

# CASE SUMMARY

## APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 8-B-12-RZ                      **Related File Number:**  
**Application Filed:** 6/14/2012              **Date of Revision:**  
**Applicant:** REBECCA V. FERGUSON

### PROPERTY INFORMATION

**General Location:** South side Woodson Dr., south of Hilltop Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 122 K B 003                      **Jurisdiction:** County  
**Size of Tract:** 15.88 acres  
**Accessibility:** Access is via Woodson Dr., a minor collector street with 21' of pavement width within 40' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Residence with horses                      **Density:**  
**Sector Plan:** South County                      **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** This area is developed with low density residential uses under RA and RP-1 zoning.

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

**Street:** 2212 Woodson Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:** A (Agricultural)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted

### 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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

DENY A (Agricultural) zoning.

Staff Recomm. (Full):

Agricultural zoning would allow uses that are incompatible with the surrounding area, which is developed with low density residential uses.

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. Approval of the proposed zoning would allow uses that would be incompatible with surrounding low density residential uses.
2. Approval of the request would be a spot rezoning, allowing incompatible agricultural uses on a property surrounded by properties limited to only residential uses.

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

1. Agricultural zoning allows for agricultural uses and residential uses on lots of at least one acre in size. Churches are also a permitted use within the proposed zone.
2. Because it allows the keeping of farm animals, which can lead to significant negative impacts on adjacent residential area, the subject property is not appropriate for Agricultural zoning.
3. The applicant has stated that the reason for this request is to be permitted to keep horses on the subject property. If Agricultural zoning is to be considered for the property, some conditions should be placed on the rezoning, which would allow only the keeping of a certain, appropriate number of horses within securely fenced areas. Establishment of required setbacks from adjacent residential properties would also be necessary, if horses are to be kept on the property.
4. In 2001, there was a similar request for a change from RA to A zoning on Belt Rd. to the south on a much smaller 2.6 acre site (12-C-01-RZ). In that case, the A zoning was approved with the following condition: permitted uses shall be limited to any use permitted by RA zoning that is also permitted in the A zone, with the exception that up to three farm animals may be maintained on the property as pets.

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 proposal is not compatible with the surrounding land uses and zoning pattern.
2. This proposal could create some direct or indirect adverse effects to the surrounding area, such as odor and noise, that would not be expected in a residential area.

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 proposes low density residential uses for the site, consistent with the current RA zoning. The proposed Agricultural zoning may also be considered in an LDR designated, as appropriate.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

Action:

Approved as Modified

Meeting Date: 8/9/2012

Details of Action:

Approve A (Agricultural) subject to 3 conditions:

- 1.Land uses shall be limited to those uses permitted in the "A" zone that are also uses permitted in

the "RA" zone; plus farming [Section 5.22.02(C)], limited to the keeping of no more than four (4) horses.

2. Maintain a 50 ft.-wide no disturb buffer area along the western property line abutting the residential lots to the west.

3. Maintain a 100 ft. setback for any barn or related structure from the same property line as identified in condition #2.

**Summary of Action:**

Recommend the Knox County Commission approve A (Agricultural) subject to 3 conditions:  
1. Land uses shall be limited to those uses permitted in the Agricultural zone that are also uses permitted in the RA zone; plus farming [Section 5.22.02(C)], limited to the keeping of no more than four (4) horses.  
2. Maintain a 50 ft.-wide no disturb buffer area along the western property line abutting the residential lots to the west.  
3. Maintain a 100 ft. setback for any barn or related structure from the same property line as identified in condition #2.

**Date of Approval:**

8/9/2012

**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:**

9/24/2012

**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:**