

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 3-D-02-RZ **Related File Number:** 3-A-02-SP
Application Filed: 2/1/2002 **Date of Revision:**
Applicant: JON WEHREBERG
Owner:

PROPERTY INFORMATION

General Location: West side of Roberts Rd., north of Washington Pike.
Other Parcel Info.:
Tax ID Number: 22 PART OF 5 (MAP ON FILE) **Jurisdiction:** County
Size of Tract: 20 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land.
Surrounding Land Use:
Proposed Use: Single family residential. **Density:** 3 du/ac.
Sector Plan: Northeast County **Sector Plan Designation:** Agricultural / Rural Residential
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 7115 Roberts Rd
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: None noted.
Extension of Zone:
History of Zoning:

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.): DENY PR (Planned Residential) zoning, based on the recommendation to deny the sector plan amendment.

Staff Recomm. (Full): PR zoning should be denied because it is inconsistent with the rural character of the surrounding area and would give the applicant the right to develop the property at a higher density than any other large properties in the area.

Comments: The Northeast County Sector Plan designation of Agricultural / Rural Residential is appropriate for this property, which is surrounded by rural uses. The sector plan calls for agricultural and rural residential uses in this valley because an overall system for road and utility improvements is not in place. If a sector plan amendment is contemplated in this vicinity, a larger area should be considered, so that overall neighborhood and community development is addressed, including the need for parks and open space, road connections, and the need to address improvements such as sewage disposal, and impact on drainage and schools. In essence, this is a "spot" sector plan amendment, not unlike a "spot" zoning, which should always be avoided in land use regulation.

Property across Roberts Rd. is zoned PR at 1 to 4 du/ac, but has yet to be developed. Even if it were developed at 4 du/ac, it would not have the impact that the subject property would have, because it is smaller in size. The most intense residential development in this area is south of Washington Pike, along Roberts Rd., which has lots less than 1 acre each. These properties are located within the Agricultural zone, which makes them nonconforming regarding lot size. Subdivisions to the north of this site along E. Emory Rd. were developed under the regulations of the Agricultural zoning district. A density of more than 1 du/ac for the subject property would give the applicant development rights that no other owners of large properties in the area have and would allow development that is inconsistent with surrounding development.

At the November 14, 1996 meeting, MPC approved PR at 1 to 4 du/ac for 31 acres across Roberts Rd. Staff had recommended PR at only 1 du/ac. Subsequently, at the July 9, 1998 meeting, MPC approved a change from PR back to Agricultural zoning for 20 acres of that same 31 acres.

The current Agricultural zoning designation is appropriate. It allows the applicant reasonable use of the property, while maintaining the rural character of the area. For residential development, the property could be subdivided into one acre lots under the Agricultural zoning. If PR zoning were to be approved, staff would recommend assigning a density of 1 du/ac. This would provide the applicant with less restrictive lot size requirements, but would still preserve the rural character of the area.

MPC Action: Approved MPC Meeting Date: 3/14/2002

Details of MPC action: APPROVE PR (Planned Residential) zoning. APPROVE a density of 1-3 du/ac.

Summary of MPC action: APPROVE PR (Planned Residential) at a density of 1-3 dwelling units per acre

Date of MPC Approval: 3/14/2002 Date of Denial: Postponements:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: County Commission

Date of Legislative Action: 4/22/2002 Date of Legislative Action, Second Reading:

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: