

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

## SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

**File Number:** 12-F-17-RZ      **Related File Number:** 12-A-17-SP  
**Application Filed:** 11/8/2017      **Date of Revision:**  
**Applicant:** THOMAS C. BROOKS

KNOXVILLE-KNOX COUNTY

**M P C**  
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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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### PROPERTY INFORMATION

**General Location:** West side S. Peters Rd., south of Kingston Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 132 C A 017      **Jurisdiction:** County  
**Size of Tract:** 0.33 acres  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Residential      **Density:**  
**Sector Plan:** Southwest County      **Sector Plan Designation:** Office  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

**Street:** 209 S Peters Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** OA (Office Park)  
**Former Zoning:**  
**Requested Zoning:** RAE (Exclusive Residential)  
**Previous Requests:** 5-D-17-RZ: OA to RAE, denied  
**Extension of Zone:**  
**History of Zoning:**

### PLAN INFORMATION (where applicable)

**Current Plan Category:** O (Office)  
**Requested Plan Category:** LDR (Low Density 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.:

## **MPC ACTION AND DISPOSITION**

**Planner In Charge:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that County Commission APPROVE RAE (Exclusive Residential) zoning.

**Staff Recomm. (Full):** RAE is an extension of zoning from the south and east and is consistent with the scale and intensity of the surrounding development and zoning pattern.

**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. The requested zoning for the subject property is a logical extension of adjacent zoning from the south
2. The recommended RAE zoning brings the current residential use of the property into compliance with zoning.
3. RAE zoning for this site is consistent with the scale and intensity of the surrounding development and zoning pattern.

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

1. The RAE zoning district provides only for residential areas with low population densities. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary for the low density residential environment.
2. Based on the above description, RAE zoning is appropriate for the subject property.

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. With the recommended sector plan amendment to LDR, the recommended RAE zoning is consistent with the sector plan.
2. RAE is a logical extension of zoning from the south and east.
3. RAE is a less intense zoning district than the current OA, so there will be no additional impact on surrounding properties due to this zoning change.

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. Staff is recommending approval of an amendment to the Southwest County Sector Plan map to LDR, within which the recommended zoning is compatible.
2. This proposal does not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

**Action:** Approved

**Meeting Date:** 12/14/2017

**Details of Action:**

**Summary of Action:** Recommend the Knox County Commission approve RAE (Exclusive Residential) zoning.

**Date of Approval:** 12/14/2017

**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:** 1/22/2018

**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:**