

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 3-H-17-UR  
**Application Filed:** 1/23/2017  
**Applicant:** KEVIN JOHN DINSMORE

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** South side of Painter Ave., north side of Jersey Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 108 B E 02301 **Jurisdiction:** City  
**Size of Tract:** 1.9 acres  
**Accessibility:** Access is via Jersey Ave. , a local street with a pavement width of 19' to 21' within a 40' wide right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Condominiums  
**Surrounding Land Use:**  
**Proposed Use:** **Density:**  
**Sector Plan:** Central City **Sector Plan Designation:** MDR/O (Medium Density Residential / Office)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The area surrounding the proposed site has most recently been developed with a combination of multi-dwelling structures and offices. There are a few remaining detached dwellings in the immediate area. Zoning in the area is R-2 residential and O-1 office.

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

**Street:** 2733 Jersey Ave.,  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-2 (General 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:

**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 applicant's request to operate a construction management business as a home occupation as described in the accompanying material subject to 3 conditions

Staff Recomm. (Full):

1. No signage for the business
2. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance dealing with home occupations
3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance

Comments:

The applicant owns and is the sole employee of a construction management business that he wishes to operate from his home. A construction manager is typically a consultant that can be retained to oversee or manage a construction project from design to completion. They are tasked with efficiently managing costs and scheduling in order to avoid overruns or delays. This applicant states that his business will be primarily computer based. He has told staff that much of his work involves the management of construction projects for the Federal Government. He goes onto state that no construction equipment will be kept or stored on the site.

In this case the applicant's dwelling is a two bedroom condominium that is located just to the west of Concord Street. He has supplied staff with a letter of support from the management/board of his homeowners association. If operated as the applicant states, this will be an invisible business that will have no impact on the adjoining residences.

**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 compatible with the surrounding development because it will not be seen nor will it any 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-2 zoning, as well as other criteria for approval of a use on review.
2. 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 in is 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 the development has access to a minor arterial street.

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

1. The Central City Sector Plan and Knoxville One Year Plan propose medium density residential (MDR) and office (O) 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. No signage for the business
2. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance dealing with

home occupations

3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance

**Summary of Action:**

APPROVE the applicant's request to operate a construction management business as a home occupation as described in the accompanying material subject to 3 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:**