

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTH COUNTY SECTOR PLAN AMENDMENT



File Number: 5-C-21-SP

Related File Number: 5-M-21-RZ

Application Filed: 3/29/2021

Date of Revision:

Applicant: ROBERT GREGORY

## PROPERTY INFORMATION

General Location: North side of Fort Sumter & west side of Maynardville Hwy.

Other Parcel Info.:

Tax ID Number: 19 16301 (A PORTION OF)

Jurisdiction: County

Size of Tract: 4 acres

Accessibility: Access is via Fort Sumter Road, a minor collector with a pavement width of 19.6 feet within a right-of-way width of 70 feet.

## GENERAL LAND USE INFORMATION

Existing Land Use: Rural residential

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan: North County

Sector Plan Designation: A (Agricultural)

Growth Policy Plan: Rural Area

Neighborhood Context: This area is characterized by steep sloped topography consisting primarily of large lot, agricultural, vacant and forested land uses along with some single family residential uses and a church.

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

Street: 8425 Maynardville Pk.

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:

Extension of Zone: No.

History of Zoning: None noted.

## PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural) / HP (Hillside Protection)

Requested Plan Category: GC (General Commercial) / HP (Hillside Protection)

**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:

Staff Recomm. (Abbr.):

Deny GC (General Commercial) because this property is within the Rural Area of the Growth Policy Plan and is inconsistent with the surrounding development.

Staff Recomm. (Full):

Comments:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There have been no changes in conditions warranting amendment of the land use plan here.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No new roads have been introduced into this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The plan recognized the commercial node at this sector, this represents a minor expansion of the existing node.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. Although existing commercial zoning exists at this location, since 2001 there have been no new building permits for commercial or office for this area.

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

- 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.

- 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: Denied

Meeting Date: 5/13/2021

Details of Action:

Summary of Action:

Deny GC (General Commercial) because this property is within the Rural Area of the Growth Policy Plan and is inconsistent with the surrounding development.

Date of Approval:

Date of Denial: 5/13/2021

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: ☐ Action Appealed?:**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**