

REZONING REPORT

► **FILE #:** 5-B-25-RZ

AGENDA ITEM #: 13

AGENDA DATE: 5/8/2025

► **APPLICANT:** HANI JOSEPH

OWNER(S): Hani Joseph Home Sweet Homes, TN Inc.

TAX ID NUMBER: 92 L A 00201

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 4136 MCKAMEY RD

► **LOCATION:** South side of Mckamey Rd, northeast of Cain Rd

► **APPX. SIZE OF TRACT:** 3.9 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via McKamey Road, a major collector street with a 28-ft pavement width within a right-of-way which varies between 40 ft and 56 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Third 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: Yes, this is an extension.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential, rural residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Single family residential - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Single family residential, rural residential - RN-1 (Single-Family Residential Neighborhood), RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Single family residential, agriculture/forestry/vacant land - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This area largely consists of single-family residential dwellings on small and medium sized lots. Western Avenue, a major commercial corridor, is a little over a mile away.

STAFF RECOMMENDATION:

- **Deny the RN-2 (Single-Family Residential Neighborhood) zoning district because it does not meet all of 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 IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY.

1. Development trends in the surrounding area have primarily been residential, consisting of single-family dwellings on various lot sizes, townhouses, and small-scale multi-family developments. Denser multi-family residential development and commercial uses have been concentrated east of the subject property near Western Avenue.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The RN-2 (Single-Family Residential Neighborhood) zoning district is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks. The subject property meets this description, as the surrounding area mainly consists of single-family dwellings on various lot sizes.
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 RN-2 district permits the same uses as the RN-1 (Single-Family Residential Neighborhood) district.

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. The primary difference between the RN-1 and RN-2 zoning districts is the dimensional standards. The RN-1 district requires a minimum lot size of 10,000 sq ft, whereas the RN-2 district requires a minimum of 5,000 sq ft. Incorporating the TVA easement that spans approximately 0.68 acres and a 0.25-acre shared permanent access easement (Exhibit C), the subject property could yield a maximum of 25 lots under the RN-2 district, based on minimum lot area alone.
2. The subject property is within the HP (Hillside Protection Overlay). The steepest point on the property is near the access point on McKamey Road, with slopes in the 25-40% and above 40% ranges (Exhibit B). The rear of the subject property is not as steep, with slopes in the 15 to 25% and less than 15% ranges. The TVA transmission line easement that runs through the subject property separates the steeper front portion from the flatter section in the rear (Exhibit C).
3. A blue line stream runs along the front portion of the subject property, parallel to McKamey Road, which has a 30-ft riparian buffer in place (Exhibit C).

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 subject property is designated LDR (Low Density Residential) under the City's One Year Plan and Northwest County Sector Plan. The proposed RN-2 district is permitted in Low Density Residential areas.
2. The proposed rezoning does not comply with the General Plan's Development Policy 6.3, which encourages development in areas with the fewest environmental constraints. The narrow driveway access point on a steep slope and the presence of the TVA easement do not support more intensive development at this site.

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM 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. Sidewalks are available on the north side of McKamey Road.
2. The subject property is located 1 mile west of Western Avenue, which features various commercial and service-oriented amenities.

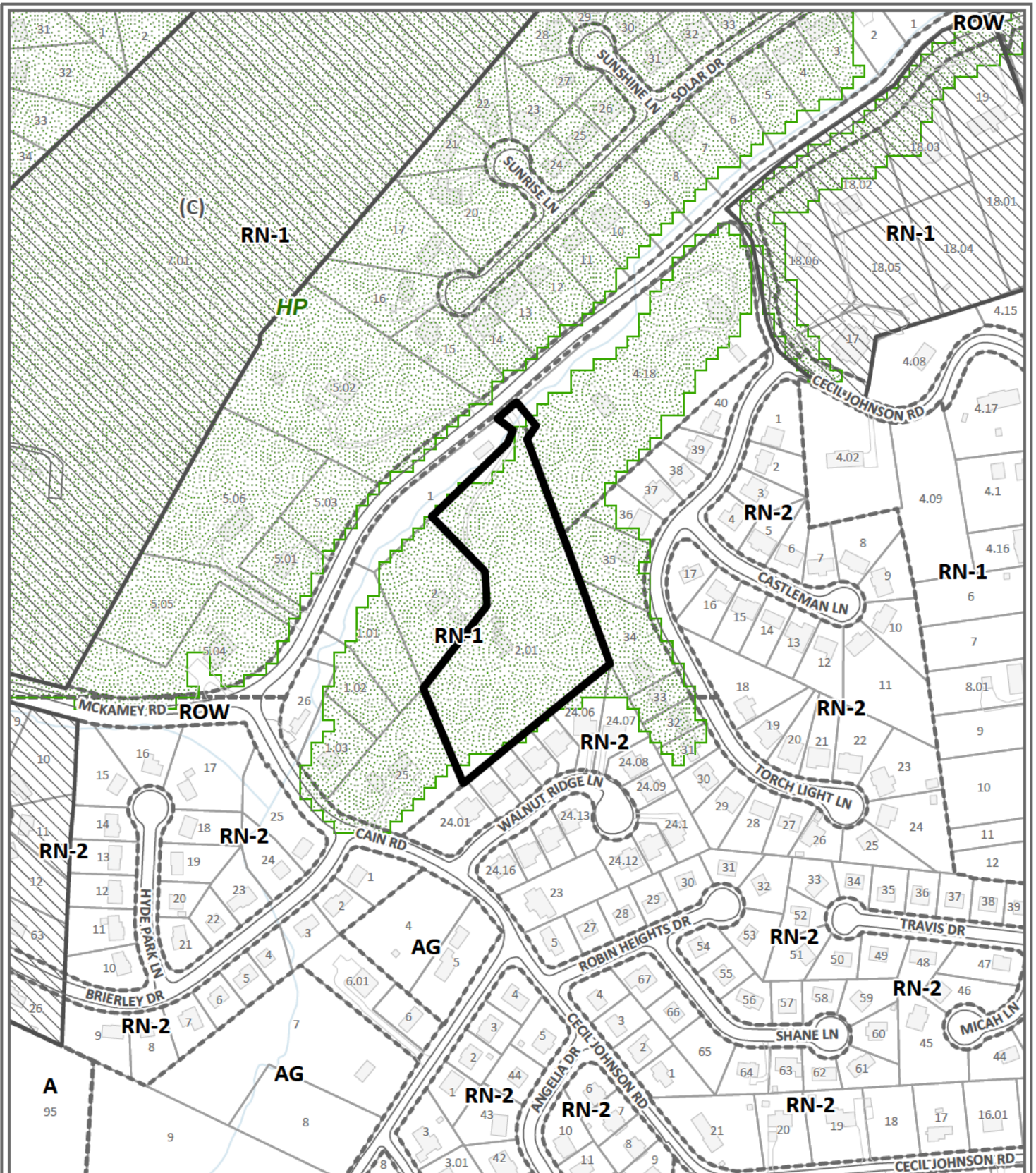
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Amherst Elementary, Northwest Middle, and Karns 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 Knoxville City Council for action on 6/10/2025 and 6/24/2025. 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

5-B-25-RZ

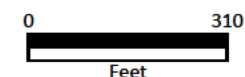
Petitioner: Hani Joseph



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

Map No: 92

Jurisdiction: City

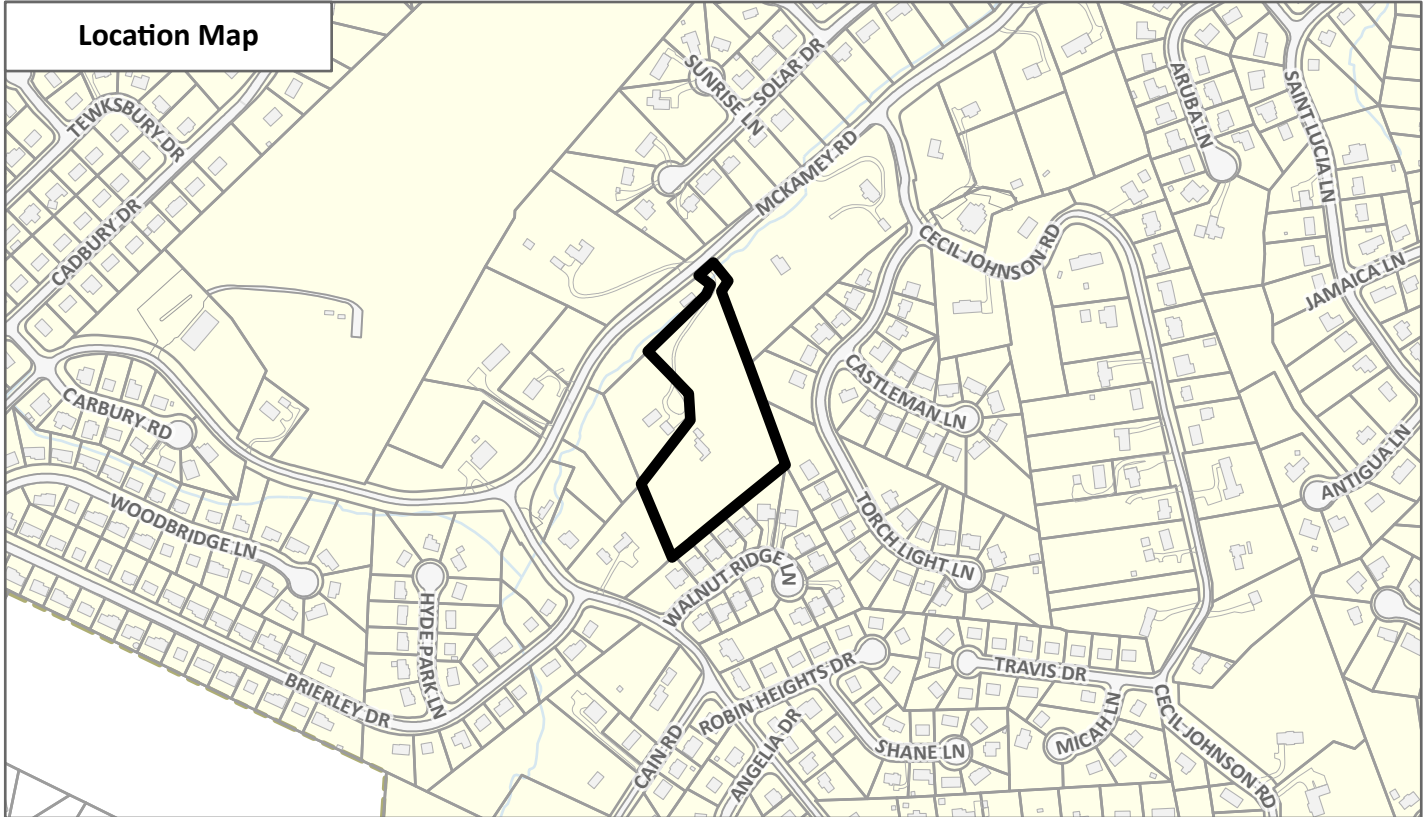


Original Print Date: 3/28/2025

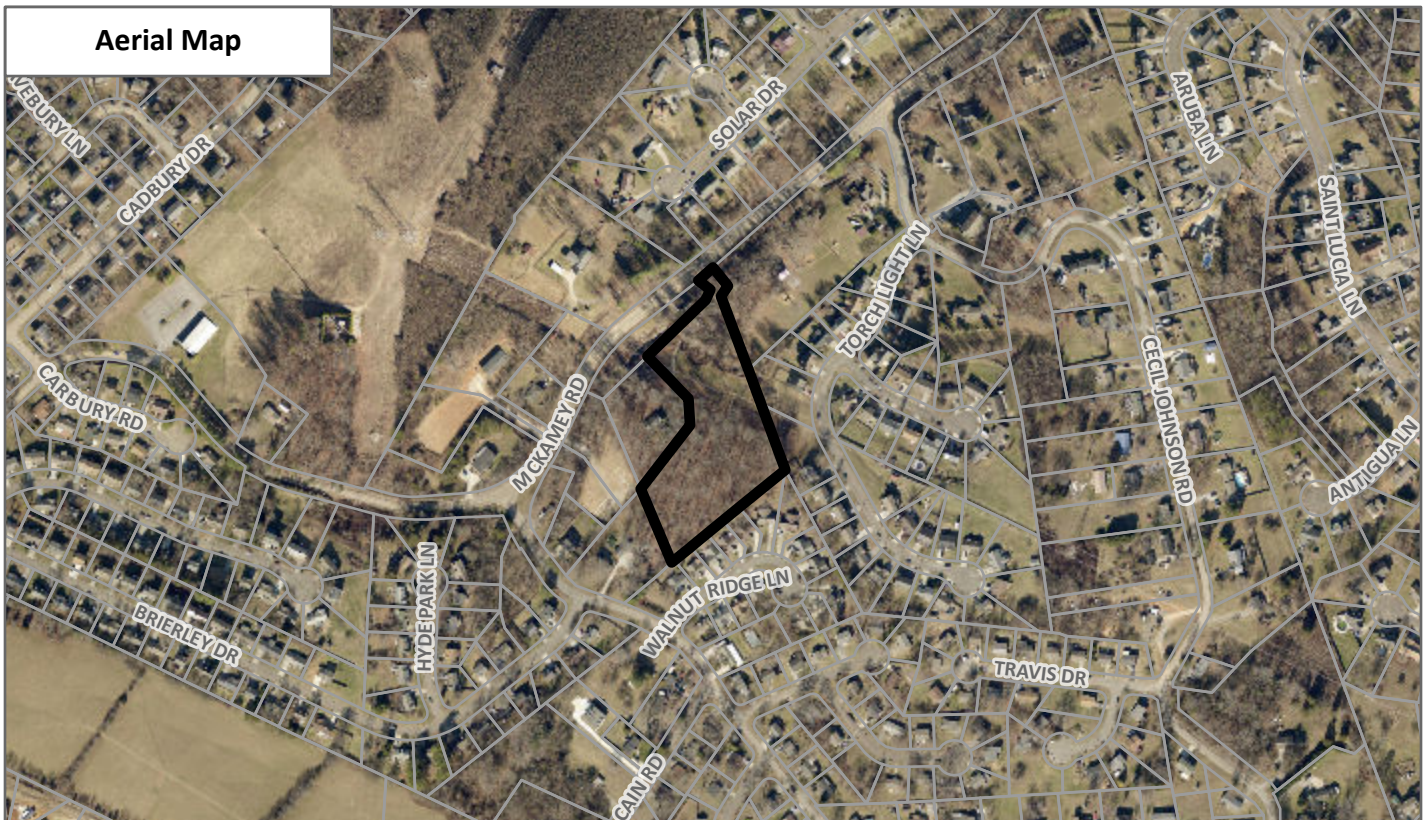
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. Contextual Images

Location Map



Aerial Map

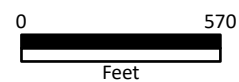


CONTEXTUAL MAPS 1

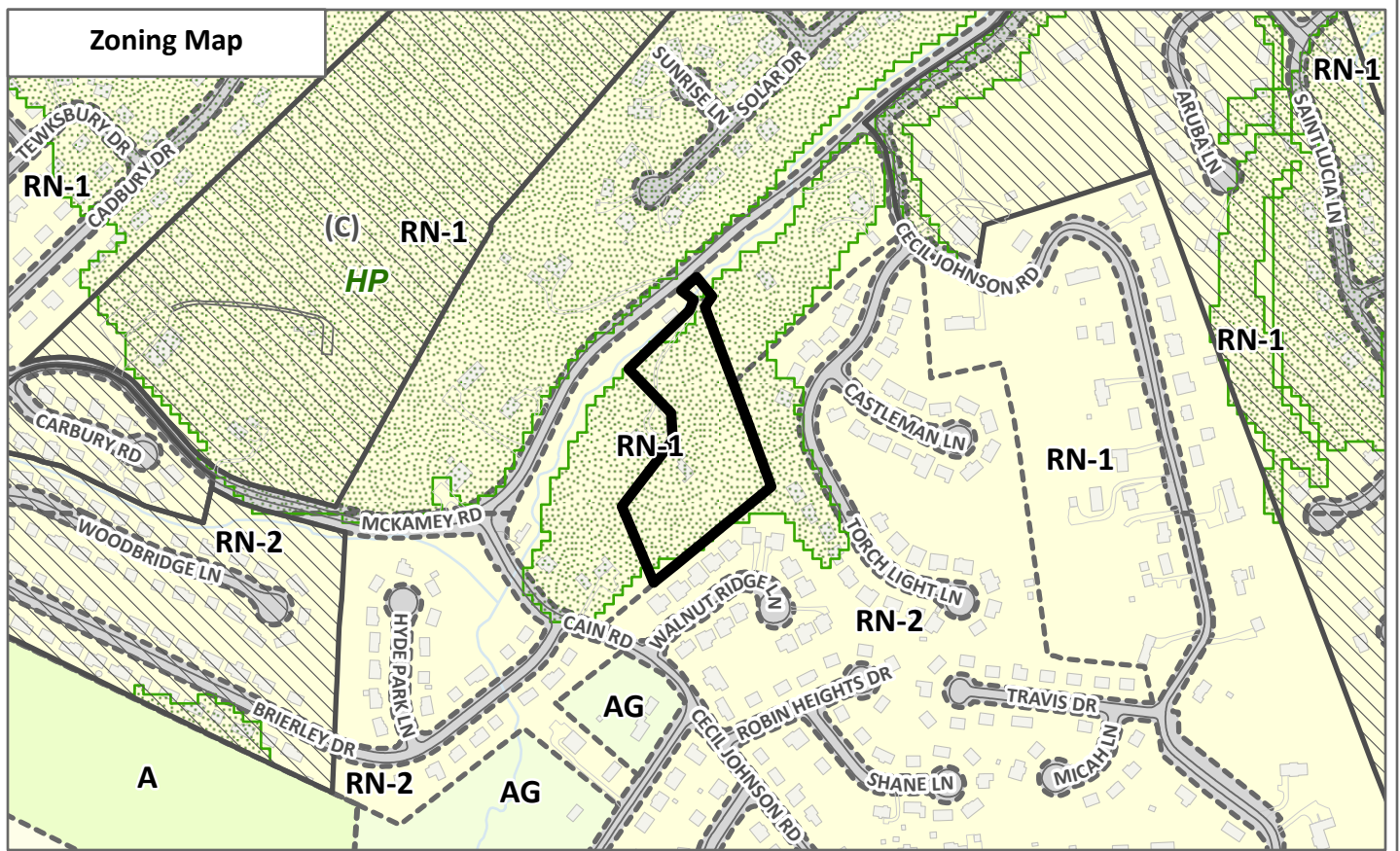
5-B-25-RZ



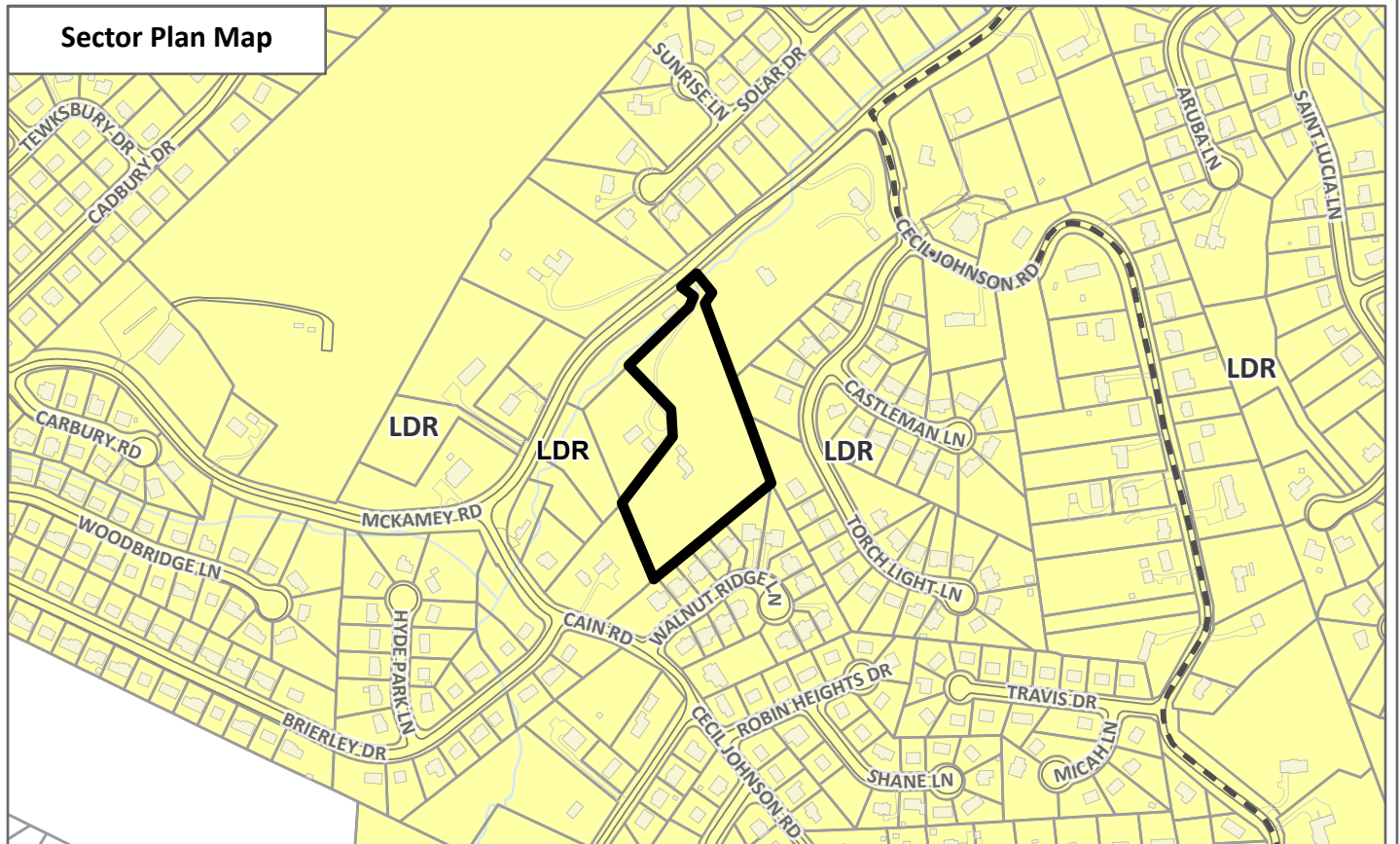
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

