

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-G-25-RZ **Related File Number:**
Application Filed: 3/18/2025 **Date of Revision:**
Applicant: ADAM AND ASHLEY FERNANDEZ

PROPERTY INFORMATION

General Location: North side of Buttermilk Rd, west of Marietta Church Rd
Other Parcel Info.:
Tax ID Number: 129 10901 **Jurisdiction:** County
Size of Tract: 1 acres
Accessibility: Access is via Buttermilk Road, a minor collector street with a pavement width of 18 ft within a 50-ft right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential
Surrounding Land Use:
Proposed Use: **Density:** up to 2 du/ac
Planning Sector: Northwest County **Plan Designation:** RL (Rural Living), HP (Hillside Ridgeline Protection)
Growth Policy Plan: Rural Area
Neighborhood Context: This area is characterized by single family dwellings on large rural lots amongst large areas of cleared and forested land.

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

Street: 12321 BUTTERMILK RD
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 would not be an extension.
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: Kelsey Bousquet

Staff Recomm. (Abbr.): Deny the PR (Planned Residential) zone with up to 2 du/ac because it is not consistent with the Knox County Growth Policy Plan.

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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Though agricultural activity is still prominent in this area, zoning has gradually transitioned from A (Agricultural) to residential zoning, such as RA (Low Density Residential) and PR (Planned Residential) with up to 2 to 3 du/ac.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. It is also intended to ensure compatibility with surrounding or adjacent zones. The PR zone with up to 2 du/ac is compatible with the surrounding residential zoning, which includes properties zoned RA and PR with up to 3 du/ac.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AN AMENDMENT.

1. The proposed 2 du/ac density could yield up to two lots. This density is compatible with the surrounding development, which includes residential properties on a range of lot sizes.

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 subject property is within the Rural Area of the Growth Policy Plan. Residential development in the Rural Area is limited to areas where utilities and infrastructure are currently available or can be expanded, and the Growth Policy Plan requires residential development to meet all of the following conditions: (a) no more than 2 dwelling units per acre, (b) sanitary sewer or a sewage system maintained by a public utility and public water must be available, and (c) must be on a collector road with a minimum pavement width of 18 ft. The proposed rezoning does not meet the second condition, as it is on a septic system, and connection to a sewage system would be challenging. As such, the rezoning of this site does not comply with the requirements of the Growth Policy Plan.

2. The subject property's place type is RL (Rural Living) in the Knox County Comprehensive Plan, which allows consideration of the PR zone with a density of 2 du/ac.

3. Per Appendix H of the Comprehensive Plan, partially related zones must meet additional criteria. The proposed rezoning complies with the first criterion, as the allowable land uses in the PR zone with up to 2 du/ac align with the preferred housing mix of the RL place type.

4. The proposed rezoning conflicts with the Comprehensive Plan's Implementation Policy 9.3, to focus growth in areas already served by adequate infrastructure, and Implementation Policy 9.5, to avoid approving isolated developments where infrastructure is inadequate or not yet planned. As previously mentioned, the subject property is located in a rural part of the county that does not have a connection to a sanitary sewer system.

Action: Approved

Meeting Date: 5/8/2025

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 2 du/ac because the owner has two septic permits on the property.

Date of Approval: 5/8/2025 **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, Second Reading:
Date of Legislative Action:	6/16/2025	Other Ordinance Number References:
Ordinance Number:		Disposition of Case, Second Reading:
Disposition of Case:	Approved	If "Other":
If "Other":		Amendments:
Amendments:		Effective Date of Ordinance:
Date of Legislative Appeal:		