

▶ **FILE #:** 7-A-14-UR

AGENDA ITEM #: 31

AGENDA DATE: 7/10/2014

▶ **APPLICANT:** GREG JONES

OWNER(S): Greg Jones

TAX ID NUMBER: 20 18505

JURISDICTION: County Commission District 8

STREET ADDRESS: 7523 Nevada Ln.

▶ **LOCATION:** North end of Nevada Ln., north of E. Emory Rd.

▶ **APPX. SIZE OF TRACT:** 5.5 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Nevada Ln. a private joint permanent easement with a 40'-50' wide right-of-way and a pavement width of 14' to 16'.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Dwelling and dog kennel

▶ **PROPOSED USE:** Dog Kennel

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential subdivision / PR residential

South: Detached dwellings / A agriculture

East: Residential subdivision / PR residential

West: Detached dwellings / A agriculture

NEIGHBORHOOD CONTEXT: The site is located adjacent to recently developed subdivisions. Other development in the area consists of detached dwellings on one acre or larger lots

STAFF RECOMMENDATION:

▶ **APPROVE** the request to continue to operate the existing dog kennel for a period of up to 2 years subject to the following 6 conditions

1. Two years from the date of approval the kennel ceases operation at this location
2. No more than fifteen dogs over the age of six months being kept at this facility
3. All kennels being washed and disinfected and the fecal material being placed in an air tight container on a daily basis and disposed of weekly
4. Meeting all other applicable requirements of the Knox County Health Department
5. Meeting all applicable requirements of the Knox County Animal Control Department
6. Meeting all applicable requirements of the Knox County Zoning Ordinance

COMMENTS:

Mr. Jones has operated a dog kennel at this location for over twenty years without approval by MPC through the use on review process as required by the Knox County Zoning Ordinance. The Zoning Ordinance states that it is "necessary to give special consideration to certain uses because they are unique in nature, and potentially incompatible with the existing development. 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."

This business operates as a breeding kennel that presently has a total of 15 dogs. While the business has not changed in recent years, the impact on the surrounding residents has increased due to improvements/ construction that has occurred on neighboring property. A complaint has been lodged by a neighbor that cites the noise and odor as issues that impact him. It is the opinion of staff that the location of the kennel has a negative impact on the adjoining residents. The kennel building is located approximately ten feet from the property line of an adjoining resident. It is a permanent structure with concrete floors which negates the possibility that the building could be relocated on the site.

The applicant has told staff that he owns approximately 40 acres located on Wise Springs Road and that he intends to build a new home and relocate the kennel to that location in two to three years. Since Mr. Jones has operated this kennel for so many years at this location without complaints, staff will recommend that he be allowed to continue the use for up to two more years. At the end of this two year period the applicant must have relocated the kennel or terminated the business at this location.

Staff believes that our recommendation will permit Mr. Jones to temporarily continue his business, and it will give the neighbors a known time at which point the kennel is to be removed.

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 since all required utilities are in place to serve this development.
2. The plan for the kennel as recommended by staff does not immediately decrease the negative impacts on the surrounding property. However, the recommendation limits the continued operation of the kennel

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

1. As recommended the proposed kennel meets 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 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. .

