

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 4-A-24-UR **Related File Number:**
Application Filed: 1/31/2024 **Date of Revision:**
Applicant: JASON DECORT, JR

PROPERTY INFORMATION

General Location: South side of Stamps Ln, west of Camberley Dr
Other Parcel Info.:
Tax ID Number: 56 P B 024 **Jurisdiction:** County
Size of Tract: 2.53 acres
Accessibility: Access is via Stamps Lane, a local road with a pavement width ranging from 16-25 ft within a right-of-way of 40 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: Dog training and kenneling facility **Density:**
Sector Plan: North County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This property is surrounded by single family subdivisions in Powell.

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

Street: 3304 STAMPS LN
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: LDR (Low Density Residential)
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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Whitney Warner

Staff Recomm. (Abbr.):

Approve the request for a dog training facility with approximately 1,009 sq ft of floor area and 864 sq ft of outdoor fenced in turf area and overnight kenneling for up to 8 dogs, subject to 2 conditions.

Staff Recomm. (Full):

- 1) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works, including a Special Pollution Abatement Permit (SPAP) for extended overnight animal stay, which requires controls in place to collect animal waste and properly treat or dispose of it.
- 2) Meeting all applicable requirements of the Knox County Zoning Ordinance, including, but not limited to, the outdoor lighting and landscape screening standards in Section 4.10.

With the conditions noted, this plan meets the requirements for approval of a dog training facility with kenneling in the A (Agricultural) zone and the criteria for approval of a use on review.

Comments:

The applicant is requesting to allow for a dog training facility with overnight kenneling to be permitted as a secondary use, on a residential property. The existing 625 sq ft attached garage has been renovated for dog training and kenneling. Behind the garage is an 864 sq ft fenced outdoor turf area where dogs will be let out several times a day for 15-20 minutes at a time. Behind the fenced area is a cabin used for office space and parking for clients to drop off pets. The applicant anticipates having a maximum total of 6 dogs coming and going per day from 7am to 7pm Monday-Friday and 8am-noon on Saturdays with a maximum of 8 dogs kenneled overnight. The kenneled dogs will be trained in public and will not be onsite all day.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2)
The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

- A. The North County Sector Plan recommends low density residential uses for this site. The scale of the operation is consistent with home occupations, a low density residential use.
- B. General Plan Policy 8.12 -- When commercial uses abut residential property, use-on-review conditions requiring fencing, landscaping screens, and and/or deeper than usual building setbacks can provide buffers between properties. This property is located on Stamps Ln, a local road surrounded by single family homes on small to medium-sized lots. The subject project is on a lot much larger than most in the surrounding area at approximately 2.54 acres, and has larger setbacks than many residential properties because of its size. The outdoor area is fully enclosed with an 8 ft tall wooden fence, and the eastern property line has existing mature vegetation approximately 25 ft in width.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

- A. The A zone provides for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces. The A zone allows consideration for dog kennels as a use permitted on review. The applicant anticipates having a maximum total of 6 dogs coming and going per day with a maximum of 8 dogs kenneled overnight. The kenneled dogs will be trained in public and will not be onsite all day making this less intense than typical kennels that have all activities on site. The proposed dog training and kenneling facility meets the general purpose and intent of the Knox County Zoning Ordinance as a permitted use on review.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

- A. The closest house to the west is approximately 150 ft from the fenced outdoor area and the closest house to the east is 190 ft. Veterinary clinics and animal hospitals, which are also a use permitted on review in the Agricultural zone, require that no animals be kept outdoors within 100 ft of any residence

and that the applicant shall demonstrate that the use of the property will not create nuisance conditions for adjoining properties due to noise, odor, or lack of adequate sanitation. In this case, the distance between the nearest houses and the outdoor activity area would be more than the minimum County standard, and the fencing and vegetation will help to mitigate noise from barking dogs. Since the plan proposes for dogs to be outside in limited intervals, it is not anticipated that the noise levels would be significantly different from a homeowner with dogs in the yard.

B. The site plan is compatible with residential properties. The outdoor area is behind the house with a solid wooden fence similar to many other residential backyards. The training area will be in the existing garage, and the office space is a cabin in the backyard similar in size to an accessory structure such as shed.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. There will not be any outdoor activities when it is dark out as all dogs are dropped off during daylight hours (9-10 am).

B. Kennels require a Special Pollution Abatement Permit. (Knox County Tennessee Stormwater Management Manual Vol. 2, Chapter 10, 10.2) that requires animal waste shall be prevented from entering streams, sinkholes, wetlands, ponds or any other component of the storm drain system. Controls shall be instituted to collect the animal waste and properly treat or dispose of it. The Special Pollution Abatement Permit (SPAP) will be reviewed during the design phase. The outdoor yard area will have pet astro turf to mitigate waste pollution.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The estimated 1-6 clients a day will not bring significant traffic through the residential neighborhoods.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

Action: Approved with Conditions **Meeting Date:** 4/11/2024

Details of Action:

Summary of Action: Approve the request for a dog training facility with approximately 1,009 sq ft of floor area and 864 sq ft of outdoor fenced in turf area and overnight kenneling for up to 8 dogs, subject to 2 conditions.

Date of Approval: 4/11/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville-Knox County Planning Commission

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:**