

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-C-23-RZ **Related File Number:**
Application Filed: 5/9/2023 **Date of Revision:**
Applicant: BERNADETTE WEST

PROPERTY INFORMATION

General Location: South side of Belvedere Ave, east side of the Seaton Avenue terminus
Other Parcel Info.:
Tax ID Number: 109 D E 030 **Jurisdiction:** City
Size of Tract: 5.7 acres
Accessibility: Access is via Belvedere Ave, a local street with a 15-ft pavement width within a 36-ft right-of-way and via Seaton Ave, a local street with 15-ft of pavement width within a 38-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: South City **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: The area is comprised of single-family residential houses with medium to large lot sizes and is at the ends of 2 dead end streets with forested public park land directly to the east.

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

Street: 2620 BELVEDERE AVE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
Former Zoning:
Requested Zoning: AG (General Agricultural), HP (Hillside Protection Overlay)
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), 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: Whitney Warner

Staff Recomm. (Abbr.): Approve the AG (General Agricultural) district because it is consistent with the surrounding development and sector plan. The HP (Hillside Protection Overlay) will be retained.

Staff Recomm. (Full):

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, 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 GENERALLY:

1. In the last 20 year, Knoxville's Urban Wilderness has continued to expand in South Knoxville. The forested park areas of Ijams Nature Center, Meads Quarry, and Knoxville's Urban Wilderness protects the land to the east from development.

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

1. The AG (Agricultural Zoning) district is intended to provide for agricultural uses that comprise an important part of the economy of Knoxville. The intent is to permit lands best suited for agriculture to be used for agriculture purposes, and prevent the encroachment of incompatible land uses on farm lands and protect the physical and economic well-being of agricultural operations. The parcel is approximately 5.7 acres in size and is primarily forested, so it is consistent with the AG zone description.

2. The HP (Hillside Protection Overlay) zoning district was adopted in the City to protect hillsides and mitigate potential impacts from development. When development occurs on hillsides, there are potential serious consequences, such as increased erosion, fire, or flood hazards, and property damage from extensive soils slippage and subsidence. Site plans will need to conform with the HP District regulations.

3. The established front setback for the single family dwelling on the property is approximately 29-ft. However, the minimum front setback in the AG zone is 35-ft. If the rezoning is approved, then the dwelling will be legal, nonconforming. Any future alteration or enlargement of buildings and structures must conform to Article 17. - Nonconforming buildings, structures and uses of land.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The requested AG (General Agricultural) zoning is compatible with the surrounding land uses of Agriculture/Forestry/Vacant, public park and single family residential land uses.

2. The large lots required for the AG zone make this unlikely to cause adverse impacts for surrounding 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 proposed AG zoning is consistent with the South City Sector Plan and City of Knoxville One Year Plan LDR (Low Density Residential) land use designation.

2. The General Plan Development Policy 9.2 - encourages development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat. The AG (Agricultural) zoning district lessens the residential development potential in a steep sloped, forested hillside area by limiting lot sizes to 5 acres.

3. There are no other adopted plans that conflict with the rezoning recommendation of AG.

Action: Approved

Meeting Date: 7/13/2023

Details of Action:

Summary of Action: Approve the AG (General Agricultural) district because it is consistent with the surrounding development and sector plan. The HP (Hillside Protection Overlay) will be retained.

Date of Approval: 7/13/2023

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/8/2023

Date of Legislative Action, Second Reading: 8/22/2023

Ordinance Number:

Other Ordinance Number References: O-131-2023

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: