

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: 3-G-17-UR **Related File Number:**
Application Filed: 1/23/2017 **Date of Revision:**
Applicant: BOB'S TRAILS, TREES, AND GARDENS ROBERT RICHARDS

PROPERTY INFORMATION

General Location: North side Layden Dr., east of Grandview Dr.
Other Parcel Info.:
Tax ID Number: 121 B D 019 **Jurisdiction:** City
Size of Tract: 0.6 acres
Accessibility: Access is via Layden Dr., a local street with a pavement width of 15' within a 40' wide right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached house
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: West City **Sector Plan Designation:** LDR (low density residential) & SLPA (slope protec
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The Lyons View neighborhood is located north of Lyons View Pike, east of S Northshore Drive and west of Cherokee Country Club. The residential neighborhood primarily consists of detached houses in the R-1 zone. There are also multi-dwelling condo buildings, offices, retail, and commercial enterprises developed in the R-2, O-1, C-3 and I-3 zones.

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

Street: 318 Layden 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: In 1996 the Lyons View neighborhood was rezoned from R-2 to R-1 (3-P-96-RZ).

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:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the applicant's request to operate a consulting business as a home occupation subject to 2 conditions.

Staff Recomm. (Full):

1. Meeting the requirements of Article 5, Section 12.E. of the Knoxville Zoning Ordinance, standards for a "home office".
2. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted above, this request meets all requirements for approval in the R-1 zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant owns and is the sole employee of a consulting business that he wishes to operate from his home. The business includes project management, grant administration, trail project development, trail design and route flagging, and technical assistance. The business will be primarily computer and phone based, and will meet clients off-site and does not anticipate clients visiting his residence. The applicant's home is a two bedroom house that is located at the eastern terminus of Layden Drive. The home based office will occupy approximately 36 sqft of the 841 sqft house, or approximately 4.3% of the floor area.

The function of the home occupation as presented by the applicant fits the standards of the "home office" use in Article 5, Section 12.E. (Home Occupations and Home Offices). A home office is "a space within a dwelling unit designed for and used to support an occupation of a person residing in the dwelling unit involving only written correspondence, telephones, computers, or other common office equipment." The home office standards require no customer, client or outside employees at the residence, no signage or visible evidence of the home office to the outside appearance of the residence or premises, no production or repair of products, no outdoor storage of material/product, and other standards that restrict the use so as to be compatible with a residential neighborhood setting.

There is currently only one zoning district that specifically references the "home office" use and that is the R-1E (low density exclusive residential) district, which allows home office uses by-right without use-on-review approval. Since no other residential zone district references a home office as a permitted use, it has been determined that when a "home occupation" is a use permitted on review in a residential zone that approval by the planning commission is required even if the proposed use meets the standards of a home office.

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

1. The proposed home occupation will have no impact on local services since utilities are available to serve this site.
2. The proposed home occupation, if restricted to the "home office" standards as recommended, is compatible with the surrounding neighborhood because it will not be seen nor will it create additional traffic.

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

1. With the recommended conditions, the proposed home occupation is consistent with all relevant requirements of the R-1 zoning, as well as other criteria for approval of a use on review.
2. With the recommended conditions, the use is consistent with the following general standards for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since outside employees and clients visiting his

residence.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The West City Sector Plan and Knoxville One Year Plan propose low density residential (LDR) uses for this site. The proposed development is consistent with the sector plan.
2. This site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 3/9/2017

Details of Action: 1. Meeting the requirements of Article 5, Section 12.E. of the Knoxville Zoning Ordinance, standards for a "home office".
2. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted above, this request meets all requirements for approval in the R-1 zoning district, as well as other criteria for approval of a use on review.

Summary of Action: APPROVE the applicant's request to operate a consulting business as a home occupation subject to 2 conditions.

Date of Approval: 3/9/2017 **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:**