

# CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 2-G-25-DP                      Related File Number: 2-SE-25-C  
Application Filed: 12/30/2024              Date of Revision:  
Applicant: JUSTIN BREINER

## PROPERTY INFORMATION

General Location: South side of Black Rd, northeast of N Campbell Station Rd  
Other Parcel Info.:  
Tax ID Number: 130 05805,05810                      Jurisdiction: County  
Size of Tract: 8.35 acres  
Accessibility: Access would be via Black Road, a minor collector with a pavement width which varies from 17 ft to 19 ft within a 55ft to 66 ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential, Agriculture/Forestry/Vacant Land  
Surrounding Land Use:  
Proposed Use: Attached residential subdivision                      Density: up to 2.99 DU/AC  
Planning Sector: Northwest County              Plan Designation: RC (Rural Conservation), HP (Hillside Ridgetop Protection)  
Growth Policy Plan: Rural Area  
Neighborhood Context: This area is characterized by residential uses comprised of single family attached and detached dwelling units on suburban lots.

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

Street: 0 BLACK RD  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 2.99 du/ac  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning: None noted.

## PLAN INFORMATION (where applicable)

Current Plan Category: N/A (Within City Limits)  
Requested Plan Category:

## **SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Black Ridge Pointe subdivision  
**No. of Lots Proposed:** 24      **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:** Samiul Haque

**Staff Recomm. (Abbr.):** Approve the development plan for a residential subdivision of attached dwelling units in the PR zone, and a peripheral setback reduction from 35 ft to 15 ft along the western and eastern boundaries, as shown on the site plan, subject to 3 conditions.

**Staff Recomm. (Full):**

1. No more than 22 attached dwelling units are permitted unless a new survey is approved and recorded verifying the subject property with the PR up to 2.99 du/ac zone is large enough to accommodate 1 additional attached dwelling unit.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. The maximum height of the attached dwellings shall be 35 feet.

**Comments:**

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)  
In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE, PR (Planned Residential) up to 2.99 du/ac:

A. The proposed density of 2.74 du/ac for unit 2 as well as the overall density of 2.96 du/ac for the entire subdivision is consistent with the approved PR zone of 2.99 du/ac.

B. The PR zone allows attached dwellings as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

C. The Planning Commission has the authority to reduce the 35-ft peripheral setback to 15 ft when adjacent to residential or agricultural zones. The requested reduction is consistent with the previously approved peripheral boundary.

2) KNOX COUNTY COMPREHENSIVE PLAN - IMPLEMENTATION POLICIES

A. Create neighborhoods with a variety of housing types and amenities in close proximity (Policy 5). – The development proposes a mix of single family houses and townhouses, and the property has easy vehicular access to Knoxville Christian School on Snyder Road and numerous commercial uses along Parkside Drive.

B. Encourage development practices that conserve and connect natural features and habitat (Policy 7). – The development proposes to preserve the forested area in the eastern section of the property.

3) FUTURE LAND USE MAP

A. The property has the RC (Rural Conservation) place type with the HP (Hillside Protection) designation. The land use mix of the RC place type lists detached houses as primary uses and attached houses as secondary uses. The place type requires preservation of 50% or more of open space. The calculation on the site plan indicates that 50.6% open areas will be undisturbed.

B. Approximately 9.4 acres of the property are within the Hillside Protection (HP) area. The slope analysis recommends a maximum disturbance budget of 6.3 acres, which shall be maintained per condition 9.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Rural Area. The Knox County Zoning Ordinance and Zoning Map shall determine land uses permitted in the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning.

B. Per the recently updated Growth Policy Plan, residential development in the Rural Area shall be limited to 2 du/ac. However, the property was rezoned to PR at 2.99 du/ac prior to the amendment to the plan and the rezoning (2-D-24-RZ, 2-A-24-SP) was consistent with the former Growth Policy Plan that allowed subdivisions with up to 3 du/ac provided the property met certain standards, such as utility connection and adequate road infrastructure.

**Action:** Approved with Conditions

**Meeting Date:** 2/13/2025

**Details of Action:**

**Summary of Action:** Approve the development plan for a residential subdivision of attached dwelling units in the PR zone, and a peripheral setback reduction from 35 ft to 15 ft along the western and eastern boundaries, as shown on the site plan, subject to 3 conditions.

**Date of Approval:** 2/13/2025

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville-Knox County Planning Commission

**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:**