

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 3-H-23-RZ                      **Related File Number:**  
**Application Filed:** 1/23/2023              **Date of Revision:**  
**Applicant:** MICHAEL & CYNTHIA BOOKER

## PROPERTY INFORMATION

**General Location:** South side of E Emory Rd, west of Bell Rd, east of Crown Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 29 100 PART OF                      **Jurisdiction:** County  
**Size of Tract:** 0.29 acres  
**Accessibility:** Access is via E Emory Rd, major arterial with a 18-ft pavement width within a 67-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural Residential  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** North County              **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area primarily consists of large lot single family residences within subdivisions and smaller lot single family subdivisions off of side streets.

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

**Street:** 5506 E. Emory Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** RA (Low Density Residential)  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)  
**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:

Whitney Warner

Staff Recomm. (Abbr.):

Approve RA (Low Density Residential) zone because it is consistent with the surrounding development and sector plan.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01: THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 COUNTY GENERALLY:

- 1. The area surrounding the subject property has been transitioning from agricultural to single family residential land use since 1988.
- 2. This area abuts large lot single family residential to the east to the north and a multifamily attached subdivision to the west.

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

- 1. The RA (Single Family Residential) zone provides for residential areas with low population densities.
- 2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 property is zoned A (Agricultural) on 9.59 acres and has a duplex and single-family home on the lot. This is not in conformance with the A zoning district, which allows a maximum of 2 dwelling units on a lot. Therefore, the applicant seeks to subdivide the subject property off of the larger lot to bring it into compliance with the zoning ordinance. In order to create a lot of the size proposed, the applicant must first rezone the property to a zone allowing a lot of that size.
- 2. The RA zone allows up to 2 dwelling units on 12,000 sq ft lot with sanitary sewer connection. While duplexes are allowed by Use on Review in the RA zone, the structure was built prior to 1967 County Code of ordinances. As long as the existing dwelling is not expanded, a Use on Review would not be required.
- 3. This RA (Low Density Residential) zoned acreage should not have any adverse effects on any other parts of the county since it is consistent with other zoning in the area.

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 North County Sector Plan proposes low density residential uses for the site, which supports RA zoning.
- 2. This rezoning is not conflict with the General Plan or any other adopted plan.

Action:

Approved

Meeting Date: 3/9/2023

Details of Action:

Summary of Action:

Approve RA (Low Density Residential) zone because it is consistent with the surrounding development and sector plan.

Date of Approval:

3/9/2023

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:** 4/24/2023

**Ordinance Number:**

**Disposition of Case:** Approved

**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:**