

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
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 5-A-10-RZ **Related File Number:** 5-A-10-SP
Application Filed: 3/2/2010 **Date of Revision:**
Applicant: RONALD AND VERNA STOUT

PROPERTY INFORMATION

General Location: Southeast side Old Maynardville Pike, east side Maynardville Pike
Other Parcel Info.:
Tax ID Number: 29 011 **Jurisdiction:** County
Size of Tract: 1.09 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Residence **Density:**
Sector Plan: North County **Sector Plan Designation:** Commercial
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 7820 Old Maynardville Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business)
Former Zoning:
Requested Zoning: RB (General Residential)
Previous Requests: 6-F-92-RZ
Extension of Zone:
History of Zoning:

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 for the entire site. (Applicant requested RB.)

Staff Recomm. (Full):

RA zoning is more appropriate for this site than the requested RB zoning, will still allow the proposed residence and is a less intense zone than the current CA zoning. RA zoning does not allow development of multi-dwelling structures that would be permitted under RB zoning.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. This site was originally rezoned CA in 1992 and has been that way since. The applicant's request for RB zoning is for a proposed residence. Either the recommended RA or requested RB zoning are less intense than the current CA zoning.
2. RA zoning will allow the proposed residential use, but will not permit the multi-dwelling structures that would be permitted under the requested RB zoning and does not require a sector plan amendment.
3. There is a large site to the south and east of the subject property that is designated MDR and zoned RB, but it has direct access to Maynardville Pike, which is classified as a major arterial street. This site is accessed from Old Maynardville Pike, which is a local street. The other properties fronting on Old Maynardville Pike to the north are all designated for low density residential uses on the sector plan and are zoned Agricultural.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. 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. RB zoning provides for medium population density. The principal uses of land may range from houses to multi-dwelling structures or developments.
3. Based on the above description, this site is more appropriate for RA zoning.
4. If connected to sewer, the RA or RB 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 EFFECTS OF THIS PROPOSAL

1. Public water is available to the site. Sewer utilities are available in the general area, but may have to be extended to serve this site.
2. The proposal would have a minimal impact on schools on streets. The proposed zoning is less intense than the current CA zoning.
3. The impact on surrounding properties will be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended plan amendment to low density residential, RA zoning is consistent with the North County Sector Plan. In order for the requested RB zoning to be considered the sector plan would have to be amended to MDR.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of RB zoning for this site could lead to future requests for RB to the north along Old Maynardville Pike, which would not be consistent with the sector plan proposal for low density residential uses in that area.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 5/13/2010

Details of Action:

Summary of Action: RA (Low Density Residential)

Date of Approval: 5/13/2010 **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: 6/28/2010 **Date of Legislative Action, Second Reading:** 7/26/2010

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Postponed **Disposition of Case, Second Reading:** Approved

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**