

# 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:** 4-A-15-RZ                      **Related File Number:**  
**Application Filed:** 2/9/2015              **Date of Revision:**  
**Applicant:** ZAKIRHUSAIN G. SHAIKH

### PROPERTY INFORMATION

**General Location:** Northeast side Foxvue Rd., east of Fox Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 144 00102                      **Jurisdiction:** City and County  
**Size of Tract:** 1.62 acres  
**Accessibility:** Access is via Foxvue Rd., a local street with 22' of pavement width within the large right-of-way of Pellissippi Parkway to the west.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land and access drive to parcel 117.01  
**Surrounding Land Use:**  
**Proposed Use:** Duplexes                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** LDR and SLPA  
**Growth Policy Plan:** Urban Growth (Inside City Limits) & Planned Growth  
**Neighborhood Context:** This area is developed with agricultural and rural to low density residential uses under A, RA and PR zoning.

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) & OS-1 (Open Space Preservation)  
**Former Zoning:**  
**Requested Zoning:** RA (Low Density Residential) & R-1 (Low Density Residential)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted

### PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning on the north side of the driveway.

DENY R-1 (General Residential) zoning on the south side of the driveway.

Staff Recomm. (Full): The RA zone is compatible with the surrounding development and zoning pattern and consistent with the sector and One Year Plan proposals for the site. The portion of the site south of the driveway, requested for R-1 zoning, is smaller, more irregularly shaped and has steep slopes. It would require more extensive grading to develop. This area should remain zoned OS-1 to provide a buffer between the Academy and its access drive and the subdivision to the south. The RA recommended area is approximately 1 acre in size.

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 proposed R-1 and RA zones are consistent with the Southwest County Sector Plan proposal for the site.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.
- 3. The site is adjacent to a large academy/school and a subdivision, which are compatible with uses permitted under the proposed R-1 and RA zoning.

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

- 1. The R-1 zone is a restrictive residential district intended for low density residential land uses. RA zoning provides for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
- 2. Based on the above description, this site is appropriate for R-1 and RA zoning.
- 3. The R-1 zone has a minimum lot size of 7,500 square feet. If connected to sewer, the RA zone allows detached residential development with a minimum lot size of 10,000 sq. ft. Without sewer, the minimum lot size is 20,000 sq. ft., subject to approval by Knox County Health Department.

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. Approval of R-1 and RA zoning will allow this site to be subdivided for development of detached dwellings on individual lots.
- 2. The proposed zoning is consistent with adopted plan designations, and there should be minimal impact to the surrounding area and no adverse effect to any other part of the County.
- 3. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
- 4. No other area of the County will be impacted by this rezoning request.

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 Southwest County Sector Plan proposes low density residential use for the site, consistent with the requested R-1 and RA zoning.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth

Policy Plan map.

3. Approval of this request may lead to future requests for R-1 or RA zoning on surrounding properties zoned Agricultural, which would be consistent with the sector plan designation for low density residential uses in the area.

4. The proposal does not present any apparent conflicts with any other adopted plans.

**Action:** Approved

**Meeting Date:** 5/14/2015

**Details of Action:**

**Summary of Action:** RECOMMEND the Knox County Commission APPROVE RA (Low Density Residential) zoning on the north side of the driveway only.

**Date of Approval:** 5/14/2015

**Date of Denial:**

**Postponements:** 4/9/15

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 6/22/2015

**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:**