

▶ **FILE #:** 6-G-10-UR

AGENDA ITEM # 36

AGENDA DATE: 6/10/2010

▶ **APPLICANT:** **JOLENE S. CLARK**

OWNER(S): MICHAEL & JOLENE CLARK

TAX ID NUMBER: 126 190.04

JURISDICTION: County Commission District 8

▶ **LOCATION:** **East side of Trundle Rd., south of Kimberlin Heights Rd.**

▶ **APPX. SIZE OF TRACT:** **10.4 acres**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Trundle Rd., a local street with a 13' pavement width within a 40' right-of-way.

UTILITIES: Water Source: Well

Sewer Source: Septic system

WATERSHED: Holston and French Broad

▶ **ZONING:** **A (Agricultural)**

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Dog Boarding Kennel**

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land / A (Agricultural)

South: Vacant land / A (Agricultural)

East: Vacant land / A (Agricultural)

West: Vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: The site is located in rural agricultural area in southeast Knox County.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a boarding kennel for up to 30 dogs as shown on the development plan subject to 8 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Health Department
3. Installing a six foot high wood privacy fence around the entire outdoor kennel area.
4. Maintaining the mature tree stands on the property around the kennel facility to help reduce noise impacts.
5. All dogs are to be brought indoors before dark and no dogs are to be permitted in the outside dog runs before 7:00 AM.
6. Access drive and parking areas to meet the requirements of the Knox County Department of Engineering and Public Works.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. Meeting all conditions of approval within six months from the date of approval by the Planning

Commission.

With the conditions noted above, the request meets all requirements for approval within the A (Agricultural) zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval of a boarding kennel that will accommodate up to 30 dogs on a 10.4 acre site. The property is located on the east side of Trundle Rd. near the southern terminus of the road, approximately 0.6 miles south of Kimberlin Heights Rd. The property is one of 18 tracts of five acres or greater in size that were created by an exempt plat recorded on September 23, 2008. In addition to the kennel, the applicant will also be building their home on the property. Over 50% of the site is heavily wooded which will help reduce the impact of the facility on adjoining property. Trundle Rd. is a narrow street that is only 13' wide in the area of the property. Traffic impact from the proposed facility should be minimal. Staff does have concern over the limited sight distance that exists to the west at the intersection of Trundle Rd. and Kimberlin Heights Rd. (both County streets). The County currently has no plans for improving the sight distance at this intersection.

The Zoning Ordinance states that it is "necessary to give special consideration to certain uses because they are unique in nature, require large land areas, are potentially incompatible with the existing development, or because the effect of such uses cannot definitely be foreseen. The uses listed under the various zones as Uses Permitted on Review are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the zone. Therefore, these uses must be specially placed into the development pattern which exists at the time of arrival." With proper planning and management a dog kennel is the type of use that can be accommodated with little impact on the surrounding area. A kennel can also be a real nuisance to the adjoining property owners if provisions are not made to control noise, sanitation, security, lighting, operating hours and parking.

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

1. The proposed development will have minimal impact on local services needed to serve this development.
2. The negative impacts of a kennel facility on surrounding property should be reduced by the applicant's proposal for operation and the recommended conditions by staff.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. As recommended the proposed kennel will meet the requirements for approval in the A (Agricultural) Zone and all other relevant requirements of the Zoning Ordinance.
2. As recommended the proposed kennel is consistent with the general standards for uses permitted on review: The proposed development will be consistent with the adopted plans and policies of the General Plan and Sector Plan. The use will be in harmony with the general purpose and intent of the Zoning Ordinance. The proposed screening and measures for noise reduction the use will be compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. .

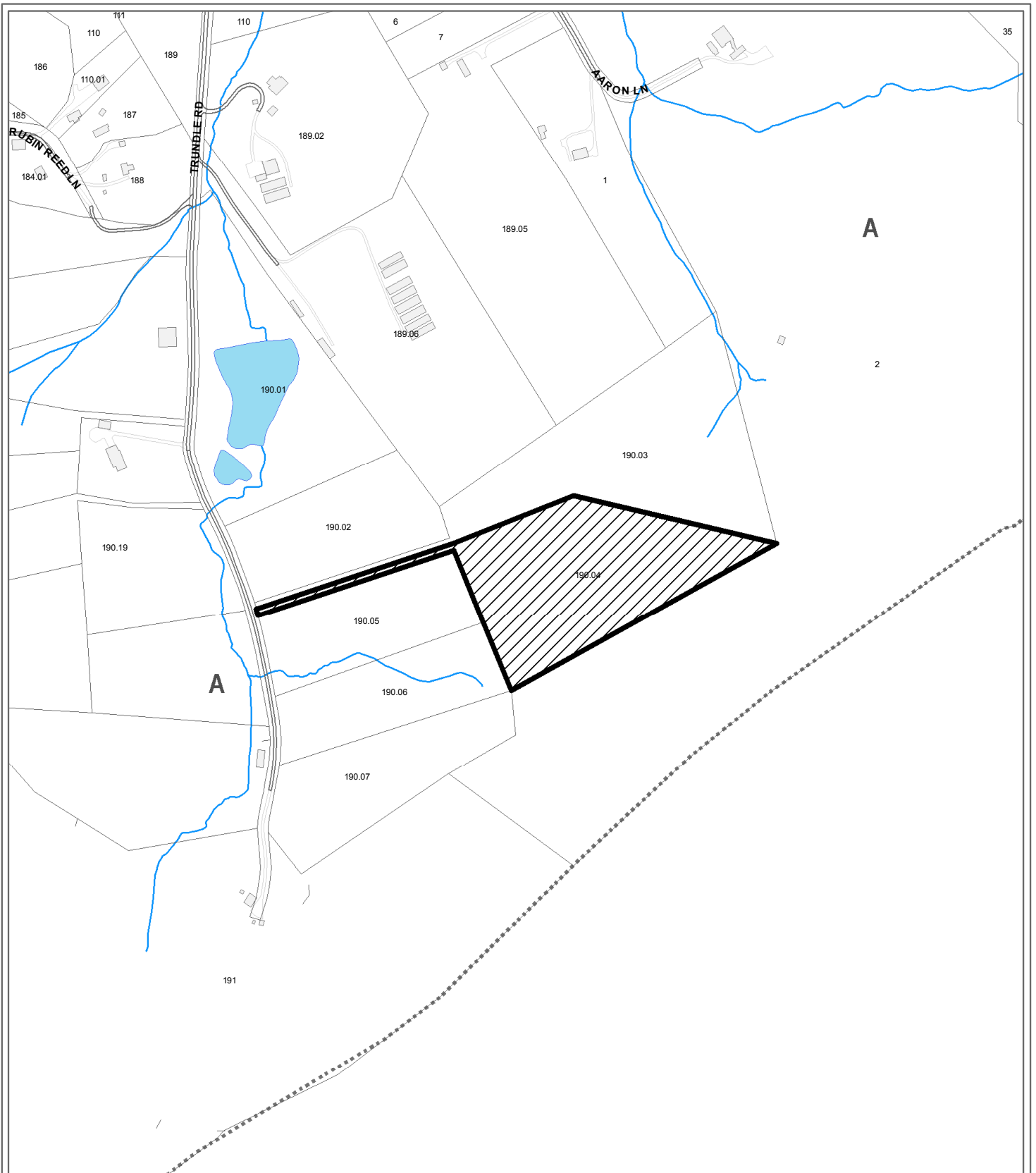
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan identifies this property as being within an agricultural / rural residential area.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



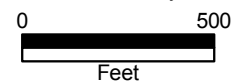
**6-G-10-UR
USE ON REVIEW**

Petitioner: Clark, Jolene S.



Dog Boarding Kennel in A (Agricultural)

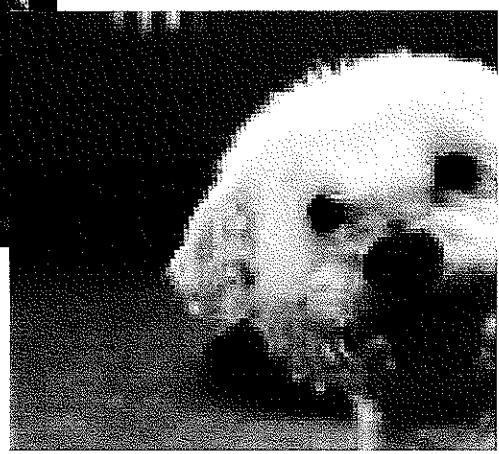
Map No: 126
Jurisdiction: County



Original Print Date: 5/20/2010
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

A J's

Boarding Kennel



Proposed Business: AJ's Kennel

8460 Trundle Road, Knoxville, TN 37920

AJ's Kennel is proposed as a boarding facility for dogs owned and operated by Jolene and Michael Clark. It would have an approximate maximum capacity of 30 dogs at any one given time.

Location: The proposed location is on a 10.4 acre property located at 8460 Trundle Road in South Knox County. This property is a flag lot with the kennel footprint planned for a site that is approximately 1100 feet (.21 miles) from Trundle Road. This site is not visible from Trundle Road. Currently there are no existing homes within less than a quarter mile of the kennel site. There are two *proposed* home sites that are at least 1100 feet away. Michael and Jolene Clark, owners of the property, plan to build a home approximately 150 yards from the kennel site and are very interested in maintaining the beauty and rural quality of the area.

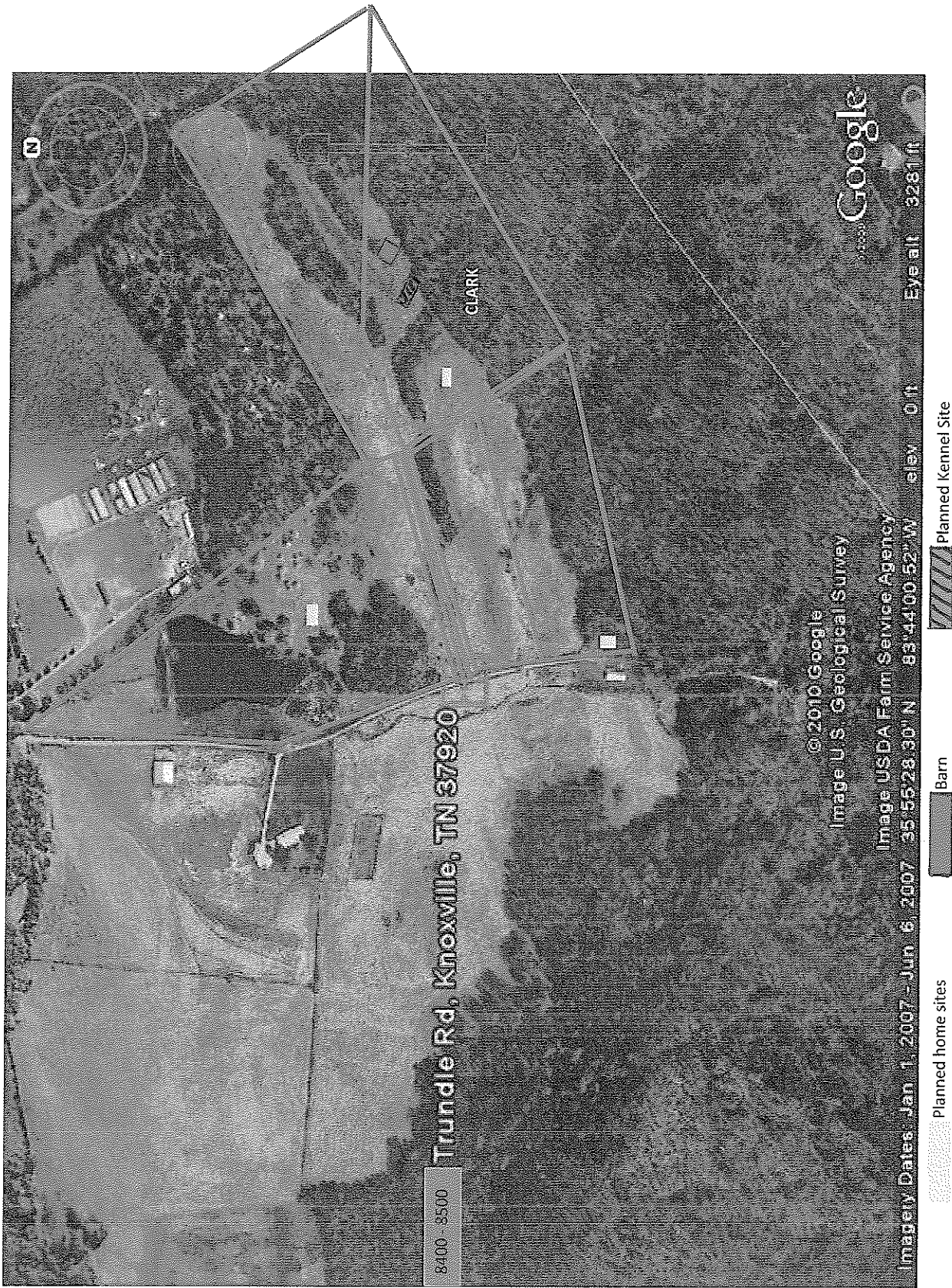
Noise Control: Though the rural location of the proposed business provides adequate distance from neighbors to prevent sound from being an annoyance, a number of design features are planned to provide additional sound control.

- a) The kennel facility will be built with 8-inch thick masonry block which provides excellent containment of noise.
- b) Forty percent of the planned dog accommodations will be indoor only.
- c) All dogs will be secured indoors overnight for both their security and to prevent nighttime barking.
- d) Privacy fence panels extending from both sides of the building will block the view from outside runs to the customer entrance at the front of the building, therefore reducing the tendency for dogs in the runs to bark at arriving/departing clients.
- e) Customer traffic will be limited to approximately 4 hours in the morning and 3 hours in the late afternoon/early evening (M-Sat). Approximately 2 ½ hours of quiet rest time for the dogs will be observed midday; during that time they will be contained inside the building.
- f) Though some of the acreage for this property is open fields, there are areas of mature trees which are valued by the owners for the beauty they provide, but also the privacy and sound-dampening potential that they offer. Some undesirable species are being selectively removed and replaced with others that will be more aesthetically pleasing and/or have year-round foliage.
- g) The maximum capacity and design of this facility has been purposefully planned to make certain that staff have sufficient time to give all "guests" adequate individual attention every day. Well-cared-for animals will have less need to make noisy demands!

Waste Disposal: The Knox County Health Department was consulted about appropriate waste disposal. A septic system with 300 feet of drain field has been planned and budgeted. The system will be fitted

with a special filter for capturing fur before it reaches the septic tank. Stringent cleaning procedures inside and outside the kennel will be an important step in managing waste handling. Solid waste will be collected as it occurs and disposed of via a waste disposal vent mounted directly in the cleanout port for the septic tank. Drains in the kennel will carry all other waste water and eco-friendly cleaning product into the septic system.

Parking: Since the facility is quite some distance from the road, there will be no parking along Trundle Road. There will be 2 customer parking spaces available to each side of the front entrance of the building, but, if necessary there is additional parking along the driveway extending beyond the kennel to the barn that is situated approximately 50 yards away. Parking for employees is available behind the barn. 'Soft' reservations for drop-off and pick-up of dogs will also effectively manage the flow of customers



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N

Clark Property
10.4 acres

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Image U.S. Geological Survey

Google

Eye alt 1825 ft

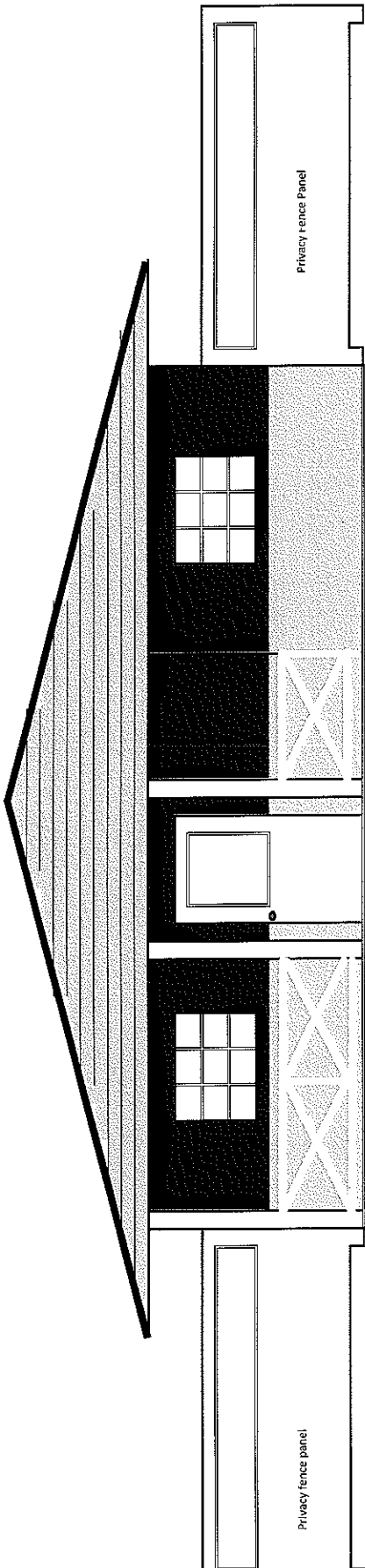
Imagery Date: Jan 1, 2007 35°55'27.61" N 83°43'48.45" W elev 0 ft

Planned Kennel Site

Barn

Planned Home Sites

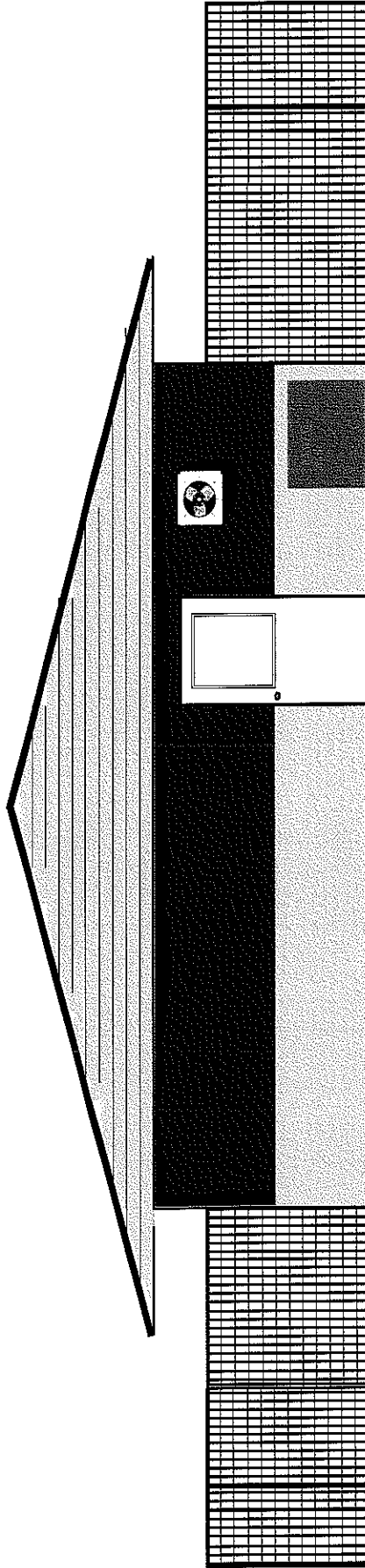
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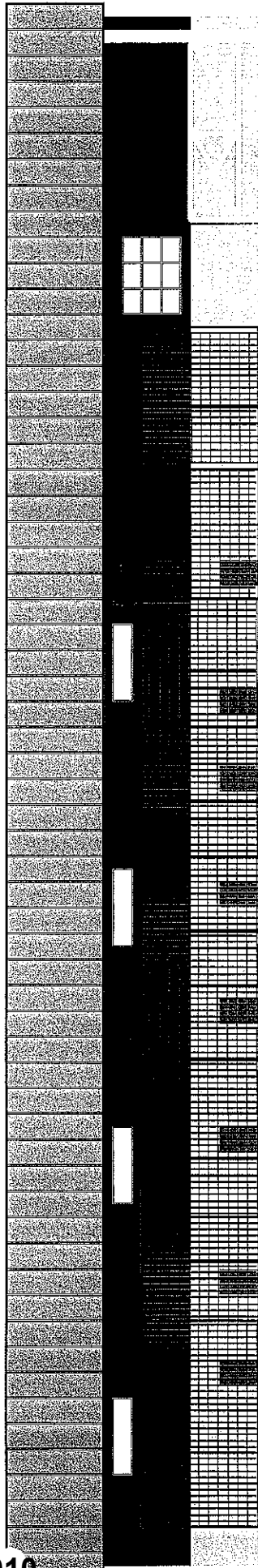
Privacy fence Panel

Privacy fence panel

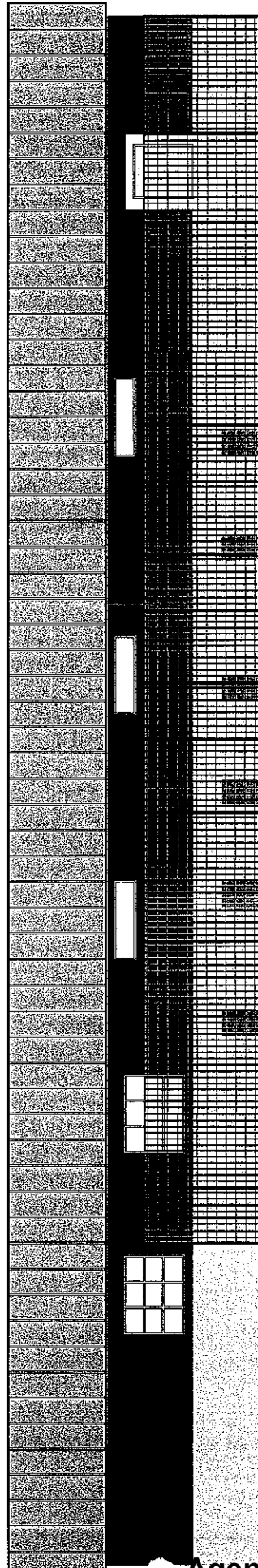
Front



Back



Left Side



Right Side

