

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

▶ **FILE #:** 3-H-17-UR

AGENDA ITEM #: 55

AGENDA DATE: 3/9/2017

▶ **APPLICANT:** KEVIN JOHN DINSMORE

OWNER(S): Kevin J. Dinsmore

TAX ID NUMBER: 108 B E 02301

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 2733 Jersey Ave.,

▶ **LOCATION:** South side of Painter Ave., north side of Jersey Ave.

▶ **APPX. SIZE OF TRACT:** 1.9 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Jersey Ave. , a local street with a pavement width of 19' to 21' within a 40' wide right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** R-2 (General Residential)

▶ **EXISTING LAND USE:** Condominiums

▶ **PROPOSED USE:** Construction Manager - office

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Condominiums, business offices / R-2 & R-1 residential & O-1 office

South: Apartments, professional offices & detached dwellings / O-1 office and R-2 residential

East: Detached dwellings / R-s residential & O-1 office

West: Apartments, detached dwellings & a church / R-2 residential

NEIGHBORHOOD CONTEXT: The area surrounding the proposed site has most recently been developed with a combination of multi-dwelling structures and offices. There are a few remaining detached dwellings in the immediate area. Zoning in the area is R-2 residential and O-1 office.

STAFF RECOMMENDATION:

▶ **APPROVE the applicant's request to operate a construction management business as a home occupation as described in the accompanying material subject to 3 conditions**

1. No signage for the business
2. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance dealing with home occupations
3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance

COMMENTS:

The applicant owns and is the sole employee of a construction management business that he wishes to operate from his home. A construction manager is typically a consultant that can be retained to oversee or manage a construction project from design to completion. They are tasked with efficiently managing costs and scheduling in order to avoid overruns or delays. This applicant states that his business will be primarily computer based. He has told staff that much of his work involves the management of construction projects for the Federal Government. He goes onto state that no construction equipment will be kept or stored on the site.

In this case the applicant's dwelling is a two bedroom condominium that is located just to the west of Concord Street. He has supplied staff with a letter of support from the management/board of his homeowners association. If operated as the applicant states, this will be an invisible business that will have no impact on the adjoining residences.

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

1. The proposed home occupation will have no impact on local services since utilities are available to serve this site.
2. The proposed home occupation compatible with the surrounding development because it will not be seen nor will it any create additional traffic.

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

1. With the recommended conditions, the proposed home occupation is consistent with all relevant requirements of the R-2 zoning, as well as other criteria for approval of a use on review.
2. The use 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 Sector Plan. The use in is harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development has access to a minor arterial street.

