

# 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-F-17-UR                      **Related File Number:**  
**Application Filed:** 11/28/2016              **Date of Revision:**  
**Applicant:** KENNY MILLER GIBBS GROOM SHOP

## PROPERTY INFORMATION

**General Location:** West side Tazewell Pike, southwest of Barker Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 13 043                      **Jurisdiction:** County  
**Size of Tract:** 1.4 acres  
**Accessibility:** Access is via Tazewell Pike, a major collector street with 20' of pavement width within 40' of right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Event facility and kennel  
**Surrounding Land Use:**  
**Proposed Use:** Grooming and boarding of dogs                      **Density:**  
**Sector Plan:** Northeast County              **Sector Plan Designation:** PP (Public Parks & Refuges)  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This area has been developed with residential uses under A, RA and PR zoning. Gibbs High and Elementary Schools are located to the south along Tazewell Pike. Some commercial uses are located to the south at the intersection of Tazewell Pike and E. Emory Rd., zoned CA. The subject site is located in the Gibbs Ruritan Park.

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

**Street:** 7825 Tazewell Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**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:

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: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the request for a dog kennel, including dog grooming, containing approximately 3,000 square feet of floor area and 4,200 square feet of outdoor activity area as shown on the development plan, subject to 3 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 Public Works.  
3. Meeting all requirements of the Knox County Health Department.

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

Comments: The Gibbs Groom Shop is currently in operation and is seeking an after the fact approval from the use on this site. The Agricultural zone allows consideration of a kennel as use permitted on review, which the grooming shop does offer as a service. It is staff's opinion dog grooming is a service that can be provided by kennels and has an indistinguishable impact for surrounding uses.

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

1. The proposal will have no impact on schools.
2. No significant traffic will be added to the surrounding roads with the approval of this request.
3. There will be no impact on utility requirements in the area.
4. The grooming business is to the rear of the Gibbs Ruritan Club, in the basement level. There is a fenced outdoor pet activity area to the rear of the building, adjacent to a baseball field to the south and an agricultural property with a house to the west. The baseball field is in the Gibbs Ruritan Park, which is part of the Knox County park system.
5. The house to the west is approximately 220 feet from fenced outdoor activity area and the house to the east is approximately 245 feet. Veterinary clinics and animal hospitals, which are also a use permitted on review in the Agricultural zone, require that no animals be kept outdoors within 100 feet of any residence and that the applicant shall demonstrate that the use of the property will not create nuisance conditions for adjoining properties due to noise, odor, or lack of adequate sanitation. The City of Knoxville Zoning Ordinance has supplemental regulations for pet services (indoor/outdoor) and requires that all outdoor activity areas be located at least 150 feet from any lot in a residential zone or residential use, and that an evergreen screen be planted. The City's ordinance anticipates residential lots being much smaller and closer to commercial districts than County properties which usually are larger and have more separation between uses. In this case, the distance between the nearest houses and the outdoor activity area would be roughly equal to or more than the minimum City standard.
6. The outdoor activity area is buffered from the nearest residential use to the west with mature evergreen trees.

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

1. The proposed dog grooming and kennel in the A zone district 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 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 additional traffic through residential areas.
2. The Agricultural zone allows consideration of a kennel as use permitted on review, which the grooming shop does offer as a service. It is staff's opinion dog grooming is a service that can be

provided by kennels and has an indistinguishable impact for surrounding uses.

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

1. The Northeast County Sector Plan proposes public park uses for the site. The Gibbs Ruritan Club building and property has been included with the adjacent Gibbs Ruritan Park property on the land use plan but it is under private ownership and is not restricted use. The proposed dog grooming business is compatible with the adjacent public park.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 1/12/2017

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  2. Meeting all applicable requirements of the Knox County Department of Public Works.
  3. Meeting all requirements of the Knox County Health Department.

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

**Summary of Action:** APPROVE the request for a dog kennel, including dog grooming, containing approximately 3,000 square feet of floor area and 4,200 square feet of outdoor activity area as shown on the development plan, subject to 3 conditions.

**Date of Approval:** 1/12/2017 **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:**