

▶ **FILE #:** 8-D-11-UR

AGENDA ITEM # 36

AGENDA DATE: 8/11/2011

▶ **APPLICANT:** JOSEPH BRUGGER

OWNER(S): Joseph Brugger

TAX ID NUMBER: 68 D F 013

JURISDICTION: City Council District 5

▶ **LOCATION:** Southwest side Haynes-Sterchi Road, northeast side of Ozark Road

▶ **APPX. SIZE OF TRACT:** 0.55 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Haynes-Sterchi Rd., a minor collector street with a 20' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

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

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Home occupation for digital printing of personalized items (mugs, coasters, name badges, etc.)

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residences / R-1 (Low Density Residential)

South: Residences / R-1 (Low Density Residential)

East: Residences / R-1 (Low Density Residential) & R-2 (General Residential)

West: Residences / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: The site is located in an established residential neighborhood that has developed primarily under low density residential zoning.

STAFF RECOMMENDATION:

▶ **APPROVE the home occupation for digital printing of personalized items, subject to 3 conditions**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. There shall be no business sign on the site.

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 proposing to utilize his residence at 5221 Haynes-Sterchi Road for a home occupation for digital printing of personalized items such as mugs, coasters, name badges, ceramic tiles, etc. The residence which is located at the intersection of Haynes-Sterchi Road and Ozark Road is zoned R-1 (Low Density Residential) which allows consideration of home occupations as a use permitted on review. Access to the residence is off of Haynes-Sterchi Road, a minor collector street.

The proposed business will be located in the basement of the residence in an area of approximately 252 square feet which is approximately 11% of the 2296 square foot residence. A home occupation may occupy up to 25% of the residence. There will be no non-resident employees for the business. The business is marketed via the internet and locally at craft fairs. There will be no customers coming to the residence.

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

1. The proposed home occupation will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed home occupation, as outlined in the applicant's attached narrative, will have minimal impact on the residential neighborhood .

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

1. With the recommended conditions, the proposed home occupation 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 standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and the One Year 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.

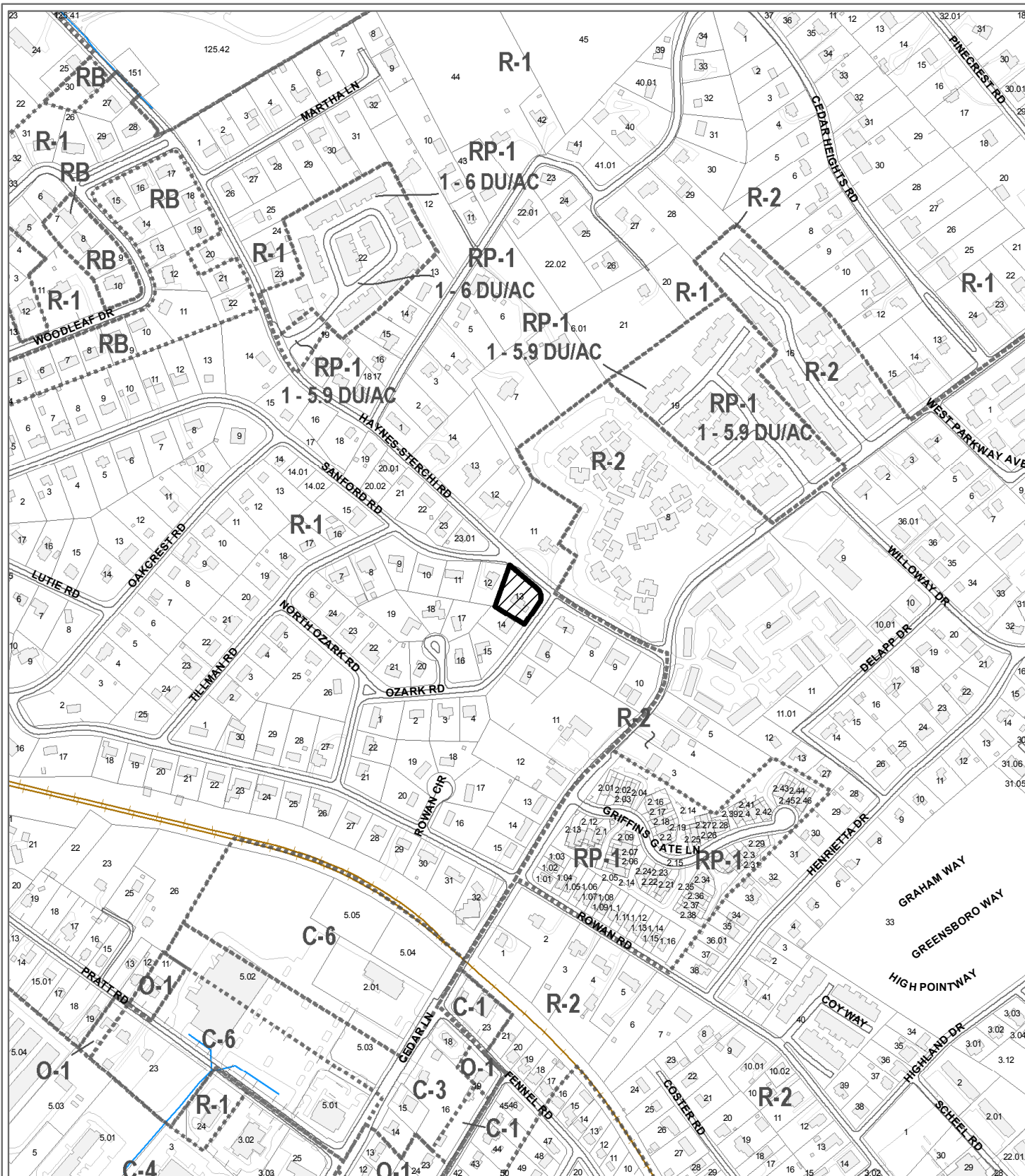
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The North City Sector Plan and One Year Plan identify this property for low density residential use. The R-1 (Low Density Residential) zoning of the property permits consideration of home occupations as a use on review.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

