

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 8-L-03-UR

**Related File Number:**

**Application Filed:** 7/14/2003

**Date of Revision:**

**Applicant:** NICK BALOGA

**Owner:**

## PROPERTY INFORMATION

**General Location:** Southeast side Oak Ridge Hwy., west side Dyestone Gap Rd.

**Other Parcel Info.:**

**Tax ID Number:** 78 190

**Jurisdiction:** County

**Size of Tract:** 1.01 acres

**Accessibility:** Access is via Dyestone Gap Rd., a local street with 40' of right of way and 23' of pavement width, which runs between Oak Ridge Highway and Beaver Ridge Rd. This section of Oak Ridge Highway is classified as a major arterial street and has 80' of right of way and 22' of pavement width. Beaver Ridge Rd. is a local street with 40' of right of way and 18' of pavement width.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Veterinary clinic

**Surrounding Land Use:**

**Proposed Use:** Commercial kennel

**Density:**

**Sector Plan:** Northwest County **Sector Plan Designation:** Commercial

**Growth Policy Plan:** Planned Growth Area

**Neighborhood Context:** This area is developed with residential and some commercial uses under CA, A, PR and RA zoning.

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

**Street:** 7241 Oak Ridge Hwy

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** CA (General Business)

**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 a commercial kennel in the CA zoning district, subject to 6 conditions.

Staff Recomm. (Full):        1. Meeting all applicable requirements of the Knox County Zoning Ordinance.  
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
3. Adhering to all stipulations of the attached plans and letter submitted by the applicant.  
4. Connecting the development to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.  
5. No parking shall be permitted within the right of way of Dyestone Gap Road.  
6. All dogs must be kept indoors between the hours of 6:30pm and 8:00am, seven days a week.

With the conditions noted above, this proposal meets the requirements for approval in the CA zoning district, as well as other criteria for approval of a use on review.

Comments:                      This site is the current location of a veterinary clinic and boarding business. The applicant wishes to operate a dog daycare and boarding business on the property. The proposal is to have a capacity for up to 30 dogs for daycare on a daily basis, with additional capacity for up to 10 dogs for longer term boarding.

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

- 1. The proposal will place no additional demand on schools or streets. Public water and sewer utilities are available to serve the site.
- 2. The site was previously used for a veterinary clinic with some boarding. The proposed use will have little change in impact. Staff has included a condition that all dogs must be kept indoors between the hours of 8am and 6:30pm, to prevent noise to adjacent residential uses. The property is completely fenced, so as to prevent dogs from escaping the premises.

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

- 1. The proposal meets all applicable requirements of the zoning ordinance, including specific criteria of the CA zone.
- 2. The CA zoning district permits kennels with use on review approval from MPC.
- 3. The proposal is consistent with the general standards for uses permitted on review: The proposal is consistent with the policies of the General Plan, Sector Plan and other adopted plans. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the area where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential streets.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

- 1. The Northwest County Sector Plan proposes commercial use for the site, consistent with the request.
- 2. The site is in the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action:                      Approved

MPC Meeting Date: 8/14/2003

Details of MPC action:        1. Meeting all applicable requirements of the Knox County Zoning Ordinance.  
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
3. Adhering to all stipulations of the attached plans and letter submitted by the applicant.

4. Connecting the development to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
5. No parking shall be permitted within the right of way of Dyestone Gap Road.
6. All dogs must be kept indoors between the hours of 6:30pm and 8:00am, seven days a week.

**Summary of MPC action:** APPROVE a commercial kennel in the CA zoning district, subject to 6 conditions.

**Date of MPC Approval:** 8/14/2003

**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:**