

# REZONING REPORT

▶ **FILE #:** 9-D-24-RZ

**AGENDA ITEM #:** 9

**AGENDA DATE:** 9/12/2024

▶ **APPLICANT:** AVERA LYNN MCDANIEL

OWNER(S): Avera L McDaniel

TAX ID NUMBER: 125 016

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 7509 NICHOLS RD

▶ **LOCATION:** West side of Nichols Rd, south of E Governor John Sevier Hwy

▶ **APPX. SIZE OF TRACT:** 1.17 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Nichols Road, a local street with a 17-ft pavement width within a right-of-way ranging from 47 - 63 ft.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Burnett Creek

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

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

▶ **EXISTING LAND USE:** Single Family 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: Single family residential - A (Agricultural)

East: Single family residential, agriculture/forestry/vacant land - A (Agricultural), PR (Planned Residential) at 1-3 du/ac

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area is largely rural in character, with predominantly residential uses and some commercial uses nearby.

## STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with 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. Since 2001, the majority of new developments that have been constructed in the vicinity surrounding the subject area have been residential or commercial in nature.
2. The subject property is .23 miles east from New Hopewell Elementary and 1.43 miles west from a large commercial corridor along Chapman Highway.

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 residential areas with low population densities.
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 RA zone is considered a low-density residential zone. As such, it is not anticipated to negatively impact the surrounding area, which is largely residential in character.
2. The minimum lot area for properties in the RA zone is 10,000 sq ft if served by sanitary sewer. Based on minimum lot area and utility servicing, the subject property could yield up to 5 lots.

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 property is designated as the SR (Suburban Residential) in the Knox County Comprehensive Plan. The RA zone is listed as being directly related to the SR place type.
2. The rezoning complies with the Comprehensive Plan's Implementation Policy 2, to ensure that new development is sensitive to existing community character. The allowable uses in the RA zone align with the character of the surrounding area.
3. The subject property is located within the Planned Growth Area of the Growth Policy Plan, which aims to encourage a reasonably compact pattern of development. The lot sizes in the RA zone support the intent of the Planned Growth Area.

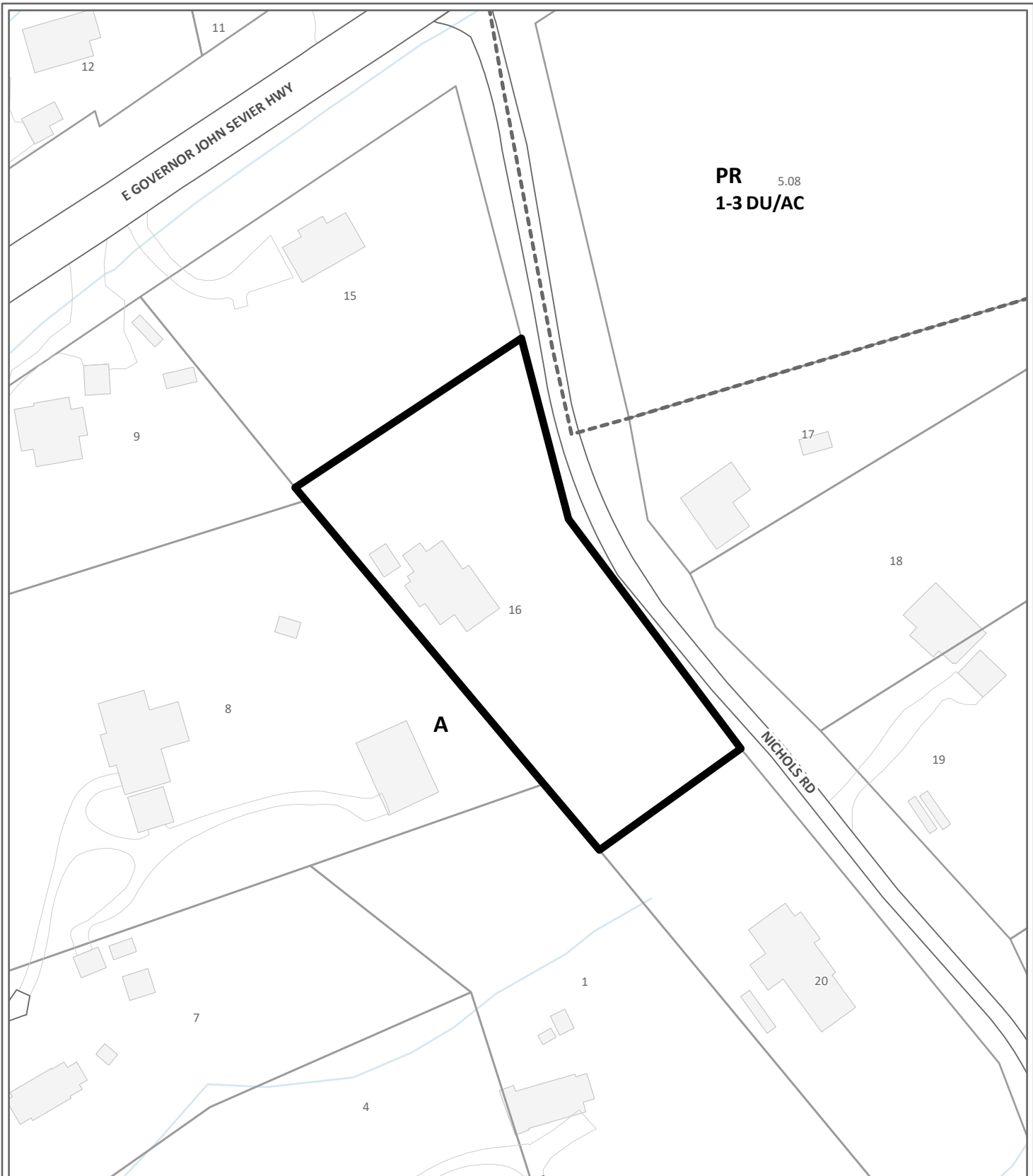
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: 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 10/21/2024. 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.



**PR** 5.08  
**1-3 DU/AC**

**REZONING**

**9-D-24-RZ**

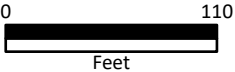
**Petitioner:** Avera Lynn McDaniel



**From:** A (Agricultural)  
**To:** RA (Low Density Residential)

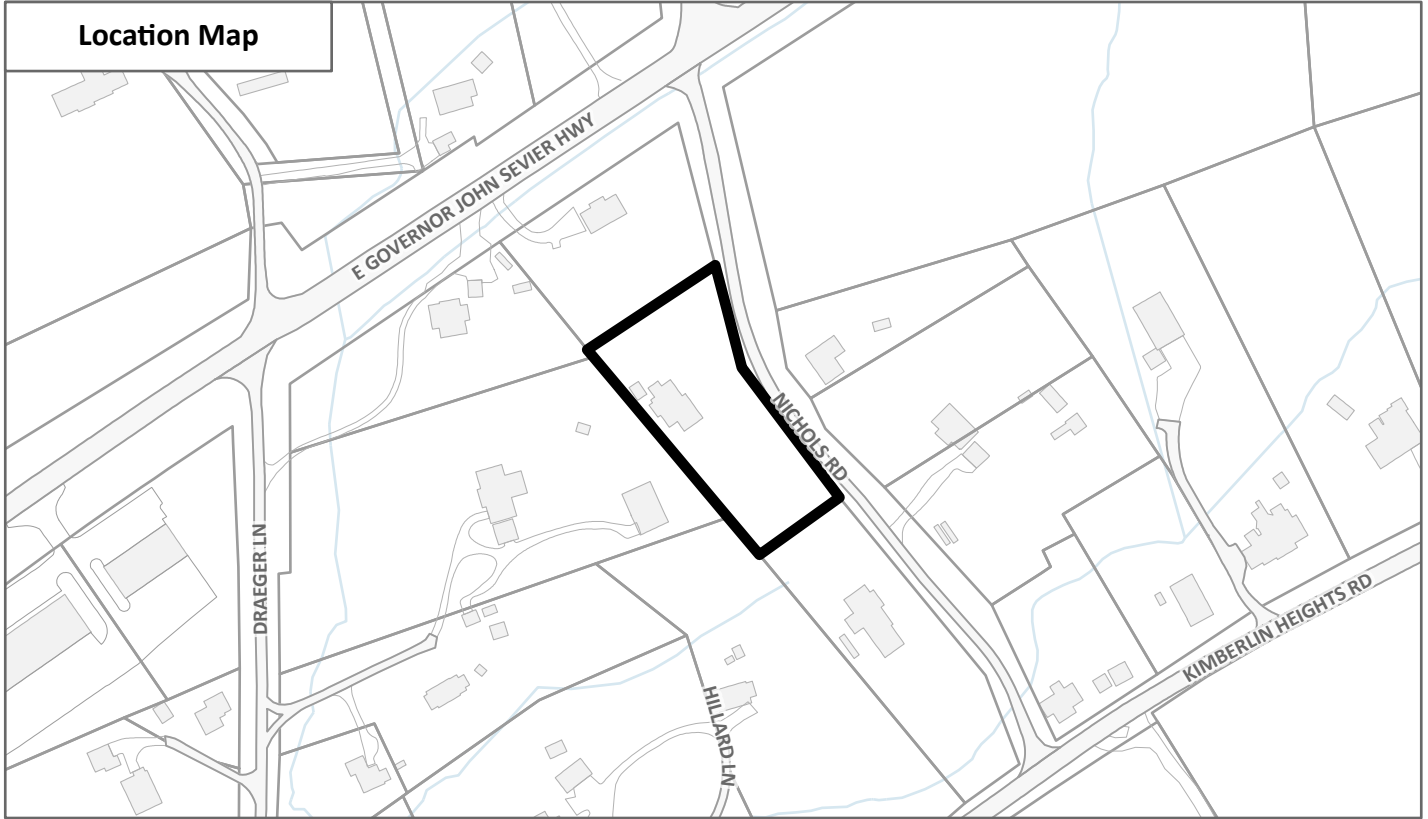
**Map No:** 125  
**Jurisdiction:** County

**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

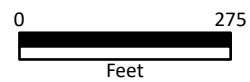


CONTEXTUAL MAPS 1

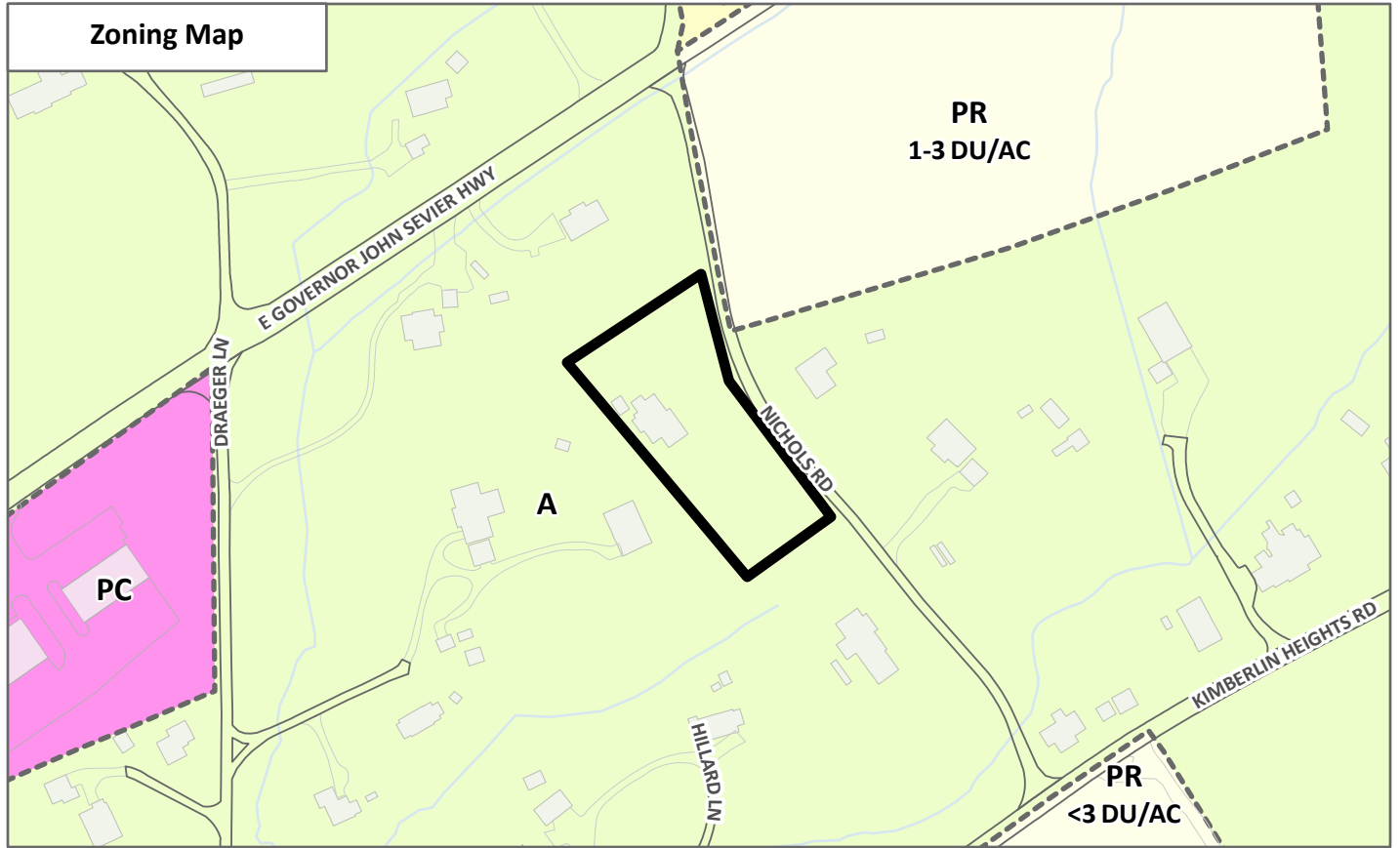
9-D-24-RZ



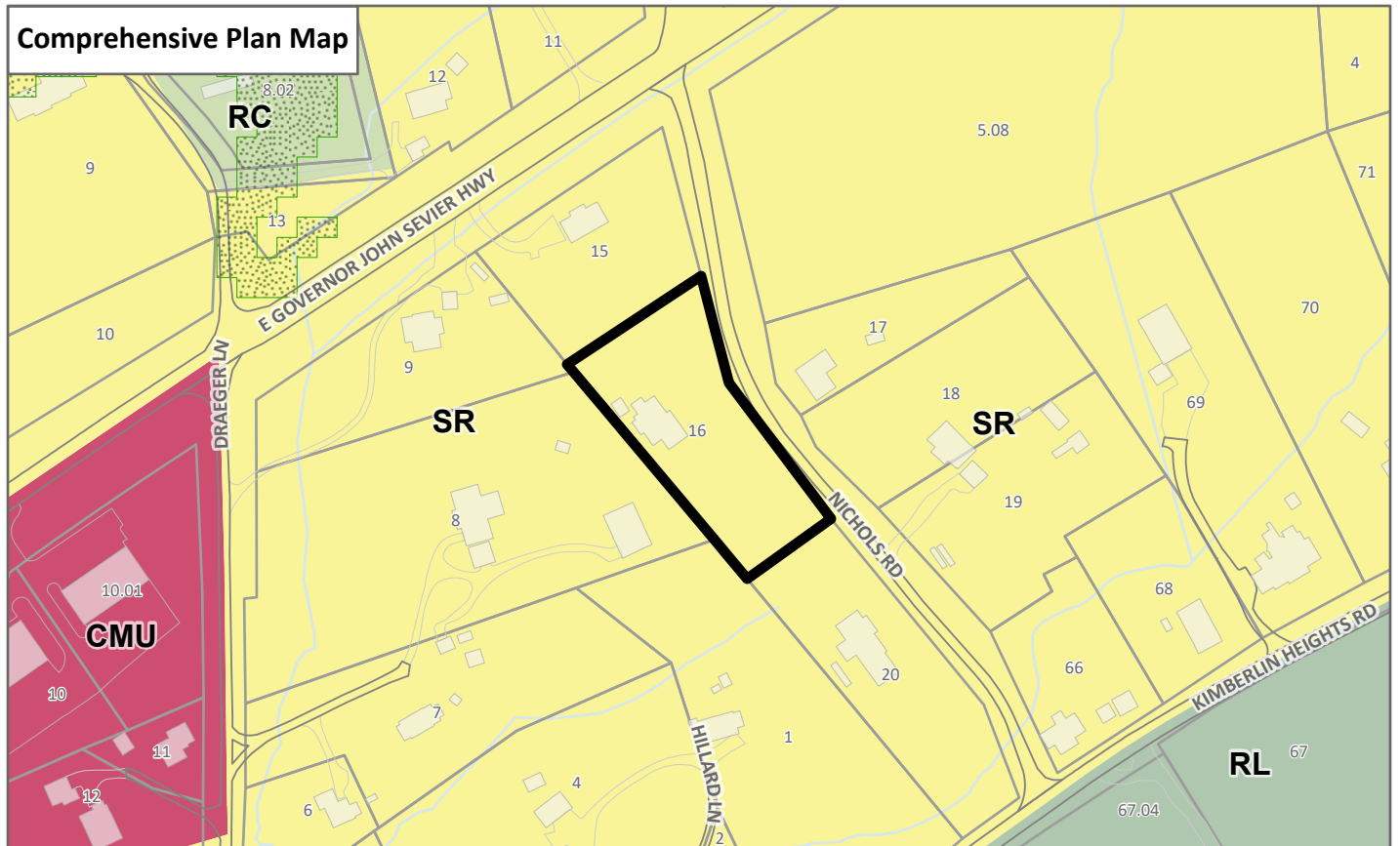
