# **CASE SUMMARY**

APPLICATION TYPE: REZONING



File Number: 6-E-22-RZ Related File Number:

Application Filed: 4/22/2022 Date of Revision:

Applicant: ROBERT FLANIGAN

#### PROPERTY INFORMATION

General Location: North side of Kimberlin Heights Rd., west of French Rd.

Other Parcel Info.:

Tax ID Number: 125 097, 00304, & 099 Jurisdiction: County

Size of Tract: 3.01 acres

Accessibility: Access is via Kimberlin Heights Road, a major collector road with 20 ft of pavement width within a 65-ft

wide right-of-way.

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** Single family residential, Agriculture/forestry/vacant

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: South County Sector Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: Planned Growth Area

**Neighborhood Context:** This area consists of low density residential uses with several large tracts of agricultural properties

nearby. This property is located within the parental responsibility zone and is approximately 1,200-ft

away from New Hopewell Elementary School.

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

Street: 829 831, & 833 Kimberlin Heights 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: No

**History of Zoning:** None noted

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

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**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: Levan King Cranston

Staff Recomm. (Abbr.): Approve RA (Low Density Residential) zoning because it is consistent with the Sector Plan.

Staff Recomm. (Full):

**Comments:** The applicant's desire is to subdivide a portion of parcel 125 097 to combine with parcel 125 099 for

the purpose of maintaining access to parcel 125 00304 located to the north. These properties are zoned A (Agricultural), which has a minimum lot size requirement of 1 acre. Currently parcel 125 097 is unable to be subdivided because it would become nonconforming with the minimum lot size requirement. Therefore, the applicant is requesting to rezone these three properties to RA (Low density residential) to ensure that all properties meet the minimum lot size requirement and are in

conformance with the Knox County Zoning Ordinance.

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 CITY/COUNTY GENERALLY:

1. There are no substantial changes in conditions that would warrant a rezoning. However, this property is located approximately 1,200-ft from New Hopewell Elementary, and is located within the parental responsibility zone.

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

- 1. The regulations established in the RA zone are intended to provide for residential areas with low population densities which is consistent with the trend of development in this area.
- 2. RA zoning requires a minimum lot size of 10,000 sq ft. All three properties involved in this rezoning meet the dimensional standards of the RA zone.

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 area of Knox County is predominately zoned A with some tracts of land zoned PR at up to 2 du/ac. It is not anticipated that the proposed amendment to RA zoning will adversely affect adjacent properties.

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 Sector Plan's LDR (Low Density Residential) designation supports RA zoning and is compatible with the context of this property.
- 2. The proposed amendment is not in conflict with any other adopted plans.

Action: Approved Meeting Date: 6/9/2022

**Details of Action:** 

Summary of Action: Approve RA (Low Density Residential) zoning because it is consistent with the Sector Plan.

Date of Approval: 6/9/2022 Date of Denial: Postponements:

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Date of Withdrawal:	Withdrawn <sub>ا</sub>	orior to publication?:   Action Appealed?:
LEGISLATIVE ACTION AND DISPOSITION		
Legislative Body:	Knox County Commission	
Date of Legislative Action:	7/25/2022	Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

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

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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