

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 8-J-23-RZ                      **Related File Number:**  
**Application Filed:** 6/27/2023              **Date of Revision:**  
**Applicant:** SAMUEL HARWARD

## PROPERTY INFORMATION

**General Location:** North side of River Dr at Burchfield Dr  
**Other Parcel Info.:**  
**Tax ID Number:** 76 J B 002.01                      **Jurisdiction:** County  
**Size of Tract:** 0.76 acres  
**Accessibility:** Access is via River Dr, a local street with a 15-ft pavement width within 51-ft of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Northwest County      **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This property is in a single family residential subdivision on the eastside of Oak Ridge Hwy along the Clinch River.

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

**Street:** 8117 RIVER DR  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RAE (Exclusive Residential)  
**Former Zoning:** None noted.  
**Requested Zoning:** RA (Low Density Residential)  
**Previous Requests:**  
**Extension of Zone:** No, it is not an extension.  
**History of Zoning:** None noted.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential), HP (Hillside Protection), SP (Stream 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.):

Deny the RA (Low Density Residential) zone because it is inconsistent within the surrounding development.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 16.30.01, 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 COUNTY GENERALLY:

1. This property is within the Burchfield Heights subdivision zoned RAE. There have been no RA rezonings in the area in recent years to warrant a change.
2. The only RA zoning within the subdivision is a church at the end of the block. It has access to Oak Ridge Hwy and is on a much larger lot than the single family residences within the subdivision.

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

1. The RA zone provides for residential areas with low population densities.
2. In the RA zone, the minimum lot size for a lot with a single family dwelling is 20,000 sq-ft if sewer is not provided. RA zone allows duplexes and garage apartments on the same lot as a house, with Use on Review approval by the Planning Commission. Built at maximum capacity, this 33,163 sq ft lot could be developed with up to 1 additional unit or 2.63 du/ac.
3. This lot could accommodate 2 units and be consistent with the standards of the RA zone. However, the zone would not be consistent with the surrounding area.

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 property has access to a local street. River Rd is approximately 20-ft, which meets public road standards.
2. This site has some constraints, but they do not preclude development. 0.30 acres of the parcel are within the HP (Hillside Protection) overlay. The slope analysis identifies a minimal disturbance limit of 0.15 acres within the HP area.
3. The property is entirely in the FEMA 100 yr flood zone. Any new structure would have to be built at elevation 800.0. Most of the lot is above the elevation without fill.
4. The lot sizes allowed in RA are similar to those in the existing neighborhood, so the subject property would likely be developed with lot sizes and low-density residential uses already in the 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 proposed RA district is consistent with the Northwest County Sector Plan Low Density Residential land use designation, which recommends low density residential up to 5 du/ac.
2. This property is located in the Planned Growth Area of the Growth Policy Plan where RA can be considered.
3. The proposed rezoning to RA aligns with Section 9.3 of the General Plan, which ensures that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.
4. The requested zoning district at this location is not in conflict with any other adopted plans.
5. Despite the fact that the request does is aligned with adopted plans, Planning does not recommend approval since it is out of character with the area and does not meet all the criteria for a rezoning.

**Action:** Approved with Conditions **Meeting Date:** 8/10/2023  
**Details of Action:** Approve RA (Low Density Residential) zone because the RA zone is not that different from the RAE zone and it would fit in with the rest of the neighborhood and surrounding zones, with the condition that the only additional use permitted on review is a garage apartment.  
**Summary of Action:** Approve RA (Low Density Residential) zone because the RA zone is not that different from the RAE zone and it would fit in with the rest of the neighborhood and surrounding zones, with the condition that the only additional use permitted on review is a garage apartment.  
**Date of Approval:** 8/10/2023 **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:** 9/25/2023 **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:**