ZONING REQUESTED: RN-5 (General Residential Neighborhood)
EXISTING LAND USE: Single family residential
EXTENSION OF ZONE: Yes, RN-5 is adjacent
HISTORY OF ZONING: None noted.
SURROUNDING LAND USE AND ZONING:
North: Multifamily - RN-5 (General Residential Neighborhood)
South: Multifamily - RN-3 (General Residential Neighborhood)
East: Multifamily, single family residential - RN-3 (General Residential Neighborhood), RN-1 (Single Family Residential Neighborhood)
West: Multifamily - RN-3 (General Residential Neighborhood)
NEIGHBORHOOD CONTEXT: The area is primarily a mix of medium density, multi-family residential adjacent to the office and commercial corridor along Middlebrook Pike as it transitions to single family residential neighborhoods.

STAFF RECOMMENDATION:
Postpone for 30-days to the January 14, 2020 Planning Commission meeting as requested by the applicant.
COMMENTS:
Postpone for 30-days to the January 14, 2020 Planning Commission meeting as requested by the applicant.
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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 1/12/2021 and 1/26/2021. 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.
11-D-20-RZ
REZONING

From: RN-3 (General Residential Neighborhood)
To: RN-5 (General Residential Neighborhood)

Petitioner: Ben Mullins O/B/O Nancy Ziegler

Map No: 106
Jurisdiction: City

Original Print Date: 10/20/2020
Revised: 
Request to Postpone • Table • Withdraw

Name of Applicant: Benjamin C. Mullins, Esq. c/o Nancy Ziegler

Original File Number(s): 11-D-20-RZ

Date Scheduled for Planning Review: December 10, 2020

REQUEST

☑ Postpone
Please postpone the above application(s) until:

__________________________
January 14, 2021

☑ Table
Please table the above application(s).

☑ Withdraw
Please withdraw the above application(s).

State reason for request:
See attached letter.

☑ Eligible for Fee Refund? ☐ Yes ☐ No

Amount: ________________________________

Approved by: ________________________________

Date: ________________________________

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant’s authorized representative.

Signature: ________________________________

PLEASE PRINT

Name: Benjamin C. Mullins, Esq.

Address: 550 W Main St., Ste. 500

City: Knoxville State: TN Zip: 37902

Telephone: (865) 546-9321

Fax: (865) 637-5249

E-mail: bmullins@fmsllp.com

PLEASE NOTE

Consistent with the guidelines set forth in Planning’s Administrative Rules and Procedures:

POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

WITHDRAWALS

Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.
December 2, 2020

Knoxville-Knox County Planning
City-County Building
400 Main Street
Suite 403
Knoxville, TN 37902

Re: 931 Piney Grove Church Road
Parcel ID 106JA026
Original File No. 11-D-20-RZ

Dear Planning Staff:

This matter is currently scheduled on the Planning Commission’s Agenda, Agenda Item No. 7, to be considered at the upcoming December 10, 2020 Planning Commission meeting. Recently, I filed a revised Development Request for this rezoning to include a One-Year Plan Amendment and a Sector Plan Amendment to be heard at the January 14, 2021 meeting. As I believe it is proper to consider the rezoning at the same time as the required Sector Plan and One-Year Plan Amendments, I request this matter be postponed from the upcoming Planning Commission to the January 2021 Planning Commission so that all three matters may be heard at the same time.

Please let me know if there are any fees associated with this request as this is a request for a prior zoning equivalent pursuant to Rule 1.4.H (Transition Rules) of the City of Knoxville’s Zoning Ordinance.

Sincerely,

[Signature]

Benjamin C. Mullins
FRANTZ, McCONNELL & SEYMOUR, LLP

BCM:dmn
Enc.
cc: Mrs. Nancy Ziegler

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# Request to Postpone • Table • Withdraw

**Name of Applicant:** Ben Mullins o/b/o Nancy Ziegler  

**Original File Number(s):** 11-D-20-RZ

**Date Scheduled for Planning Review:** November 12, 2020  

**Date Request Filed:** October 19, 2020  

**Request Accepted by:** [Signature]

## REQUEST

- **Postpone**  
  Please postpone the above application(s) until:
  - December 10, 2020

- **Table**  
  Please table the above application(s).

- **Withdraw**  
  Please withdraw the above application(s).

**State reason for request:**
Recent City Council amendments to the Land Use Classification Table to delete the RN-5 from the recommended zone in the MDR zone.

