

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHEAST COUNTY SECTOR PLAN AMENDMENT



File Number: 7-D-20-SP

Related File Number: 7-F-20-RZ

Application Filed: 5/22/2020

Date of Revision:

Applicant: TRAVIS WALKER

PROPERTY INFORMATION

General Location: North side of E. Emory Road, east of Roberts Road and west of Graves Lane

Other Parcel Info.:

Tax ID Number: 14 031

Jurisdiction: County

Size of Tract: 2.2 acres

Accessibility: The property is a corner lot with frontage on Idol Lane and E. Emory Road. The property is currently accessed off of Idol Lane, which is a local road with a 12.5-foot pavement width inside a 50-foot right-of-way. E. Emory Road is a major arterial with an 18-foot pavement width inside a 50-foot right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single family residential

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan: Northeast County **Sector Plan Designation:** Agricultural

Growth Policy Plan: Rural Area

Neighborhood Context: This is a rural area consisting mostly of large-lot, single-family residential uses zoned Agricultural, though there are some utility facilities and a church mixed in.

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

Street: 7508 Idol Lane

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: None noted for this property

Extension of Zone: No

History of Zoning: None noted for this property.

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural)

Requested Plan Category: GC (General Commercial)

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.): Deny the GC (General Commercial) designation since it does not meet the criteria for sector plan amendments, is not compatible with the area, and could cause adverse impacts for neighboring residential properties.

Staff Recomm. (Full): Should the Planning Commission wish to approve the plan amendment request, they would need to vote to adopt resolution # 7-D-20-SP amending this parcel in the Northeast County Sector Plan map to the GC (General Commercial) designation. The reasons stated would be those discussed and decided upon by the Commission at the meeting.

Comments: Mr. Walker obtained a building permit and installed a large accessory building (see Exhibit A) on his property in the fall of 2018. He used this building to repair diesel vehicles (trucks and farm equipment) until recently, when he was instructed that the use was not in compliance with the zoning and needed to cease business operations or rezone the property.

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 to conditions to warrant amending the land use plan.

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

- 1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

- 1. There are no obvious or significant errors or omissions in the plan regarding this parcel.

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

- 1. There are no new trends in development, population, or traffic that warrant reconsideration of this area of the Northeast County Sector Plan.

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: 7/9/2020

Details of Action:

Summary of Action: Denied the GC (General Commercial) designation since it does not meet the criteria for sector plan amendments, is not compatible with the area, and could cause adverse impacts for neighboring residential properties.

Date of Approval:

Date of Denial: 7/9/2020

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:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: