

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-H-19-RZ **Related File Number:**
Application Filed: 5/20/2019 **Date of Revision:**
Applicant: RICHARD & JUDY HARRIS

PROPERTY INFORMATION

General Location: North side of Tipton Station Road, east side of Winkle Lane
Other Parcel Info.: 2nd (contiguous) parcel is 137 03102 (0 Tipton Station Road)
Tax ID Number: 137 03101 & 03102 **Jurisdiction:** County
Size of Tract: 4.74 acres
Accessibility: Access via Winkle Lane, a local street, with a 17' foot pavement width within a right-of-way of 48' feet. Access is also via Tipton Station Road, a major collector, with a pavement width of 20' feet and a right-of-way width of 60' feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Residential / Vacant
Surrounding Land Use:
Proposed Use: Small farm & residence **Density:**
Sector Plan: South County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The area between John Sevier Highway and Tipton Station Road is largely comprised of agricultural/forestry/vacant land with single family residential and rural residential land uses.

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

Street: 1227 Tipton Station Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning: A (Agricultural)
Requested Zoning: A (Agricultural)
Previous Requests: 11-M-15-RZ, 10-T-07-RZ/10-E-07-SP, 8-G-18-RZ, 5-E-09-RZ/ 5-B-09-SP
Extension of Zone: Yes, extension of adjacent A zoning to the west and south.
History of Zoning: 11-M-05-RZ (A to PR up to 5), 10-T-07-RZ, 8-G-08-RZ, 5-E-09-RZ

PLAN INFORMATION (where applicable)

Current Plan Category:

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: Liz Albertson

Staff Recomm. (Abbr.): RECOMMEND Planning Commission APPROVE A (Agricultural) zoning.

Staff Recomm. (Full): Staff recommends A (Agricultura) zoning because it is consistent with the South County Sector Plan designation of LDR (Low Density Residential) for this property. It also was not part of the final plat for the Wells Creek subdivision (10-SC-17-F), so the acreage was not used in the density calculation for that subdivision, thus the rezoning back to A (Agricultural) for this 4.74 acres does not provide a greater density than the previous rezoning up to PR 5 du/ac allowed.

Comments: REZONING REQUIREMENTS FROM ZONING ORDINANCES (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. A zoning is consistent with the existing the LDR (Low Density Residential) designation for this property.
2. The majority of the surrounding development consists of low density residential uses and zoning, consistent with the recommended zoning.
3. The area was previously zoned A and this request is an extension of the surrounding A zoning to the south, west and north.

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

1. A zoning provides for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.

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. A zoning is compatible with surrounding development and should have a minimal impact on 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 South County Sector Plan appropriately proposes low density residential uses for the site, consistent with the recommended A zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended zoning and density do not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include 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:

1. 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.
2. 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: Approved **Meeting Date:** 7/11/2019

Details of Action:

Summary of Action: RECOMMEND Planning Commission APPROVE A (Agricultural) zoning.

Date of Approval: 7/11/2019 **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: 8/26/2019 **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:**