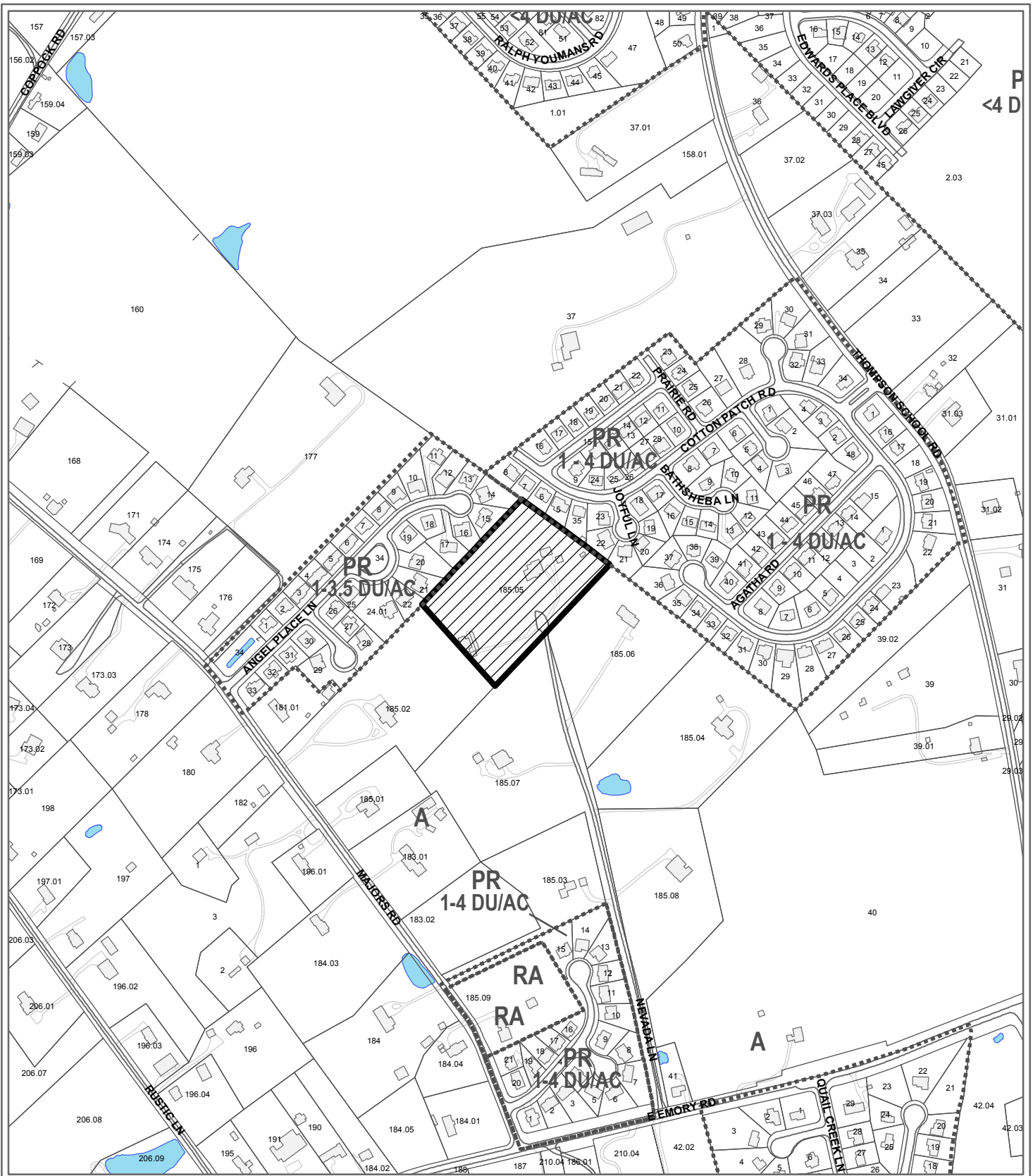
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan identifies this property as being within an LDR (Low Density 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 required.

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.



**7-A-14-UR
USE ON REVIEW**

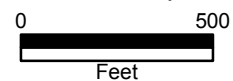


Dog Kennel in A (Agricultural)

Original Print Date: 6/23/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Jones, Greg

Map No: 20
Jurisdiction: County



April 29,2014

The kennel in question at 7523 Nevada Ln, Corryton, TN is a private family operation for the purpose of breeding and raising the standard golden retriever and the imported English golden.

We have had the kennel there at this location for over 20 years without complaints from any neighbors until recently. We have had no one from the Knox County Sheriff dept. come to us until recent and then they did not find any justification for the complaint by Mr. Seay.

We currently have 8 breeding females and 3 breeding males over the age of 3 and 5 pups under the age of 1 year for the future replacement of current breeding stock which will retire next year.

Each female has 1 litter of puppies a year in rotation for the purpose of supplementing income.

DAILY ROUTINE:

The dogs are let out every morning in the exercise area so that the kennel runs are cleaned and sanitized with Pine-Sol, then again let out in the afternoon.

Dogs are fed and watered

Lime is used daily to reduce any odor that may come from any dog waste.