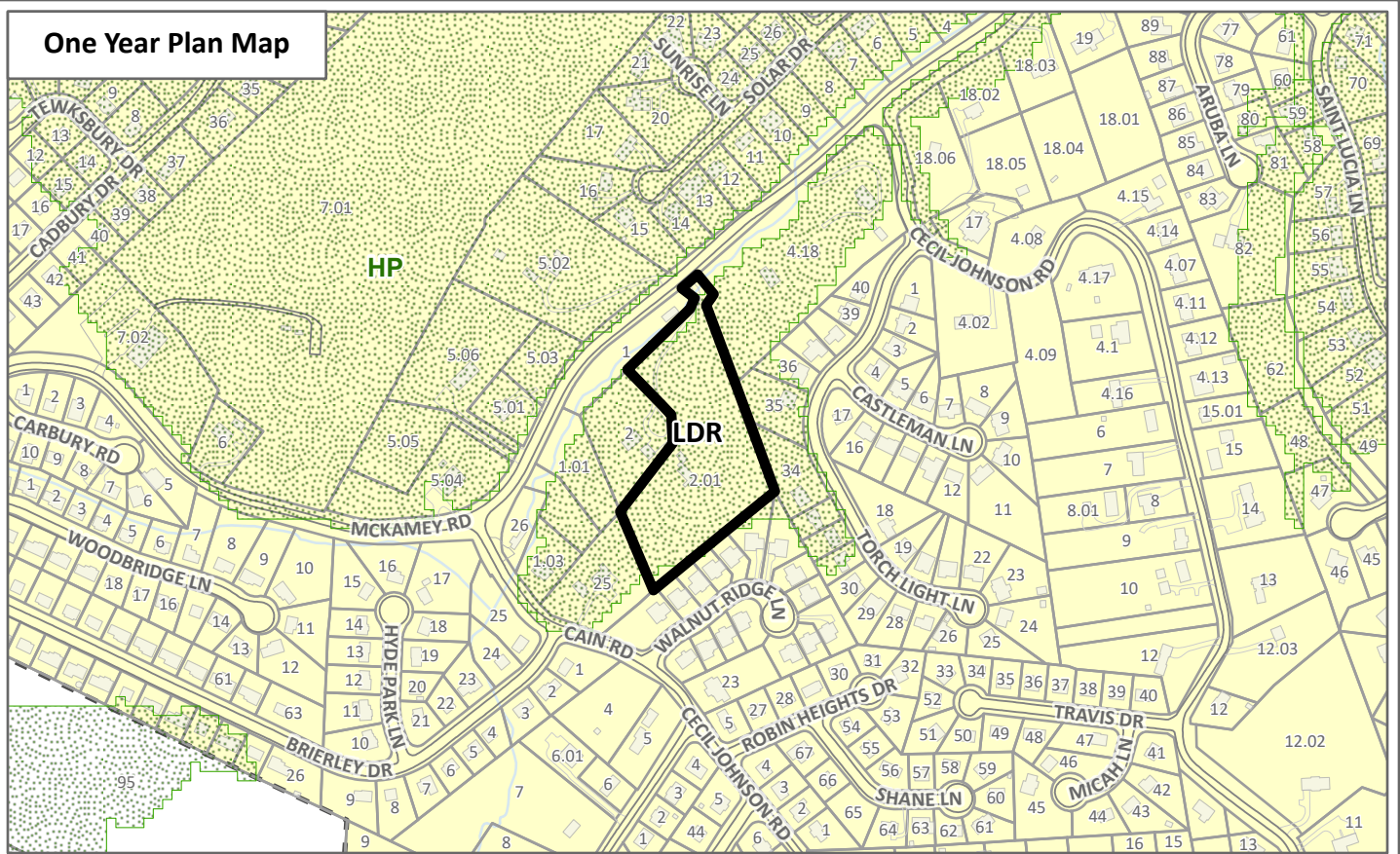
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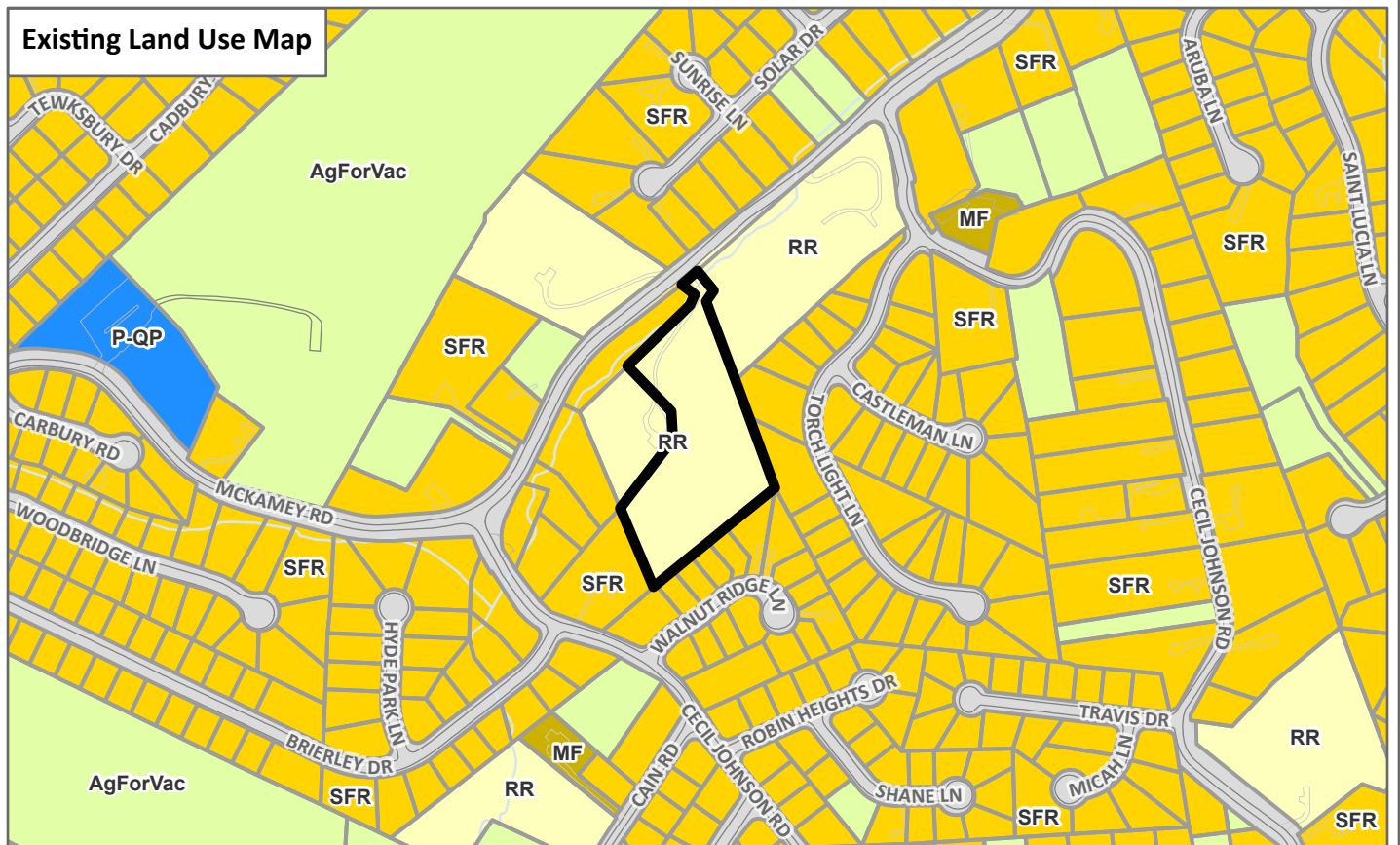
Case boundary



One Year Plan Map



Existing Land Use Map

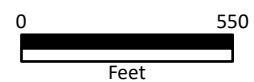


CONTEXTUAL MAPS 3

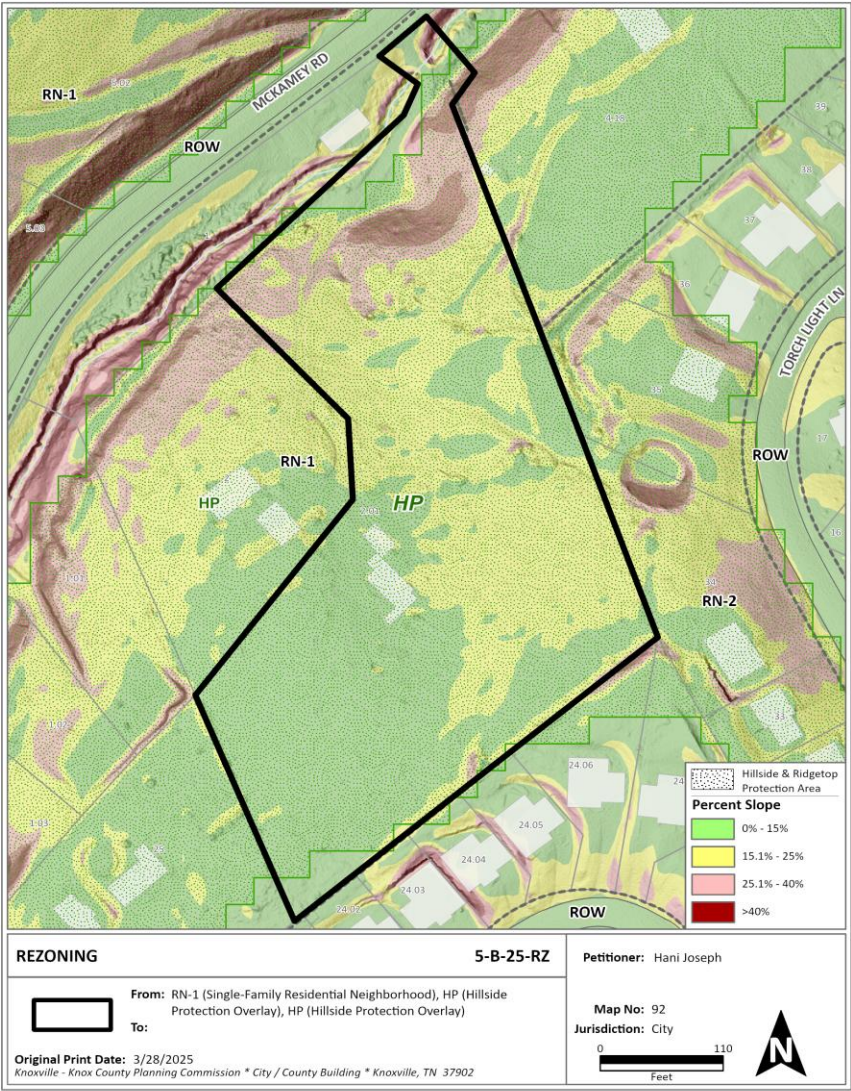
5-B-25-RZ



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	169,880.2	3.9			
Non-Hillside	9,005.8	0.2	N/A		
0-15% Slope	77,332.6	1.8	100%	77,332.6	1.8
15-25% Slope	66,541.3	1.5	50%	33,270.6	0.8
25-40% Slope	12,487.0	0.3	20%	2,497.4	0.1
Greater than 40% Slope	4,513.5	0.1	10%	451.4	0.0
Ridgetops					
Hillside Protection (HP) Area	160,874.4	3.7	Recommended disturbance budget within HP Area	113,552.0	2.6
			Percent of HP Area	70.6%	



CITY OF KNOXVILLE OWNERSHIP AND GENERAL DEDICATION
(I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat

Owner(s) TYPE OUT Name: GLEN GLAFENHEIN
Signature(s): Glen Glafenheim
Owner(s) TYPE OUT Name: DAVID ALLEY
Signature(s): David Alley
Owner(s) TYPE OUT Name: _____
Signature(s): _____
Owner(s) TYPE OUT Name: _____
Signature(s): _____
Date: 04/09/2024

State of Texas, County of Hays
On this 9th day of April 2024
Before me personally appeared Glen Glafenheim to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.
Witness my hand and notarial seal, this the day and year above.
Written: Edward Rico Notary
My Commission expires 03/08/2025 Seal

Owner Certification for Public Sewer and Water Service—Minor Subdivision

(I, We) the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

Owners Printed Name(s): David Alley, Glen Glafenheim, for GGDA
Signature(s): David Alley, Glen Glafenheim
Date: 04/09/2024

CERTIFICATION OF APPROVAL OF PUBLIC SANITARY SEWER SYSTEM—MINOR SUBDIVISION

THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO THE INSTALLATION OF PUBLIC SANITARY SEWERS AND TREATMENT FACILITIES, AND THE SUCH INSTALLATION SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO VERIFY WITH THE UTILITY PROVIDER THE AVAILABILITY OF SANITARY SEWERS IN THE VICINITY OF THE LOT(S) AND TO PAY FOR THE INSTALLATION OF THE REQUIRED CONNECTIONS.

Don Cumming 4/4/24
AUTHORIZED SIGNATURE FOR UTILITY/DATE
KUB
UTILITY PROVIDER

CONTROL STATION 0818
N: 601,117.886
E: 2,551,785.258
EL: 1,055.55'

PLANNING STAFF CERTIFICATION OF APPROVAL FOR RECORDING — FINAL PLAT

THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH EXISTING OFFICIAL PLANS, WITH THE EXCEPTION OF ANY VARIANCES AND WAIVERS NOTED ON THIS PLAT, AND THAT THE RECORD PLAT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS, PURSUANT TO SECTION 13-3-405 OF TENNESSEE CODE, ANNOTATED. THE APPROVAL OF THIS PLAT BY THE PLANNING COMMISSION SHALL NOT BE DEEMED TO CONSTITUTE OR EFFECT AN ACCEPTANCE BY THE CITY OF KNOXVILLE OR KNOX COUNTY OF THE DEDICATION OF ANY STREET OR OTHER GROUND UPON THE PLAT.

Amelia Groves SS 4/10/2024
SIGNED/DATED

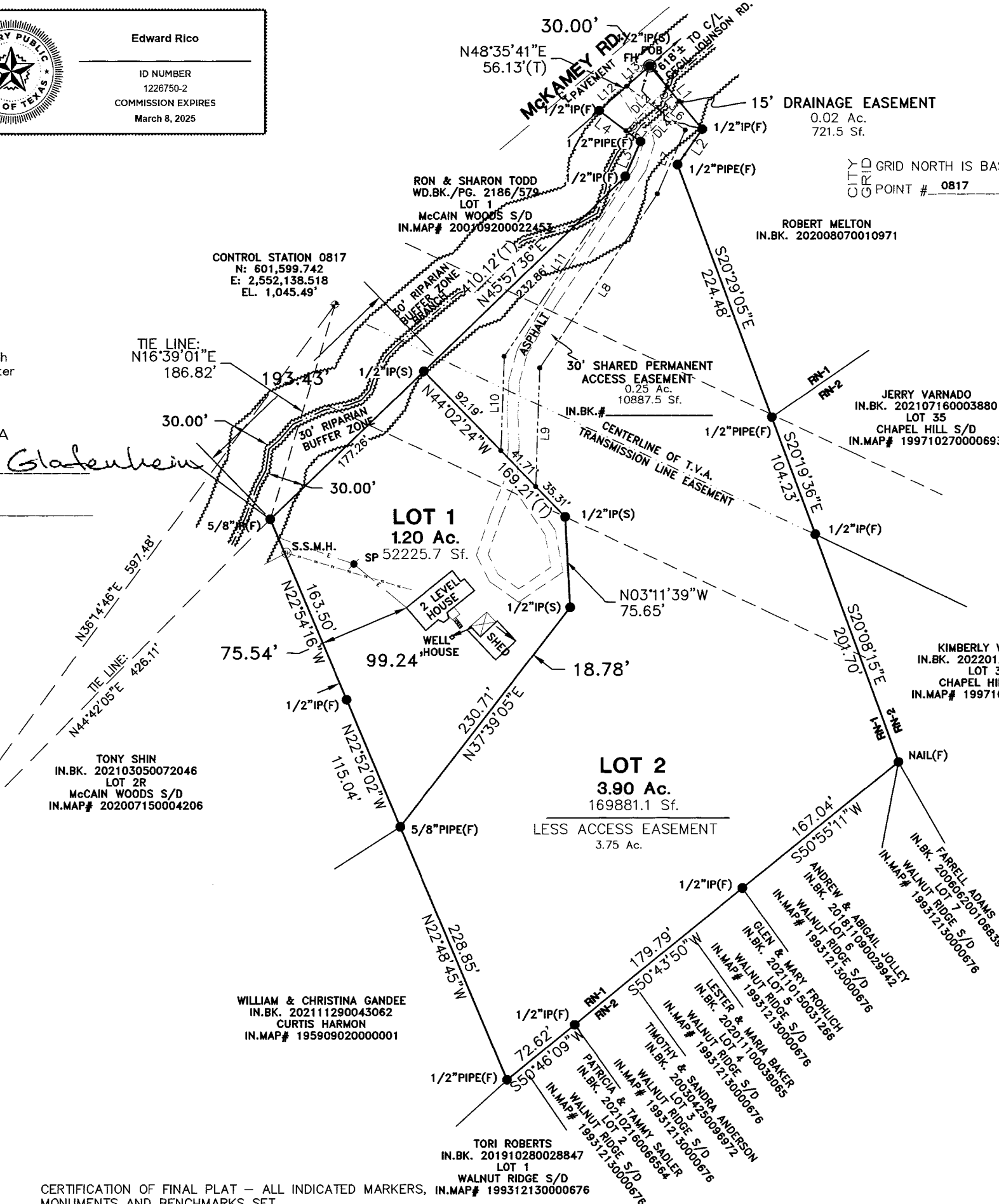
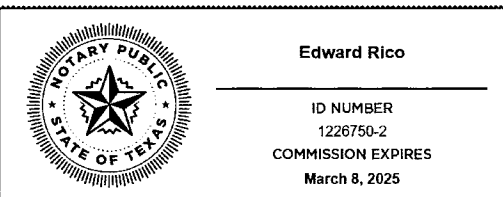
THIS IS TO CERTIFY THAT ALL PROPERTY "TAXES AND ASSESSMENTS" DUE ON THIS PROPERTY HAVE BEEN PAID.
Donna Dyer 4/10/20224
SIGNED: _____
CITY TAX CLERK/DATE
SIGNED: _____
KNOX COUNTY TRUSTEE
ZONING DISTRICT(S) IN WHICH THE LAND BEING SUBDIVIDED IS LOCATED SHALL BE INDICATED AS SHOWN ON THE ZONING MAP BY THE PLANNING COMMISSION AS FOLLOWS:

ZONING SHOWN ON OFFICIAL MAP: RN-1/HP
DATE: 4/10/2024

BY Donna Dyer
ADDRESSING DEPARTMENT CERTIFICATION
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE SUBDIVISION NAME AND ALL STREET NAMES CONFORM TO THE KNOXVILLE-KNOX COUNTY STREET NAMING AND ADDRESSING ORDINANCE, THE ADMINISTRATIVE RULES OF THE PLANNING COMMISSION, AND THESE REGULATIONS.

SIGNED: Markian Lewis
DATE: 04/10/2024

Electronically signed and notarized online using the Proof platform.



LEGEND

- IP IRON PIN
- (F) EXISTING MONUMENTATION FOUND
- (S) MONUMENTATION 1/2" IRON PIN SET NEW
- WM WATER METER
- PP ELECTRIC POLE
- SP ELECTRIC SERVICE POLE
- NEW LOT NUMBER
- LOT ORIGINAL LOT NUMBER PRIOR TO RESUB.
- FH Fire Hydrant
- S.S.M.H. Sanitary Sewer Manhole

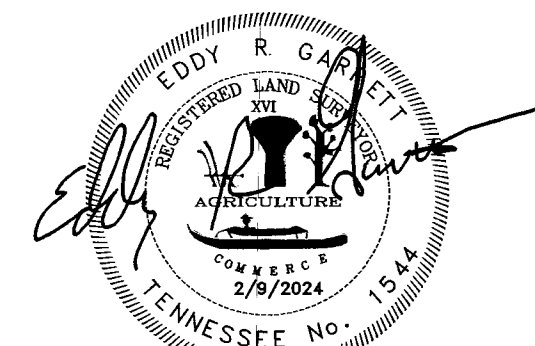
LINE	BEARING	DISTANCE
L1	S39°25'55"E	68.20'
L2	S34°25'21"W	36.07'
L3	N23°20'26"E	31.72'
L4	N53°01'18"W	43.12'
L6	S53°01'18"E	60.55'
L7	S23°20'26"W	58.10'
L8	S33°55'24"W	174.50'
L9	S01°57'23"W	98.96'
L10	N01°57'23"E	78.58'
L11	N33°55'24"E	180.31'
L12	N48°35'41"E	30.63'
L13	N48°35'41"E	25.51'

GRID NORTH IS BASED ON A BEARING OF S36°14'46"W 597.48' FROM CITY CONTROL POINT # 0817 TO 0818 DISTANCES HAVE NOT BEEN REDUCED TO GRID.

LINE	BEARING	DISTANCE
DL1	N53°01'18"W	15.10'
DL2	N43°32'21"E	49.89'
DL3	S39°25'55"E	15.11'
DL4	S43°32'21"W	46.32'

Nick McBride Register of Deeds Knox County

Knox County, TN Page: 1 of 1
REC'D FOR REC 5/28/2024 2:54 PM
RECORD FEE: \$17.00 T20240019425
M. TAX: \$0.00 T. TAX: \$0.00
202405280059505

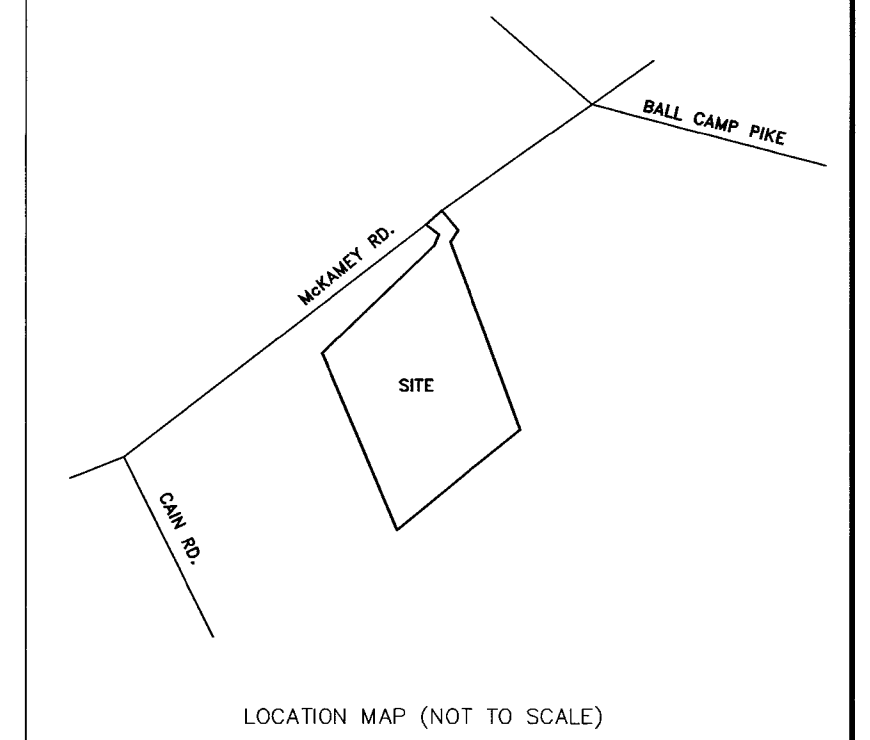


FLOOD CERTIFICATION
This is to certify that I have examined the federal insurance administration flood hazard map and found the described property IS NOT located within a special flood hazard area.

