

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 5-C-05-UR

**Related File Number:**

**Application Filed:** 4/11/2005

**Date of Revision:**

**Applicant:** KEN HILL

**Owner:**

## PROPERTY INFORMATION

**General Location:** North side Colchester Ridge Rd., west of Ebenezer Rd.

**Other Parcel Info.:**

**Tax ID Number:** 144 D E 004 OTHER: 144DG040

**Jurisdiction:** County

**Size of Tract:** 1.28 acres

**Accessibility:** Access is via Colchester Ridge Rd., a local boulevard street with 2 travel lanes having 20' of pavement width each within 80' of right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Community pool, parking, fencing and common area

**Surrounding Land Use:**

**Proposed Use:** Approval of community pool and parking on parcel 4 and fencing/common area on parcel 40

**Density:**

**Sector Plan:** Southwest County **Sector Plan Designation:** Low Density Residential

**Growth Policy Plan:** Planned Growth Area

**Neighborhood Context:** The subject property is located near the entrance of Benington subdivision off of Ebenezer Rd. The subdivision is developed with single family residences under PR zoning.

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

**Street:** 8817 Colchester Ridge Rd

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential)

**Former Zoning:**

**Requested Zoning:**

**Previous Requests:**

**Extension of Zone:**

**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

No. of Lots Proposed:                      No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE the development plan for a community pool and parking on parcel 4 and a designated common area on parcel 40, subject to 7 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Meeting all applicable requirements of the Knox County Health Department.
4. Adherence to all stipulations specified on the plans, as submitted by the applicant.
5. As proposed, the entire perimeter of the site must be maintained with secure, opaque fencing at a minimum height of six feet.
6. An administrative plat, combining the two subject parcels into one lot of record, must be submitted to MPC for review, certification and recording.
7. Installing all landscaping, as shown on the development plan, within six months of MPC's approval, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.

With the conditions noted above, this request meets all requirements for approval in the PR zoning district, as well as other criteria for approval of a use on review.

Comments: The applicant is seeking use on review approval for an existing community pool, parking area and a fenced-in common area, which serves the Benington and Farrington subdivisions. The pool has been operated by the Benington-Farrington Recreation Association since 1984. Use on review approval is required because the lot was not originally approved for a pool, but rather for a single family dwelling. The applicant has submitted materials that address issues such as hours of operation, use rights/restrictions and lighting. Staff has included a condition to insure that these stipulations are followed. Parking for up to 28 vehicles is provided at the front of the property. The plan shows evergreen trees included along the back and side property lines of the closest residence to the east to be added in with existing vegetation, providing screening from the proposed pool and common area.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE**

1. Public water and sewer is available to serve the site.
2. The existing community pool is a recreational amenity to the Benington and Farrington subdivisions and has been in use at this location for more than twenty years.
3. This request will have no impact on schools and minimal impact on adjacent properties.
4. The pool is located along a boulevard entrance drive for Benington subdivision, just four parcels west of Ebenezer Rd., so the traffic impact is minimal.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. The proposal is consistent with all requirements of the PR zoning district, as well as other criteria for approval of a use on review.
2. The proposed use is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The plans include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an

unsuitable environment for the proposed use.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Southwest County Sector Plan proposes low density residential uses for this site, consistent with the proposal.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**MPC Action:** Approved **MPC Meeting Date:** 5/12/2005

- Details of MPC action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  3. Meeting all applicable requirements of the Knox County Health Department.
  4. Adherence to all stipulations specified on the plans, as submitted by the applicant.
  5. As proposed, the entire perimeter of the site must be maintained with secure, opaque fencing at a minimum height of six feet.
  6. An administrative plat, combining the two subject parcels into one lot of record, must be submitted to MPC for review, certification and recording.
  7. Installing all landscaping, as shown on the development plan, within six months of MPC's approval, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.

**Summary of MPC action:** APPROVE the development plan for a community pool and parking on parcel 4 and a designated common area on parcel 40, subject to 7 conditions:

**Date of MPC Approval:** 5/12/2005 **Date of Denial:** **Postponements:**

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Board of Zoning Appeals

**Date of Legislative Action:** **Date of Legislative Action, Second Reading:**

**Ordinance Number:** **Other Ordinance Number References:**

**Disposition of Case:** **Disposition of Case, Second Reading:**

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**