

# 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:** 5-F-04-UR                      **Related File Number:**  
**Application Filed:** 4/12/2004              **Date of Revision:**  
**Applicant:** JOHNNIE LEE JONES  
**Owner:**

## PROPERTY INFORMATION

**General Location:** Southeast side Winterset Rd., southwest of Schubert Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 68 M F 012                      **Jurisdiction:** City  
**Size of Tract:** 15000 square feet  
**Accessibility:** Access is via Winterset Rd., a local street with 40' of right of way and 18' of pavement width.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single family dwelling  
**Surrounding Land Use:**  
**Proposed Use:** Single family dwelling and beauty shop                      **Density:**  
**Sector Plan:** Northwest City                      **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This neighborhood has been developed with residential dwellings under R-1A zoning.

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

**Street:** 4508 Winterset Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1A (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:

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: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE the beauty shop as a home occupation in the R-1A zoning district, subject to 8 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Meeting all applicable requirements of the Knoxville Department of Engineering.
  3. The proposed sign may not exceed two square feet in area.
  4. Adhering to all attached plans and stipulations, as submitted by the applicant for purposes of this review.
  5. Business hours shall be restricted to Tuesday through Saturday, between the hours of 8:00am to 6:00pm, as proposed by the applicant.
  6. No more than two customer vehicles may be parked on-site at any one time.
  7. No persons, other than the applicant/homeowner will be allowed to work at the home occupation.
  8. No retail sales of any products may take place at the home occupation.

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

Comments: The applicant is requesting approval of a beauty/hair salon as a home occupation. Home occupations are listed as a use permitted on review in the R-1A zoning district and beauty shops may be permitted as home occupations. The applicant lives at the house and is proposing to convert part of the indoor living area for use as a beauty/hair salon. The salon will use 375 square feet of the 1,500 square foot house, which is exactly 25% of the total floor area of the house, the upper limit of the allowable floor area. The applicant is the only person who will work on the premises. The applicant has proposed a four square foot sign, which is not allowed. A condition has been added to limit the sign size to 2 square feet.

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

1. The request will not place any additional demand on schools and streets. Public water and sewer utilities are in place to serve the site.
2. The proposal will not allow more than two customers to be at the home occupation at any one time and there are no changes to the outside appearance of the property other than the small permitted sign, so the impact to surrounding properties should be minimal.

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

1. The proposed home occupation 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 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 not draw substantial additional traffic through residential areas.
2. As proposed by the applicant, the home occupation meets all of the requirements of the attached Article 5, Section 12 of the Knoxville Zoning Ordinance, which provides standards for approval of a home occupation.

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

1. The City of Knoxville One Year Plan and the Northwest City Sector Plan propose low density residential uses for the subject property.

MPC's approval or denial of this request is final, unless the action is appealed to Knoxville City Council.

The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

**MPC Action:** Approved **MPC Meeting Date:** 5/13/2004

**Details of MPC action:**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
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7. No persons, other than the applicant/homeowner will be allowed to work at the home occupation.
8. No retail sales of any products may take place at the home occupation.

**Summary of MPC action:** APPROVE the beauty shop as a home occupation in the R-1A zoning district, subject to 8 conditions:

**Date of MPC Approval:** 5/13/2004 **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:**