

# 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

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**File Number:** 3-P-04-RZ                      **Related File Number:**  
**Application Filed:** 2/9/2004              **Date of Revision:**  
**Applicant:** TERRY PATTON  
**Owner:**

### PROPERTY INFORMATION

**General Location:** North side I-40, south side of Union School Rd, south of Hammer Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 72 K C 1-4 (PORTION ZONED A)                      **Jurisdiction:** County  
**Size of Tract:** 0.77 acres  
**Accessibility:** Access is via Union School Rd., a local street with 19'to 20' of pavement within a 40' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Billboards, vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Billboard locations                      **Density:**  
**Sector Plan:** East County                      **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** These properties are in a rural area of east Knox County that is characterized by scattered single family housing that has developed along existing county roads within Agricultural zoning. The scattered CA zoning in the area has been approved over the years to accommodate billboard locations along the interstate.

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business)  
**Previous Requests:** Property zoned CA in 1970's.  
**Extension of Zone:** Yes  
**History of Zoning:** Portions of CA zoned properties were changed to Agricultural by the Knox County map readoption process in the early 1980's.

### 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:

Ken Pruitt

Staff Recomm. (Abbr.):

DENY CA (General Business) zoning

Staff Recomm. (Full):

Additional CA zoning in this rural residential area would be detrimental to the established residential land use pattern since many of the CA permitted uses would be incompatible with the adjoining residential uses. The established billboards have nonconforming status under the Knox County Zoning ordinance and may continue to be maintained under the current A zone. The applicant contends that the current A zoning was done in error when the Knox County Zoning maps were readopted in the early 1980's and has submitted County Commission actions zoning the property CA in the 1970's in support of this position. The sector plan proposes low density residential use for this site.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The CA zoning will allow development that is not compatible with the scale and intensity of the surrounding rural residential development and Agricultural zoning pattern.
2. CA zoning will allow commercial development of the property that is out of character with the access and public infrastructure available to serve the site.
3. The CA zoning will allow development that would be detrimental to surrounding residential uses and reduce the residential value of those properties.

THE EFFECTS OF THE PROPOSAL

1. Public water is available to serve the site, while public sewer is not.
2. The proposed CA zoning would allow the property to be developed with any use permitted within that zone.
3. The CA zoning would adversely impact surrounding residential properties, but would bring the billboards on these properties into conformance with the Knox County Zoning Ordinance. However, other uses permitted under CA zoning would also impact surrounding residential uses and could be done in a manner that would be out of character with the established development pattern.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. CA zoning is not consistent with the low density residential use proposed for this site by the East County Sector Plan.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action:

Denied

MPC Meeting Date: 3/11/2004

Details of MPC action:

Summary of MPC action:

DENY CA (General Business)

Date of MPC Approval:

Date of Denial: 3/11/2004

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?: 3/15/2004

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body:

County Commission

Date of Legislative Action: 4/19/2004

Date of Legislative Action, Second Reading:

**Ordinance Number:**

**Disposition of Case:** Approved appeal. CA General  
Business Approved

**If "Other":**

**Amendments:**

CA General Business Approved

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**