

▶ **FILE #:** 10-Q-06-RZ

**AGENDA ITEM #:** 88

**AGENDA DATE:** 10/12/2006

▶ **APPLICANT:** JEFF STEVENS

OWNER(S): STEVENS JEFF & AMY R BARGER

TAX ID NUMBER: 120 M A 012.03

JURISDICTION: City Council District 2

▶ **LOCATION:** Southwest side Lawford Rd., northwest of Scotswood Cir.

▶ **APPX. SIZE OF TRACT:** 4.6 acres

SECTOR PLAN: West City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Lawford Rd., a local street with 25' of pavement width within 50' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

▶ **PRESENT ZONING:** R-1 (Low Density Residential) and F-1 (Floodway)

▶ **ZONING REQUESTED:** OS-1 (Open Space Preservation) and F-1 (Floodway)

▶ **EXISTING LAND USE:** Playground and recreational use

▶ **PROPOSED USE:** Recreational and youth use, including a storage shed

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Dwellings / R-1 (Low Density Residential)

South: Dwellings / R-1 (Low Density Residential)

East: Lawford Rd. - Vacant land and floodway / R-1 (Low Density Residential) and F-1 (Floodway)

West: Vacant land and floodway / R-1 (Low Density Residential) and F-1 (Floodway)

NEIGHBORHOOD CONTEXT: This area is developed with low density residential development, zoned R-1.

**STAFF RECOMMENDATION:**

▶ **APPROVE OS-1 (Open Space Preservation) zoning.**

OS-1 zoning is appropriate for this vacant site containing a tributary of Fourth Creek, which is not part of any residential lots.

**COMMENTS:**

**NEED AND JUSTIFICATION FOR THE PROPOSAL**

1. OS-1 zoning is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. A creek tributary traverses through the subject property. OS-1 zoning is appropriate for this site to preserve the area around the floodway. The current R-1 zoning could potentially allow creation of individual lots for residential development.
3. The proposed OS-1 zoning is compatible with surrounding development, is consistent with the One Year and Sector Plans and is a more appropriate zone for this site than R-1.

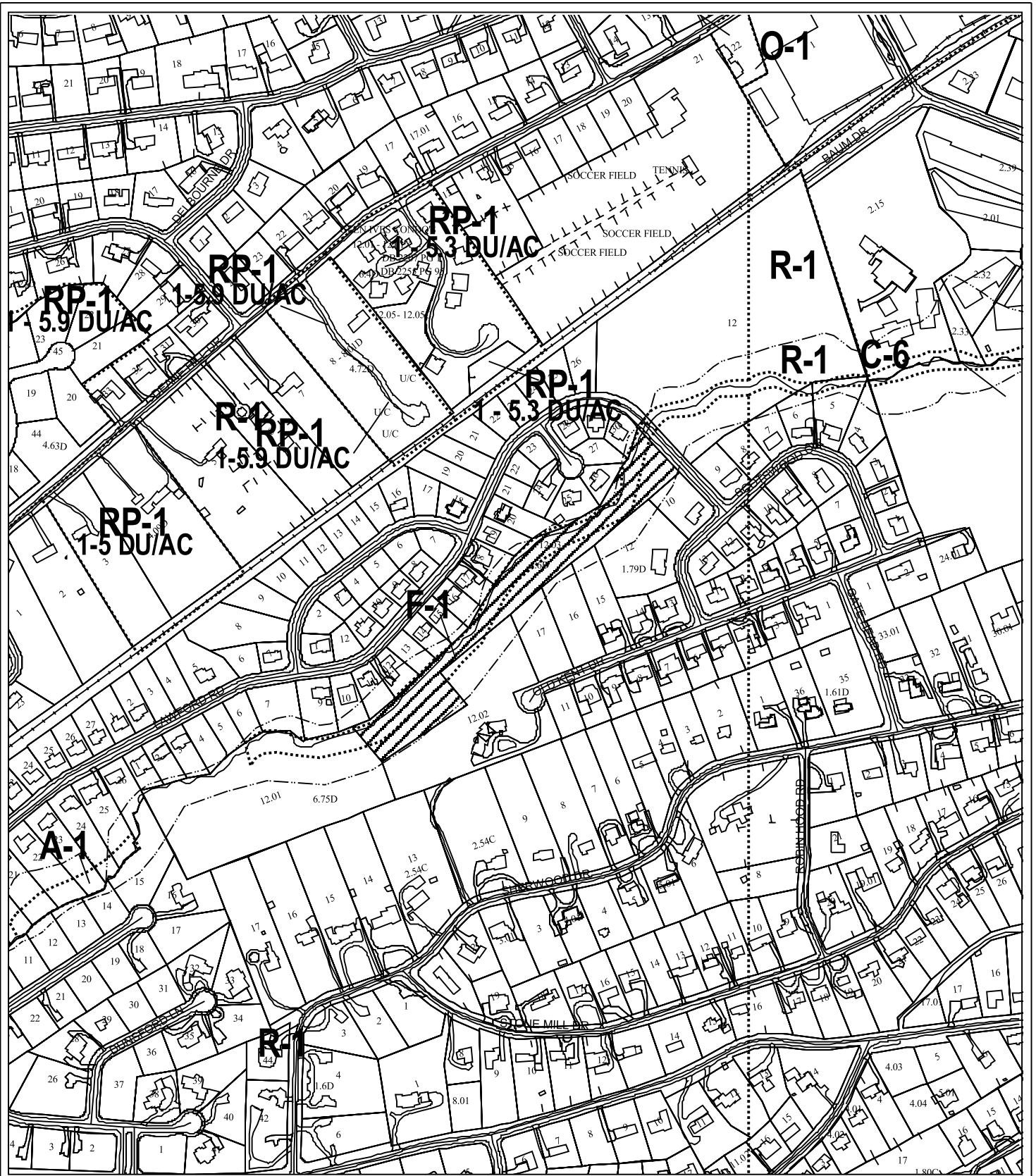
#### THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. This proposal will have no impact on schools or the street system.
3. The proposal is compatible with the surrounding zoning and will have minimal impact on surrounding properties.
4. In discussions with the attorney for the owner/applicant, it was reported that the applicant intends to construct a 10' by 10' storage shed on the property. The applicant, who also owns an adjacent lot (parcel 12) to the north on Lawford Rd., attempted to obtain a building permit from the City of Knoxville to construct the shed on the subject site under the current R-1 zoning, but the permit was not issued because the R-1 zone does not allow an accessory use unless there is a primary use on the same parcel. It is staff's understanding that this situation is what led to this rezoning application being filed. According to the attorney, the City of Knoxville Building Official has interpreted that the OS-1 zone would allow the storage shed to be built as an accessory use to the primary recreational use on the subject parcel. See the attached letter from the City of Knoxville Building Inspection Bureau.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan proposes stream and slope protection for the site, consistent with this proposal.
2. The City of Knoxville One Year Plan proposes low density residential uses for the site. OS-1 is listed as a permissible zone within the LDR designation.
3. This request could generate similar requests for OS-1 zoning in this area along the floodway.

If approved, this item will be forwarded to Knoxville City Council for action on 11/7/2006 and 11/21/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**10-Q-06-RZ  
REZONING**

Petitioner: Jeff Stevens

Map No: 120

Jurisdiction: City



From: R-1 (Single Family Residential) and F-1 (Floodway)

To: OS-1 (Open Space Preservation) and F-1 (Floodway)

Original Print Date: 09/26/06

Revised:

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

0 500'

