

# REZONING REPORT

▶ **FILE #:** 5-E-23-RZ

**AGENDA ITEM #:** 24

**AGENDA DATE:** 5/11/2023

▶ **APPLICANT:** RON WORLEY  
 OWNER(S): Ron Worley Worley Builders Inc.

TAX ID NUMBER: 91 014 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 BROWNVUE RD

▶ **LOCATION:** **West side of Brownvue Road**

▶ **APPX. SIZE OF TRACT:** **8.3 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Brownvue Road, an unstriped local road with a pavement width that varies from approximately 14 ft to 16 ft within a 36-ft wide right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

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

▶ **ZONING REQUESTED:** **RA (Low Density Residential)**

▶ **EXISTING LAND USE:** **Agriculture/Forestry/Vacant Land**

▶ EXTENSION OF ZONE: Yes, RA zoning is adjacent to the west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agricultural)

South: Rural residential - A (Agricultural)

East: Single family residential, rural residential, & agriculture/forestry/vacant - A (Agricultural)

West: Single family residential and rural residential - RA (Low Density Residential), E (Estate), & A (Agricultural)

NEIGHBORHOOD CONTEXT: This lot is located at the back of an established subdivision consisting of small lot, single-family detached residences. Karns Middle School is nearby off of Gary Hendrix Road.

**STAFF RECOMMENDATION:**

▶ **Approve the PR (Planned Residential) zone with up to 2 du/ac for the portion of the property shown in Exhibit B because it is consistent with the sector plan and surrounding development, subject to one condition.**

ZONING CONDITION

1) The portion of the parcel with slopes of 25% or greater shall be left undisturbed, as delineated in Exhibit A.

**COMMENTS:**

The applicant is requesting to rezone the property to RA (Low Density Residential), which allows a minimum lot size of 10,000 square feet since the property is served by sewer. At 8.30 acres, this could result in up to 36 lots. However, almost half of the site is in an HP (Hillside Protection) area. The rear portion of the subject property is located on a long, steep ridge. Due to the severe slope on the back half of the property, Planning is recommending a partial rezoning to the PR (Planned Residential) zone with a density of up to 2 du/ac for the portion of the property not constrained by severe slopes. The part of the parcel recommended for rezoning comprises 189,688 square feet (approximately 4.35 acres) and is shown in the exhibit maps.

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 is a mix of RA (Low Density Residential) and A (Agricultural) zoning. Properties zoned A have been transitioning to the PR (Planned Residential) and RA zones since the late 1980s. Properties to the north zoned PR include densities up to 3 du/ac and up to 4 du/ac on properties that are not in HP designated areas.

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

- 1. The RA provides for residential areas with low population densities.
- 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 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 slope analysis for the HP area recommended a disturbance area of up to 2.92 acres out of the total site, and recommended a density of 2.22 du/ac. The recommendation to rezone the front 4.35 acres to PR with up to 2 du/ac expands the disturbable area and is aligned with the recommended density of the analysis.
- 2. The recommended PR zone with a density of up to 2 du/ac would permit lot sizes and density more in line with the immediate area. There are two residential neighborhoods that connect to each other (Foothill Estates and Golden Meadows), and the subject property is at the end of one of these. The Foothill Estates subdivision leading to this parcel is zoned A, while the neighboring, but connected, Golden Meadows subdivision is zoned RA. The two subdivisions function like a single neighborhood and are built out with similar lot sizes despite the different zoning. Lots in the adjacent RA zone range from around 0.25 acres to 0.5 acres, while lots in the adjacent A zone are mostly 0.5 acres in size, which are nonconforming with the zoning ordinance.
- 3. The smaller lots in both subdivisions are on land that is relatively flat, which is not the case with the subject parcel. The recommended 2 du/ac in the front of the parcel would yield a density similar to that of the surrounding neighborhoods. The RA zone minimum lot size could lead to up to 4 du/ac on this site with potential grading of the steep slopes that are present at the rear of the site.
- 4. Brownvue Road has a pavement width that varies, but is as narrow as 14 ft in some locations, and it is not striped. As such, it would require improvements if built out with more than the 7-8 homes allowed under the current A zone according to the Knox County Department of Engineering and Public Works.

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

- 1. The subject property is designated as the LDR land use classification in Northwest County Sector Plan, which allows consideration of both the RA and PR zones, the latter with a density of up to 5 du/ac in the County's Planned Growth Area of the Growth Policy Plan.
- 2. Neither the requested nor the recommended zones are in conflict with the General Plan.
- 3. The requested RA zone's minimum lot size could result in a number of dwellings that exceeds the limits recommended by the slope analysis, which is a recommendation of the Hillside and Ridgetop Protection Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/26/2023. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the County.