

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: 1-E-05-UR **Related File Number:**
Application Filed: 12/10/2004 **Date of Revision:**
Applicant: SEAN A. GILL (REFERRED BACK TO MPC BY CITY COUNCIL)
Owner:

PROPERTY INFORMATION

General Location: South side Beechwood Dr., northwest of Sarvis Dr.
Other Parcel Info.:
Tax ID Number: 123 K C 023 **Jurisdiction:** City
Size of Tract: 0.69 acre
Accessibility: Access is via Beechwood Dr., a local street with a pavement width of 14' to 16' within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached single family dwelling
Surrounding Land Use:
Proposed Use: Construction office (telephone answering & accounting only) **Density:**
Sector Plan: South City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located on a local street within an established single family residential neighborhood.

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

Street: 300 Beechwood Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Single Family 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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a building trades subcontractors office as a home occupation at this location as shown on the development plan subject to 5 conditions.

Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Engineering Dept.
3. Meeting all applicable requirements of the Knox County Health Dept.
 CONDITIONS ADDED BY MPC AT 1/13/2005 MEETING
4. No building materials be stored at the site and limit equipment storage to that equipment needed in the trade
5. Employees not gathering or congregating at the site.

With the conditions noted, this plan meets the requirements for approval in the R-1 district and the other criteria for approval of a use on review.

Comments: This matter was heard and approved by MPC at the January 13, 2005 MPC meeting. At that time MPC added two conditions to the approval which dealt with prohibiting the storage of building materials and limiting equipment storage at the site. The second condition prohibits the applicant's employees from gather or congregating at this site. MPC's approval of this item was appealed to City Council. City Council referred this matter back to MPC to rectify a procedural issue regarding the MPC action.

The applicant is requesting use on review approval of a home occupation for a building trades (stucco & plastering) subcontractors office in an R-1 (Single Family Residential) district. The applicant has operated this business at this location since 1996. He states that he has one truck and occasionally a utility trailer on the site. All of the equipment used in the business is located at a self storage facility. The office is located on the second floor of the attached garage. The applicant has one employee that works part-time from this location.

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

- 1. Public water and sewer utilities are in place to serve the site.
- 2. The proposal will have a minimal impact on the street and school systems.
- 3. The proposed home occupation is compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

- 1. The proposal meets all requirements of the R-1 zoning district and Article 5 Section 12 of the Knoxville Zoning Ordinance which deals specifically with home occupations as well as the general criteria for approval of a use on review.
- 2. The proposed subcontractors office as a home occupation is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the One Year Plan, General Plan and Sector 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. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. Both the City of Knoxville One Year Plan and the South City Sector Plan propose low density residential uses for the site.

MPC Action: Denied

MPC Meeting Date: 4/14/2005

Details of MPC action:

Summary of MPC action:

Date of MPC Approval:

Date of Denial: 4/14/2005

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 1/27/2005

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 3/1/2005

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Other

Disposition of Case, Second Reading:

If "Other": Referred back to MPC

If "Other":

Amendments:

Amendments:

Referred back to MPC

Date of Legislative Appeal:

Effective Date of Ordinance: