undisturbed forest along Black Oak Ridge to the north. The property is within the HP (Hillside Protection Overlay) district and contains undisturbed slopes exceeding 40%. This is a sensitive environmental area where a more intensive residential rezoning could have adverse impacts on the surrounding environment.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The proposed rezoning is not in conflict with the LDR (Low Density Residential) land use classification in the North City Sector Plan.
2. A more intensive rezoning at this location would conflict with the General Plan's Development Policy 7.2 to protect water resources by reducing pollution and retaining trees and ground cover on ridges, streams, rivers, lakes and sinkholes. It also conflicts with Policy 7.5 to protect the natural drainage systems associated with floodways and floodplains.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

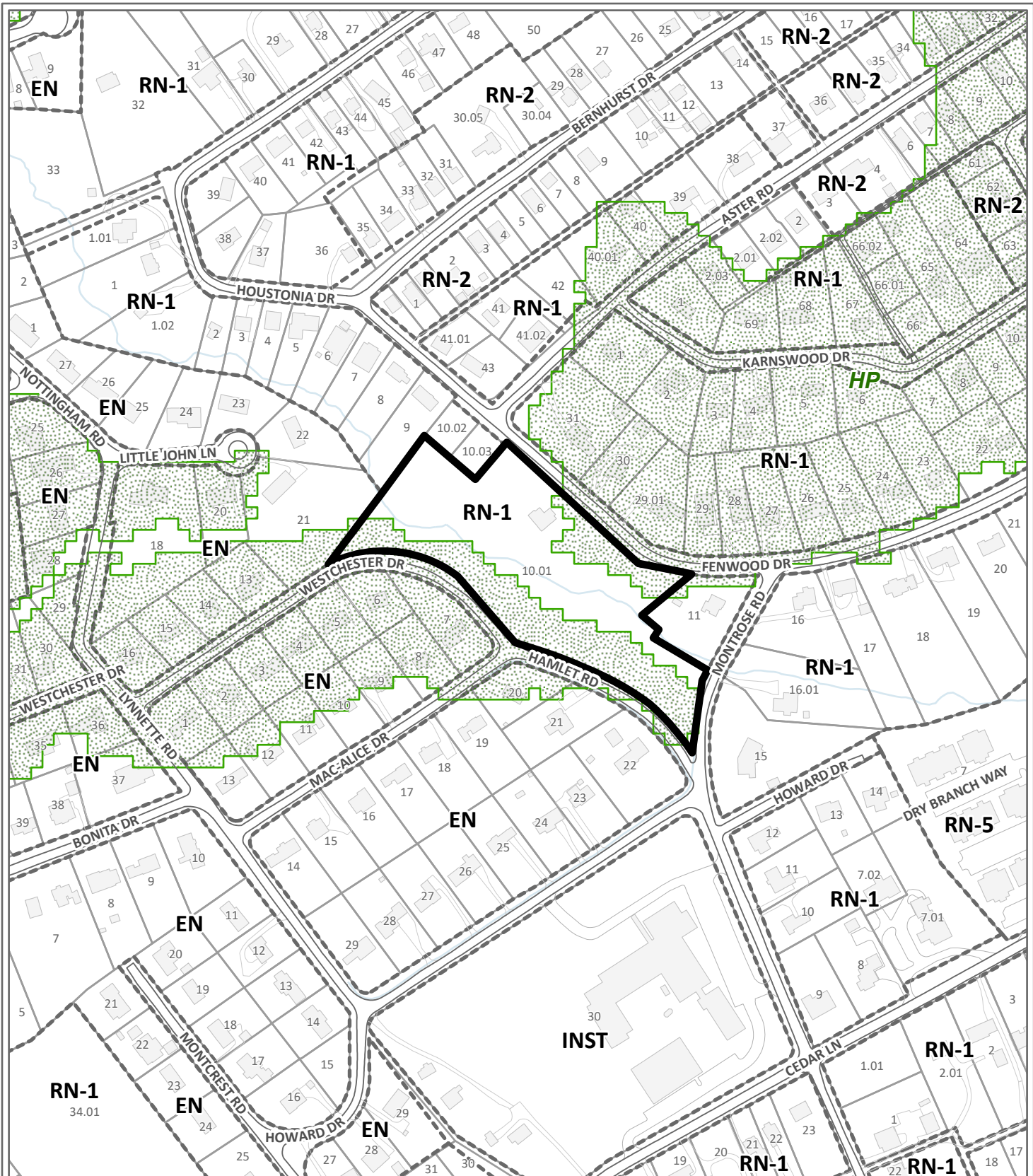
1. The roads that access the subject property are narrow, winding residential streets. Traffic congestion and sight distance could be problematic with more intensive residential development at this location.
2. This property does not have nearby access to sidewalks, public schools, transit or commercial amenities that would support a residential upzoning.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Fountain City Elementary, Gresham Middle, and Central High.

If approved, this item will be forwarded to Knoxville City Council for action on 10/15/2024 and 10/29/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



REZONING

9-C-24-RZ

Petitioner: Mark & Emily Campen



From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
To: RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Map No: 58
Jurisdiction: City

Original Print Date: 8/8/2024

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

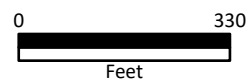
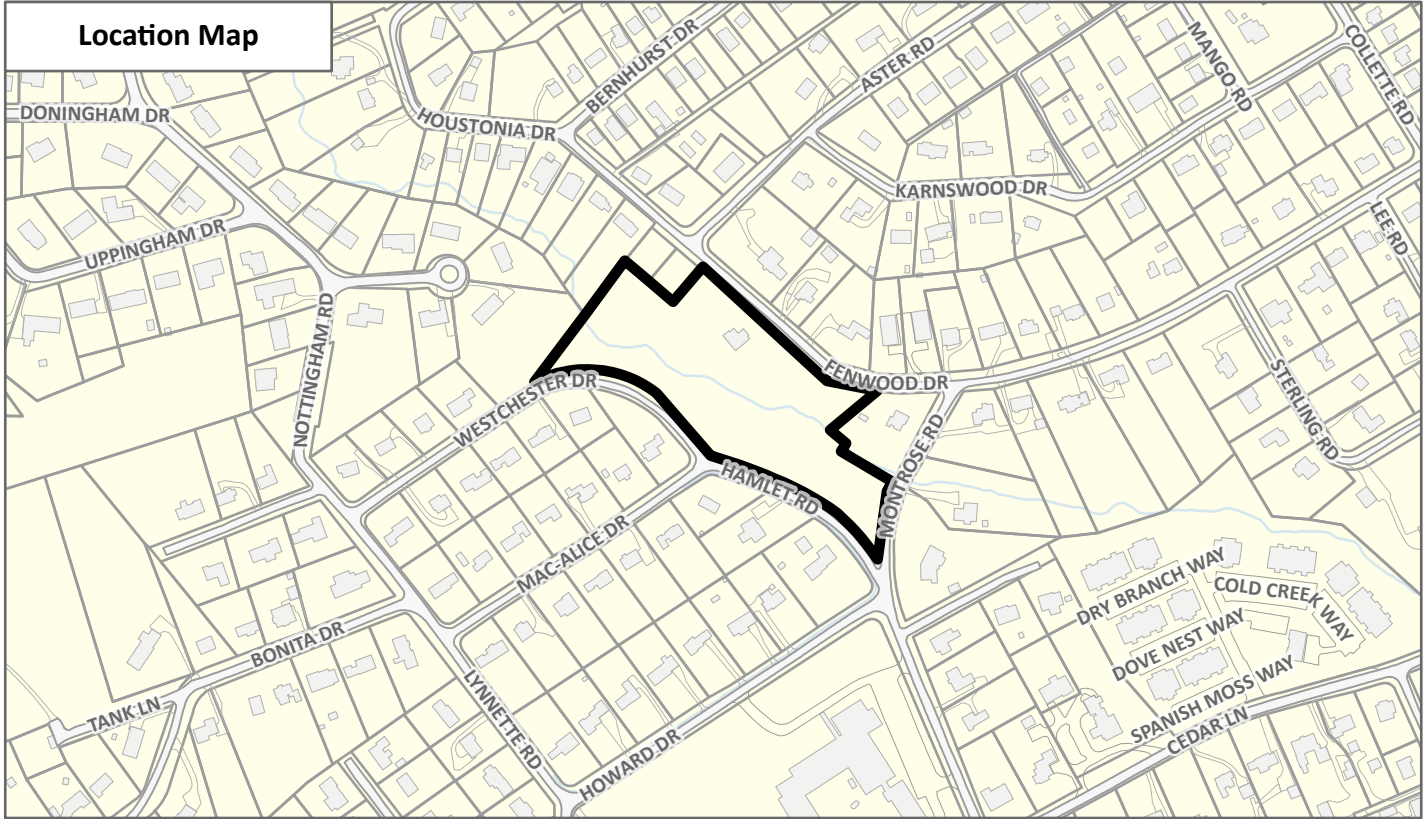


Exhibit A. Contextual Images

Location Map



Aerial Map



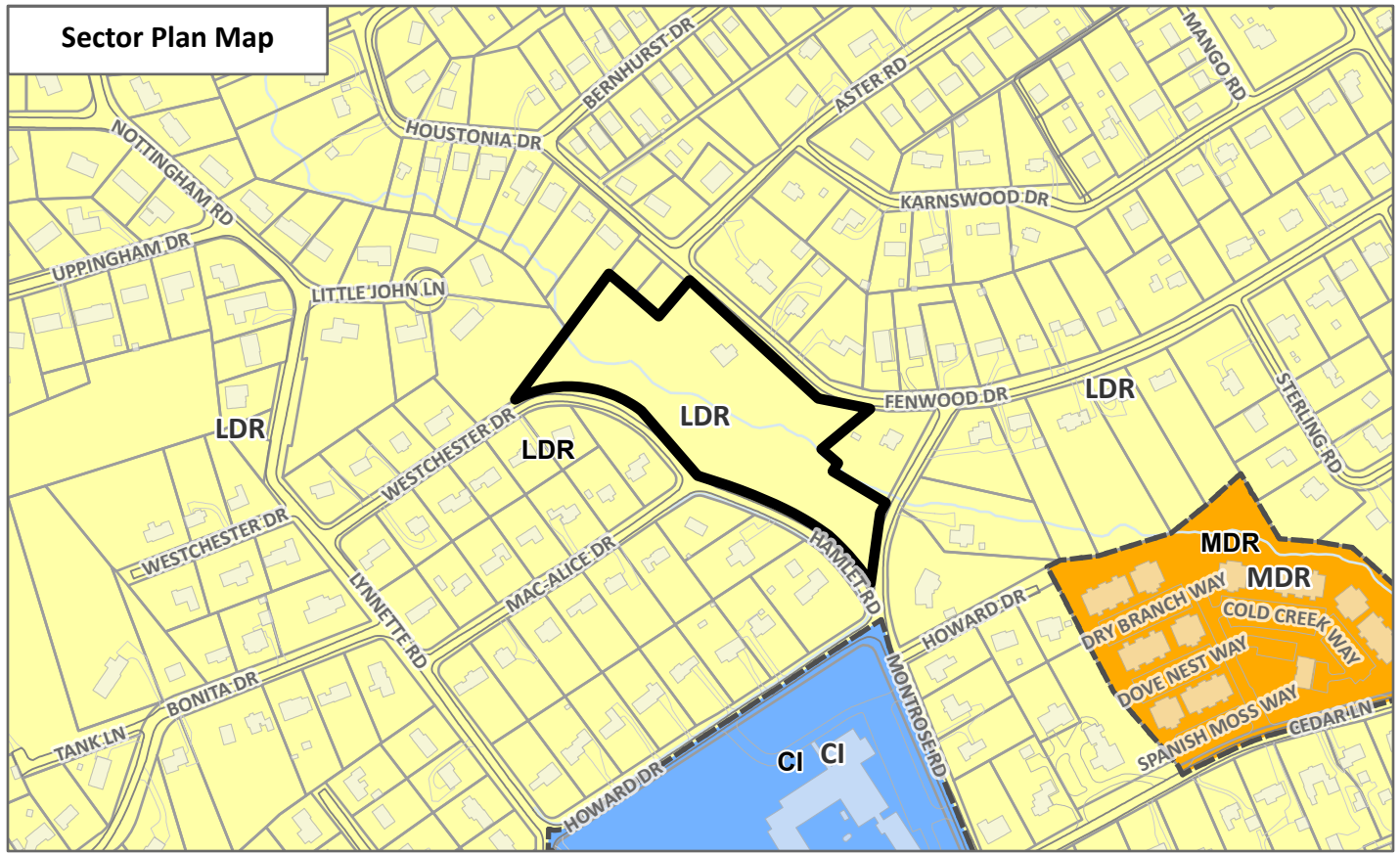
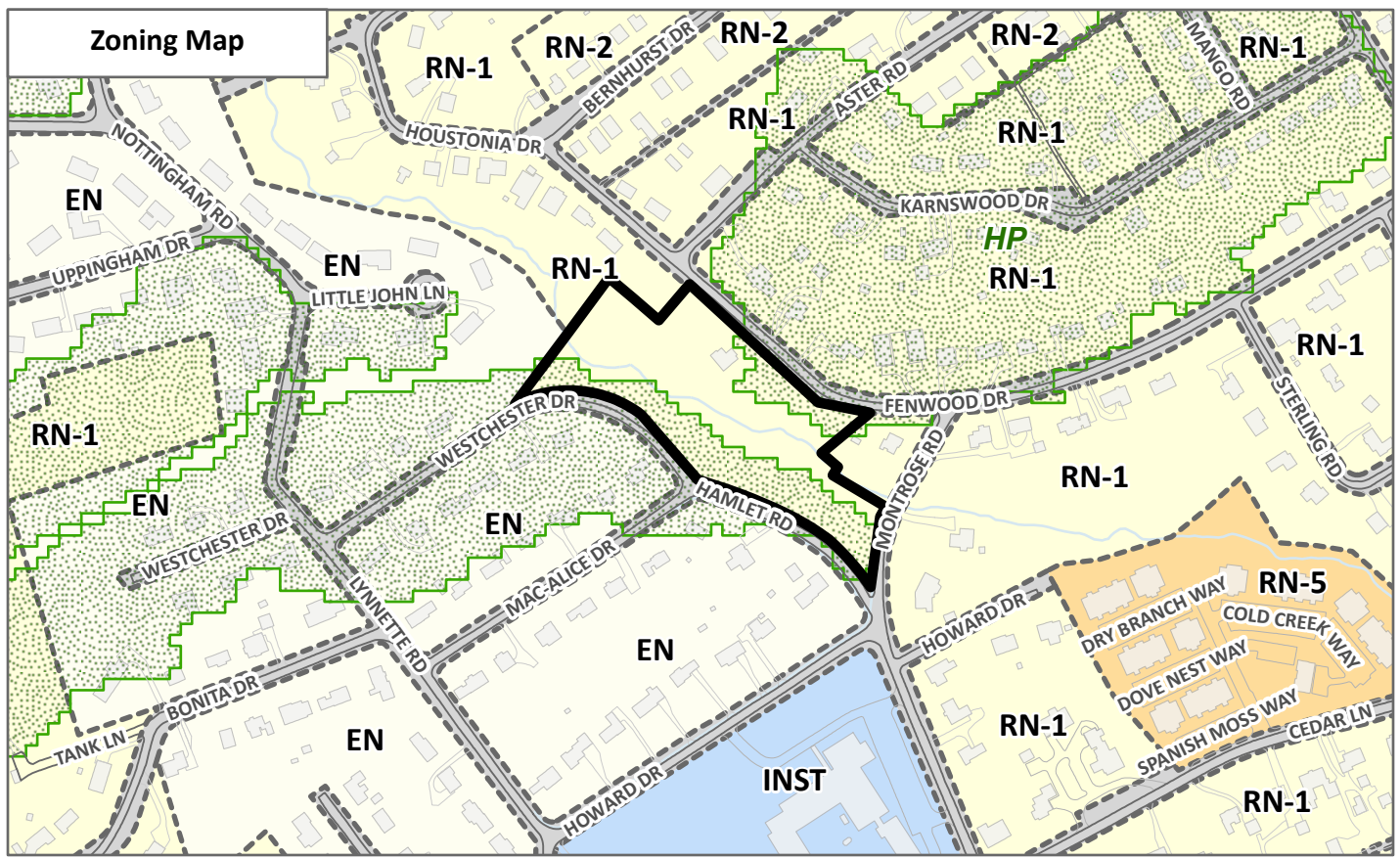
CONTEXTUAL MAPS 1

