CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 2-C-08-UR Related File Number:

Application Filed: 12/27/2008 Date of Revision:

Applicant: JOHN WERNER



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: Northwest side of Delbourne Dr., south of Wellington Dr.

Other Parcel Info.:

Tax ID Number: 120 E G 016 Jurisdiction: City

Size of Tract: 24000 square feet

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

GENERAL LAND USE INFORMATION

Existing Land Use: Detached dwelling

Surrounding Land Use:

Proposed Use: Business service consultant Density:

Sector Plan: West City Sector Plan Designation: LDR (Low Density Residential)

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

Neighborhood Context: The site is located on Delbourne Dr., a local street with a pavement width of 26' within a 50' wide right-

of-way. The site is located within Deane Hill subdivision.

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

Street: 7105 Delbourne Dr

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:

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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 office of a business service consultant as a home occupation in the R-1 zoning district, subject to 6 conditions:

Staff Recomm. (Full):

- 1. Meeting all applicable requirements of the Knoxville Department of Engineering.
- 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
- 3. Adhering to all attached plans and stipulations, as submitted by the applicant for purposes of this review.
- 4. No additional business signage may be placed anywhere on the subject property.
- 5. No more than one customer vehicles may be parked on the site at any one time.
- 6. No other persons shall work at the business other than the owner/resident of the home and one employee.

With the conditions noted above, this request 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 of a business service consultant's office as a home occupation. Home occupations are listed as a use permitted on review in the R-1 zoning district and based on the applicant's description of the proposed business it may be permitted as home occupations. The applicant obtained a City Business License on September 16, 2007 for this home office. He was recently cited by the City of Knoxville Building Inspection Bureau for operation of a business in the residential zone without MPC use on review approval of a home occupation. He is seeking that approval now.

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 the impact on streets is minimal. The business will not draw additional traffic to this site. Public water and sewer utilities are available to serve the site.
- 2. The request should not have a significant impact on adjacent properties because no changes to the property are being proposed.

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

- 1. 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 neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw significant additional traffic through residential areas.
- 2. As proposed by the applicant, the proposal is consistent with the specific requirements of the attached Article 5, Section 12 of the Knoxville Zoning Ordinance, concerning home occupations.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. Both the City of Knoxville One Year Plan and the West City Sector Plan propose low density residential uses for this site, consistent with the R-1 zoning of the subject property.

MPC Action: Approved

MPC Meeting Date: 2/14/2008

Details of MPC action:

- 1. Meeting all applicable requirements of the Knoxville Department of Engineering.
- 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

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- 3. Adhering to all attached plans and stipulations, as submitted by the applicant for purposes of this review.
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Summary of MPC action: APPROVE the office of a business service consultant as a home occupation in the R-1 zoning district,

subject to 6 conditions:

Date of MPC Approval: 2/14/2008 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:

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