Case boundary



Zoning Map



Comprehensive Plan Map

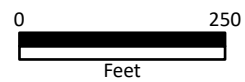


CONTEXTUAL MAPS 2

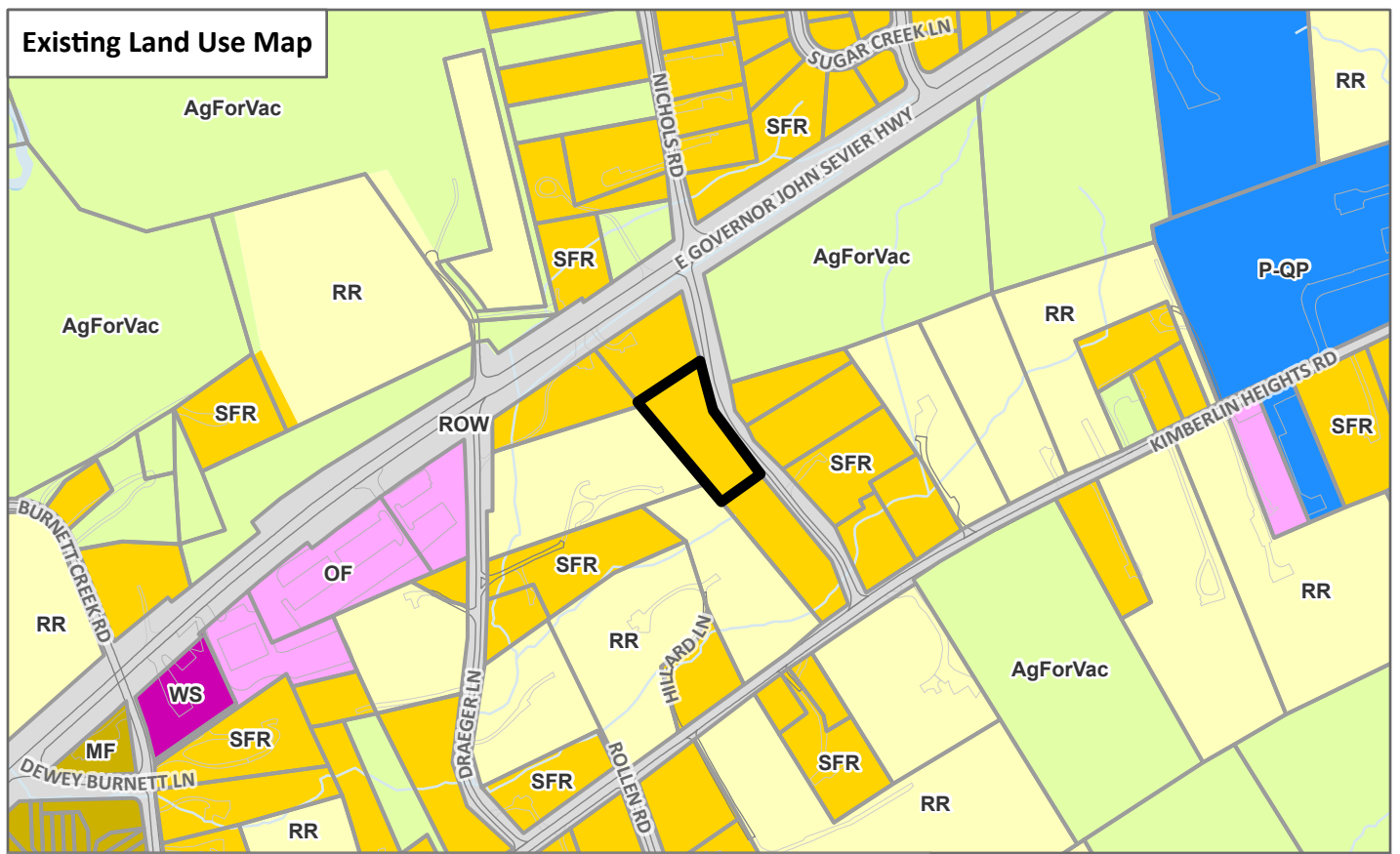
9-D-24-RZ



Case boundary



**Existing Land Use Map**



**CONTEXTUAL MAPS 3**

9-D-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

**Avera Lynn McDaniel**

Applicant Name

Affiliation

**7/16/2024**

Date Filed

**9/12/2024**

Meeting Date (if applicable)

**9-D-24-RZ**

File Number(s)

## CORRESPONDENCE

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

**Avera L McDaniel**

Name / Company

**4405 Island Home Pike Knoxville TN 37920**

Address

**865-659-9301 / bobbie.l.mcdaniel@comcast.net**

Phone / Email

## CURRENT PROPERTY INFO

**Avera L McDaniel**

Owner Name (if different)

**4405 Island Home Pike Knoxville TN 37920**

Owner Address

**865-659-9301 / bobbie.l.mcdani**

Owner Phone / Email

**7509 NICHOLS RD**

Property Address

**125 016**

Parcel ID

**1.17 acres**

Tract Size

Part of Parcel (Y/N)?

**Knox-Chapman Utility District**

Sewer Provider

**Knox-Chapman Utility District**

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	Total Number of Lots Created
<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

<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request (Comprehensive Plan)	<b>\$650.00</b>	
<b>ADDITIONAL REQUIREMENTS</b> <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	<b>Avera Lynn McDaniel</b> Please Print	<b>7/16/2024</b> Date
Phone / Email		
Property Owner Signature	<b>Avera L McDaniel</b> Please Print	<b>7/16/2024</b> 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

Avera Lynn McDaniel  
Applicant Name Affiliation

7-16-24 September 12, 2024 File Number(s)  
  
**9-D-24-RZ**  
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

Avera L. McDaniel  
Name Company

4405 Island Home Pike Knoxville TN 37920  
Address City State ZIP

865-659-9301 Bobbie.L.McDaniel@Comcast.net  
Phone Email

### CURRENT PROPERTY INFO

Avera and Barbara McDaniel 4405 Island Home Pike 865-659-9301  
Property Owner Name (if different) Property Owner Address Property Owner Phone

7509 Nichols Road 125 016  
Property Address Parcel ID

Knox Chapman Well Septic  (Y/N)  
Sewer Provider Water Provider

### STAFF USE ONLY

General Location Tract Size

City  County District Zoning District Existing Land Use

Planning Sector Land Use / Place Type Growth Policy Plan Designation  
CITY COUNTY

## DEVELOPMENT REQUEST

- Development Plan  
  Use on Review / Special Use  
  Hillside Protection COA  
 Residential  
  Non-Residential

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

## SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Combine Parcels  
  Divide Parcel

Unit / Phase Number

Total Number of Lots Created

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

## ZONING REQUEST

Zoning Change RA  
 Proposed Zoning

Pending Plat File Number

Plan Amendment Change \_\_\_\_\_  
 Proposed Plan Designation(s)

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
0801	\$650.00	
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

Avera S McDaniel  
Applicant Signature

Avera McDaniel  
Please Print

7-16-2024  
Date

845-659-9301  
Phone Number

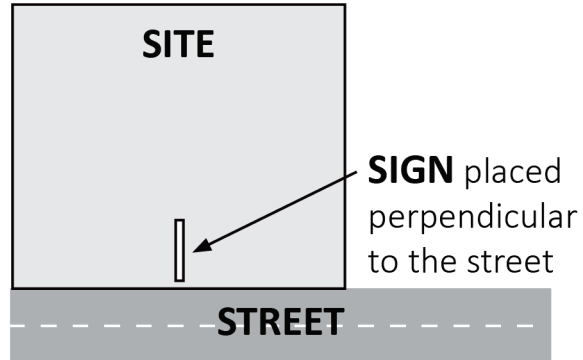
Barbie.L.McDaniel@Comcast.net  
Email

Barbara McDaniel  
Property Owner Signature

Barbara McDaniel  
Please Print

07/16/2024, SG  
7-16-24  
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:*

\_\_\_\_\_ 08/30/2024 \_\_\_\_\_ and \_\_\_\_\_ 09/13/2024 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Avera Lynn McDaniel

Date: 07/16/2024

File Number: 9-D-24-RZ

- Sign posted by Staff
- Sign posted by Applicant