

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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www.knoxmpc.org

File Number: 4-F-12-UR
Application Filed: 2/27/2012
Applicant: HARRY WIERSEMA

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: South side of Smoky Trl., south of Shenandoah Dr.
Other Parcel Info.:
Tax ID Number: 107 H E 005 **Jurisdiction:** City
Size of Tract: 18700 square feet
Accessibility: Access is via Smoky Trl., 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: **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is surrounded by detached dwellings and it is located within the interior of Timbercrest Subdivision.

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

Street: 5420 Smoky Trl
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:

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 request for a home occupation for a dual law practice as requested, subject to the following 4 conditions

- Staff Recomm. (Full):
1. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance
 2. Provision of a total of 5 off-street parking spaces (2 for the dwelling and 3 for the business)
 3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
 4. Meeting all applicable requirements of the Knoxville Engineering Dept.

With the conditions noted, the request meets the requirements for approval in the R-1 zone and the other criteria for approval of a use on review

Comments: Mr. Weirsema is requesting approval of an attorneys office as a home occupation. Both he and his wife are attorneys, and they would like to locate their practice in their home. They state in the information provided with the application that they are wanting to operate a "retirement practice" at this location. Most matters that they handle can be done without the client ever coming to the office. Staff believes that a law practice as described by the applicant will not have any negative impact on the surrounding neighborhood.

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

1. The proposal will have no impact on schools.
2. Public water and sewer utilities are available to serve the site
3. The property is located along a local street. No negative traffic impact is anticipated.
5. The applicant will be required to provide off-street parking for both the dwelling and the home occupation.

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 use 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 draw a minimal amount of additional traffic through this residential area.
2. The proposal meets all relevant requirements of the R-1 zoning district, as well as other criteria for approval of a use-on-review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The use is in conformity with the Northwest City Sector Plan and One Year plan for the area which proposes LDR (Low Density Residential)

Action: Postponed

Meeting Date: 6/14/2012

Details of Action:

Summary of Action:

Date of Approval:

Date of Denial:

Postponements: 4/12/2012-5/10/2012

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: