

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 12-E-22-RZ **Related File Number:**
Application Filed: 10/19/2022 **Date of Revision:**
Applicant: BENJAMIN C. MULLINS

PROPERTY INFORMATION

General Location: W of Maryville Pk, east of Woodson Dr
Other Parcel Info.:
Tax ID Number: 122 L A 001,003,002 **Jurisdiction:** County
Size of Tract: 5.75 acres
Accessibility: Access is via Maryville Pike, a minor arterial with a pavement width of 40-ft within a right-of-way width of 70-ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: South County **Sector Plan Designation:** GC (General Commercial), LDR (Low Density Resi)
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This is a primarily forested area with steep slopes and some single family residential homes.

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

Street: 1461 MARYVILLE PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CB (Business and Manufacturing)
Former Zoning:
Requested Zoning: T (Transition)
Previous Requests:
Extension of Zone: No
History of Zoning: 8-L-22-RZ: RA to CB

PLAN INFORMATION (where applicable)

Current Plan Category: GC (General Commercial), LDR (Low Density Residential), 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: Liz Albertson

Staff Recomm. (Abbr.): Approve the T (Transition) zone because the location is consistent with the intent of the zone district to be compatible with the adjacent residential areas.

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. In September 2022, this area was rezoned to CB (Business and Manufacturing).
2. The T (Transition) zone is more appropriate for this location given the intent and requirements of the zone district as specifically being for areas existing between residential and commercial uses.

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

1. The T (Transition) zone is intended to insure the development of land adjacent to residential areas between other types of commercial and residential classifications and which will promote the public health, safety, morals, and general welfare of the citizens of the county. The purpose of this zone is to allow types of commercial use which are not major traffic generators, and would not open the area to objectionable types of commercial uses and to have a T zone that will be compatible with adjacent residential areas.

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 purpose of the T zone is to permit commercial uses that will be compatible with adjacent residential uses.
2. Building height is limited to 45-ft within the T zone, however the Planning Commission may approve a greater height during plan review if the applicant can demonstrate compatibility with the surrounding development, while the CB zone allows building height up to twice the width of the adjacent road, which could be significantly higher based on the existing road width of almost 40-ft.
3. The required setbacks when adjacent to residential are also greater in the T zone than the CB zone, making the T zone more compatible with the adjacent residential uses.

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. The proposed amendment is consistent with the sector plan.
2. The proposed amendment is not in conflict with the Growth Policy Plan.

Action: Approved**Meeting Date:** 1/12/2023**Details of Action:**

Summary of Action: Approve the T (Transition) zone because the location is consistent with the intent of the zone district to be compatible with the adjacent residential areas.

Date of Approval: 1/12/2023**Date of Denial:****Postponements:** 12/8/2022**Date of Withdrawal:****Withdrawn prior to publication?:** ☐ **Action Appealed?:****LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: Knox County Commission

Date of Legislative Action: 5/22/2023

Ordinance Number:

Disposition of Case: Withdrawn

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: