



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 2-A-06-UR **AGENDA ITEM #:** 83
POSTPONEMENT(S): 2/9/2006 **AGENDA DATE:** 4/13/2006

▶ **APPLICANT:** RITA THORNBURG
OWNER(S): RITA THORNBURG

TAX ID NUMBER: 107 G E 036

JURISDICTION: City Council District 2

▶ **LOCATION:** Northeast side of Holman Road, northeast of Papermill Drive

▶ **APPX. SIZE OF TRACT:** 0.46 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Holman Road, a local street with a 50' of right of way and 22' pavement width.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

▶ **ZONING:** R-1 (Single Family Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Beauty salon as a home occupation

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residence / R-1 (Single-Family Residential)

South: Residence / R-1 (Single-Family Residential)

East: Residence / R-1 (Single-Family Residential)

West: Residence / R-1 (Single-Family Residential)

NEIGHBORHOOD CONTEXT: This neighborhood has been developed with residential dwellings under R-1 zoning.

STAFF RECOMMENDATION:

▶ **APPROVE** the beauty shop as a home occupation in the R-1 zoning district, subject to the following 7 conditions:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all licensing requirements of the State of Tennessee for barbers/beauticians.
4. Adhering to all attached plans and stipulations for operation of the home occupation, as submitted by the applicant for purposes of this review.
5. No more than two customer vehicles may be parked on-site at any one time.
6. No person, other than the applicant/resident, may work at the home occupation.
7. No retail sales of any products may take place at the home occupation.

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

COMMENTS:

The applicant is requesting approval of a beauty/hair salon as a home occupation at this residence on Holman Road. Home occupations are listed as a use permitted on review in the R-1 zoning district, and beauty shops may be permitted as home occupations. The salon will use 160 square feet in this 950 square foot house, which is approximately 17% of the total floor area of the house. The maximum area allowed for a home occupation is 25% of the total floor area. The applicant is the only person who will work at the salon. The salon will be opened Monday, Tuesday, Thursday and Friday, between the hours of 10:00 am to 5:00 pm. No signage is proposed for the home occupation.

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

1. The request will not place any additional demand on schools and will have a minimal impact on street traffic. Public water and sewer utilities are in place to serve the site.
2. The proposal will not allow more than 2 customers to be at the home occupation at any one time and there are no changes to the outside appearance of the property, so the impact to surrounding properties should be minimal.

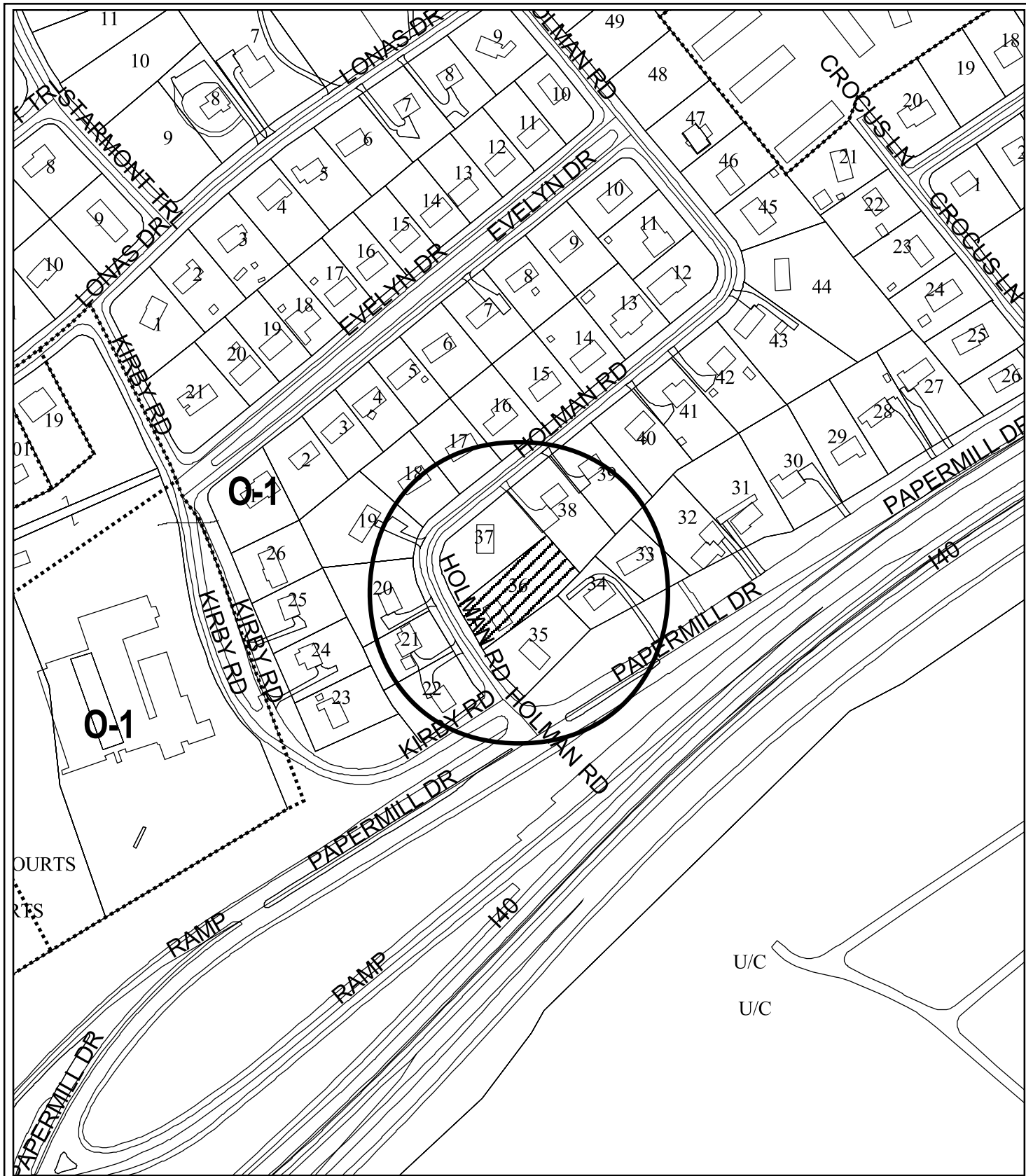
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposal is consistent with all requirements for the R-1 zoning district, as well as other criteria for approval of a home occupation as a use on review.
2. The proposed home occupation is consistent with the following general standard for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The City of Knoxville One Year Plan and the Northwest City Sector Plan propose low density residential uses for the subject property.
2. The current R-1 zoning of the property permits consideration of home occupations as a use on review.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



2-A-06-UR
USE ON REVIEW

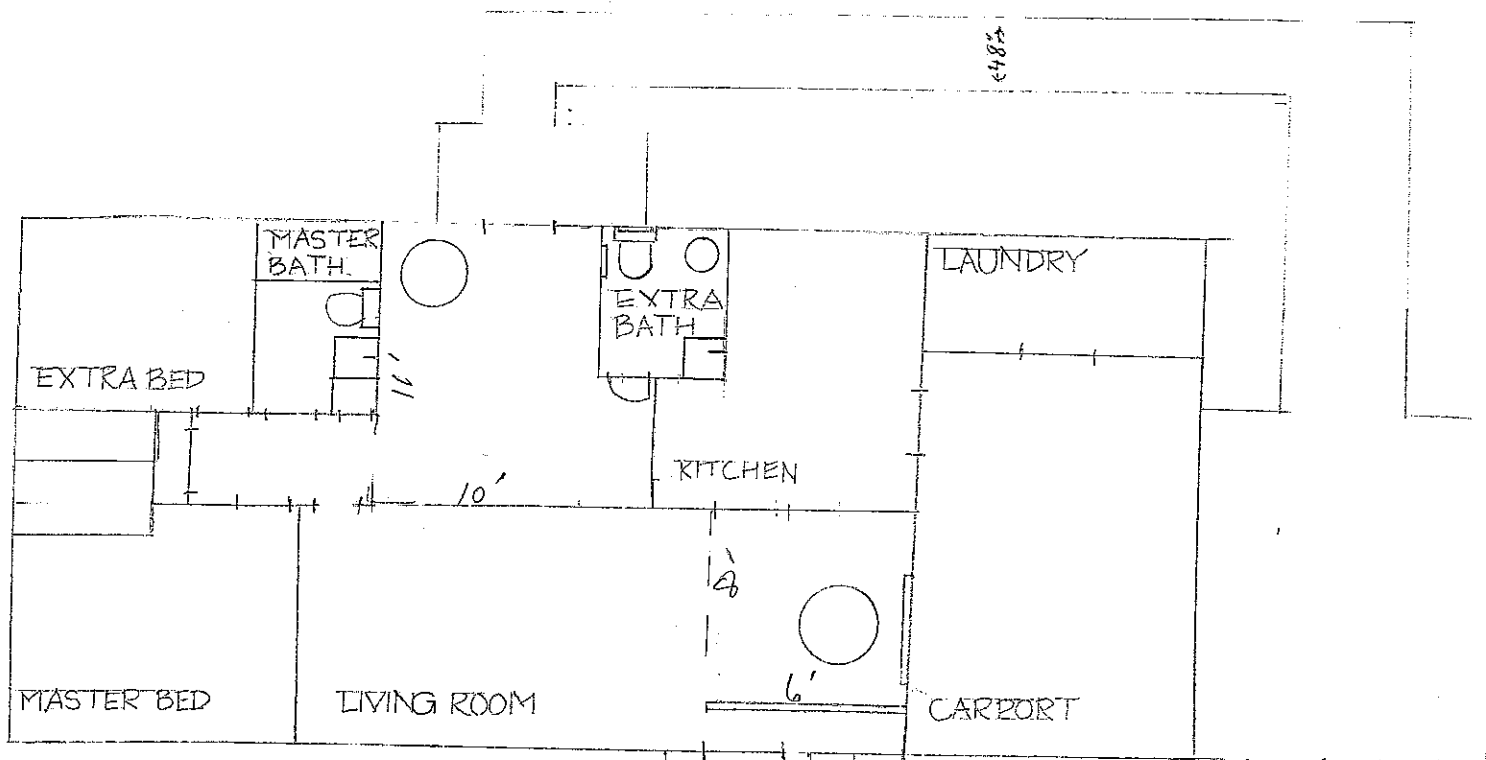


Beauty salon as a home occupation in R-1 (Single Family Residential)

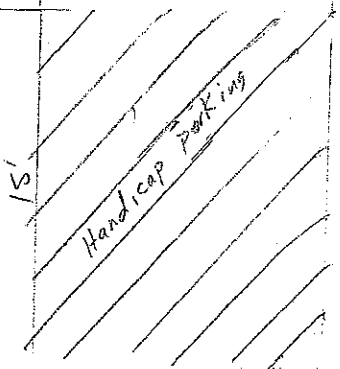
Original Print Date: 01/25/06 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Rita Thornburg
Map No: 107
Jurisdiction: City





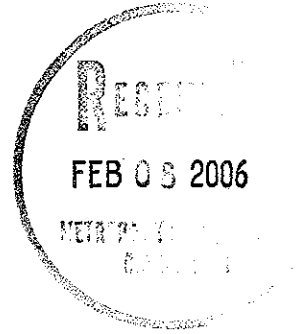
aprox. 950 sq. ft.
 Beauty shop = aprox 160 sq. ft.



← 24' →

1408 FOLMAN STREET

Fax to: Kelly Schütz @ 215-2068



Feb. 7 2006

This is to confirm that 1408
Holman Rd. is my primary
residence.

Rita Thornburg
Rita Thornburg

Fax

TO: Kelly Schlitz FAX: 215-2068

FROM: Rita Thornburg DATE: 1/13/2006

CC: PAGES:1

RE:

Notes

Jan. 12, 2006

To confirm that
 Rita Thornburg is the
 only person working
 at the address
 1408 Holman Rd. Kingville,
 Ca.
 my house are

Mon. 11:00 - 5:00
 Tues 10:00 - 7:00
 Thurs 10:00 - 5:00
 Fri. 10:00 - 4:00

Rita Thornburg
 Rita Thornburg

We understand that Kate Thornburg has purchased the home at 1408 Holman Road and intends to pursue a home occupation as a beautician. She is the sole proprietor to the business and we have no objection to her working at her home.



Name

Address

- | Name | Address |
|------------------------------|---------------------------|
