

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**



**File Number:** 10-E-21-UR                      **Related File Number:** 10-SC-21-C  
**Application Filed:** 9/1/2021                      **Date of Revision:**  
**Applicant:** MESANA INVESTMENTS

## **PROPERTY INFORMATION**

**General Location:** Northeast side of Brackett Road, north of E. Emory Road  
**Other Parcel Info.:**  
**Tax ID Number:** 20 132    **Jurisdiction:** County  
**Size of Tract:** 30.03 acres  
**Accessibility:**

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** AgForVac (Agriculture/Forestry/Vacant Land)  
**Surrounding Land Use:**  
**Proposed Use:** Detached residential lots    **Density:**  
**Sector Plan:** Northeast County                      **Sector Plan Designation:** LDR (Low Density Residential) & SP (Stream Prote  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

**Street:** 6517 Brackett Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** PR (Planned Residential) (Pending)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## **PLAN INFORMATION (where applicable)**

**Current Plan Category:**  
**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: Mike Reynolds

Staff Recomm. (Abbr.): Approve the development plan for up to 90 detached dwelling units on individual lots and a reduction of the peripheral setback from 35-ft to 30-ft along the northwest boundary of the development where adjacent to PR (Planned Residential) zoning only, subject to 2 conditions.

Staff Recomm. (Full): 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.  
2) Providing the boundary of the adjacent PR (Planned Residential) zoning to the north when the final plat is submitted and adjusting the 30-ft peripheral setback to only be located along the shared boundary line with the PR zoning to the north. The peripheral setback is required to be 35-ft around the remainder of the development boundary.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) district and the criteria for approval of a use on review.

**Comments:**

**PERIPHERAL SETBACKS**

The applicant is requesting a 30-ft peripheral setback on the northwestern boundary of lots 74-76. Staff's recommendation is to approve the 30-ft peripheral setback only along the shared boundary line with the PR zoned property to the north. The Concept Plan does not provide the parcel lines for the surrounding lots so it is unknown if the lots 74-76 are adjacent to the PR zoning to the north or the A (Agricultural) zoned property.

**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 LDR (Low Density Residential) uses for this site with a maximum of 5 du/ac.
  - B. The property is in the Planned Growth area of the Growth Policy Plan which allows a maximum of 5 du/ac.
  - C. The proposed density of 2.99 du/ac is compliant with the recommendations of the Northeast County Sector Plan and the Growth Policy Plan.
  
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.
  - A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.
  - B. The proposed residential subdivision with detached houses is compatible with the surrounding detached houses.
  
- 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 surrounding land use is primarily agriculture and vacant land, and a few houses on large properties. The proposed single family development will be the first of this type with access to Brackett Road. There are other similar residential developments in the general area but they have access to E. Emory Road or other side streets.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.  
A. The use of the property for a detached residential subdivision will not significantly injure the value of adjacent properties since they are currently used for agricultural purposes or residences.  
B. The large lot residential property to the north of the property will be buffered from the houses in this subdivision by a 4+ acre common area.  
C. The residences on the properties to the south are approximately 400-ft or more from the subject property.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.  
A. The proposed development will have access to Brackett Road with residential uses along it, however, this type of road would not traditionally be considered a residential street because of the amount of frontage dedicated to non-residential uses, which in this case is agriculture. In addition, the proposed development is for residential purposes, not non-residential.

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 residential use.

**Action:** Approved **Meeting Date:** 10/14/2021

**Details of Action:**

**Summary of Action:** Approve the development plan for up to 90 detached dwelling units on individual lots and a reduction of the peripheral setback from 35-ft to 30-ft along the northwest boundary of the development where adjacent to PR (Planned Residential) zoning only, subject to 2 conditions.

**Date of Approval:** 10/14/2021 **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:**