

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: 2-C-06-UR **Related File Number:**
Application Filed: 1/6/2006 **Date of Revision:**
Applicant: TONEY CALACINO
Owner:

PROPERTY INFORMATION

General Location: Northwest side of Three Points Road, northwest of Rutledge Pike
Other Parcel Info.:
Tax ID Number: 42 00801 **Jurisdiction:** County
Size of Tract: 0.65 acres
Accessibility: Access is via Three Points Road, a local street with 16' of pavement width and 40' right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Dog Kennel (boarding and grooming) **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** SLPA & LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area has been developed with residential uses, but still has a good deal of land with an agricultural character.

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

Street: 9105 Three Points Rd
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:

space. The driveway is currently 10' wide and filled with gravel. In addition to a 25' driveway aisle, 5 parking spaces totaling 1000 square feet will be provided and paved.

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

The proposed use will place additional traffic demands onto Three Points Road. However, the potential negative impacts of the kennel on surrounding properties should be mitigated by the following 6 factors:

1. The 125' distance between the proposed kennel and the nearest residence will help reduce noise, odor and aesthetic impacts. To the east and rear of the subject property is a community building (Mascot Lodge). Adjacent to the property, directly across Rutledge Pike, is low density residential development with an agricultural character. The adjacent property is zoned CA (General Business) but has yet to develop with business uses.
2. The operational guidelines indicate that dogs will be kept inside from 7:00pm to 8:00am, reducing noise impacts during the evening/night hours. During normal business hours dogs will be kept indoors and let into the screened dog run 3 times per day, around 8:00am, 2:00pm, and 7:00pm.
3. The operational guidelines indicate that there will be a maximum number of 10 dogs kenneled at one time and 6 dogs groomed per day. These limitations will minimize the impact on surrounding property by not significantly increasing traffic accessing Three Points Road.
4. The property has access to public water and sewer, but septic services are currently being utilized. The applicant agrees that the property must be connected to sanitary sewer.
5. The operational guidelines indicate that fecal matter will be regularly disposed of from the kennel and exercise areas.
6. The exterior of the structure on the subject property will remain in its current condition. This will help maintain the residential character along Three Points Road.

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

1. The proposal is consistent with general standards for uses permitted on review. The use is consistent with adopted plans and policies, as well as the intent of the zoning regulations. The Agricultural zone allows dog kennels to be considered as a use on review. The proposed use, because it is a small scale facility with limited hours of operation, should not create noticeable hardships for neighbors. The use will be compatible with the character of the surrounding area, especially when/if the property across Rutledge Pike develops with commercial uses. Potential impacts such as noise from barking dogs, traffic and potential odors have been addressed sufficiently by the development plans and materials submitted by the applicant.
2. The Knox County Zoning Ordinance does not contain specific standards for the regulation of dog kennels. The Knox County Health Department has reviewed the plans and required that the property be connected to sanitary sewer, which is available to the site. (See attached letter from Ronnie Neece). Staff has made use of all available information gathered during past reviews of dog kennels and boarding facilities to make these recommendations. Staff has attempted to address all potential issues that may arise by locating a dog kennel and grooming business at this site.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

The Northeast County Sector Plan proposes Low Density Residential and Slope Protection for this property. It should be noted that the property does slope back toward the rear. This slope will not impact the proposed use. The Agricultural zoning on the property will not change as a result of this request. This zone is consistent with the Northeast County Sector Plan's designation of low density residential and slope protection for the site. The Agricultural zone allows dog kennels to be considered as a use on review if approved by the Planning Commission.

MPC Action: Approved

MPC Meeting Date: 2/9/2006

- Details of MPC action:**
1. Adherence to all stipulations of the attached development plan and other materials, as submitted by the applicant. (attached)
 2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 3. Meeting all applicable requirements of the Knox County Engineering Department.
 4. Connecting to sanitary sewer and meeting all applicable requirements of the Knox County Health Department.

5. No sales of pet supplies will be permitted.
6. Hours of operation (including dropping off or picking up dogs) is limited to 8am - 6pm, Monday through Saturday.
7. The maximum number of dogs to be groomed through the course of one business day will be limited to 6 dogs. The maximum number of dogs to be boarded at one time will be 10.
8. No dogs may be outside on the property at any time, other than for the transfer from customers dropping off or picking up animals.
9. The proposed dog run shall be screened to ensure dogs are not in view of adjacent property owners.
10. Improving the driveway and proposed parking to meet County Engineering standards. The driveway, the 4 standard parking spaces and the single handicapped space shall be paved. Each parking space must be 10' by 20' and the drive aisle must be a minimum width of 25'.
11. One, non-illuminated business sign shall be permitted and may not exceed an area of 50 square feet and 8 feet in height. The sign shall be located no closer than 20 feet to the front property line (1/2 the required setback distance).
12. A revised development plan reflecting the conditions of approval must be submitted to MPC prior to building permit issuance.

Summary of MPC action: APPROVE the proposed dog kennel/grooming facility in the A (Agricultural) zone, subject to 12 conditions.

Date of MPC Approval: 2/9/2006

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: