CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 11-E-10-UR Related File Number:

Application Filed: 9/27/2010 Date of Revision:

Applicant: DONALD FERGUSON



Suite 403 • City County Building 4 0 0 Main Street 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

PROPERTY INFORMATION

General Location: West side of N. Forest Park Bv., north of Newcom Av.

Other Parcel Info.:

Tax ID Number: 107 K G 007 Jurisdiction: City

Size of Tract: 10500 square feet

Access is via N. Forest Park Bv., a minor collector street with a pavement width of 32' within a 50' wide

right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office / dwelling

Surrounding Land Use:

Proposed Use: Home occupation for a domestic Kitchen Density:

Sector Plan: West City Sector Plan Designation: MU-SD (Bearden Village WC-1)

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: The site is located in an area that has been transitioning from residential use to office and commercial

uses during the past three decades. A number of the structures that were built as dwellings have now

been converted for small office use.

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

Street: 313 N Forest Park Blvd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O-1 (Office, Medical, and Related Services)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: The site was zoned O-1 (Office, Medical and Related Services) in 1986

PLAN INFORMATION (where applicable)

Current Plan Category:

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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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a domestic kitchen as an home occupation subject to 8 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance

- 2. Meeting all applicable requirements of the Knoxville Fire Marshall's office
- 3. Meeting all applicable requirements of the Knox County Health Dept.
- 4. Meeting all applicable requirements of the Tennessee Dept. of Agriculture
- 5. No walk-in retail trade. All cakes or pastries are to be prepared on site and pre-ordered for pick-up or delivery only
- 6. The applicant must reside in the dwelling
- 7. There shall be no change in the outside appearance of the building
- 8. No more than one building mounted sign not to exceed 2 sq. ft. in area may be permitted

With conditions noted this request meets the requirements for a home occupation in the O-1 (Office, Medical and Related Services) District and the other criteria for approval of a use on review

Comments:

The applicant are proposing to operate a "domestic kitchen" as a home occupation. It is their intent to bake cakes and other pastries at this location. They will require that all baked goods be pre ordered. They will not cater to walk-in retail trade. The site is zoned O-1 office and has been used as an office in the recent past. In order to operate the proposed business, the applicant will have to live in the dwelling.

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

- 1. The proposed self home occupation will have minimal impact on local services since all utilities are available to serve this site.
- 2. Traffic generated from this type facility is minimal and will have little or no additional impact on N. Forest Park By.

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

- 1. With the recommended conditions, the proposed home occupation meets the standards for development within the O-1zoning district and all other requirements of the Zoning Ordinance..
- 2. The proposed home occupation 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 area 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The West City Sector Plan and One Year Plan identifies this property as being within a larger mixed use area of residential, office and commercial uses being permitted.

Action: Approved Meeting Date: 11/10/2010

Details of Action:

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Summary of Action: APPROVE the request for a domestic kitchen as an home occupation subject to 8 conditions Date of Approval: 11/10/2010 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:

Effective Date of Ordinance:

Amendments:

Date of Legislative Appeal:

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