

▶ **FILE #:** 2-C-09-RZ

AGENDA ITEM #: 43

AGENDA DATE: 2/12/2009

▶ **APPLICANT:** KIM PAYNE

OWNER(S): PAYNE MICHAEL D & KIMBERLY O

TAX ID NUMBER: 46 059.02 PORTION ZONED OA

JURISDICTION: County Commission District 7

▶ **LOCATION:** Northeast side Heiskell Rd., northwest of W. Copeland Dr.

▶ **APPX. SIZE OF TRACT:** 0.45 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Heiskell Rd., a minor arterial street with 18' of pavement width within 50' of right of way.

UTILITIES: Water Source: Hallsdale-Powell Utility District
 Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Bullrun Creek

▶ **PRESENT ZONING:** OA (Office Park)

▶ **ZONING REQUESTED:** A (Agricultural)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Residence

EXTENSION OF ZONE: Yes, extension of A zoning from all sides

HISTORY OF ZONING: Property was zoned OA many years ago for a dental office

SURROUNDING LAND USE AND ZONING:
 North: House and vacant land / A (Agricultural)
 South: House and vacant land / A (Agricultural)
 East: Heiskell Rd. - Church / A (Agricultural)
 West: House and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with rural residential uses and a church under A zoning. The office use of the subject property has been discontinued at least a few years.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE A (Agricultural) zoning.**

Agricultural zoning is compatible with surrounding development and zoning in the area. The proposed zoning is consistent with the sector plan, while the current OA zoning is not.

COMMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The proposed Agricultural zone is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. The majority of the surrounding area is also zoned Agricultural.
3. The previous office use of the property, which required OA zoning, has been discontinued. The structure

appears to be used as a residence currently.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. Agricultural zoning is the predominant zone in most rural areas of Knox County. The zoning district permits agricultural uses and residential development on 1 acre or greater lots.
2. The entire subject parcel, including the portion already zoned Agricultural, is about 4 acres in size and is appropriate for the requested A zoning.

THE EFFECTS OF THIS PROPOSAL

1. Public water is available to serve the site. Sanitary sewer would have to be extended to this site.
2. The requested Agricultural zoning is less intense than the current OA zoning.
3. The effects of this proposal on adjacent properties are minimal.

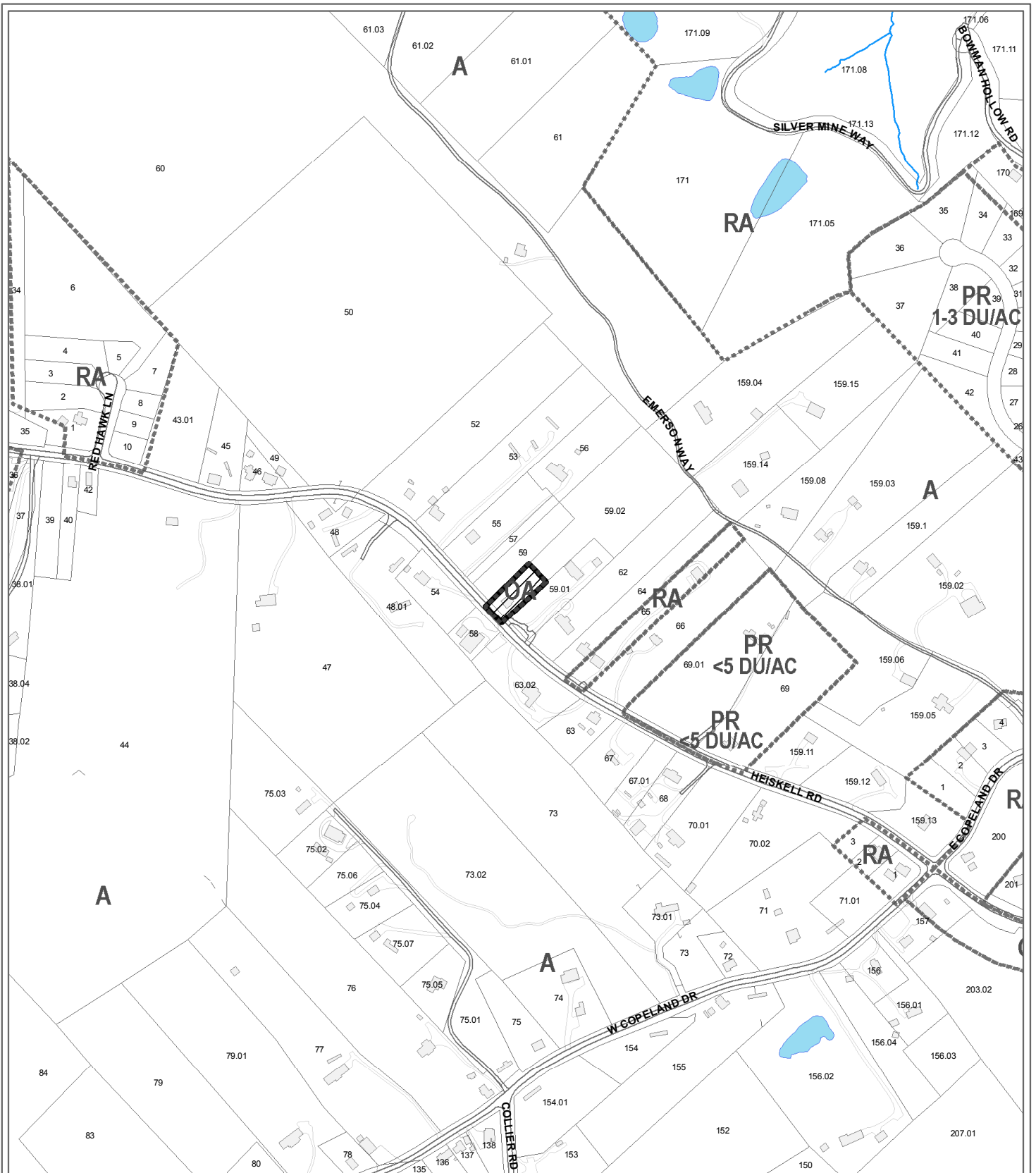
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan proposes agricultural and rural residential uses for the site, consistent with the proposal.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 3/23/2009. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**2-C-09-RZ
REZONING**

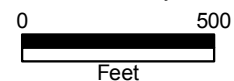
From: OA (Office Park)
To: A (Agricultural)



Petitioner: Payne, Kim

Map No: 46

Jurisdiction: County



Original Print Date: 1/23/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902