

# 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

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

**File Number:** 1-C-10-UR

**Related File Number:**

**Application Filed:** 11/25/2009

**Date of Revision:**

**Applicant:** DAVID PERKINS

## PROPERTY INFORMATION

**General Location:** East side of Mellen Ave., just south of Eutaw Place.

**Other Parcel Info.:**

**Tax ID Number:** 107 M A 03201

**Jurisdiction:** City

**Size of Tract:** 21901 square feet

**Accessibility:** Access is via Mellen Ave., a local street with a 19' pavement width within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence

**Surrounding Land Use:**

**Proposed Use:** Home occupation for a music teacher and performer; telemarketing of performances, appearances and other services **Density:**

**Sector Plan:** West City **Sector Plan Designation:** LDR & HP

**Growth Policy Plan:** Urban Growth Area (Inside City Limits)

**Neighborhood Context:** The proposed home occupation is located within an established detached residential neighborhood.

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

**Street:** 516 Mellen Ave

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density 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:**



1. With the recommended conditions, the proposed home occupations are consistent with all requirements for the R-1 zoning district, as well as other criteria for approval of a home occupation as a use on review.
2. With the recommended conditions, the proposed home occupations are consistent with the following general standard for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and the One Year Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas.

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

1. The West City Sector Plan and One Year Plan identify this property as low density residential use. The R-1 (Low Density Residential) zoning of the property permits consideration of home occupations as a use on review.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved as Modified **Meeting Date:** 1/14/2010

- Details of Action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Teaching/musical instruction is limited to only one student on site at any given time and the instruction shall occur within the residence.
  3. There shall be no performances on site that are related in any way to the home occupations.
  4. No person, other than the applicant/resident, may work at the home occupation.

With the conditions noted above, this request meets all requirements for approval of a home occupation in the R-1 zoning district, as well as other criteria for approval of a use on review.

**Summary of Action:** APPROVE the home occupation for a music teacher subject to 4 conditions

**Date of Approval:** 1/14/2010 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:** 1/27/2010

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 2/23/2010 **Date of Legislative Action, Second Reading:** 3/9/2010

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

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

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

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

Appeal Failed - NO Motion

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