

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 to continue to operate the existing dog kennel for a period of up to 2 years subject to the following 6 conditions

Staff Recomm. (Full):

1. Two years from the date of approval the kennel ceases operation at this location
2. No more than fifteen dogs over the age of six months being kept at this facility
3. All kennels being washed and disinfected and the fecal material being placed in an air tight container on a daily basis and disposed of weekly
4. Meeting all other applicable requirements of the Knox County Health Department
5. Meeting all applicable requirements of the Knox County Animal Control Department
6. Meeting all applicable requirements of the Knox County Zoning Ordinance

Comments:

Mr. Jones has operated a dog kennel at this location for over twenty years without approval by MPC through the use on review process as required by the Knox County Zoning Ordinance. The Zoning Ordinance states that it is "necessary to give special consideration to certain uses because they are unique in nature, and potentially incompatible with the existing development. The uses listed under the various zones as uses permitted on review are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the zone. Therefore, these uses must be specially placed into the development pattern which exists at the time of arrival."

This business operates as a breeding kennel that presently has a total of 15 dogs. While the business has not changed in recent years, the impact on the surrounding residents has increased due to improvements/ construction that has occurred on neighboring property. A complaint has been lodged by a neighbor that cites the noise and odor as issues that impact him. It is the opinion of staff that the location of the kennel has a negative impact on the adjoining residents. The kennel building is located approximately ten feet from the property line of an adjoining resident. It is a permanent structure with concrete floors which negates the possibility that the building could be relocated on the site.

The applicant has told staff that he owns approximately 40 acres located on Wise Springs Road and that he intends to build a new home and relocate the kennel to that location in two to three years. Since Mr. Jones has operated this kennel for so many years at this location without complaints, staff will recommend that he be allowed to continue the use for up to two more years. At the end of this two year period the applicant must have relocated the kennel or terminated the business at this location.

Staff believes that our recommendation will permit Mr. Jones to temporarily continue his business, and it will give the neighbors a known time at which point the kennel is to be removed.

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

1. The proposed development will have minimal impact on local services since all required utilities are in place to serve this development.
2. The plan for the kennel as recommended by staff does not immediately decrease the negative impacts on the surrounding property. However, the recommendation limits the continued operation of the kennel

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. As recommended the proposed kennel meets the requirements for approval in the A Agricultural Zone and all other relevant requirements of the Zoning Ordinance.
2. As recommended the proposed kennel is consistent with the general standards for uses permitted on review: The proposed development will be consistent with the adopted plans and policies of the

General Plan and Sector Plan. The use will be in harmony with the general purpose and intent of the Zoning Ordinance. The use will be compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. .

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan identifies this property as being within an LDR (Low Density Residential) area.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 7/10/2014

- Details of Action:**
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Summary of Action: APPROVE the request to continue to operate the existing dog kennel for a period of up to 2 years subject to the following 6 conditions

Date of Approval: 7/10/2014 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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:**