

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-K-24-RZ

Related File Number:

Application Filed: 6/24/2024

Date of Revision:

Applicant: LARRY KOONTZ

## PROPERTY INFORMATION

General Location: East side of York Rd, north of Inisbrook Way

Other Parcel Info.:

Tax ID Number: 19 P A 018

Jurisdiction: County

Size of Tract: 1.01 acres

Accessibility: Access is via York Road, a major collector street with a pavement width of 20 ft within a 48-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density: 2 du/ac

Planning Sector: North County

Plan Designation: RL (Rural Living), HP (Hillside Ridgetop Protection)

Growth Policy Plan: Rural Area

Neighborhood Context: The area comprises single family houses on lots with a wide range of acreage and undeveloped forested lands.

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

Street: 4338 YORK RD

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: RAE (Exclusive Residential), A (Agricultural)

Former Zoning:

Requested Zoning: PR (Planned Residential)

Previous Requests:

Extension of Zone: No, this is not an extension.

History of Zoning: A portion of the property was part of a rezoning over a larger area from A to RAE in 1980 (11-T-80-RZ).

## PLAN INFORMATION (where applicable)

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

Samiul Haque

Staff Recomm. (Abbr.):

Deny the PR (Planned Residential) zone with up to 2 du/ac because there are no substantial changing conditions in the area that warrants the rezoning.

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. The area is characterized by single family houses and undeveloped forested lands. The adjacent Wolf Lair subdivision was developed in the 1970s. There are no known significant changes in the surrounding developments that warrant the proposed rezoning.

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 which encourage more imaginative solutions to environmental design problems. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.

2. A portion of the property along the northeast lot line is in the HP area, with slopes in the up to 15% and 15-25% ranges. There are also steeper slopes on the southern lot line that are not in the HP area. The presence of slopes over the majority of the property would make it challenging to develop with an additional dwelling. This is something the PR zone would typically help to mitigate since it allows clustering. However, the PR zone is intended for larger properties and has a periphery boundary requirement of 35 ft. This would likely need a reduction at the time of the development plan should this request be approved.

3. At the requested density of 2 du/ac, this 1-acre property could accommodate a maximum of 2 single family houses or a duplex. This is one more unit than the property's current dual RAE and A zones would allow. There is RA zoning across the street. This zoning is older, legacy zoning that predates the sector plans and General Plan that were in place prior to the Comprehensive Plan. The RA zone is not consistent with the Knox County Comprehensive Plan, as its minimum lot size yields a density a little over 4 du/ac. It is not a zone that can be considered under the new plan's RL place type. The surrounding A and RAE zones are consistent with the Comprehensive Plan.

4. 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 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 significant adverse impacts would be anticipated with the requested rezoning. There are a couple of somewhat smaller lots with the PR zone approximately 0.25-mile southwest of the subject property.

2. At 2 du/ac, the density would be similar to the adjacent Wolf Lair subdivision across the street.

However, as mentioned previously, this development is not consistent with the Comprehensive Plan.

3. Any development under the PR zone would require development plan approval by the Planning Commission where issues such as access to the site and stormwater management will be reviewed by the Knox County Engineering & Public Works Department.

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 proposed rezoning is consistent with the subject property's location in the Rural Area of the Growth Policy Plan and meets all three conditions described in Policy 4.3 of the plan's 2024 amendment – a maximum density of 2 du/ac, availability of water/sewer infrastructure, and along a collector street with at least 18-ft pavement width.
2. The proposed rezoning is compatible with the recommended RL (Rural Living) place type as defined in the Comprehensive Plan, which allows consideration of the PR zone with a density up to 2 du/ac as a partially related zone.
3. Partially related zone considerations must meet additional criteria provided in Appendix H of the Comprehensive Plan to ensure their compatibility with the place type.

**Action:** Approved **Meeting Date:** 8/8/2024

**Details of Action:** Approve the PR (Planned Residential) zone up to 2 du/ac.

**Summary of Action:** Approve the PR (Planned Residential) zone up to 2 du/ac.

**Date of Approval:** 8/8/2024 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

<b>Legislative Body:</b>	Knox County Commission	
<b>Date of Legislative Action:</b>	9/16/2024	<b>Date of Legislative Action, Second Reading:</b>
<b>Ordinance Number:</b>		<b>Other Ordinance Number References:</b>
<b>Disposition of Case:</b>	Approved	<b>Disposition of Case, Second Reading:</b>
<b>If "Other":</b>		<b>If "Other":</b>
<b>Amendments:</b>		<b>Amendments:</b>
<b>Date of Legislative Appeal:</b>		<b>Effective Date of Ordinance:</b>