| 1. Thomas and Kathy Laville | 1501 Holman |
| 2. Karen Clements | 1417 Holman |
| 3. M. S. M. | 1404 Holman |
| 4. Evelyn Calloway | 1413 Holman Rd |
| 5. Justice C. Caldwell | 1412 Holman Rd |
| 6. Ann Bault | 1513 Holman rd |
| 7. Stephanie O'Rourke | 1532 Holman Rd. |
| 8. John R. Cole | 1537 Holman Rd. |
| ✓ 9. Donna Hansraj | 1601 Holman Rd. |
| 10. Julian | 5111 Evelyn Dr |
| 11. Don C Ford | 5207 Evelyn Dr |
| 12. Yvonne Weaver | 5225 Evelyn Rd |
| 13. Sylvia A. Jacobs | 5209 Evelyn Dr |
| 14. Les. Thompson | 5207 Evelyn Dr |
| 15. William Brown | 5200 Evelyn Dr |

Emails concerning Rita Thornburg, 2-A-06-UR

Dear Ms. Schlitz,

I have been acquainted with Rita Thornburg since 1994. Over the past 12 years, we have developed a strong, personal friendship based on honesty and integrity, as well as referring business to one another as well. Ms. Thornburg's character precedes itself even upon first meeting her. She is of the highest caliber ethically-speaking, both personally and professionally, exuding honesty in all that she does. She shines with personal and professional perseverance in maintaining quality relationships and business transactions with everyone with whom she comes into contact.

I feel most confident that you have received similar letters of credibility regarding Ms. Thornburg. Her list of devoted clients, friends and family has always been vast and our faith and trust in everything she does continues to grow even more.

Having been a client, and having been in her new 2nd home on Holman, have never seen another individual in the premises while I was there. There are not people waiting, nor has there ever been more than one client at a time on the premises. Additionally, considering our long term friendship, both professionally and personally, she has never spoken a word of "commercializing" the area in which the home on Holman resides, and has always had the utmost in consideration and concern for neighbors near her home. When she first moved into the home on Holman, prior to our first appointment, she informed me not to come early, so as not to be there while another client was present. Additionally, she has gone to great lengths and cost with attentive and professional care to make the home (which was in SAD disrepair from the previous owners blatant neglect) beautiful. In considering the source of allegations, am astounded that they ("They" meaning the source) would not consider the derelicts who were previously living in that house.

Have you been inside the house? On a personal note, it is simply darling.

The ludicrousness of the allegations before her are astonishing. I remain confounded as to the premise of the allegations and question the motives of those who would to cause undue stress and hardship on someone with as much integrity as Ms. Thornburg. If you have spent any time with her to any degree, it only takes a moment to see the exemplary character (how many people do you know who have exemplary character?) which radiates from her.

Please let me know if I can provide further testimony, call me at any time. Thank you.

Sincerely,
Charlotte Ericson
The Transition Team
9111 Cross Park Drive
Knoxville, TN 37923
865.470.4227 direct
865.693.3193 office
865.809.6329 cell
www.thetransitionteam.com

To Whom it may concern:

RE: Rita Thornburg

April 2, 2006

Rita Thornburg has been doing my hair for twenty five years. Before sitting down to write this I had to reflect on why I have never even considered another hair dresser when most people over a twenty five year period would have done so more than once. If I had to narrow it down to one reason I would say it is because when I go there I do not have to sit in a

crowded waiting room full of other people. When I arrive her customer is leaving and it is just me for the next hour. In a world where one is increasingly disregarded. I value Rita's approach to customer service. Which is why it is ludicrous to say her plan is to have a high traffic salon at her home, I know Rita and she would hate that as much as her customers would.

If I can be of further assistance please do not hesitate to contact me.

Sincerely,
Susan E. Puckett

I verify that I have been to Rita's house at 1408 Holman and she has 1 chair where she cuts hair and has made this address her residence.

If you have any questions, please give me a call.
Dee Anderson
603-3740

I am writing in regards to the property of Mrs. Rita Thornburg. She has recently purchased a home and located her one (1) chair beauty salon into this home. She has done extensive remodeling, as well as general clean up of her lot and home. I also believe that she is keeping her lot neater than the previous homeowners. She is trying to work full time and solely support herself as well as a daughter in high school and one in college. She runs a clean, professional shop. Her clientele mainly consists of upper class professional patrons who are simply there for a haircut. Most customers spend less than one hour at her home, and usually there is only one customer at her home at a time. Mrs. Thornburg has an excellent work ethic, and a spotless reputation in the salon industry. I have been a customer of Mrs. Thornburg's for about 15 years. Most of Mrs. Thornburg's customers are long time clients. Because Mrs. Thornburg only has the one (1) chair you as a customer get individualized treatment, and can get in and out without having to wait. Since Mrs. Thornburg has moved to this new location, I have had several appointments, and have never encountered any other customers, thus eliminating any parking issues, or added congestion on the neighboring roadways. I really don't see any difference in the traffic around Mrs. Thornburg's home and anyone else's home in the area. I drive from my home in Dandridge to Mrs. Thornburg's home just to get a good haircut. I suggest if any of the neighbors are having a problem with Mrs. Thornburg's home/salon maybe they should get an appointment for a haircut, and see first hand the type of business she runs. I too am a homeowner with neighbors, and I would be honored to have Mrs. Thornburg's home and business in my back yard anytime.

Thank you
Gerrie Lindsey

Kelley,

As a long-time friend and client of hers, I am e-mailing to verify that Rita Thornburg has only one chair for hair styling in her home at 1408 Holman Road and is residing there. As further evidence of her residency, it is my understanding that she has initiated the necessary papers to have her daughter transferred to West High School.

If I can support her Use On Review zoning request in other ways, please contact me.

Cordially,
Jim Black
220 Sutton Lane
Knoxville, TN 37909
Home Phone: 690-1245
E-mail: jblack220@comcast.net

Dear Ms. Schlitz,

I have known Rita Thornburg for more than ten years. Initially, I was referred to her to repair my damaged hair but since then we have become friends. She has worked for herself only for more than twenty years by renting a room (not a booth) from local salons. She did not use the salons' receptionists. She answers telephone calls and makes her own appointments (no answering service or secretary). She enjoys working alone and does not plan to employ others or rent space to others. She has moved in to her new home on Holman Drive with her daughter, Meghan. She has continued her haircare business as usual- no changes from the last ten years. The difference is that she now works out of her home.

Please consider her request for permission to work in her home. She is honest and responsible. This is a solo home-based business.

Respectfully,
Jana Arwood, M.D.
865-927-7901

Regarding Rita Thornburg's business in her home: this is a small, one chair "business" which also serves as Rita's home. My wife and I have been clients for many years and know she is "above board" in all that she does. Her small beauty shop, in her OWN HOME, should be of no one else's concern in this neighborhood.

Mike Chapin
708 El Monte Circle
Knoxville, TN
675-3511

I am writing to verify that I have known Rita Thornburg for many years and have been several times to her home/shop since she bought her house on Holman Street. It is a fully furnished home in which she also has one beauty shop chair so she can work where she lives. Ms Thornburg is of high character, values her surroundings and her neighborhood, and is an asset to her community. She has been working diligently to make improvements to the Holman property since she bought it in October 2005. Typically, I am the only person there so there is minimal traffic impact on the neighborhood.

Emily Vreeland, MSSW/LCSW
v/f: 865/690-2929
9724 Kingston Pike, #604
Knoxville TN 37922

Dear Ms. Schlitz,

I have been a client of Rita Thornburg's for over 20 years. During that time, I have followed her through at least four moves. With every move, it has become clearer to Rita -- and to her clients -- that her goal was to find a space that would be totally her own -- decorated to her taste and controlled only by her.

For a time, she was co-owner of a salon, but shared management was not her style, even with a friend she had worked with for years. With each successive move, Ms. Thornburg has achieved greater autonomy, but has never been in complete control of her own space.

Ruby Brock, the former owner of the property in question, was a longtime

client and friend of Ms. Thornburg and a co-worker of mine. When Mrs. Brock decided to sell the property, she offered it to Ms. Thornburg first, knowing that Ms. Thornburg was interested in living in West Knoxville -- closer to her clients -- and having her own one-woman salon.

Ms Thornburg has lived in South Knoxville because that is where her daughters grew up and attended school. While it might have been much more convenient to move to West Knoxville long ago, Rita did not want to uproot Chelsea and Megan and take them away from all their friends. Chelsea is now in college, and Megan has, at most, two more years of high school. The time was right to begin her move when Mrs. Brock offered Rita the house.

Since buying the house from Mrs. Brock, Rita has invested many hours of labor and a significant sum of money redecorating the home and setting up her salon. Every time I have an appointment, I am amazed at what Rita has done to make the house more appealing, both inside and out. It now has more curb appeal than any other house in that first block of Holman.

Given Rita's obvious life-long search for complete autonomy in her business, I find it totally ludicrous that anyone would dare to suggest that she is going to turn her home into a multi-station salon, with all the headaches that would entail. She already walked away from a shared-ownership arrangement.

In closing, I would like to state that Ms. Thornburg's acquisition of the house on Holman -- far from "destroying" the neighborhood -- is a positive influence. She owns the home and lives there, she is not a tenant. She is and always has been meticulous about keeping things orderly and neat, and the exterior of her home, including the yard, reflects that. Anyone who has eyes can see that just by visiting Rita's home/salon.

Sincerely,
Deanna Lloyd
3835 Woodhill Place
Knoxville, TN 37919

I am writing on behalf of Rita Thornburg. I have known her for about 5 years, and I am a customer of hers. She has always worked alone, and I am completely confident that she has no intentions to expand her business. She bought her house with the intention of living and working there, and has made considerable improvements to it. It boggles my mind that anyone would think it would be better for the neighborhood if that house was a rental rather than occupied by the owner: a responsible, hardworking mother with a personal commitment to the property and the neighborhood. I hope this helps her case.

Sandra K. Price