

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 10-A-23-UR **Related File Number:**
Application Filed: 8/24/2023 **Date of Revision:**
Applicant: T. GAIL ROBERTS

PROPERTY INFORMATION

General Location: Southeast side of Tazewell Pike, northwest of Clapps Chapel Rd
Other Parcel Info.:
Tax ID Number: 5 042 **Jurisdiction:** County
Size of Tract: 40.44 acres
Accessibility: Access is via Tazewell Pike, a minor arterial with a 20-ft pavement width within a 40-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Rural Retreat **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** AG (Agricultural), HP (Hillside Protection)
Growth Policy Plan: Rural Area
Neighborhood Context: This area of Tazewell Pike is primarily rural and agricultural in character.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 8606 TAZEWELL PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural), HP (Hillside Protection)
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Whitney Warner

Staff Recomm. (Abbr.): Approve the request for a rural retreat with an indoor event facility building with approximately 6,000 sq ft and an adjacent 1,100 sq ft covered patio, subject to 3 conditions.

Staff Recomm. (Full): 1) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
2) Meeting all requirements of the Knox County Fire Prevention Bureau.
3) Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to the supplemental regulations for rural retreats, Section 4.104.

With the conditions noted, this plan meets the requirements for approval of a rural retreat in the A (Agricultural) zone and the criteria for approval of a use on review.

Comments:

This request is for a rural retreat with an existing horse barn to be used as an event facility with approximately 6,000 sq ft of floor area and 1,100 sq ft covered patio. The event facility is already operational and is requesting an after-the-fact use on review approval.

The applicant anticipates having a total of approximately 20 events per year with 80-125 attendees per event. The required parking for an event with 125 attendees is 41 spaces, and up to 83 parking spaces are to be provided in the parking area shown on the plan.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

- 1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.
 - A. The Northeast County Sector Plan recommends agricultural uses for this site. The property is zoned A (Agricultural), which is an allowed zoning district in the Agricultural land use classification. The sector plan recommends protecting and preserving farmland. While the rural retreat is not a farming activity, it does allow for the preservation of the farm.
 - B. General Plan Policies: Policy 8.12 -- When commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earth berms, height restrictions, and/or deeper than usual building setbacks can improve land use transitions. - NOTE: The rural retreat standards require a 200 ft setback to property lines and 300 ft to residential structures from "use" areas, which includes all buildings, parking, loading, campsites, recreation areas and other indoor or outdoor use areas. The proposed event center meets the setback requirement and there is existing vegetation between it and Tazewell Pike.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.
 - A. The A zone provides for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.
 - B. The A zone allows consideration of the rural retreat use. Rural retreats must meet the supplemental regulations of Section 4.104. The plans provided meet these standards.
- 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.
 - A. The existing one-story metal barn structure is compatible with the character of the rural area. The parking lot is screened by trees along Tazewell Pike to reduce visibility from the public road.
 - B. The event facility structure is over 300 ft from Tazewell Pike and 400 ft from the rear lot line. The

gravel parking lot is 308 ft from the closest residence. The pergola area is 243 ft from the wooded property line.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

- A. The event facility structure is significantly setback from the external property boundary, and there is existing vegetation between the facility/parking lot and the adjacent property owners to the north.
- B. Event hours are 9am to 9pm, which is in line with the noise limitations from Section 4.104.
- C. All lights are soft lighting, full cut off and do not exceed 0.05 footcandles at the property line.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

- A. This site is located on a minor arterial with a mix of residential, agricultural, and commercial uses.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

- A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

Action: Approved with Conditions **Meeting Date:** 10/5/2023

Details of Action:

Summary of Action: Approve the request for a rural retreat with an indoor event facility building with approximately 6,000 sq ft and an adjacent 1,100 sq ft covered patio, subject to 3 conditions.

Date of Approval: 10/5/2023 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**