

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-E-23-RZ

Related File Number:

Application Filed: 3/27/2023

Date of Revision:

Applicant: RON WORLEY

## PROPERTY INFORMATION

General Location: West side of Brownvue Road

Other Parcel Info.:

Tax ID Number: 91 014

Jurisdiction: County

Size of Tract: 8.3 acres

Accessibility: Access is via Brownvue Road, an unstriped local road with a pavement width that varies from approximately 14 ft to 16 ft within a 36-ft wide right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan: Northwest County      Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This lot is located at the back of an established subdivision consisting of small-lot, single-family detached residences. Karns Middle School is nearby off of Gary Hendrix Road.

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

Street: 0 BROWNVUE RD

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)

Former Zoning:

Requested Zoning: RA (Low Density Residential)

Previous Requests:

Extension of Zone: Yes, RA zoning is adjacent to the west

History of Zoning: None noted

## PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)

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 PR (Planned Residential) zone with up to 2 du/ac for the portion of the property shown in Exhibit B because it is consistent with the sector plan and surrounding development, subject to one condition.

Staff Recomm. (Full):

ZONING CONDITION

1) The portion of the parcel with slopes of 25% or greater shall be left undisturbed, as delineated in Exhibit A.

Comments:

The applicant is requesting to rezone the property to RA (Low Density Residential), which allows a minimum lot size of 10,000 square feet since the property is served by sewer. At 8.30 acres, this could result in up to 36 lots. However, almost half of the site is in an HP (Hillside Protection) area. The rear portion of the subject property is located on a long, steep ridge. Due to the severe slope on the back half of the property, Planning is recommending a partial rezoning to the PR (Planned Residential) zone with a density of up to 2 du/ac for the portion of the property not constrained by severe slopes. The part of the parcel recommended for rezoning comprises 189,688 square feet (approximately 4.35 acres) and is shown in the exhibit maps.

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 is a mix of RA (Low Density Residential) and A (Agricultural) zoning. Properties zoned A have been transitioning to the PR (Planned Residential) and RA zones since the late 1980s. Properties to the north zoned PR include densities up to 3 du/ac and up to 4 du/ac on properties that are not in HP designated areas.

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

1. The RA provides for residential areas with low population densities.  
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 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. The slope analysis for the HP area recommended a disturbance area of up to 2.92 acres out of the total site, and recommended a density of 2.22 du/ac. The recommendation to rezone the front 4.35 acres to PR with up to 2 du/ac expands the disturbable area and is aligned with the recommended density of the analysis.

2. The recommended PR zone with a density of up to 2 du/ac would permit lot sizes and density more in line with the immediate area. There are two residential neighborhoods that connect to each other (Foothill Estates and Golden Meadows), and the subject property is at the end of one of these. The Foothill Estates subdivision leading to this parcel is zoned A, while the neighboring, but connected, Golden Meadows subdivision is zoned RA. The two subdivisions function like a single neighborhood and are built out with similar lot sizes despite the different zoning. Lots in the adjacent RA zone range from around 0.25 acres to 0.5 acres, while lots in the adjacent A zone are mostly 0.5 acres in size, which are nonconforming with the zoning ordinance.

3. The smaller lots in both subdivisions are on land that is relatively flat, which is not the case with the subject parcel. The recommended 2 du/ac in the front of the parcel would yield a density similar to that

of the surrounding neighborhoods. The RA zone minimum lot size could lead to up to 4 du/ac on this site with potential grading of the steep slopes that are present at the rear of the site.

4. Brownvue Road has a pavement width that varies, but is as narrow as 14 ft in some locations, and it is not striped. As such, it would require improvements if built out with more than the 7-8 homes allowed under the current A zone according to the Knox County Department of Engineering and Public Works.

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 land use classification in Northwest County Sector Plan, which allows consideration of both the RA and PR zones, the latter with a density of up to 5 du/ac in the County's Planned Growth Area of the Growth Policy Plan.

2. Neither the requested nor the recommended zones are in conflict with the General Plan.

3. The requested RA zone's minimum lot size could result in a number of dwellings that exceeds the limits recommended by the slope analysis, which is a recommendation of the Hillside and Ridgetop Protection Plan.

**Action:** Approved **Meeting Date:** 5/11/2023

**Details of Action:** Approve the RA (Low Density Residential) zone for the entire parcel as RA would require larger, uniform lots.

**Summary of Action:** Approve the RA (Low Density Residential) zone for the entire parcel as RA would require larger, uniform lots.

**Date of Approval:** 5/11/2023 **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:** 6/26/2023 **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:**