

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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www.knoxmpc.org

File Number: 9-B-04-UR **Related File Number:**
Application Filed: 8/9/2004 **Date of Revision:**
Applicant: TRUDY G. MOORE
Owner:

PROPERTY INFORMATION

General Location: East side of Luttrell St., south of E. Glenwood Av.
Other Parcel Info.:
Tax ID Number: 81 L K 015 **Jurisdiction:** City
Size of Tract: 17500 square feet
Accessibility: Access is via Luttrell St., a local street with a pavement width of 31' within a 60' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single family dwelling
Surrounding Land Use:
Proposed Use: Acupuncturist **Density:**
Sector Plan: Central City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located on the edge of the Fourth & Gill neighborhood. Across Luttrell street from this site is the vacant Brownlow Elementary School and the WATE-TV offices and studio.

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

Street: 1310 Luttrell St
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density Residential) & H-1 (Historic Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property zoned R-1A in the 1980's

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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for an acupuncturist office as a home occupation at this location subject to 5 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Engineering Division
3. Meeting all applicable requirements of the Knox County Health Dept.
4. The applicant maintaining, in good standing, the required license from the State of Tennessee to practice acupuncture.
5. Hours of operation limited to 8:00 AM to 6:00 PM daily.

With the conditions noted, this request for a home occupation meets the requirements for approval in the R-1A district and the other criteria for approval of a use on review.

Comments: The applicant is requesting approval to practice acupuncture as a home occupation at her residence at 1310 Luttrell St. An acupuncturist as defined by the State of Tennessee comes under the licensing authority of the Tennessee Board of Medicine. As such, the profession falls under the category of "physician" as defined by that Board. A physician's office is one of the uses that is specifically listed for consideration as a home occupation. The applicant proposes to devote less than 200 square feet of this 3020 square foot dwelling to the home occupation. The office will occupy 6 per cent of the floor space of the dwelling which is well within the 25% maximum permitted by the Knoxville Zoning Ordinance. Staff will require the applicant to restrict her practice to normal office hours. This is being required in order to insure that the residential character of the area is not infringed on during the evening hours, when most people are at home.

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

1. Public water and sewer are available to serve the site.
2. Luttrell Street has sufficient capacity to handle the additional traffic which will be generated by this home occupation.
3. This request will have no impact on schools and minimal impact to adjacent properties.

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

1. The proposal is consistent with all requirements of the R-1A 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 plans include appropriate setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. The surrounding land uses will not pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Central City Sector Plan and the Knoxville One Year Plan proposes low density residential uses for this property.
2. The site meets the locational standards for a home occupation as contained in the General Plan and

Sector Plans.

3. The site is located within the Urban Growth Area - inside the City of Knoxville as shown on the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action:

Approved

MPC Meeting Date: 9/9/2004

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Engineering Division
3. Meeting all applicable requirements of the Knox County Health Dept.
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Summary of MPC action:

APPROVE the request for an acupuncturist office as a home occupation at this location subject to 5 conditions

Date of MPC Approval:

9/9/2004

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: