

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: 9-C-02-UR **Related File Number:**
Application Filed: 8/8/2002 **Date of Revision:**
Applicant: ARTHUR G. SEYMOUR, JR.
Owner:

PROPERTY INFORMATION

General Location: Southwest side Rosalyn Dr., northwest side W. Mona Ln.
Other Parcel Info.:
Tax ID Number: 82 L K 8 **Jurisdiction:** City
Size of Tract: 0.46 acre
Accessibility: Access is via W. Mona Ln., a local street with 50' of right of way and 26' of pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Law office as a home occupation **Density:**
Sector Plan: East City **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This is a residential neighborhood developed under R-1 zoning.

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

Street: 1407 Rosalyn Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Single Family 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:

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 this request for a law office in the R-1 district, subject to 6 conditions:

- Staff Recomm. (Full):
1. Adherence with all criteria described in attached letters from Arthur Seymour, Jr., dated August 8, 2002 and September 10, 2002.
 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 3. No more than two business related or client vehicles may be parked on-site or on the adjacent streets at any one time.
 4. Limiting hours of operation to Monday through Friday, 8:30am to 5:00pm.
 5. Meeting any applicable requirements of the Knoxville Department of Engineering.
 6. Meeting any applicable requirements of the Knox County Health Department.

With the conditions noted above, this request meets all requirements of the R-1 zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant is requesting use on review approval to operate a law office as a home occupation at the subject property, zoned R-1. The property owner will live in the house and operate the law office in the attached garage portion of the house. Based on materials submitted by the applicant, the law office will occupy 667 square feet of the house, which is less than 25% of the total square footage of the house, which is 3,510 square feet. Sufficient parking can be provided in the existing driveway of the house, which is accessed from W. Mona Ln., a local street with a cul-de-sac dead end. The applicant anticipates that there will be no more than two clients per day and they would not be there at the same time. No other persons will be engaged in the home occupation other than family members living on the premises. There will be no change in the outside appearance of the house and premises, and the applicant has not requested approval of any signs. The proposal will not generate any more traffic than would normally be expected in a residential neighborhood. The impact to the neighborhood and surrounding properties should be minimal.

MPC postponed this request for 30 days at the September 12, 2002 meeting after a motion to deny the request resulted in a tie vote. There was opposition to the request at the September meeting. Staff has not received any new information on this proposal since that meeting and maintains its position to approve the request.

MPC Action: Denied MPC Meeting Date: 10/10/2002

Details of MPC action: APPROVE this request for a law office in the R-1 district.

Summary of MPC action: Deny the request for a law office as a home occupation in the R-1 zone

Date of MPC Approval: Date of Denial: 10/10/2002 Postponements: 9/12/2002

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?: 10/24/2002

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: City Council

Date of Legislative Action: 11/26/2002 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Denied Disposition of Case, Second Reading:

If "Other": If "Other":

Amendments:

Appeal denied. Denial stands

Date of Legislative Appeal:

Amendments:

Effective Date of Ordinance: