



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

▶ **FILE #:** 10-I-06-UR

AGENDA ITEM #: 107

AGENDA DATE: 10/12/2006

▶ **APPLICANT:** JOHN W. HUGHES

OWNER(S): JOHN HUGHES

TAX ID NUMBER: 68 D E 012

JURISDICTION: City Council District 5

▶ **LOCATION:** Northwest side of Cedar Ln., northeast of Rowan Rd.

▶ **APPX. SIZE OF TRACT:** 1 acre

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Cedar Ln, a minor arterial street with a 70' right of way and 33' 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:** Medical homecare as a home occupation

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Church & Residence / R-1 (Low Density Residential)
South: Residence / R-1 (Low Density Residential)
East: Multi-Unit Residences / RP-1 (Planned Residential)
West: Residence / R-1 (Low Density Residential)

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

STAFF RECOMMENDATION:

▶ **APPROVE a medical homecare office as a home occupation in the R-1 zoning district, subject to the following 8 conditions:**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Submitting a written driveway easement agreement.
4. No more than two customer vehicles may be parked on-site at any 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. No storage of any products will be permitted on site.
8. Adhering to all attached plans and stipulations for operation of the home occupation, as submitted by the applicant for purposes of this review.

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 medical homecare office as a home occupation at this residence on Cedar Ln. Home occupations are considered as a use permitted on review in the R-1 zoning district, and professional offices may be permitted as home occupations. The office will use 80 square feet in this 2,720 square foot house, which is approximately 3% 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 office. According to the applicant, on-site activities involve Medicare billing, filing, telephone answering and records keeping. Office hours will be from 9a.m. to 5p.m., Monday through Friday. No signage is proposed for the home occupation. Access to the house is off a driveway easement located on the neighboring property. A written agreement between the two property owners regarding the use of this easement needs to be submitted to MPC.

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.

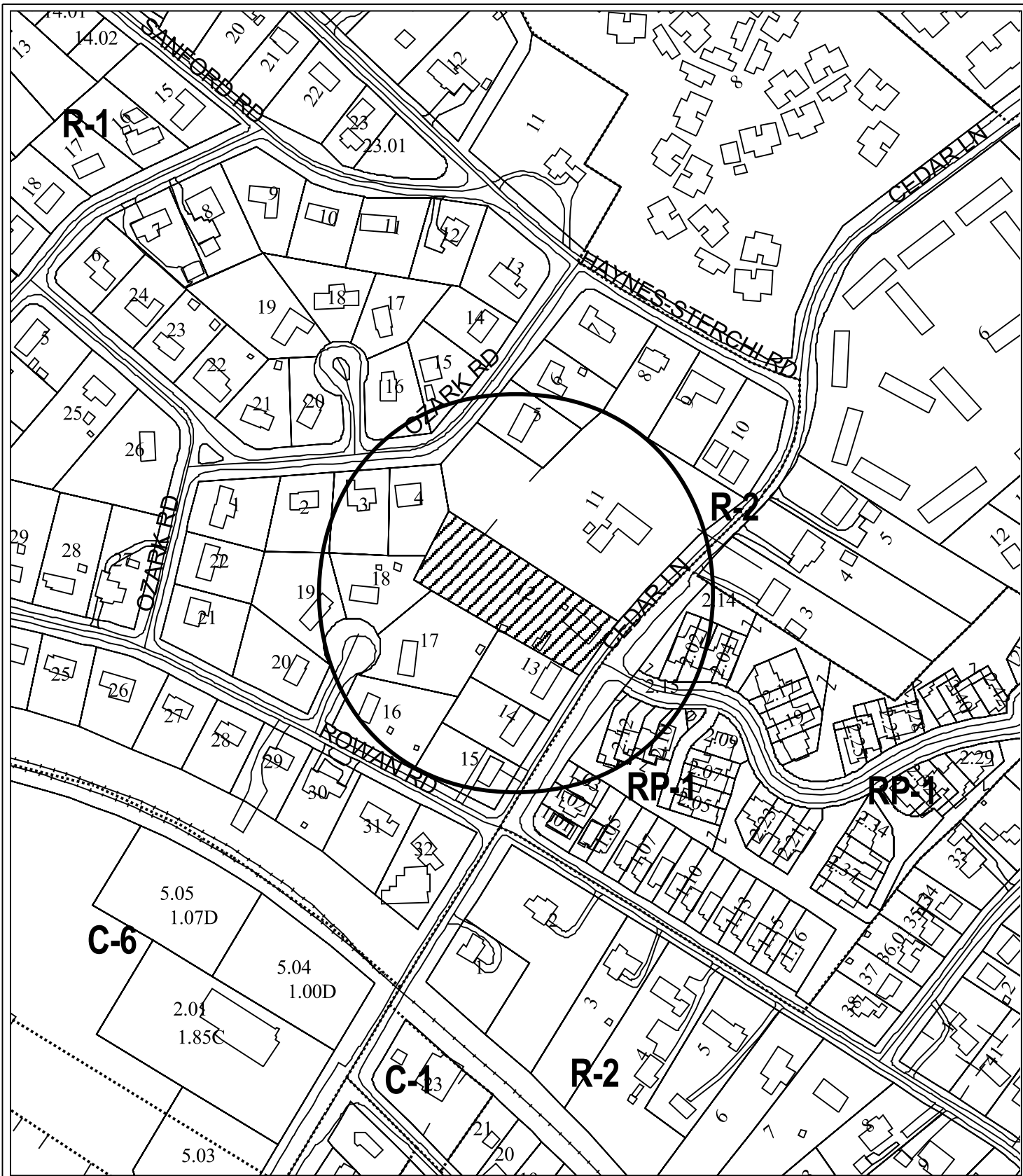
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

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 North City One Year Plan proposes 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-I-06-UR
 USE ON REVIEW

 Medical homecare 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: John W. Hughes

Map No: 68

Jurisdiction: City



AMERICAN MEDICAL HOMECARE

601 CEDAR LN.

KNOXVILLE, TN

37912

OFFICE/FAX: (865) 689-0919

CELL: (865) 368-0206

"USE ON REVIEW" --BUSINESS DESCRIPTION

TO: METROPOLITAN PLANNING COMMISSION

SUBJECT: HOME OCCUPANCY PERMIT

10-I-06-UR

U.O.R.

DATE _____

SUMMARY:

AMERICAN MEDICAL HOMECARE IS A HOME RESPIRATORY SERVICES COMPANY LOCATED AT RESIDENCE 601 CEDAR LN., KNOXVILLE, TN 37912. IT IS OWNED AND OPERATED BY JOHN W. HUGHES. THE OWNER RESIDES ON LOCATION. THIS BUSINESS HAS ONE EMPLOYEE.

ALL LOCAL, STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED FOR OPERATIONS INCLUDING: KNOX CITY/COUNTY BUSINESS LICENSE, EMPLOYER ID NUMBER, FDA, TN BOARD OF PHARMACY, TN STATE LICENSURE.

ACTIVITIES AT THIS SITE INVOLVE MEDICARE BILLING, FILING, TELEPHONE ANSWERING AND RECORDS KEEPING. IN ADDITION, PROCESSING FOR MEDICARE CLAIMS AND OCCASSIONAL WALK-IN CLIENTEL TRAFFIC ON A VERY RARE BASIS WOULD BE CONDUCTED. HOME OXYGEN REFILLS ARE TO BE CONDUCTED AWAY FROM THIS SITE AT PATIENT HOMES.

APPROXIMATELY 25 SQ. FT. OF SPACE IS OCCUPIED WITH RECEPTION AREA AND SMALL OFFICE WITH PHONE, COMPUTER, FAX AND FILING.

THE DESIGNATED AREAS ARE LOCATED IN FRONT OF RESIDENCE FOYER AND SECONDARY ROOM FOR AN OFFICE.

THE SINGLE RESIDENCE DWELLING IS APPROXIMATELY 2720 SQ. FT. 4 BR. 2.5 BA. KITCHEN, DINING, LIVING ROOM, SITTING AREA. CENTRAL GAS HEAT/AC.

LOT SIZE IS APPROXIMATELY 125 FT. WIDE BY 372 FT DEEP.

TWO OFF-STREET PARKING SPACES ARE PROVIDED ON PROPERTY.

AMERICAN MEDICAL HOMECARE

601 Cedar Ln. Knoxville, TN 37912

