

# 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  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 10-E-10-UR  
**Application Filed:** 8/30/2010  
**Applicant:** RACHEL LAYTON

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** East side of Woodpointe Dr., north of Rhododendron Drive  
**Other Parcel Info.:**  
**Tax ID Number:** 105 D B 003 **Jurisdiction:** County  
**Size of Tract:** 10700 square feet  
**Accessibility:** Access is via Woodpointe Dr., a local street with a 20' pavement width within a 30' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Child Day Care Center and residence **Density:** NA  
**Sector Plan:** Northwest County **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** The site is located in an established residential neighborhood.

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

**Street:** 1618 Woodpointe Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned 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:

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:** Tom Brechko

**Staff Recomm. (Abbr.):** APPROVE the request for a child day care center for up to 7 children in the PR zoning district, subject to 6 conditions

**Staff Recomm. (Full):**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Revising the existing fenced in play area to the dimensions designated on the attached development plan. Provide fencing to separate the children's play area from the dog run.
4. Provide a paved or gravel parking area on the north side of the driveway so that an improved parking surface exists for the three required parking spaces.
5. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.

With the conditions noted above, this request meets all requirements of the PR zoning district, as well as other criteria for approval of a use on review.

**Comments:** The applicant is requesting approval of a use on review for a child day care center for up to 7 children to be operated at an existing residence located on the east side of Woodpointe Dr., north of Rhododendron Dr. The applicant exceeds the minimum requirement of 210 square feet of primary care area within the residence. A 2585 square foot fenced outdoor play area will be located behind the residence. A total of three parking spaces are required for the residence and day care center. The existing paved driveway allows for two of the required spaces. A paved or gravel parking area needs to be added on the north side of the existing driveway to provide an improved parking surface for the third required space.

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

1. Public water and sewer utilities are available to serve the site.
2. Since the primary use of the site is a residence, and the child day care use is small in scale with a maximum of seven children, there should be minimal impact on neighboring residences and traffic patterns. The applicant will be providing the required parking on site.
3. The proposal will have no impact on schools.

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

1. The proposed child day care center 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. Due to the limited number of children, 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 due to the limitation of only seven children. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.
2. The proposal meets all requirements of the PR zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

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

1. The Northwest County Sector Plan propose low density residential use for this site. Since the

primary use of the site will still remain as a residence and a child day care center may be permitted in this district through the use on review process, the proposed use conforms with the sector plan.

2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved

**Meeting Date:** 10/14/2010

**Details of Action:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Revising the existing fenced in play area to the dimensions designated on the attached development plan. Provide fencing to separate the children's play area from the dog run.
4. Provide a paved or gravel parking area on the north side of the driveway so that an improved parking surface exists for the three required parking spaces.
5. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.

**Summary of Action:**

APPROVE the request for a child day care center for up to 7 children in the PR zoning district, subject to 6 conditions

**Date of Approval:** 10/14/2010

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**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:**