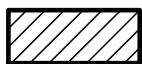
ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the 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.



**8-D-11-UR
USE ON REVIEW**



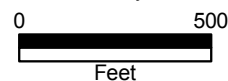
Approval of Home Occupation for digital printing of personalized items in R-1 (Low Density Residential)

Original Print Date: 7/27/2011
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Brugger, Joseph

Map No: 68
 Jurisdiction: City



8-D-11-UR

Application for Home Occupation

5221 Haynes-Sterchi Rd.

Knoxville, Tn 37912

Business Name: COLOR IMPAX

Owner & Applicant: Joseph Brugger

Proposed business: This would be a home-based business that designs and produces personalized items using a digital printing technology. Examples are: coffee mugs, coasters, name badges, etc. Marketing would be via the internet and locally by craft fairs. I am moving the business here from out-of-state and a website is available to show the variety of products offered: www.colorimpax.com (for reference).

Employees: none

Customer visits to my location: none

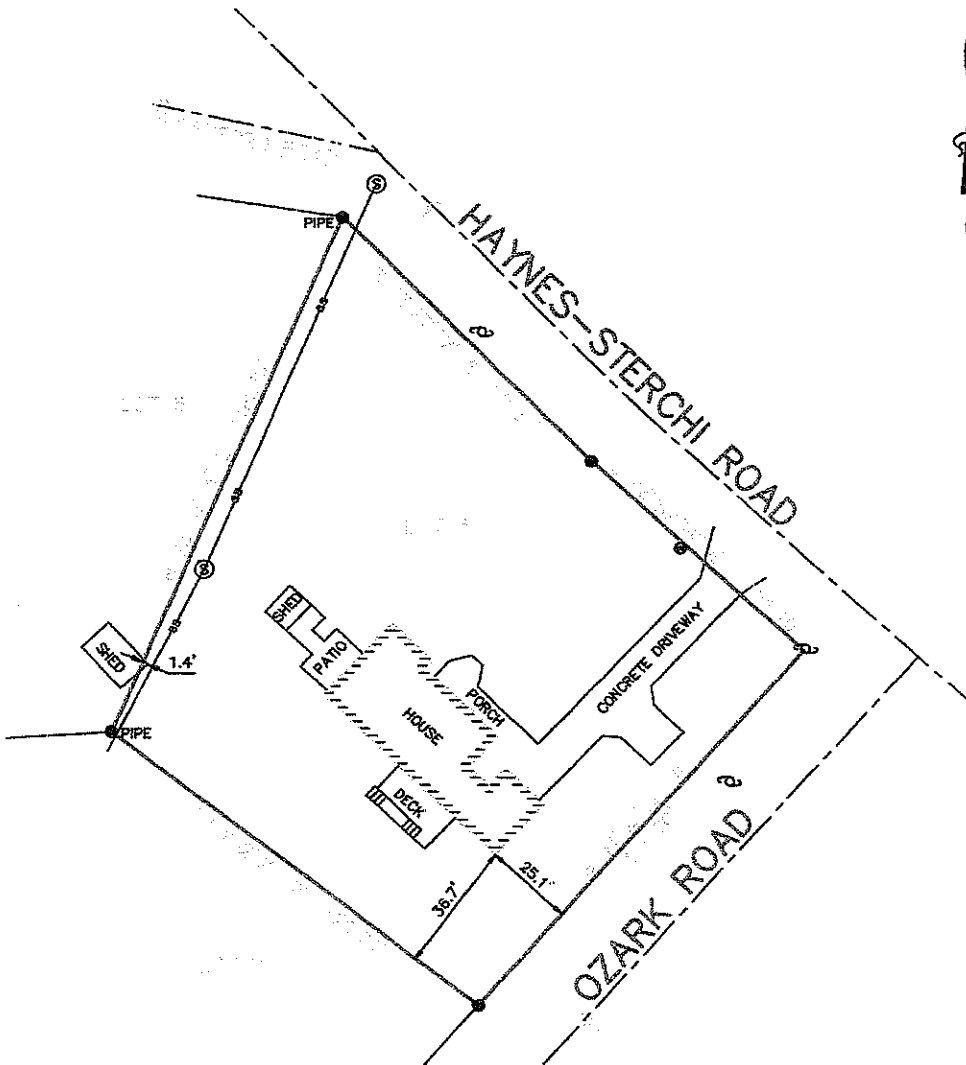
Noise, hazardous materials or waste: none

Incoming shipments from suppliers: once every 1 to 2 weeks- UPS only

Joseph Brugger

6-29-2011

8-D-11-UR



NOTES:

- 1) PROPERTY IS SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH. NO TITLE WORK WAS FURNISHED TO SURVEYOR PRIOR TO SURVEY.
- 2) UTILITIES SHOWN WERE LOCATED FROM ACTUAL FIELD EVIDENCE. OTHER UTILITIES MAY EXIST AND NOT BE SHOWN OR VARY FROM WHERE SHOWN. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE ACTUAL LOCATION OF ANY UTILITIES SHOWN, WHICH ARE NOT VISIBLE FROM THE SURFACE.
- 3) NEW CONSTRUCTION MUST CONFORM TO ALL LOCAL ZONING REGULATIONS.

LEGEND:

- IRON PIN FOUND ●
- UTILITY POLE ○
- MANHOLE ⊙
- SEWER LINE —S—
- WATER METER ⊙

I hereby certify that this is an accurate mortgage loan survey, made under my supervision, and that there are no encroachments found except as shown hereon.

**MORTGAGE LOAN SURVEY FOR
JOSEPH BRUGGER AND
SUSAN ANSBRO-BRUGGER**

OWNER: RONALD A. LEMPKE AND WIFE, SHARON R. LEMPKE
 ADDRESS: 5221 HAYNES-STERCHI ROAD
 LOCATION: TAX I.D. No. 068DF013
 7th CIVIL DISTRICT, 38th WARD
 KNOX COUNTY, TENNESSEE
 DEED REF: INST# 200403160085987
 SUBDIVISION: LOT 5
 CEDAR LANE, UNIT 2
 PLAT BOOK: 20, PAGE 17
 PLAT CAB: B, SLIDE 331C

DATE: 4/20/11

SCALE 1"=40'



