CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



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File Number:	4-H-03-UR
Application Filed:	3/10/2003
Applicant:	WALTER J.D. CODY
Owner:	

PROPERTY INFORMATION

General Location:	West side of Carta Rd., north of Asheville Hwy.		
Other Parcel Info.:			
Tax ID Number:	71 I C 024	Jurisdiction:	City
Size of Tract:	0.42 acre		
Accessibility:	Access is via Carta Rd., a local street with a pavement width of 17' within a 40' right-of-way.		

Related File Number:

Date of Revision:

GENERAL LAND USE INFORMATION				
Existing Land Use:	Single family dwelling			
Surrounding Land Use:				
Proposed Use:	Skin Care	Density:		
Sector Plan:	East City	Sector Plan Designation:		
Growth Policy Plan:	Urban Growth Area (Inside City Limits)			
Neighborhood Context:	Property in the area is zoned R-1and R-2 residential and O-1 office. Development consists of a vacant motel to the south, multi-family housing to the east and west and single family dwellings to the north of the site.			

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

Street:

201 Carta Rd

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:** None noted

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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.):	DENY the request for a home occupation for a skin care service because the applicant's request does not meet the standards as identified in Article 5, Section 12, of the Knoxville Zoning Ordinance.
Staff Recomm. (Full):	
Comments:	The applicant's wife is proposing to operate a skin care business at this location. The business will consist of giving clients skin care treatments at the proposed location. Only one client will be seen at a time. No one other than the applicant's wife is expected to be engaged in the business at this location. A cosmetology license is required to perform this service. The use proposed may be permitted if it meets the requirements of Article 5, Section 12, of the Knoxville Zoning Ordinance. In this particular case the applicant is proposing to enclose a porch for the specific purpose of operating the business in that space. Secondly, skin care products not produced on this site will be sold to the clients for home use. The Knoxville Zoning Ordinance prohibits the exterior alteration of the dwelling to accommodate a home occupation. Additionally, it specifically prohibits the sale of products not produced on the site. If the applicant could conduct the business in the existing dwelling, without the exterior remodeling, and would not sell skin care products, the staff would recommend approval of this request if all other requirements of the zoning ordinance could be met.
	EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE
	 The proposed skin care home occupation will have minimal impact on local services since all utilities are in place to serve this development. The proposed use is consistent with the other residential development found in the area. The site adjoins multi-family housing and could serve as a transitional use to the single family dwellings found in the area.
	CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE
	 The proposed home occupation does not meet the standards for development within Article 5, Section 12 of the Knoxville Zoning Ordinance. The proposed home occupation is not consistent with the general standards for uses permitted on review. The use is not in harmony with the general purpose and intent of the zoning ordinance because it would require the exterior alteration of the dwelling and allow the sale of skin care products on site. As such, the home occupation would not be compatible with the character of the neighborhood.
	CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS
	1. The East City Sector Plan identifies this property for low density residential use. The proposed use is consistent with the Sector Plan. Properties adjoining this site are identified for medium density residential and office on the sector plan.
MPC Action:	Approved MPC Meeting Date: 4/10/2003
Details of MPC action:	
Summary of MPC action:	Approve development plan subject to no retail sales

Date of MPC Approval:

4/10/2003

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:
Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	
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: