

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 4-C-24-RZ                      **Related File Number:**  
**Application Filed:** 1/24/2024              **Date of Revision:**  
**Applicant:** LARRY & LAURA BAILEY

## PROPERTY INFORMATION

**General Location:** South side of W Emory Rd, west of Tamron Way  
**Other Parcel Info.:**  
**Tax ID Number:** 66 130                      **Jurisdiction:** County  
**Size of Tract:** 1.05 acres  
**Accessibility:** Access is via W. Emory Rd., a major arterial street with 21 ft of pavement width within 50 ft of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Planning Sector:** Northwest County      **Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This stretch of W Emory Road consists of large lots with single family dwellings with condos and subdivisions with smaller lots off of side streets. Beaver Creek runs nearby to the south, and Roy Arthur Park is a little over a mile to the west.

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

**Street:** 5130 W EMORY RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural), PR (Planned Residential) up to 4.2 du/ac  
**Former Zoning:**  
**Requested Zoning:** RA (Low Density Residential)  
**Previous Requests:**  
**Extension of Zone:** No, this is not an extension  
**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:

Michelle Portier

Staff Recomm. (Abbr.):

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

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 experienced a transition from the A (Agricultural) zone to the PR (Planned Residential) and RA zones since the late 1980s.
2. The majority of the property is zoned A, but there is a sliver of PR zoning with up to 4.2 du/ac along the southern lot line. This is a result of a 2016 rezoning case that included a sliver of this parcel (Case # 5-E-16-RZ). That rezoning did not follow the property line, and a sliver of the subject property was rezoned to PR with the abutting subdivision to the south and west. This rezoning request would eliminate the dual zoning currently present.

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

1. The RA zone provides for residential areas with low population densities. The surrounding area consists of low density residential development, so the request for RA on this property is consistent with the zone's intent.
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 RA zone allows predominantly residential uses, though there are a handful of low-impact, nonresidential uses allowed.

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. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the A, RA, and PR zones, the latter with densities of up to 4 and 5 du/ac. The RA zone is consistent with the area.
2. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a density of roughly 4 du/ac. Built at maximum capacity, this property could be developed with up to 4 lots.
3. W Emory Road is a major arterial, so no traffic would be required through residential streets to access the property.
4. W Emory Road is a state route, so access would be controlled by the TN Department of Transportation (TDOT).

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 subject property is designated as the LDR (Low Density Residential) land use classification in the Northwest County Sector Plan, which allows consideration of the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.
2. The recommended rezoning complies with the General Plan's development policy 9.3 to ensure the context of new development, including scale and compatibility, does not impact existing neighborhoods

and communities.

**Action:** Approved

**Meeting Date:** 4/11/2024

**Details of Action:**

**Summary of Action:** Approve the RA (Low Density Residential) zone because it is consistent with the sector plan and other development in the area.

**Date of Approval:** 4/11/2024

**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:** 5/20/2024

**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:**