

# 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:** 8-H-06-UR                      **Related File Number:**  
**Application Filed:** 7/10/2006              **Date of Revision:**  
**Applicant:** MARTHA DIANE OWEN  
**Owner:**

## PROPERTY INFORMATION

**General Location:** Southeast side of White Ave., southwest side of Thirteenth St.  
**Other Parcel Info.:**  
**Tax ID Number:** 94 M H 018                      **Jurisdiction:** City  
**Size of Tract:** 11200 square feet  
**Accessibility:** Access is via White Ave. and Thirteenth St., both local streets within 40' rights-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residence  
**Surrounding Land Use:**  
**Proposed Use:** Rooming & Boarding House including receptions sponsored by patrons at the facility                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** P  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** This property is located in an area that has a mix of University of Tennessee buildings, apartment buildings and houses that have been converted to student housing.

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

**Street:** 1302 White Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** O-2 (Civic & Institutional) & NC-1 (Neighborhood Conservation Overlay)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** 6-E-06-RZ (Historic Overlay Pending City Council Approval)

## 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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the development plan for a rooming & boarding house that includes receptions sponsored by patrons at the facility in the O-2/NC-1 (Civic & Institutional/Neighborhood Conservation) zoning district, subject to the following 5 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. Obtaining approval of 3 variances from the Knoxville Board of Zoning Appeals (see comments below).
4. Meeting all applicable requirements of the Knox County Health Department.
5. Installing all landscaping, as shown on the development plan, within six months from the beginning of the rooming and boarding house operation.

Comments:

The applicant is seeking use on review approval to operate a 6-bedroom rooming and boarding house and allow receptions sponsored by patrons staying at the facility. A rooming and boarding facility is a use considered on review in the O-2 zoning district. The site is located within the H-1 (Historic Overlay) district of Ft. Sanders. The Historic Zoning Commission granted a rezoning request for the subject property on 6/8/2006 from O-2/NC-1 to O-2/H-1, with the understanding that the subject property would be developed as a bed and breakfast.

The applicant is proposing to allow patrons to stay at the facility for longer than 30 days per year, not limit meals to breakfast, and allow patrons to conduct receptions at the facility. In order for the applicant to offer patrons these three amenities, they had to change their request to a rooming and boarding house. A rooming and boarding house would allow longer lengths of stay, meals outside of breakfast, and receptions, if approved by MPC.

The applicant is proposing to construct a patio behind the boarding house and 7 parking spaces that will be accessed from a 12' wide alley. The patio and parking spaces will be screened by landscaping and a concrete retaining wall. The applicant has an agreement with the adjoining property owner to allow them to lease parking spaces when receptions are being held at the facility (see attached letter). The applicant will be required to lease at least 1 parking space per 3 guests not staying at the facility.

In order to comply with standards set forth by the Knoxville Zoning Ordinance, the applicant has applied to the Knoxville Board of Zoning Appeals (BZA) for three variances: to allow a rooming and boarding house on a lot not located on an arterial or collector street, to allow back out parking into a substandard alley-aisle less than 26' wide, and to allow the construction of a baggage unloading area drive-thru onto Thirteenth St. The two parking variances were approved at the July 20, 2006 BZA meeting. The third variance is scheduled for consideration at the August 17, 2006 BZA meeting.

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

1. Public water and sewer utilities are in place to serve this development.
2. The proposal will have minimal impact on street and schools.
3. The proposed rooming and boarding facility is compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. With the required BZA variances, which have been applied for and partially approved, the proposal is consistent with all requirements of the O-2/NC-1 zoning district, as well as other criteria for approval of a use on review.

2. The proposed use is consistent with the general standards for uses permitted on review: The proposed development 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 is not intrusive to other uses that surround it, which are fairly intense, university-related uses. The use will not draw substantial additional traffic through residential areas.

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

1. The One Year Plan proposes Public Institutional uses for this site.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map

**MPC Action:** Approved **MPC Meeting Date:** 8/10/2006

- Details of MPC action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Meeting all applicable requirements of the Knoxville Department of Engineering.
  3. Obtaining approval of 3 variances from the Knoxville Board of Zoning Appeals (see comments below).
  4. Meeting all applicable requirements of the Knox County Health Department.
  5. Installing all landscaping, as shown on the development plan, within six months from the beginning of the rooming and boarding house operation.

**Summary of MPC action:** APPROVE the development plan for a rooming & boarding house that includes receptions sponsored by patrons at the facility in the O-2/NC-1 (Civic & Institutional/Neighborhood Conservation) zoning district, subject to the following 5 conditions:

**Date of MPC Approval:** 8/10/2006 **Date of Denial:** **Postponements:**

**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:**