REGISTERED
LAND SURVEYOR

TN No. 1861

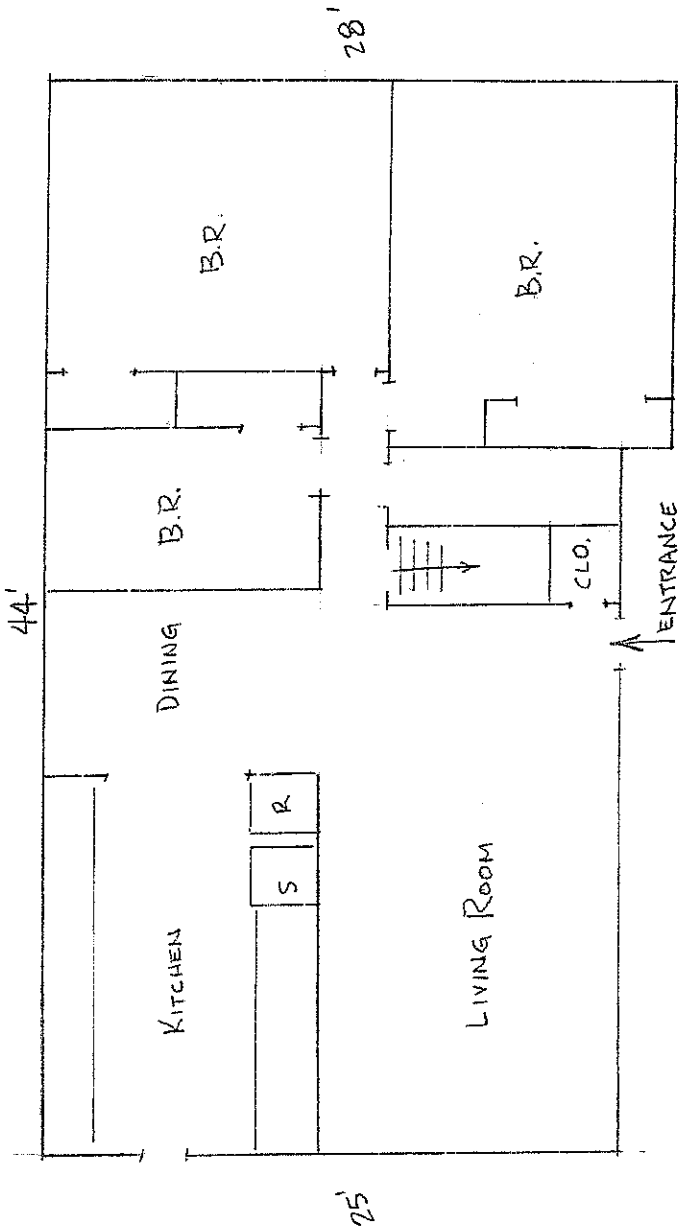
ACRE by ACRE SURVEYING

P.O. BOX 18435
 KNOXVILLE, TN 37928-2435
 PHONE (865) 686-0696

DRAWING # 11022

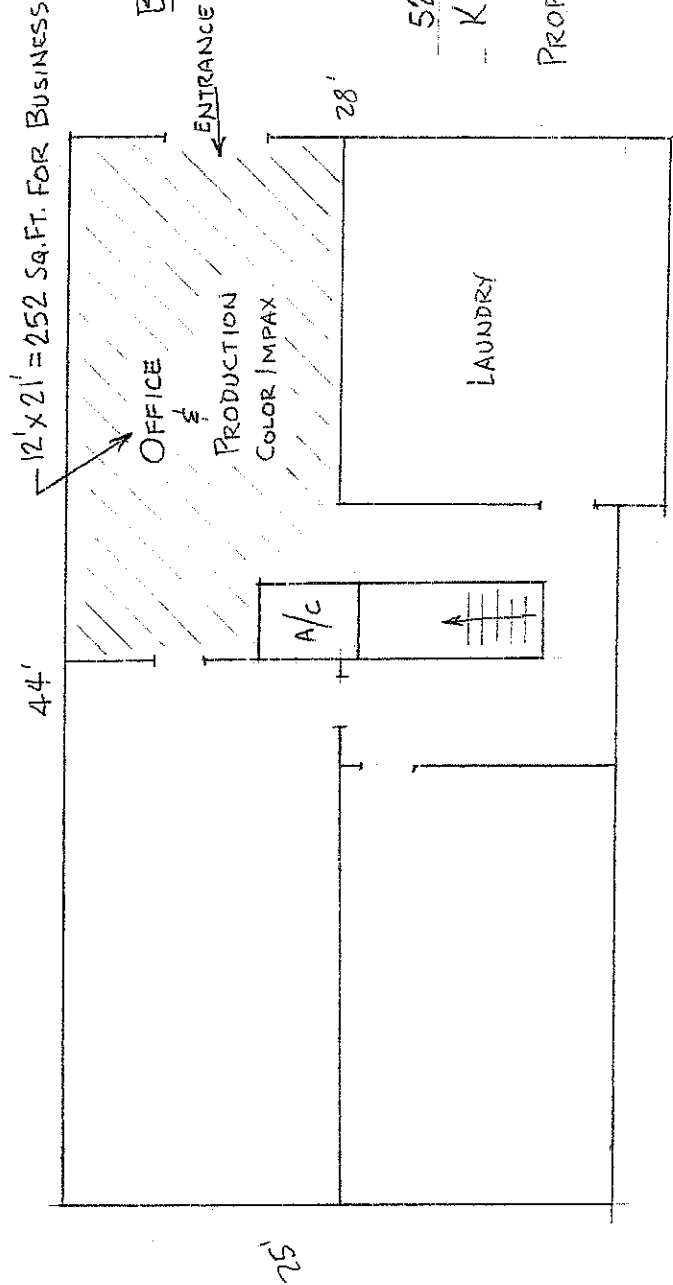
8-D-11-UR

FIRST FLOOR = 1,148 SQ. FT.



12' x 21' = 252 SQ. FT. FOR BUSINESS USE

BASEMENT = 1,148 SQ. FT.



5221 HAYNES - STERSHI RD.
- KNOXVILLE, TN. 37912

PROPOSED SITE OF "COLOR IMPAX"

J. BRUGGER
6/29/2011