9-C-24-RZ




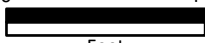
Case boundary






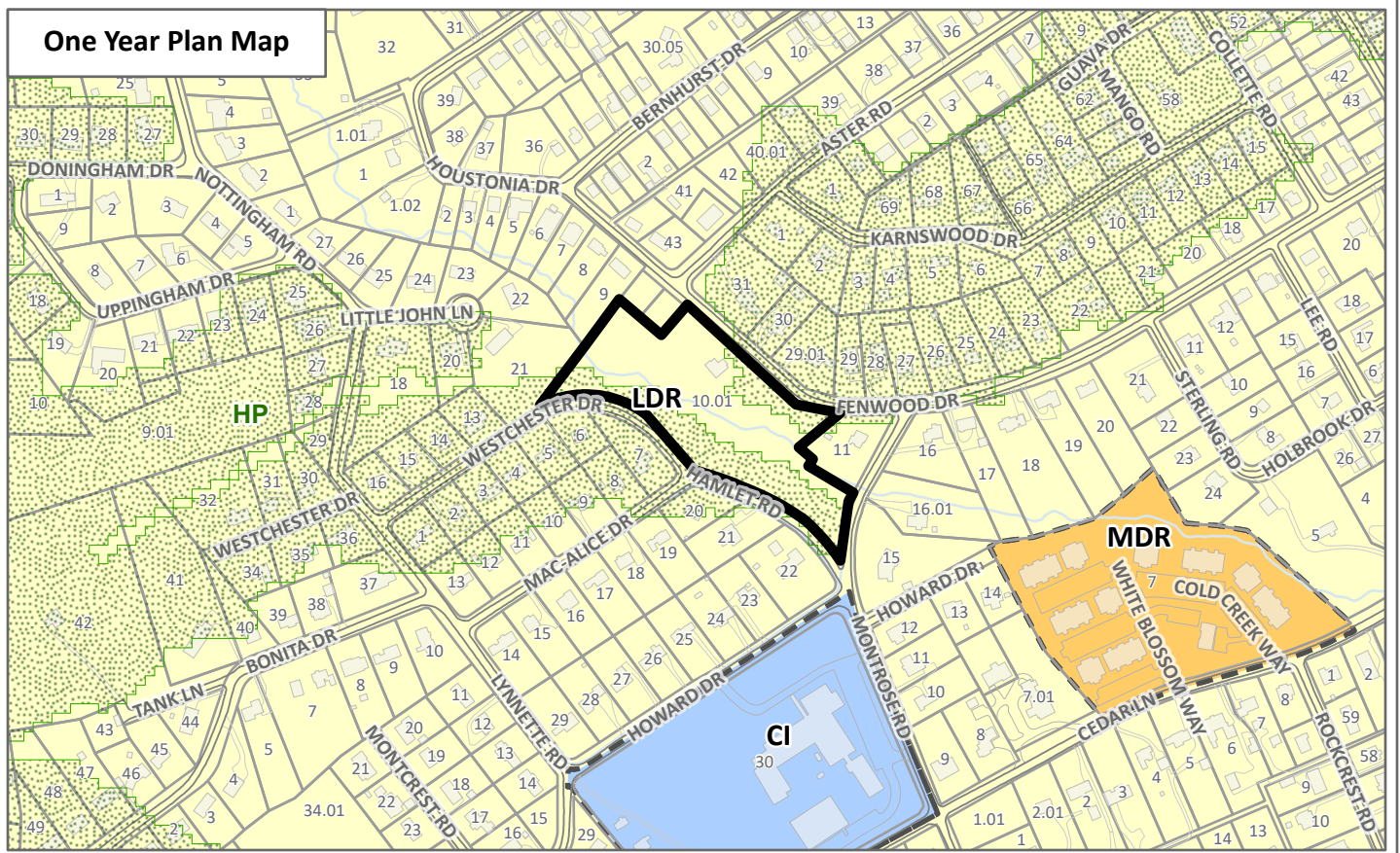
CONTEXTUAL MAPS 2 9-C-24-RZ

 Case boundary

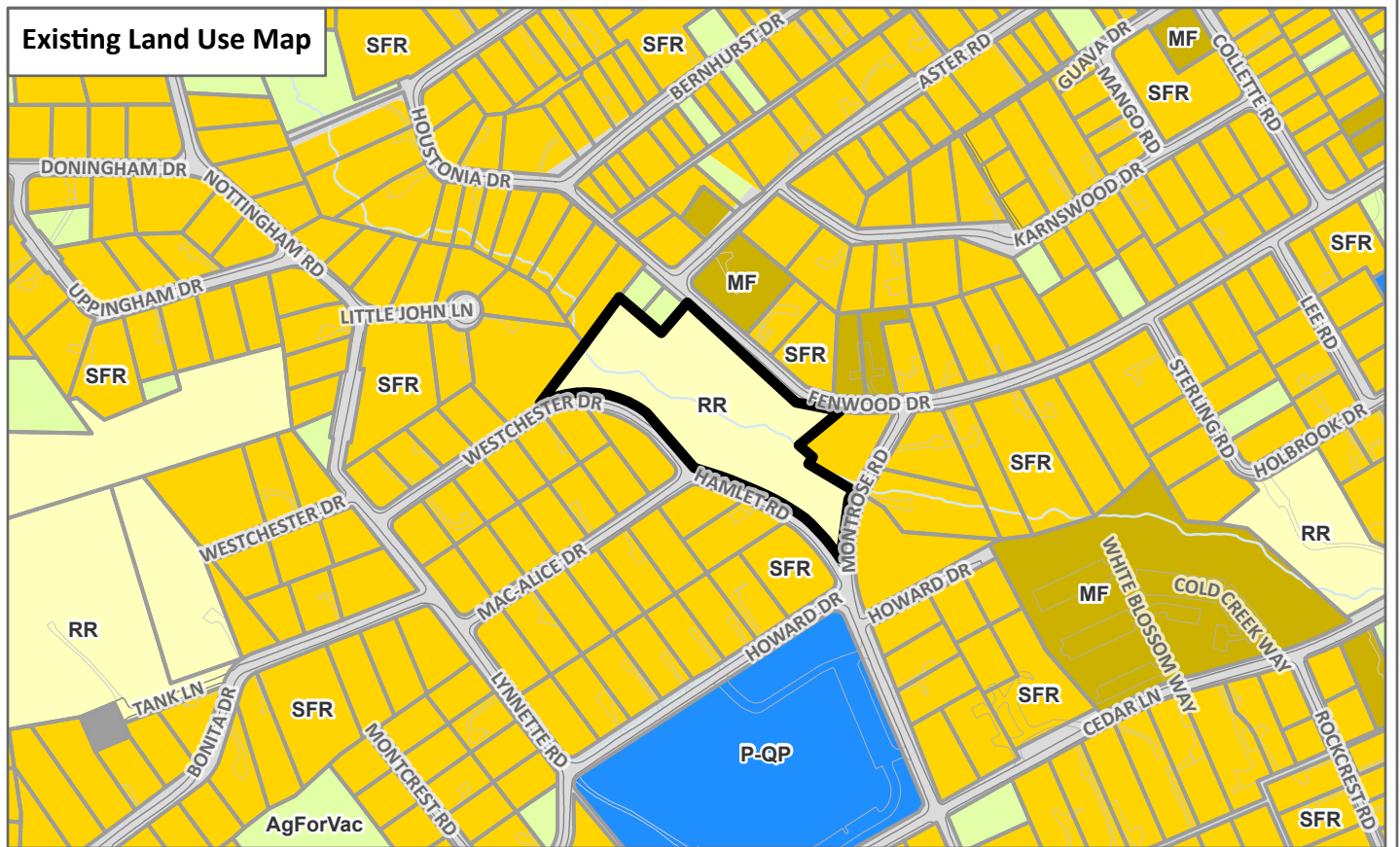
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Feet



One Year Plan Map



Existing Land Use Map

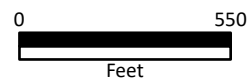


CONTEXTUAL MAPS 3

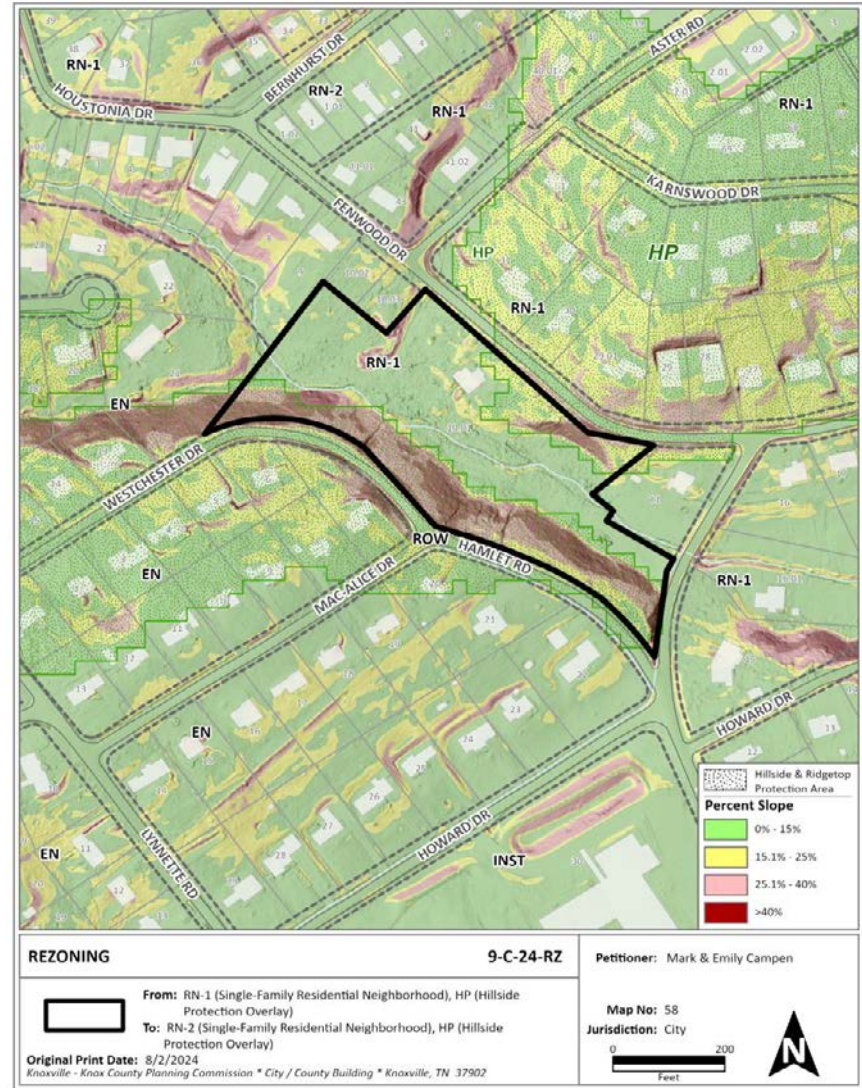
9-C-24-RZ



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	212,489.9	4.88			
Non-Hillside	118,869.4	2.73	N/A		
0-15% Slope	12,567.0	0.29	100%	12,567.0	0.29
15-25% Slope	17,573.3	0.40	50%	8,786.6	0.20
25-40% Slope	31,635.9	0.73	20%	6,327.2	0.15
Greater than 40% Slope	31,844.3	0.73	10%	3,184.4	0.07
Ridgetops					
Hillside Protection (HP) Area	93,620.5	2.15	Recommended disturbance budget within HP Area	30,865.3	0.71
			Percent of HP Area	33.0%	





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

Mark & Emily Campen

Applicant Name

Affiliation

7/16/2024

Date Filed

9/12/2024

Meeting Date (if applicable)

9-C-24-RZ

File Number(s)

CORRESPONDENCE

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

Mark Campen

Name / Company

1309 Adair Dr Knoxville TN 37938

Address

865-414-5593 / mcampen7@hotmail.com

Phone / Email

CURRENT PROPERTY INFO

Mark Campen

Owner Name (if different)

1309 Adair Dr Knoxville TN 37938

Owner Address

865-414-5593 / mcampen7@ho

Owner Phone / Email

1916 FENWOOD DR

Property Address

58 J A 01001

Parcel ID

Part of Parcel (Y/N)?

4.88 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

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	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)	Pending Plat File Number
	Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Rezoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request (Comprehensive Plan)	\$650.00	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> Use on Review / Special Use (Concept Plan) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (Hillside Protection)	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	Mark & Emily Campen Please Print	7/16/2024 Date
Phone / Email		
Property Owner Signature	Mark Campen Please Print	7/16/2024 Date



Planning

KNOXVILLE | KNOX COUNTY

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

Applicant Name Mark and Emily Campen

Affiliation Property Owners

Date Filed

Meeting Date (if applicable)

File Number(s)

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

Name Mark Campen

Address 1309 Adair Dr. Knoxville TN 37938

Phone (865) 414-5593 Email mcampen7@hotmail.com

CURRENT PROPERTY INFO

Property Owner Name (if different) Same as above Property Owner Address (865) 414-5593 Property Owner Phone

Property Address 1916 Fenwood Dr. Parcel ID 058JA01001

Sewer Provider KUB Water Provider KUB Septic (Y/N) 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

Proposed Zoning

RN-2

Plan Amendment Change

Proposed Plan Designation(s)

N/A

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	

DECLARATION

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

Mark C. Campen
Emily Campen

Please Print

Mark C. Campen

Date

6/21/24

Phone Number

Email

mcampen7@hotmail.com

Property Owner Signature

Please Print

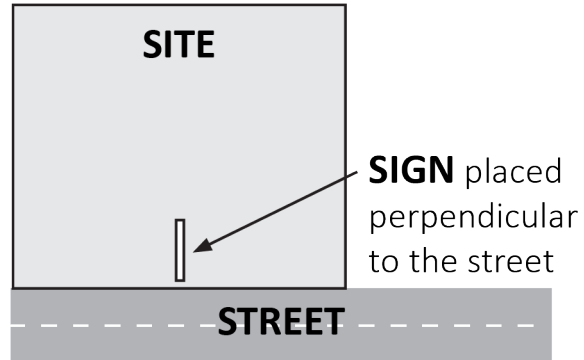
Date Paid

Mark C. Campen

Mark C. Campen

6/21/24

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:

_____ and _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

- Sign posted by Staff
- Sign posted by Applicant