

# 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:** 10-C-06-UR                      **Related File Number:**  
**Application Filed:** 7/25/2006              **Date of Revision:**  
**Applicant:** CHRISTINA HORN  
**Owner:**

## PROPERTY INFORMATION

**General Location:** Northwest side of Yosemite Trl., southeast of Bismark Trl.  
**Other Parcel Info.:**  
**Tax ID Number:** 107 H B 013                      **Jurisdiction:** City  
**Size of Tract:** 0.4 acres  
**Accessibility:** Access is via Yosemite Trl., a local street with a 50' right of way and 26' pavement width.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Piano lessons as a home occupation                      **Density:**  
**Sector Plan:** Northwest City                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** This neighborhood has been developed with residential dwellings under R-1 zoning.

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

**Street:** 5401 Yosemite Trl  
**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:**

**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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE musical instruction as a home occupation in the R-1 zoning district, subject to the following 7 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Meeting all applicable requirements of the Knoxville Department of Engineering.
  3. Adhering to all attached plans and stipulations for operation of a home occupation, as submitted by the applicant for purposes of this review.
  4. No more than two customer vehicles may be parked on-site at one time.
  5. No person, other than the applicant/resident, may work at the home occupation.
  6. No retail sales of any products may take place at the home occupation.
  7. Only one pupil at any given time will be allowed.

With the conditions noted above, this requests 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.

Comments: The applicant is requesting approval to teach piano lesson outside of her home at this residence on Yosemite Trail. Home occupations are a use permitted on review in the R-1 zoning district, and musical instruction may be permitted as a home occupation. The applicant is proposing to dedicate 144 square feet in this 3,400 square foot house to the lesson area, which is approximately 4% of the total floor area of the house. The maximum area allowed for a home occupation is 25% of the total floor area. The applicant has agreed that only one pupil may be permitted to be instructed at any given time. Lessons will be scheduled from 3:00 p.m. to 7:30 p.m. Monday through Thursday. No signage is proposed for the home occupation.

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

1. The request will not place any additional demand on schools and will have a minimal impact on street traffic. Public water and sewer utilities are in place to serve the site.
2. Only one student for instruction will be allowed at any one time, except there may be overlaps with students arriving for the next period of instruction.

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

1. The proposal is 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. The proposed home occupation is 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 Sector Plan. The use in is 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 City of Knoxville One Year Plan and the Northwest City Sector Plan propose low density residential uses for the subject property.
2. The current R-1 zoning of the property permits consideration of home occupations as a use on review.

MPC Action: Approved MPC Meeting Date: 10/12/2006

Details of MPC action: 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Adhering to all attached plans and stipulations for operation of a home occupation, as submitted by the applicant for purposes of this review.
4. No more than two customer vehicles may be parked on-site at one time.
5. No person, other than the applicant/resident, may work at the home occupation.
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7. Only one pupil at any given time will be allowed.

With the conditions noted above, this requests 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 MPC action:** APPROVE musical instruction as a home occupation in the R-1 zoning district, subject to the following 7 conditions:

**Date of MPC Approval:** 10/12/2006

**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:**

**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:**