

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 6-G-24-RZ                      **Related File Number:**  
**Application Filed:** 4/25/2024              **Date of Revision:**  
**Applicant:** LESLIE BRUSSEL-SMITH

## PROPERTY INFORMATION

**General Location:** West side of Collier Rd, east of Ponderosa Dr  
**Other Parcel Info.:**  
**Tax ID Number:** 46 142                      **Jurisdiction:** County  
**Size of Tract:** 1.64 acres  
**Accessibility:** Access is via Collier Road, a local street with a 21.25-ft pavement width within a 50-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Planning Sector:** North County              **Plan Designation:** LDR (Low Density Residential), HP (Hillside Protection)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The surrounding area largely consists of single-family houses situated on large lots.

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

**Street:** 8237 COLLIER RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** RA (Low Density Residential)  
**Previous Requests:**  
**Extension of Zone:** No, this is not an extension of the zone.  
**History of Zoning:** None noted for this property.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential), HP (Hillside 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:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the RA (Low Density Residential) zone because it is consistent with the Knox County Comprehensive Plan and other development in the area.

Staff Recomm. (Full):

Comments:

This plan was submitted prior to the adoption of the Knox County Comprehensive Land Use and Transportation Plan. The new Comprehensive Land Use and Transportation Plan was adopted on April 26, 2024 and this request was evaluated under it.

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. The area surrounding the subject property has experienced a transition from the A (Agricultural) zone to the PR (Planned Residential) zone since the early 1990s. Additionally, a lot of RB (General Residential) and RA (Low Density Residential) is present in the area.

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. The surrounding area consists of low density residential development, so the request for RA on this property is consistent with the zone's intent.
- 2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses. The RA zone allows predominantly residential uses, though there are a handful of low-impact, nonresidential uses allowed.

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 rear of the property is in an HP (Hillside Protection) area. Most of the rear of the site has a slope ranging from 15-25%, though there is a small ridge of slope above 40% in the rear corner of the property along the southern lot line.
- 2. There appears to be a blue-line stream running through the property from north to south. If this is a blue-line stream, it will require a stream buffer area on each side of the stream. Site plans would need to comply with the Knox County Stormwater Ordinance, and this would be reviewed during the permitting phase.
- 3. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a density of roughly 4 du/ac. Built at maximum capacity, this property could be developed with up to 7 lots. However, the topography will make the property challenging to develop with the maximum number of lots allowed by the RA zone.
- 4. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the A, RB, RA, and PR zones, the latter with densities of up to 2, 2.5, and 3 du/ac. The RA zone is consistent with the area.
- 5. This property is approximately 1/3 mile south of W Copeland Drive, a major collector, so no traffic would be required through residential streets to access the property.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

- 1. The property is in the Planned Growth Area of Knox County. The Purpose Statement of the Planned

Growth Area includes the intent to encourage a reasonably compact pattern of development, offer a range of housing options, and coordinate actions of the public and private sectors regarding the provision of adequate roads, utilities, schools, drainage, and other public facilities and services. The subject property has access to sewer and abuts Gibbs Elementary School to the west. Its location on Gibbs Road, which connects Tazewell Pike, a minor arterial, and E Emory Road, a major arterial, meet the stated intent of the Planned Growth Area.

2. This application was accepted when the General Plan was still in effect. The subject property was designated as the LDR (Low Density Residential) land use classification in the North County Sector Plan, which allowed consideration of the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.

3. Under the Comprehensive Plan, the plan in effect at the time of this request being heard by the Planning Commission, the property is designated as the SR (Suburban Residential) place type in the Knox County Comprehensive Plan, which allows consideration of the RA zone.

4. The RA zone is consistent with the Comprehensive Plan's implementation policy 2, to ensure that new development is sensitive to existing community character. The lot sizes and uses allowed by the RA zone are consistent with other residential development in the area.

**Action:** Approved **Meeting Date:** 6/13/2024

**Details of Action:**

**Summary of Action:** Approve the RA (Low Density Residential) zone because it is consistent with the Knox County Comprehensive Plan and other development in the area.

**Date of Approval:** 6/13/2024 **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:** 7/15/2024

**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:**