

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 6-M-24-RZ                      **Related File Number:**  
**Application Filed:** 4/29/2024              **Date of Revision:**  
**Applicant:** STEFAN CLAAR - 1222 DEVELOPMENT

## PROPERTY INFORMATION

**General Location:** North side of Howell Ln, south side of Foust Dr, southwest of Mascot Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 51 D C 01001                      **Jurisdiction:** County  
**Size of Tract:** 5.24 acres  
**Accessibility:** Access is via Howell Lane, an unstriped local road with a pavement width of 12 ft within a 30-ft right-of-way. Access is also via Foust Dr, a local street with a 14-ft pavement width within a 40-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:** up to 2 du/ac  
**Planning Sector:** Northeast County              **Plan Designation:**  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This property is located in the Three Points community, south of Rutledge Pike and west of Mascot Road. The area is developed primarily with single family residential houses and a couple of duplexes. There are two small commercial nodes to the northeast.

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

**Street:** 8511 HOWELL LN  
**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, this will not be an extension of the zone.  
**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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Samiul Haque

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development.

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 CITY/COUNTY GENERALLY:

1. The immediate area has a modest transition from the A zone to the PR and RA zones, which began in 1985 but has undergone a small uptick in the frequency of these requests, picking up momentum in the mid 2000s. One of these rezoning cases led to the development of the 38-lot Brooks Meadow subdivision north of the subject property, on a property with the PR zone with a density up to 4.7 du/ac.
2. Residential development under the PR zone with a density of 2 du/ac would allow lot sizes that would likely be compatible with the area. Many of the surrounding properties with the A (Agricultural) zone are nonconforming to the 1-acre minimum lot size requirement and were developed as single-family residential uses.

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

1. The PR zone is intended to provide flexibility for different types of residential development. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.
2. At the requested density of 2 du/ac, this 5.28-acre property could have up to 10 dwelling units.
3. 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.

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. No adverse impacts are anticipated with this rezoning. PR zone at the requested density would be compatible with this area.
2. A Development Plan review by the Planning Commission will be required to further ensure compatibility with the surrounding area and mitigate any potential adverse issues.

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 PR zone is consistent with the subject property's location in the Planned Growth boundary of the Growth Policy Plan, which encourages a reasonably compact pattern of development and wide range of housing choices.
2. The proposed rezoning is compatible with the property's RL (Rural Living) place type as defined in the new Comprehensive Plan, which allows consideration of the PR zone with densities up to 2 du/ac.
3. Residential development at the requested density would be consistent with the Comprehensive Plan's implementation policy 2, which encourages to ensure that development is sensitive to existing community character.

Action:

Approved

Meeting Date: 6/13/2024

**Details of Action:**

**Summary of Action:** Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development.

**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:**