

# CASE SUMMARY

## APPLICATION TYPE: REZONING

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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 8-I-10-RZ                      **Related File Number:**  
**Application Filed:** 7/7/2010              **Date of Revision:**  
**Applicant:** METROPOLITAN PLANNING COMMISSION

### PROPERTY INFORMATION

**General Location:** General rezoning of the Westmoreland area north of Westland Drive and west of Northshore Drive (map on file)  
**Other Parcel Info.:**  
**Tax ID Number:** 99999 9999                      **Jurisdiction:** City  
**Size of Tract:**  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** West City                      **Sector Plan Designation:**  
**Growth Policy Plan:**  
**Neighborhood Context:**

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:** EN-2 (Established Neighborhood- Proposed)  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

### 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.:

## ***MPC ACTION AND DISPOSITION***

Planner In Charge:

Mark Donaldson

Staff Recomm. (Abbr.):

approval of the general rezoning of the Westmoreland Heights area

Staff Recomm. (Full):

City Council, at the request of the neighborhood of Westmoreland Heights, requested that MPC consider making a recommendation on a general rezoning of the neighborhood from its current R-1 district to a new EN-2 district.

The R-1EN zone district was created in 2007 to protect established neighborhoods. As a result of working with Westmoreland Heights, R-1EN has been modified to EN, with the name of the zone district for previously zoned neighborhoods changed to EN-1 and a slightly modified set of zoning regulations established for Westmoreland Heights as EN-2.

The EN district creates dimensional regulations that reflect the existing development and subdivision pattern and enacts minimal design standards that respect the prevalent development character of the neighborhood. The district has been used in areas that were subdivided and developed outside the City of Knoxville and subsequently annexed into the city with R-1 zoning. The requirements of the R-1 zone district do not correspond to the actual development pattern of these areas. To date, R-1EN has been applied to the following areas:

- Holston Hills/Chilhowee Hills/Holston Heights area in east Knoxville  
o1,285 acres with 1,250 lots or parcels
- Highland Drive/Maple Drive area in Fountain City  
o124 acres with 173 lots or parcels
- Woodcrest Drive/Seminole Road area in Fountain City  
o114 acres with 192 lots or parcels
- Castle Heights/Sherwood Forest/Ridgecrest/BelCaro area in Fountain City  
o154 acres with 245 lots or parcels
- Curtis Lane in Fountain City  
o54 acres with 54 lots or parcels

MPC staff has been working with the Westmoreland Heights area over the last two years to apply the new EN-2 zone district to this established neighborhood in west Knoxville. It is located to the north of Westland Drive and contains property on Sherwood and Stone Mill Drives and Orchard and Hemlock Roads. The area contains 194 acres and 195 parcels, an average density of 1 house per acre. Currently platted lots and legal parcels of record will have legal nonconforming status, as will lots established on the City's ward map.

The proposed EN (Established Neighborhood) Residential Zone District creates a zone district for established neighborhoods that were developed with significantly larger lots than their current R-1 zoning. Its intent is twofold:

- to preserve the existing pattern of development by establishing dimensional requirements that more closely match the existing development, and
- to protect the existing character of development by establishing minimum design requirements for new housing within the neighborhood.

The EN zone district will prevent the subdivision of existing platted lots into smaller lots using the current R-1 standards, with a minimum lot size of 7,500 square feet, minimum lot width of 75 feet and a minimum front yard setback of 25 feet. There are many lots in the proposed district that could be subdivided into two or three lots. Exceptionally large parcels could qualify as infill parcels and allowed to develop under the requirements of the R-1EN district if they are at least 2 acres and have at least 250 feet of street frontage.

The EN zone district establishes minimum design requirements for any primary structure built or

moved into the district. These requirements will assure compatibility with the existing homes in the district. The EN-2 regulations developed for Westmoreland Heights waive many of the design requirements.

Many meetings were held with a group of neighborhood homeowners over the past two years. Jeff Baermann of the neighborhood association board reports a vote within the area was conducted by the board and 91% of those responding (78 of 86) supported the rezoning.

**Analysis:**

The proposed rezoning is requested to protect the neighborhood from changing conditions resulting from development utilizing the requirements of the R-1 zone district, which are substantially different than the prevailing historical development pattern. The rezoning is consistent with the intent of the zoning ordinance, will not adversely affect and other part of the city and is consistent with the General Plan policy to protect historic neighborhoods.

**Comments:**

City Council, at the request of the neighborhood of Westmoreland Heights, requested that MPC consider making a recommendation on a general rezoning of the neighborhood from its current R-1 district to a new EN-2 district.

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**Action:** Approved **Meeting Date:** 8/12/2010

**Details of Action:**

**Summary of Action:** EN-2 (Established Neighborhoods - Proposed)

**Date of Approval:** 8/12/2010 **Date of Denial:** **Postponements:**

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 9/7/2010

**Date of Legislative Action, Second Reading:** 9/21/2010

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

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

**If "Other":**

**If "Other":**

**Amendments:**

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**Date of Legislative Appeal:**

**Effective Date of Ordinance:**