

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHEAST COUNTY SECTOR PLAN AMENDMENT



File Number: 12-A-19-RZ Related File Number: 12-A-19-SP
Application Filed: 10/4/2019 Date of Revision:
Applicant: JOSEPH AND REBECCA LONGMIRE

PROPERTY INFORMATION

General Location: North side of E. Emory Road southeast of its intersection with Dan McBee Road
Other Parcel Info.: 9901 E. Emory Rd. (015 004) is 0.86 acres; 9853 E. Emory Rd. (015 00401) is 0.66 acres
Tax ID Number: 15 004 AND 00401 **Jurisdiction:** County
Size of Tract: 1.54 acres total
Accessibility: E. Emory Road is a major arterial in this location. It has a pavement width of 17 feet and a right-of-way width of 40 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: SFR (Single Family Residential), detached houses
Surrounding Land Use:
Proposed Use: The applicant would like to have these properties platted (they are currently only deeded) **Density:** 2 du/ac
Sector Plan: Northeast County **Sector Plan Designation:** A (Agricultural)
Growth Policy Plan: Rural Area
Neighborhood Context: This is a rural area with large lots along both sides of E. Emory Road. The smaller lots average 1.08 acres in size.

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

Street: 9901 E. Emory Road and 9853 E. Emory Road
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests: N/A
Extension of Zone: No
History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural)

Requested Plan Category: RR (Rural Residential)

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: Michelle Portier

Staff Recomm. (Abbr.): Deny PR (Planned Residential) zoning because it does not meet the intent of PR zoning as described in the ordinance and it is not consistent with the sector plan, which does not allow over 1 du/ac.

Staff Recomm. (Full):

Comments:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. There are no substantially changed or changing conditions in the area that would warrant a rezoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The proposal does not meet the intent of PR zoning as described in the zoning ordinance.
2. The zoning ordinance describes PR zoning as 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.
3. 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.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The current sector plan designation does not support PR zoning with up to 2 du/ac, so a plan amendment would be required. However, amending the sector plan map for these parcels sets a precedent for the Rural Residential designation in this location.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. There are no other land use designations nearby, so a new designation would be an anomaly.
2. A sector plan designation of Rural Residential allows a higher density than Agricultural, so it would not be appropriate to amend the sector plan map for these parcels, surrounded as they are by the Agricultural designation in every direction.
3. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.
4. The parcel is not in the Hillside and Ridgetop Protection Area. It is gently sloped with the majority of the land having slopes less than 15%. The house at 9901 E. Emory Road sits atop a small hill.

Action: Approved

Meeting Date: 1/9/2020

Details of Action: Approve RA (Low Density Residential) zoning.

Summary of Action: Approve RA (Low Density Residential) zoning.

Date of Approval: 1/9/2020

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 4/27/2020

Date of Legislative Action, Second Reading

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: