

▶ **FILE #:** 10-C-06-UR

AGENDA ITEM #: 101

AGENDA DATE: 10/12/2006

▶ **APPLICANT:** CHRISTINA HORN

OWNER(S): CHRISTINA HORN
 JOSE LOPEZ

TAX ID NUMBER: 107 H B 013

JURISDICTION: City Council District 2

▶ **LOCATION:** Northwest side of Yosemite Trl., southeast of Bismark Trl.

▶ **APPX. SIZE OF TRACT:** 0.4 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Yosemite Trl., a local street with a 50' right of way and 26' pavement width.

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

▶ **ZONING:** R-1 (Low Density Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Piano lessons as a home occupation

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING:
 North: Residence / R-1 (Low Density Residential)
 South: Residence / R-1 (Low Density Residential)
 East: Residence / R-1 (Low Density Residential)
 West: Residence / R-1 (Low Density Residential)

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

STAFF RECOMMENDATION:

▶ **APPROVE musical instruction 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. Adhering to all attached plans and stipulations for operation of a home occupation, as submitted by the applicant for purposes of this review.
4. No more than two customer vehicles may be parked on-site at one time.
5. No person, other than the applicant/resident, may work at the home occupation.
6. No retail sales of any products may take place at the home occupation.
7. Only one pupil at any given time will be allowed.

With the conditions noted above, this requests 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 to teach piano lesson outside of her home at this residence on Yosemite Trail. Home occupations are a use permitted on review in the R-1 zoning district, and musical instruction may be permitted as a home occupation. The applicant is proposing to dedicate 144 square feet in this 3,400 square foot house to the lesson area, which is approximately 4% 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 has agreed that only one pupil may be permitted to be instructed at any given time. Lessons will be scheduled from 3:00 p.m. to 7:30 p.m. Monday through Thursday. 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. Only one student for instruction will be allowed at any one time, except there may be overlaps with students arriving for the next period of instruction.

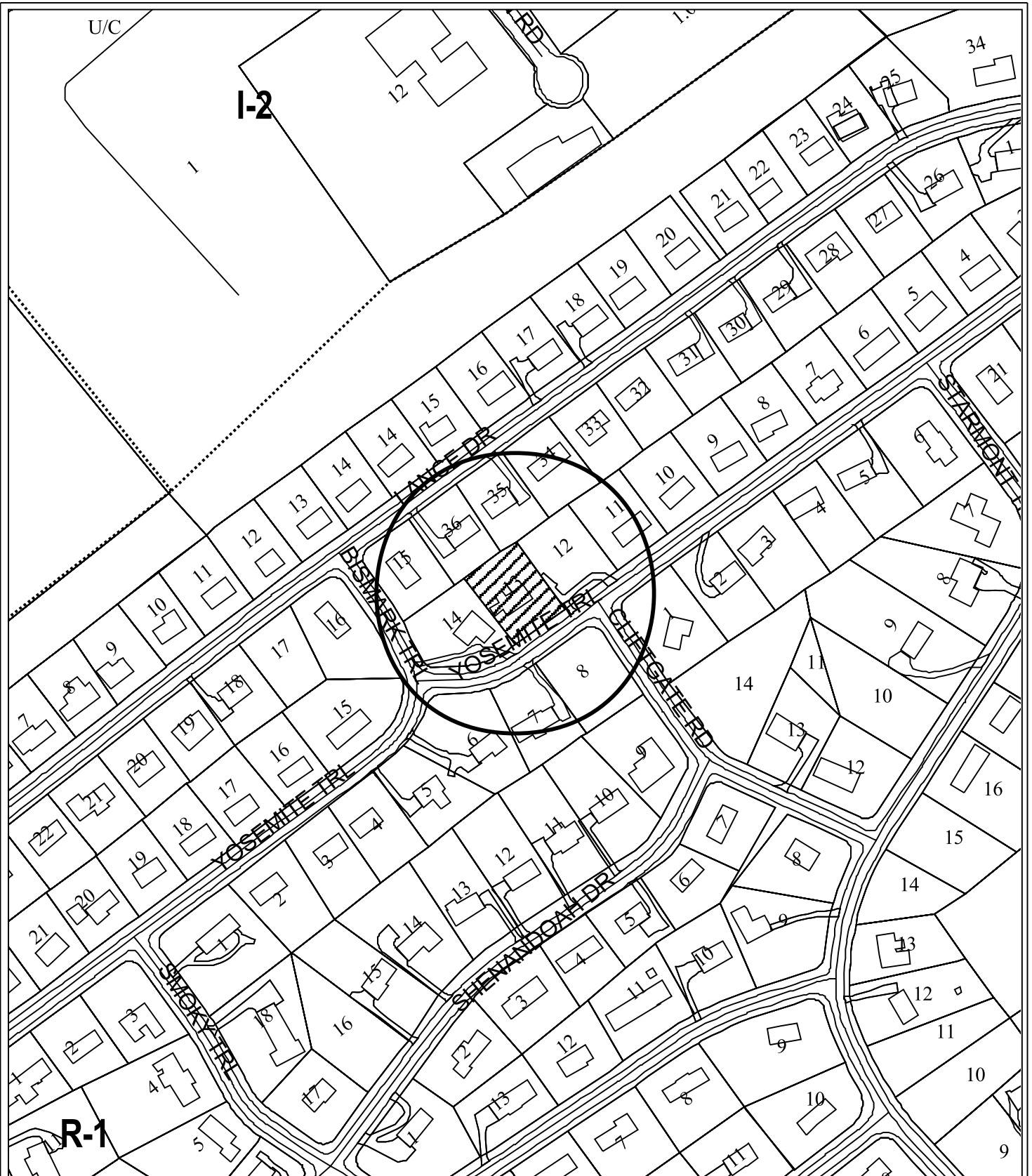
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

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.



10-C-06-UR
 USE ON REVIEW

 Piano lessons as a home occupation in R-1 (Single Family Residential)

Original Print Date: 09/27/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Christina Horn

Map No: 107

Jurisdiction: City



10-C-06-UR

This is a letter I wrote and
distributed by hand.
- Christina Horn

Christina Horn
5401 Yosemite Trail
Knoxville, TN 37909
865-719-0651
Loveyourpiano@bellsouth.net

September 29, 2006

Dear Neighbor:

My name is Christina Horn and I reside at 5401 Yosemite Trail. I have lived in this neighborhood for one year and absolutely love it. People here are friendly and always say hello when they see me walking my two German Shepherds. I am a professional pianist with a Master's degree in piano pedagogy and teach piano lessons as my full time occupation. I have been doing so for 10 years. I am writing this letter to you, my neighbor, to inform you of what I do in my home so that you can feel like comfortable with my home occupation.

I teach 22 students a week, one at a time, for 30 minutes a piece. My hours of operation are Monday through Thursday from 3pm until 8pm. My students park in my driveway and come in through the back door of my basement. For the past year, my roommate has also taught one student at a time during the same hours. As of October 1, she will be moving. I will be the sole tenant and teacher living at 5401 Yosemite trail.

I write this letter also in apology for creating any inconvenience to you, my neighbor. This summer I had a group of 10 students come to my home for 8 days total: We played games in the yard but spent most of the morning in my basement studio. I now realize that the law only allows for one student at a time, and have ceased the program. Again, my sincerest apology for any disturbance this may have caused you, it will not happen again.

It is my desire to live within the laws of our community and to be a good neighbor. I believe that my home occupation is an honorable one and I strive to act in a professional manner. Please feel free at anytime to come by and speak with me or to call of you ever have any concerns.

Your neighbor,
Christina Horn

P.S If you wish to write a letter on my behalf or sign my petition, please feel free to call or send an email. I will bring you a stamped envelope or the petition itself. Thank you.

Danarius Olson 599-9614

Petition to accept Piano teaching as a Home Occupation

Petition summary and background	Use on review October 12, 2006
Action petitioned for	We, the undersigned, understand that Christina Horn is the sole proprietor of her piano teaching studio and we have no objection to her teaching one student at a time.

Printed Name	Signature	Address	Comment/Phone Number	Date
Jim Sheer	<i>[Signature]</i>	5313 Yosemite Tr	865-494-9044	9/29/06
Michael Lust	<i>[Signature]</i>	5309 Yosemite Trail	865-450-3151	9/29/06
Synda Chandler	<i>[Signature]</i>	5309 Yosemite Tr.	865-450-3151	9/29/06
Marcus Tilly	<i>[Signature]</i>	5316 Yosemite Tr	865-588-2418	9/29/06
TREVOR MARTIN	<i>[Signature]</i>	5305 YOSEMITE Tr	865-588-1220	9/29/06
Mary Martin	<i>[Signature]</i>	5305 YOSEMITE TRAIL	588 1220	9/26/06
Elsie Dodson	<i>[Signature]</i>	5304 Yosemite TRAIL	865-584-1705	9/29/06
MARK E Denton	<i>[Signature]</i>	5217 Yosemite Trail	865-556-8868	9/29/06
Joel Chesser	<i>[Signature]</i>	1725 Starmont Trail	584-7111	9/29/06
Melinda Lopez	<i>[Signature]</i>	5217 Yosemite Trail	588-2177	9/29/06
MARY LOCAL	<i>[Signature]</i>	5417 Yosemite Trail	865-212-3619	9/29/06
Hilde DeWeert	<i>[Signature]</i>	5417 Yosemite Trail	"	9/29/06

Petition to accept Piano teaching as a Home Occupation

Use on review October 12, 2006

We, the undersigned, understand that Christina Horn is the sole proprietor of her piano teaching studio and we have no objection to her teaching one student at a time.

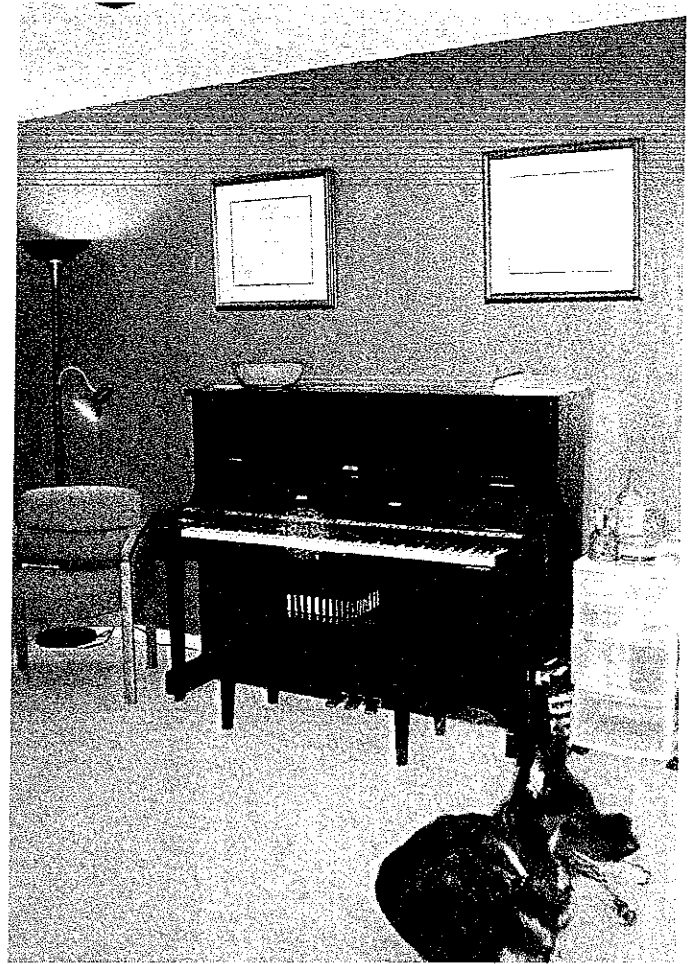
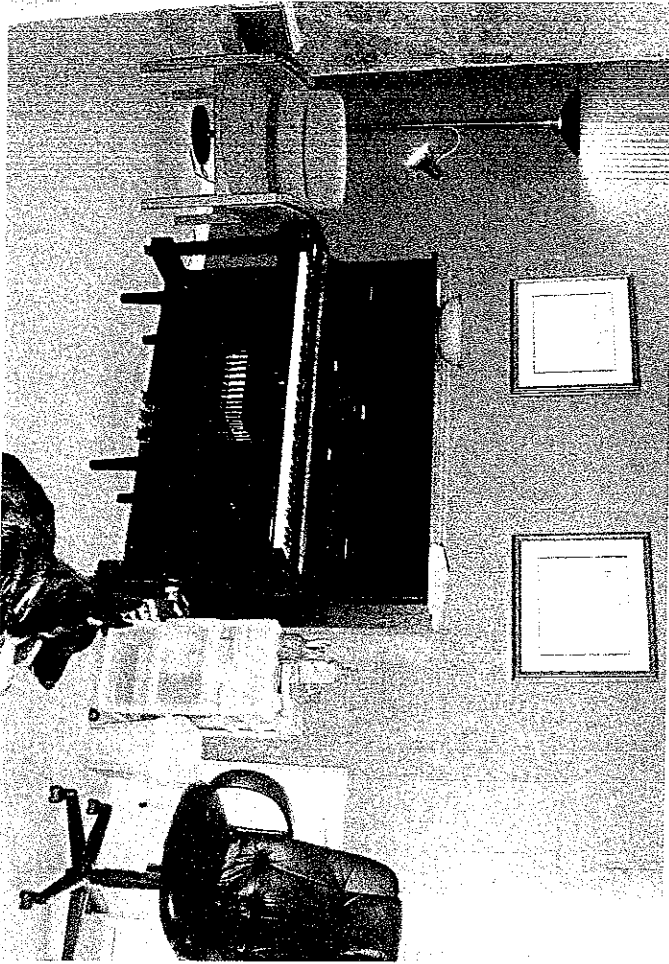
Printed Name	Signature	Address	Comment/Phone Number	Date
L.G. Boyer	<i>L.G. Boyer</i>	5443 Yosemite	<i>My apartment is teaching</i>	9-29-06
Marshall Pace	<i>Marshall Pace</i>	5408 Lance Dr		9/29/06

Petition to accept Piano teaching as a Home Occupation

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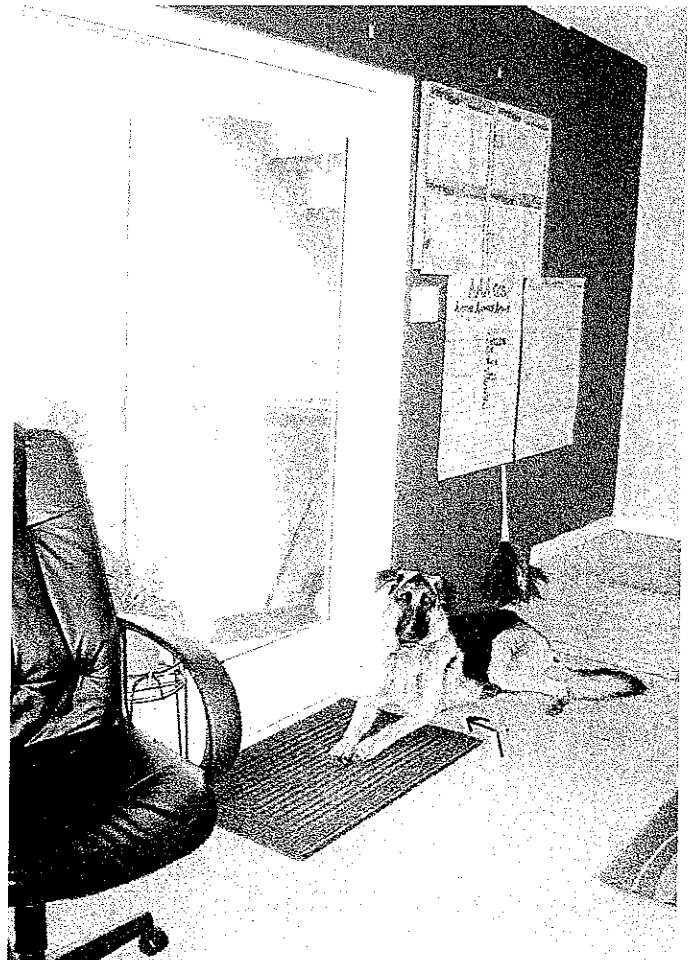
Printed Name	Signature	Address	Comment/Phone Number	Date
Mary C. Wilson	<i>Mary C. Wilson</i>	5929 Yosemite Trail	Finac 5880318	9-29-06
Gene Miller	<i>Gene Miller</i>	5412 Bismark Tr.		9-29-06

Space used in home less than 25%



Jedi ↑

One Piano for teaching



MPC October 12, 2006

Entrance where students **Agenda Item #101**

This is my current schedule of private weekly lessons. - Christina Horn

Fall Piano Schedule and Swap List

Monday

2:00pm Joe Penney 690-5117
3:30pm Emma Creveling 693-5297
4:00pm Mackenzie Gill 584-4387
4:45 pm Beth Ann Stripling 679-1669
5:15pm Laurel Hooker 675-7881
6:00pm Anna Hoffman 671-3657
6:45pm Adrian Jay 694-7874

Tuesday

3:30pm Madison Howell 661-2712
4:00pm Xandy van den Berg 531-7799
4:30pm Katya van den Berg 531-7799
5:00pm Samantha Mayhew 938-5440
5:30pm Ryan Hammitt 694-7023
6:00pm Logan Brown 688-4392

Wednesday

3:15pm Dan Primka 777-1588
3:45pm Nate Meidl 670-9257
4:15pm Allison Ivey 693-7382
4:45pm Trevor Manning 670-6925
5:15pm Mackenzie Sexton 671-6115
5:45pm Matthew Keller 694-0505
6:15pm Jennifer Nicklas 691-3692
6:45pm Aleia Williams (Morristown do not call)
6:45pm Daniel Chelette

SEXTON

Knox County MPC
City County Building
Knoxville, TN 37902

Monday October 2, 2006

RE: Personal testimony for Christina Horn, piano teacher

Our son, Mackenzie has been a piano student for Christina Horn for nearly 2 years now. We have had some experience with piano instructors as she is his third teacher for the piano. Ms. Horn's level of professionalism and consideration as a teacher have been unmet by any of the other instructors we have encountered thus far. Christina's methods, leadership and character are quite sterling. We believe that her consideration of her neighbors is also very high. She is forthright, honest, and very concerned about her neighbors and the area in which she lives.

When we take our son for his lesson, he is her only student for the half hour we are in her home studio. As she has instructed us from the very beginning of her tenure in this neighborhood, we park in her driveway and do not block the road. We also drive with care in the subdivision as we know what it can be like when a road becomes very busy, or has a high amount of traffic.

Ms. Horn's hours are after school from around 3 pm until 7 pm—only 4 hours per day. The music she teaches is classic and acoustic. Her methods are sound and practical. The caliber of her students is stellar, our son has received superior ratings on his piano playing whenever he has been in an evaluation situation. We know this to be the result of her instruction. Because of her teaching many children are prepared for higher learning not only in music, but in other areas as well. The discipline and principles she applies can be applied to many other fields as well.

We have found Christina Horn to be a reasonable, professional, and personable piano teacher and woman. We do not believe she will in any way take advantage of her neighbors or abuse them in her position as a piano instructor. We strongly recommend to the Commission that she be permitted to continue her piano instruction as she has for many years now.

Sincerely,

Jim and Gretchen Sexton

JPS

9008 Straw Flower Drive
Knoxville, TN 37922

October 2, 2006

Ms. Kelly Schlitz
Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, TN 37902

Dear Ms. Schiltz,

It has come to my attention that an R-1 zoning approval is under consideration for Christina Horn, MPC file No. 10-c-06-UR. The proposed use is for piano lessons as a home occupation.

My daughter has benefited greatly from the lessons Ms. Horn has provided. Ms. Horn is very professional and has gone to great lengths to develop a plan to alleviate any neighborhood congestion that could be caused as a result of private instruction. Additionally, she has communicated the plan with parents and students who are involved with her studio.

I am writing in support Ms. Horn, and ask that the appropriate zoning consideration be given to her, allowing her the opportunity to provide private instruction for students.

Sincerely,

Jenny Stripling
769-5430

Kelly Schlitz
Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, Tennessee 37902

October 1, 2006

Dear Ms. Schlitz:

This letter is to express my concern about the possibility Ms. Christina Horn, a professional music instructor, will be unable to continue private piano lessons in her home located in Timbercrest Subdivision.

It is my understanding neighbors have complained about cars parked in and around Ms. Horn's driveway. Let me assure you, in consideration of her neighbors, she continually reminds parents to park in the driveway so as not to block the street in any way. And all of us, to my knowledge, comply. She gives private lessons, one student at a time, and only during the day. We are all very careful to drive slowly and safely while in the neighborhood.

My son began piano lessons with Ms. Horn several years ago because of her reputation as a highly dedicated and professional music instructor. She holds a Masters Degree in Music from the University of Tennessee and was awarded the Knox County Music Teacher of the Year.

I sincerely doubt the residents surrounding Ms. Horn's home would want to stifle the educational and personal expression learning to play the piano provides to young students. If we are to support a strong, rich and diverse community, then surely, shutting down Ms. Horn's home-based music instruction program is not the action the MPC wishes to take.

Sincerely,

Lisa Hammitt
1201 Woodsboro Road
Knoxville, Tennessee 37922

5104 Yates Lane
Knoxville, TN 37912
October 1, 2006

Kelly Schlitz
Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, Tennessee 37902

RE: Christina Horn

To Whom It May Concern:

This letter is in support of Ms. Christina Horn. Our family has known Ms. Christina for three years now and have found her to be nothing short of professional. She works very hard to arrange her piano lesson schedule around our childrens' school activities, etc. , and thus her schedule is to teach piano lessons in the afternoons. Ms. Christina has repeatedly asked and reminded the parents to park in her driveway (which we have done and will continue to do). There are no more than two cars at a time in her driveway -- and one of those is leaving because the next student has arrived for their lesson, leaving just one car in the driveway. We know that our "piano families" are very conscientious when driving to and from her house and adhere to the speed limits and traffic laws because we want to be considerate of everyone in the neighborhood -- just as if we were in our own neighborhoods.

We have known Ms. Christina long enough to know that she is a very considerate and compassionate person. Our son absolutely loves her and we do, too.

Please allow Ms. Christina to continue to teach piano lessons from her present home as it is a perfect location, she has ample space, we as parents will continue to be considerate of the neighbors and will continue to park in her driveway. And, most of all, please know that Ms. Christina would not be inconsiderate or ugly to anyone -- it is just not her nature. She truly is a professional, considerate, and compassionate lady.

Sincerely,

Jackie D. Brown
Larry D. Brown

To members of the M.P. C zoning board,

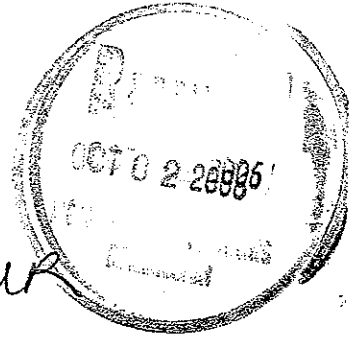
10-01-06

I am writing regarding Christina Horn, who has been my daughter Anna's piano instructor for over a year. It took us a long time to find a piano instructor as gifted and sensitive as Christina. She has brought out the best in my daughter Anna, and it would be very detrimental to our daughter's musical development to have her training interrupted. .

In terms of Christina teaching in her home, we always drive very carefully and slowly in the neighborhood, to avoid any walkers, or pedestrians. We always park in the driveway. On the rare occasions that we have parked in the street, we have been careful not to block any driveways, and to be courteous to neighbors. The kind of students and parents Christina teaches are respectful and serious students and should not ever pose any kind of risk or annoyance in the neighborhood.

Christina Horn is a delightful and kind person and a great teacher. I hope the zoning commission will allow her to continue the vital work of teaching young people in this community. The arts are good for everyone and should be encouraged in any way possible. Thank you for your time and consideration. Sincerely,

*Karen L. Hoffman
12726 Heathland Drive
Knoxville Tenn. 37934*



10-C-06-UR

September 30, 2006

Mrs. Kelly Schlitz
Knoxville/Know County Metropolitan Planning Commission
Suite403, City/County Building
400 Main Street
Knoxville, Tennessee 37902

Dear Mrs. Schlitz,

I writing you in behalf of Christina Horn. I understand there is to be a Use on Review hearing regarding giving pianos lessons from her home.

I have been acquainted with Christina for a number of years and have observed her teaching methods, style, and results. She typically teaches one student at a time in her home with the parent in attendance. These lessons occur in the afternoon hours. This is the traditional method used world wide to obtain optimum musical skills with beginning students.

Christina does have adequate parking in her driveway and has constantly reminded the parents (vocally and by email) to park in her driveway. My grandchild is a student of Christina so I have observed this firsthand.

I ask that you find in favor of Christina. She is doing an admirable job with her young piano students and is not a detriment to the neighborhood.

Sincerely,

Dennis Mayhew Sr.
7700 Old Clinton Pike
Powell, Tennessee 37849
938-5440

MARY AND TREVOR MARTIN

10-C-06-UR

October 4, 2006

OCT 05 2006

Metropolitan Planning Commission
400 Main Street, Suite 403
Knoxville, Tennessee 37902

Dear Ms. Schlitz:

This letter is in support of Christina Horn teaching piano in her home. My husband and I are residents of Timbercrest Subdivision. Since Ms. Horn is our neighbor we wish to show our endorsement of her business. We have a young son and hope to be a client of Ms. Horn someday.

Should you have any questions or require additional information, please feel free to contact me.

Sincerely,



Mary and Trevor Martin
679.4659

cc: Christina Horn