# **CASE SUMMARY**

## APPLICATION TYPE: USE ON REVIEW

File Number: 10-I-04-UR Related File Number:

**Application Filed:** 9/13/2004 **Date of Revision:** 

Applicant: PAUL SZLUHA, DVM

Owner:



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX•2 1 5 • 2 0 6 8 www•knoxmpc•org

## PROPERTY INFORMATION

General Location: Northwest corner of Middlebrook Pike and Frederick Dr.

Other Parcel Info.:

Tax ID Number: 105 | A 011 Jurisdiction: County

Size of Tract: 0.544 acres

Accessibility: Access is via Frederick Dr., a local street with a 26' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Florist (presently vacant)

**Surrounding Land Use:** 

Proposed Use: Veterinary clinic Density:

Sector Plan: Northwest County Sector Plan Designation:

Growth Policy Plan: Planned Growth Area

Neighborhood Context: The site is located in an area of Middlebrook Pike that is developing with a mix of office and commercial

uses.

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

Street: 9229 Middlebrook Pike

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

## ZONING INFORMATION (where applicable)

**Current Zoning:** CA (General Business)

Former Zoning:

**Requested Zoning:** 

**Previous Requests:** 

**Extension of Zone:** 

**History of Zoning:** Property zoned CA (General Business) in 1998.

### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

**Requested Plan Category:** 

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## 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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for a veterinary clinic in the CA zoning district, subject to 7 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 Engineering and Public Works.
- 3. Meeting all applicable requirements of the Knox County Health Department.
- 4. Installing all landscaping, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 5. Meeting all licensing requirements of the State of Tennessee regarding operation of a veterinary hospital.
- 6. Adherence to all stipulations of the attached materials, as submitted by the applicant.
- 7. Animals may only be boarded at the facility when medically necessary and associated with the medical care provided by the clinic.. No commercial kennel operations shall occur at the site.

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

Comments:

The applicant is proposing to convert an existing commercial building, that was previously used as a floral shop, into a veterinary clinic. There are currently 15 paved parking spaces on the site. While the property has frontage along Middlebrook Pike, the existing access to the site is from Frederick Dr. Access to the building will be from the existing ramp located at the rear of the building. The access to the deck along the front of the building will be removed with the deck providing access to the fenced in dog walk area located in the northwest corner of the site. While a kennel area is being provided inside the building, the clinic will not be providing kennel services. Animals will only be boarded at the facility related to the medical care provided by the clinic. The applicant has provided a site plan, floor plan and letter describing the operation of the proposed veterinary clinic.

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

- 1. Public water and sewer is available to serve the site.
- 2. Middlebrook Pike has sufficient capacity to handle the additional traffic which will be generated by this development.
- 3. This request will have minimal impact to adjacent properties since it will not operate as a commercial kennel and overnight boarding of animals is limited.

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

- 1. The proposal is consistent with all requirements of the CA zoning district, as well as other criteria for approval of a use on review.
- 2. The proposed use 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 plans include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use should 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 an unsuitable environment for the proposed use.

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

- 1. The Northwest County Sector Plan proposes mixed use development for this property.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action: Approved

Approved MPC Meeting Date: 10/14/2004

**Details of MPC action:** 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

- 2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 3. Meeting all applicable requirements of the Knox County Health Department.
- 4. Installing all landscaping, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
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**Summary of MPC action:** APPROVE the development plan for a veterinary clinic in the CA zoning district, subject to 7 conditions:

Date of MPC Approval: 10/14/2004 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?:

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knox County Board of Zoning Appe	als
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:

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