CERTIFICATE OF ACCURACY AND PRECISION
I hereby certify that this is a category IV survey and the ratio of precision of the unadjusted survey is 1:15,000 or greater as shown hereon and that this survey was performed in compliance with current Tennessee Minimum Standards of Practice.

Part or all of this survey was performed using a CARLSON BRX7 MULTIPLE FREQUENCY RECEIVER.
Positional accuracy: 10mm+1ppm horizontal, 15mm+1ppm vertical.
Type of GPS field procedure: Real Time Kinematic Network
Datum/Epoch: Horizontal-NAD 83, Vertical-NAVD 88
Published/Fixed-control used: TDOT GNSS Reference Network
Geoid Model: 2011
Combined accuracy: none applied

EDDY R. GARRETT, TENNESSEE CERTIFICATE NO. 1544



A standard utility and drainage easement situated along lot lines in a subdivision, shall be dedicated to the public and to the appropriate Utility Agencies as follows:

1. The required utility and drainage easement shall be ten (10) feet in width inside all exterior lot lines adjoining streets and private rights-of-way (including Joint Permanent Easements). Easements of five (5) feet in width shall be provided along both sides of all interior lot lines and on the inside of all other exterior lot lines.

NOTES:
NEW 1/2" IRON PINS SET AT ALL CORNERS, AT TIME OF SURVEY, UNLESS OTHERWISE NOTED.

PROPERTY IS ZONED RN-1. BUILDING SETBACKS ARE PER ZONING.

PROPERTY IS SERVED BY A PRIVATE WELL. IT IS THE OWNER'S RESPONSIBILITY TO ENSURE THE WELL MEETS ALL REQUIRED STANDARDS.

THIS SURVEY INDICATES ONE OR MORE PROPERTY BOUNDARY ENCROACHMENTS. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. OWNERS ARE RESPONSIBLE FOR RESOLVING PROPERTY BOUNDARY CONFLICTS.

THERE SHALL BE NO BUILDING WITHIN THE TVA TRANSMISSION LINE EASEMENT WITHOUT THE PRIOR CONSENT OF TVA.

PROPERTY CONSISTS OF TWO LOTS WITH A TOTAL AREA OF 5.10 ACRES.

CLIENTS:
GGDA, GP
115 SUBURBAN RD.
KNOXVILLE, TN. 37922
865-363-4321

COUNTERSIGNED
KNOX COUNTY PROPERTY ASSESSOR

MAY 23 2024

BY JOHN R. WHITEHEAD

2-AA-24 44510-G

Final Plat of:

GGDA, GP

Located within the 5th district of KNOX county, Tennessee
within the city of: KNOXVILLE CITY WARD 44 CITY BLOCK 44510

Tax Map/Group/Parcel# 092L/A/002.00 Deed Ref. Bk/Pg: 202403120043788

Bearing Base: Tn. State Grid

GARRETT
ASSOCIATES

EDDY R. GARRETT, RLS#1544
4839 SHADY RD., STAMBERY PLAINS, TN 37871
PHONE: (865)-933-5622 FAX: (865)-933-1277
EMAIL: GARRETT1544@GMAIL.COM SOUTH.NET

LAND SURVEYORS

DATE 2/9/2024

REVISIONS

DRAWN BY TDH



Know what's below.
Call before you dig.

SCALE 1" = 100'

DRAWING NO. 24-015



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

Hani Joseph

Applicant Name

Home Sweet Homes, TN INC.

Affiliation

3/5/25

Date Filed

05/08/2025

Meeting Date (if applicable)

File Number(s)

5-B-25-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

Hani Joseph

Home Sweet Homes, TN INC.

Name

Company

2004 Radiance Dr

Knoxville

TN

37912

Address

City

State

ZIP

865-282-5652

Phone

Email

CURRENT PROPERTY INFO

Home Sweet Homes, TN INC.

2004 Radiance Dr Knoxville, TN 37912

865-282-6552

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4136 Mckamey Rd Knoxville, TN 37921

092LA00201

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & 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

☐ 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

RN2.

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

0801

Fee 2

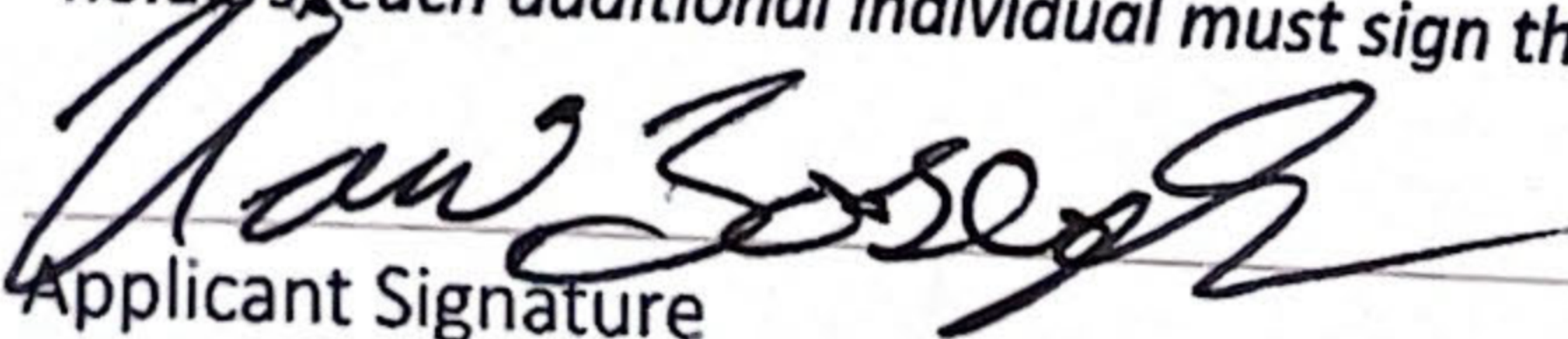
Fee 3

Total

\$650.00

AUTHORIZATION

By signing below, 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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.


Applicant Signature

Hani Joseph


Print Name / Affiliation

3/5/25

Date

865-282-5652

Phone Number


Email

Home Sweet Homes, TN INC.

03/08/2025, SG



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

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).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

04/25/2025

Date to be Posted

05/09/2025

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

☐ Yes ☒ No

☐ No, but I plan to prior to the Planning Commission meeting


Applicant Signature

Hani Joseph

Applicant Name

03/06/2025

Date

5-B-25-RZ

FILE NUMBER