Bark training collars are used for any excessive barkers, such as on males when the females are in their heat cycles.

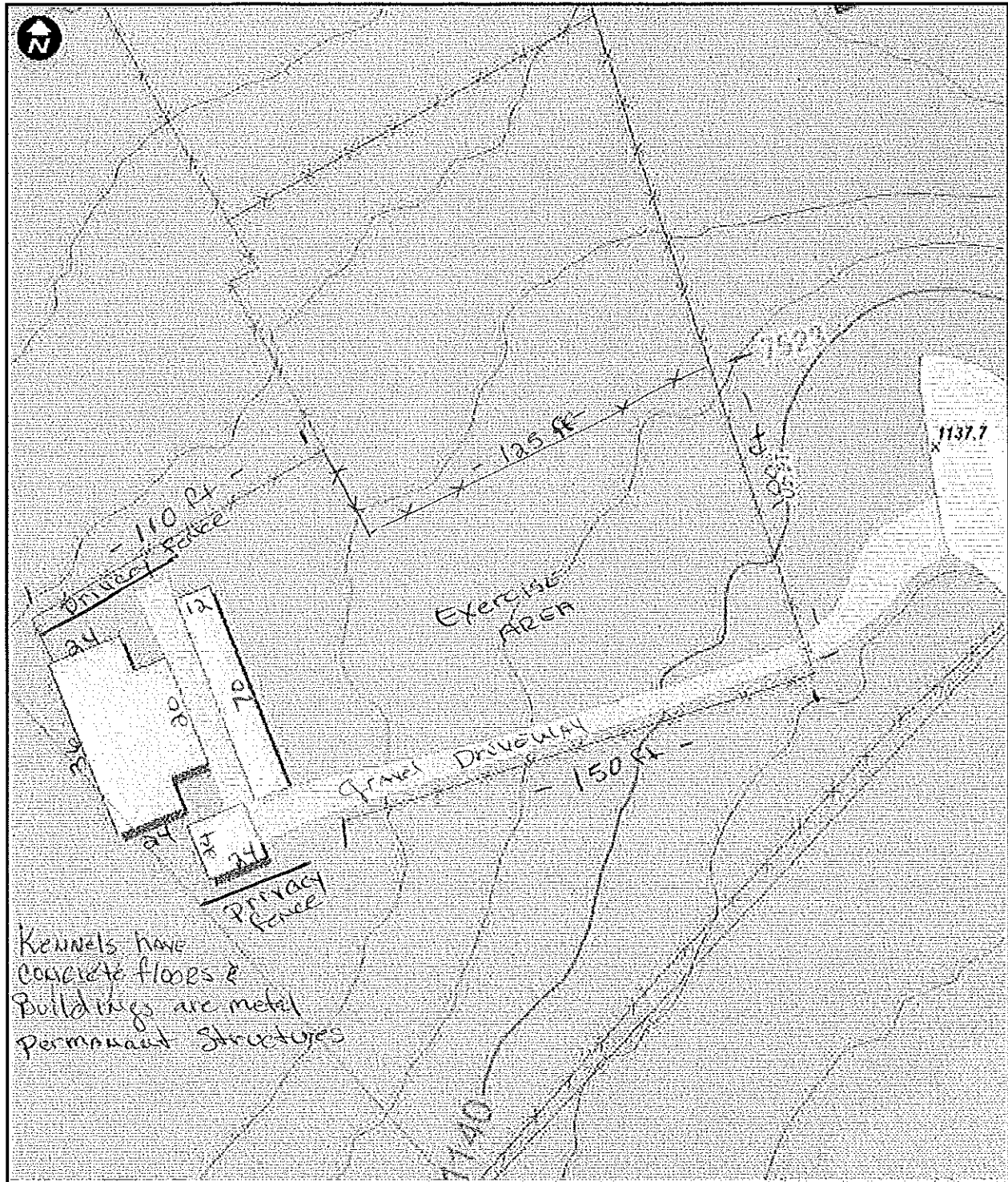
Privacy fences and privacy material is in place to reduce sound and visibility for the dogs which reduces barking.

A radio is on 24/7 for the soul purpose to drown out any outside noises and keep the dogs from barking.

