

# 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:** 6-A-07-UR                      **Related File Number:**  
**Application Filed:** 4/20/2007              **Date of Revision:**  
**Applicant:** SANDRA J. HAMPTON

## PROPERTY INFORMATION

**General Location:** North side of Sutherland Ave., northeast side of Forest Heights Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 107 K A 019 & 021                      **Jurisdiction:** City  
**Size of Tract:** 27900 square feet  
**Accessibility:** Access is via Sutherland Ave., a major arterial street with a 22' pavement width within a 50' right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Telephone answering for an off-site business                      **Density:**  
**Sector Plan:** West City                      **Sector Plan Designation:** LDR & MDR  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** This section of Sutherland Avenue has been developed with residential uses under R-1 and R-2 zoning and office uses under O-1 zoning.

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

**Street:** 4009 Sutherland Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density Residential) & 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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE a telephone answering office as a home occupation in the R-1 and R-2 zoning districts, subject to the following 7 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. No more than two customer vehicles may be parked on-site at any one time.
  4. No more than one person other than the members of the household residing full time on the premises may work at the home occupation.
  5. No retail sales of any products may take place at the home occupation.
  6. No storage of any products will be permitted on site.
  7. Adhering to all attached plans and stipulations for operation of the home occupation, as submitted by the applicant for purposes of this review.

With the conditions noted above, this request meets all requirements for approval of a home occupation in the R-1 and R-2 zoning districts, as well as other criteria for approval of a use on review.

Comments: The applicant is requesting approval of a telephone answering service for an off-site business at this residence on Sutherland Ave. Home occupations are considered as a use permitted on review in the R-1 and R-2 zoning districts, and telephone answering is a permitted home occupation. The proposed answering service will use approximately 263 square feet in this 1,275 square foot house, which is approximately 20% of the total floor area of the house. The maximum area allowed for a home occupation is 25% of the total floor area. The applicant, along with other members of the household and one outside member, will be working at the home occupation. According to the applicant, on-site activities will include telephone answering and appointment scheduling for an off-site salon. Office hours will be from 9am to 6pm, on weekends, and 9am to 1:30pm on weekdays. No signage is proposed for the home occupation.

**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 will have a minimal impact on street traffic. Public water and sewer utilities are in place to serve the site.
2. The proposal will not allow more than 2 customers to be at the home occupation at any one time, and there are no changes to the outside appearance of the property, so the impact to surrounding properties should be minimal.

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

1. The proposal is consistent with all requirements for the R-1 and R-2 zoning districts, as well as other criteria for approval of a home occupation as a use on review.
2. The proposed home occupation is consistent with the following general standard 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.

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

1. The West City One Year Plan proposes low density residential and medium density residential uses for the subject property.
2. The current R-1 and R-2 zoning of the property permits consideration of home occupations as a use on review.

**MPC Action:** Approved as Modified

**MPC Meeting Date:** 6/14/2007

- Details of MPC action:**
1. Use on review approval for the proposed telephone answering office expires on December 31, 2007 (Added by MPC on June 14, 2007).
  2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  3. Meeting all applicable requirements of the Knoxville Department of Engineering.
  4. No more than two customer vehicles may be parked on-site at any one time.
  5. No more than one person other than the members of the household residing full time on the premises may work at the home occupation.
  6. No retail sales of any products may take place at the home occupation.
  7. No storage of any products will be permitted on site.
  8. Adhering to all attached plans and stipulations for operation of the home occupation, as submitted by the applicant for purposes of this review.

With the conditions noted above, this request meets all requirements for approval of a home occupation in the R-1 and R-2 zoning districts, as well as other criteria for approval of a use on review.

**Summary of MPC action:** APPROVE a telephone answering office as a home occupation in the R-1 and R-2 zoning districts, subject to 8 conditions:

**Date of MPC Approval:** 6/14/2007

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:** 6/20/2007

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 7/17/2007

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Appeal upheld. Denied.

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

Denied

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**