

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-L-23-RZ **Related File Number:** 9-B-23-SP
Application Filed: 7/31/2023 **Date of Revision:**
Applicant: EDELMARY MARTINEZ

PROPERTY INFORMATION

General Location: South of Brown Mountain Loop Rd, East of Compton Ln.
Other Parcel Info.:
Tax ID Number: 124 P A 005 **Jurisdiction:** County
Size of Tract: 1.08 acres
Accessibility: Access is via Brown Mountain Loop Rd, a local street with 12 ft of pavement width within 40-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** 2DU/AC
Sector Plan: South County **Sector Plan Designation:** AG (Agricultural)
Growth Policy Plan: Rural Area
Neighborhood Context: The area is comprised of vacant and single family residential homes. Approximately .25 miles to the north is a subdivision with R-1 zoning.

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

Street: 507 BROWN MOUNTAIN LOOP RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No
History of Zoning: None Noted

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural)
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:

Naomi Hansen

Staff Recomm. (Abbr.):

Deny the PR (Planned Residential) zone because it is not consistent with the South County Sector Plan and it would allow development that may be out of character with the surrounding area.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, 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. There have been no significant changes to this area either in terms of private development or public improvements over the past 20 years. The subject property and surrounding lots are rural in character, with residences on large 22-acre parcels to small 0.5-acre lots, with single family residential as the predominant land use.

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

1. The PR zone allows for flexibility due to site constraints and prioritizes compatibility with adjacent zones. The subject property is not in the HP area, nor does it contain any FEMA floodplains or closed contour lines, so it does not appear to be constrained.
2. All surrounding properties are zoned A (Agricultural), which requires a minimum lot size of 1 acre. Therefore, the requested density of up to 2 du/ac is not consistent with the surrounding zoning.
3. The PR zone is generally designed for larger areas than the 1.08 acres featured here. The PR zone has a peripheral boundary that requires all buildings to be set back no less than 35 ft from the periphery, which significantly limits the area that can be developed.

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. PR zoning requires Planning Commission use on review approval of site plans prior to any development of the property. During this review, potential issues such as traffic, drainage, access, topography, lot layout, compatibility with neighborhood character and other development concerns can be addressed.
2. The adjacent properties to the east along Brown Mountain Loop Road are approximately 1/2 acre in size. These lots were platted in 1955 when the A zone's minimum lot size was 1/2 acre, so those lots are legal nonconforming. The applicant's requested density of 2 du/ac is consistent with lot sizes in the immediate 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. If the Sector Plan Amendment is denied as recommended, the proposed PR zone would be in conflict with the South County Sector Plan's AG (Agricultural) land use classification, which only supports 1 du/ac in the PR zone in the County's Rural Areas.

Action:

Denied

Meeting Date: 9/14/2023

Details of Action:

Summary of Action:

Deny the PR (Planned Residential) zone because it is not consistent with the South County Sector

Plan and it would allow development that may be out of character with the surrounding area.

Date of Approval:

Date of Denial: 9/14/2023

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 9/22/2023

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 11/20/2023

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved with Conditions

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Applicant must provide proof from KUB that sewer is available at the site.

Date of Legislative Appeal:

Effective Date of Ordinance: