

# CASE SUMMARY

## APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N  
T E N N E S S E E

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**File Number:** 10-Q-06-RZ                      **Related File Number:**  
**Application Filed:** 9/5/2006                      **Date of Revision:**  
**Applicant:** JEFF STEVENS  
**Owner:**

### PROPERTY INFORMATION

**General Location:** Southwest side Lawford Rd., northwest of Scotswood Cir.  
**Other Parcel Info.:**  
**Tax ID Number:** 120 M A 012.03                      **Jurisdiction:** City  
**Size of Tract:** 4.6 acres  
**Accessibility:** Access is via Lawford Rd., a local street with 25' of pavement width within 50' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Playground and recreational use  
**Surrounding Land Use:**  
**Proposed Use:** Recreational and youth use, including a storage shed                      **Density:**  
**Sector Plan:** West City                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with low density residential development, zoned R-1.

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density Residential) and F-1 (Floodway)  
**Former Zoning:**  
**Requested Zoning:** OS-1 (Open Space Preservation) and F-1 (Floodway)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted

### PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE OS-1 (Open Space Preservation) zoning.

Staff Recomm. (Full): OS-1 zoning is appropriate for this vacant site containing a tributary of Fourth Creek, which is not part of any residential lots.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL  
1. OS-1 zoning is compatible with the scale and intensity of the surrounding land uses and zoning pattern.  
2. A creek tributary traverses through the subject property. OS-1 zoning is appropriate for this site to preserve the area around the floodway. The current R-1 zoning could potentially allow creation of individual lots for residential development.  
3. The proposed OS-1 zoning is compatible with surrounding development, is consistent with the One Year and Sector Plans and is a more appropriate zone for this site than R-1.

THE EFFECTS OF THE PROPOSAL

- 1. Public water and sewer utilities are available to serve the site.
- 2. This proposal will have no impact on schools or the street system.
- 3. The proposal is compatible with the surrounding zoning and will have minimal impact on surrounding properties.
- 4. In discussions with the attorney for the owner/applicant, it was reported that the applicant intends to construct a 10' by 10' storage shed on the property. The applicant, who also owns an adjacent lot (parcel 12) to the north on Lawford Rd., attempted to obtain a building permit from the City of Knoxville to construct the shed on the subject site under the current R-1 zoning, but the permit was not issued because the R-1 zone does not allow an accessory use unless there is a primary use on the same parcel. It is staff's understanding that this situation is what led to this rezoning application being filed. According to the attorney, the City of Knoxville Building Official has interpreted that the OS-1 zone would allow the storage shed to be built as an accessory use to the primary recreational use on the subject parcel. See the attached letter from the City of Knoxville Building Inspection Bureau.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The West City Sector Plan proposes stream and slope protection for the site, consistent with this proposal.
- 2. The City of Knoxville One Year Plan proposes low density residential uses for the site. OS-1 is listed as a permissible zone within the LDR designation.
- 3. This request could generate similar requests for OS-1 zoning in this area along the floodway.

MPC Action: Approved MPC Meeting Date: 10/12/2006

Details of MPC action:

Summary of MPC action: APPROVE OS-1 (Open Space Preservation) zoning.

Date of MPC Approval: 10/12/2006 Date of Denial: Postponements:

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

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/7/2006 Date of Legislative Action, Second Reading: 11/21/2006

**Ordinance Number:**

**Disposition of Case:**      Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

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

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**