We communicate and get along well with all our neighbors and none of those are bothered other than Mr. Seay with my dogs. They all have 1-3 dogs and they bark more than those in my kennel.

The only reason Mr. Seay is complaining is because he has built this past fall a large garage type building approximately 50 ft from my existing kennel of more than 20 yrs.

We realize we are about to outgrow our current situation so our plans in the near future is to relocate to 42 acres on Wise Springs rd.



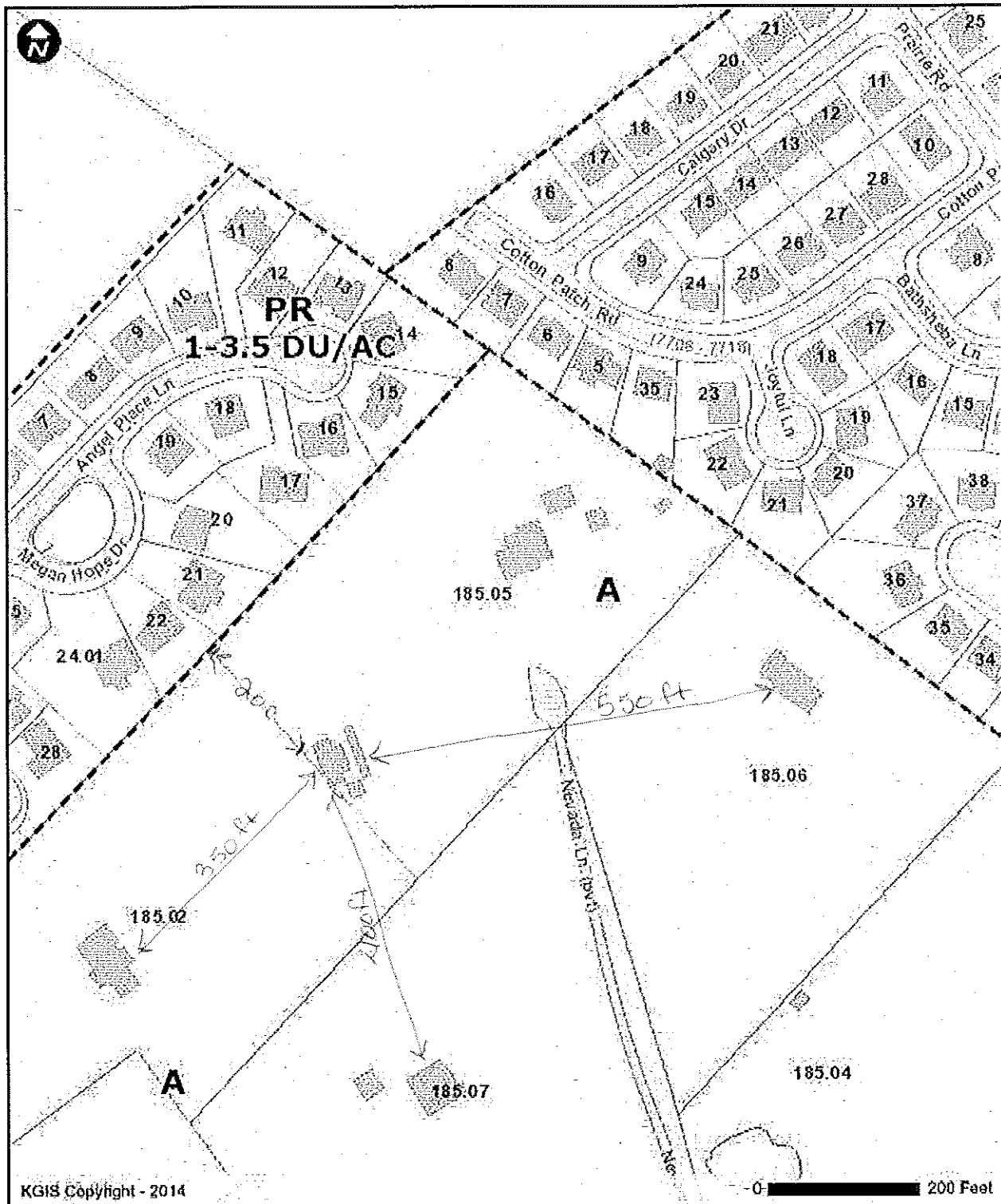
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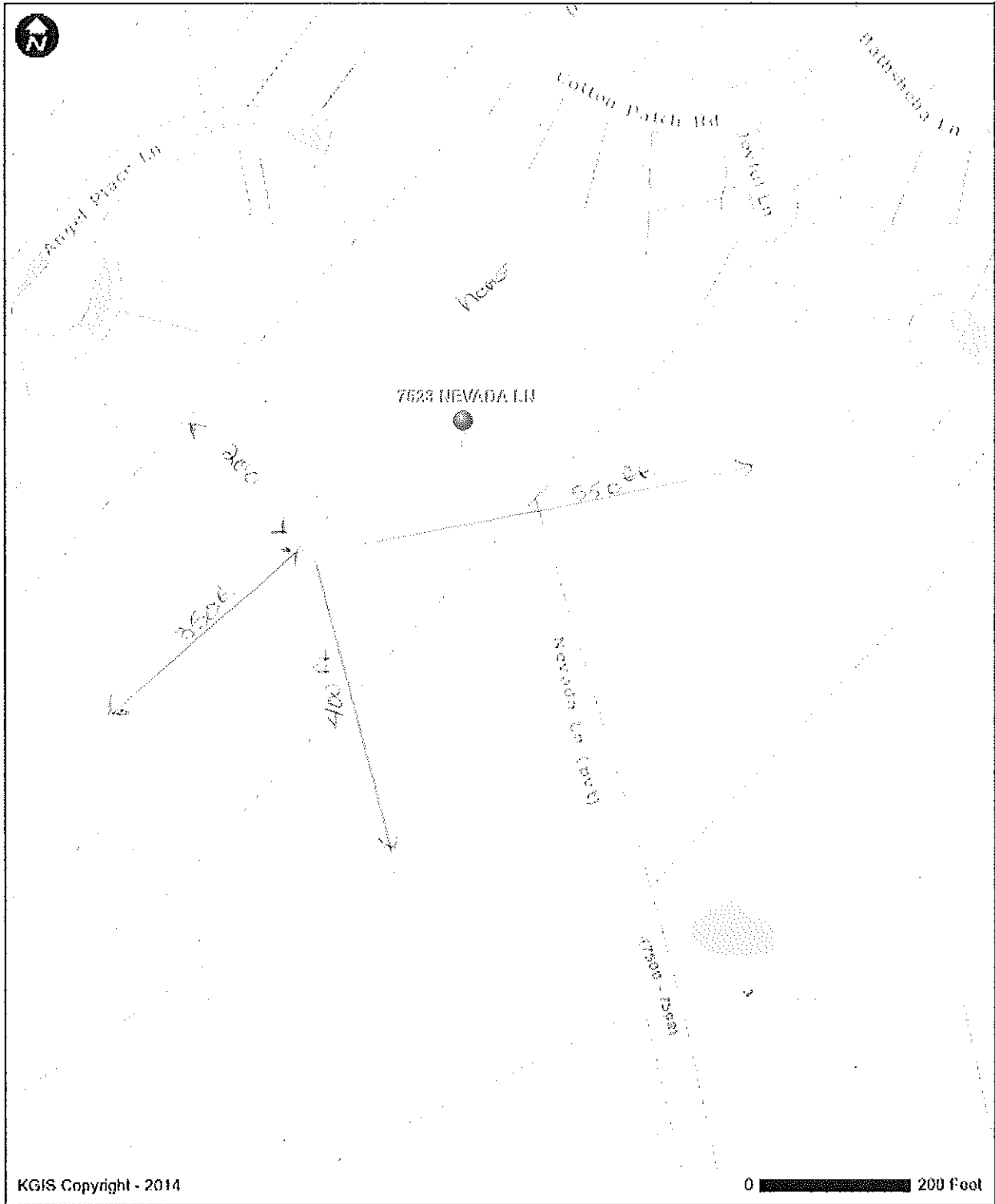
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Distance to Neighbors

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neighbor distance
 MPC dog kennel review

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