**Eligible for Fee Refund?**  
- Yes  
- No

**Amount:**  

**Approved by:**  

**Date:**  

## PLEASE NOTE

**Consistent with the guidelines set forth in Planning’s Administrative Rules and Procedures:**

**POSTPONEMENTS**
Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

**TABLINGS**
Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

**WITHDRAWALS**
Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:
Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.

## APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant’s authorized representative.

**Signature:** [Signature]

**Name:** Ben Mullins o/b/o Nancy Ziegler  
**Address:** 550 W. Main St., Ste. 500
**City:** Knoxville  
**State:** TN  
**Zip:** 37902
**Telephone:** 865-546-9321  
**Fax:** 865-637-5249
**E-mail:** bmullins@fmslp.com
Exhibit A. 11-D-20-RZ Contextual Images

Existing Land Use Map

Aerial Map
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

Ben Mullins o/b/o Nancy Ziegler
Applicant/owner

11/17/2020
Date Filed

November 12, 2020
Meeting Date (if applicable)

11-020-RZ
File Number(s)

Benjamin C. Mullins
Name

Frantz, McConnell & Seymour, LLP
Company

550 West Main Street, Suite 500
Address

Knoxville
City

Tennessee
State

37902
ZIP

865-546-9321
Phone

bmullins@fmsllp.com
Email

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

☐ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Current Property Info

Nancy Ziegler
Owner Name (if different)

2036 Wayside Rd Knoxville TN, 37931
Owner Address

865-304-6292
Owner Phone

931 Piney Grove Church Road, Knoxville TN, 37909
Property Address

Parcel ID: 106JA026
Parcel ID

STAFF USE ONLY

West of Piney Grove Church Road and North of Middlebrook Pike
General Location

+/ - 1.5 acres
Tract Size

District 3
Jurisdiction (specify district above)

RN-3
Zoning District

Northwest County
Planning Sector

MDR
Sector Plan Land Use Classification

Growth Policy Plan Designation

SFR
Existing Land Use

N
Septic (Y/N)

KUB
Sewer Provider

KUB
Water Provider
DEVELOPMENT REQUEST

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

Home Occupation (specify) ____________________________________________

Other (specify) ____________________________________________________

SUBDIVISION REQUEST

Proposed Subdivision Name __________________________________________

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lcts Created ________________________________________

☐ Other (specify) ___________________________________________________

☐ Attachments / Additional Requirements _______________________________

ZONING REQUEST

☐ Zoning Change RN-5 (to allow multi-family as a Permitted Use)

Proposed Zoning ____________________________________________________

☐ Plan Amendment Change Proposed Plan Designation(s)

Proposed Density (units/acre) ___________________ Previous Rezoning Requests

☐ Other (specify) Prior Zoning Equivalent Request Prior Zoning (R2) allowed for multi-family as Permitted Use

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)

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature ____________________________ Please Print ______________ Date ____________

865-546-9321 bmullins@fmsllp.com

Phone Number Email

Staff Signature ____________________________ Please Print ______________ Date ____________
September 17, 2020

Knoxville-Knox County Planning
City-County Building
400 Main Street
Suite 403
Knoxville, TN 37902

Re: 931 Piney Grove Church Road
Parcel ID 106JA026

Dear Planning Staff:

I represent Nancy Ziegler with regard to a prior zoning equivalent use request for property at 931 Piney Grove Church Road, Parcel ID 106JA026. This property is currently zoned RN3 under the current zoning ordinance, which went into effect on January 1, 2020. Previously, this property was zoned R2 under the prior zoning ordinance. Under RN3, dwelling-multi-family is not allowed either as a permitted use or a special use; however, under Section 2.1.6.3, multi-dwelling structures or development was a permitted use in the prior R2 General Residential District. It appears the closest equivalent zoning under the new zoning ordinance that would allow for a multi-family dwelling would be RN5, which, similar to the previous R2, allows for multi-family dwelling as a permitted use (not as a special use). However, it also appears that RN4 allows dwelling-multi-family to be either a permitted use or a special use. Under such circumstances, we would request that the property be zoned RN4 or RN5, which would provide an equivalent use for multi-family on this property.

Please let me know if you have any questions.

Sincerely,

Benjamin C. Mullins
FRANTZ, McCONNELL & SEYMOUR, LLP

cc: Mrs. Nancy Ziegler
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of $10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then 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 15 days before 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 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

10-28-20 and 11-13-20

(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: [Signature]

Printed Name: Benjamin R. Mullins

Phone: 865-546-9321 Email: bmullins@fmsllp.com

Date: 9-17-2020

File Number: 11-D-20-RZ

REVISED MARCH 2019