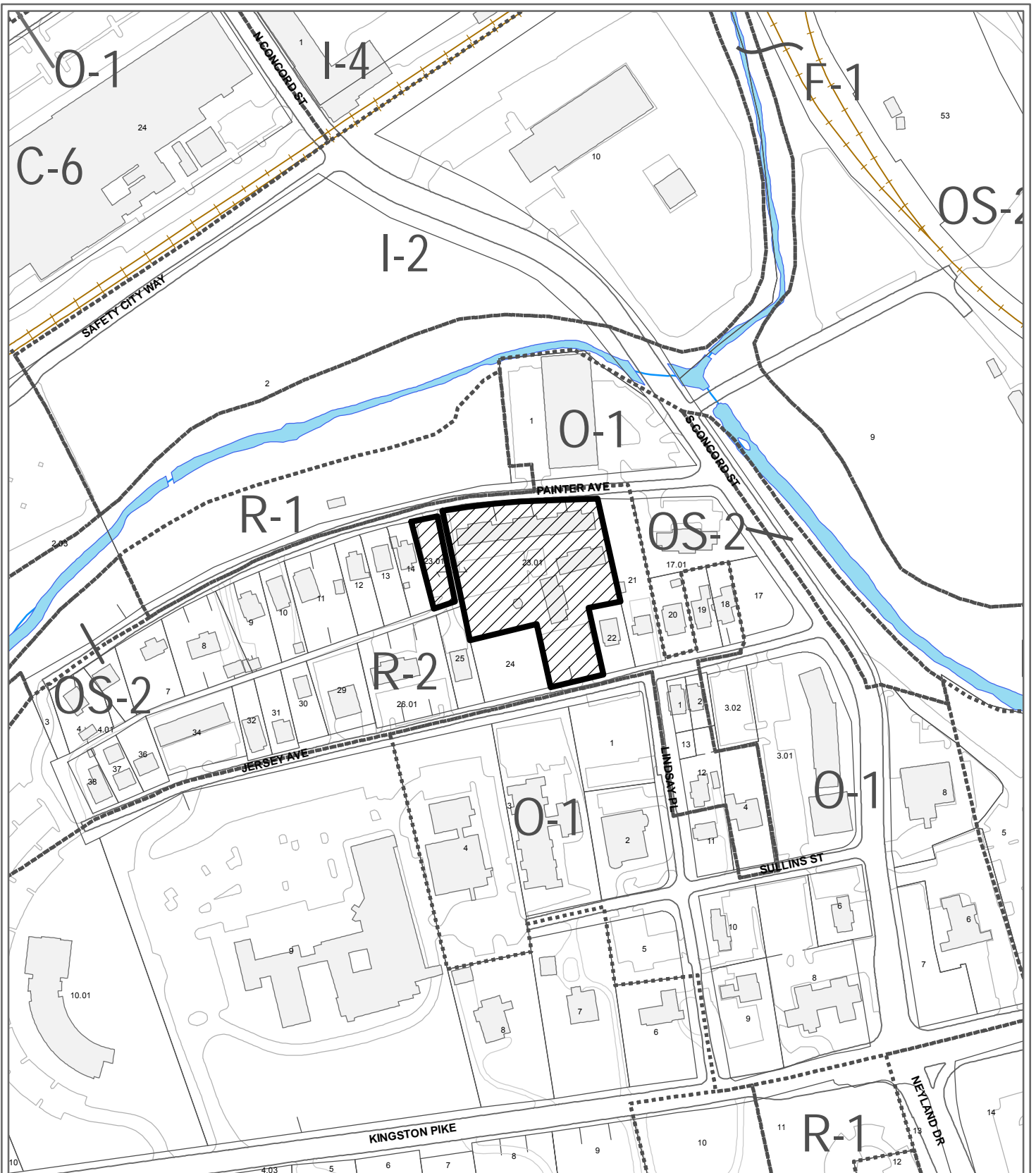
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Central City Sector Plan and Knoxville One Year Plan propose medium density residential (MDR) and office (O) uses for this site. The proposed development is consistent with the sector plan.
2. This site is located within the City of Knoxville 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 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.



**3-H-17-UR
USE ON REVIEW**

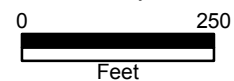


Home occupation in R-2 (General Residential)

Petitioner: Dinsmore, Kevin John

Map No: 108

Jurisdiction: City



Original Print Date: 2/15/2017

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Article 5

**SECTION 12
HOME OCCUPATIONS**

This section defines home occupations and prescribes the conditions under which such occupations may be permitted.

- A. A home occupation is a gainful occupation conducted in a dwelling unit by a resident thereof, provided that:
1. No more than one person other than members of the household residing on the premises shall be engaged in such occupation.
 2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
 3. There shall be no change in the outside appearance of the building or premises, nor outdoor storage of anything, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
 4. No home occupation shall be conducted in any accessory building.
 5. There shall be no sales in connection with such home occupation other than sales of services and products produced on the premises.
 6. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be off the street and other than in a required front yard.
 7. No equipment or process shall be used in such home occupation which increases noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a house, or outside the dwelling unit if conducted in other than a house. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises.

Metropolitan Planning Commission
City County Building
400 Main Street
Suite 403
Knoxville, TN 37902
(865) 215-2100

MPC Staff:

The purpose of this letter is to provide the information requested for the Use on Review application that is being filed for DHCM, LLC at 2733 Jersey Avenue, C302, Knoxville, TN 37919.

The condo unit C302 located at 2733 Jersey Avenue is being rented by Kevin J. Dinsmore.

Who

He is the 100% owner and only member of DHCM, LLC. DHCM, LLC does not have any employees. DHCM, LLC conducts business as a construction manager for federal construction projects.

What

The work conducted on the premises will only construction management services and will be conducted by computer for projects that are located remotely. No Construction Equipment will be stored on site. Mr. Dinsmore has one vehicle, which has a parking permit from the HOA. He has an additional parking permit from the HOA that would be used for anyone visiting the premises.

Where

Kevin J. Dinsmore is requesting to use 25% of the condo square footage as a home office to conduct these services. The condo consists of 4 rooms and a restroom. 1. Kitchen, 2. Living Room, 3. Bedroom #1, 4. Bedroom #2. Home office would be conducted in 2. Living Room. See attached Floor Plan.

When

Home office functions would be conducted during normal business hours.

Why

DHCM, LLC is applying for HubZone Certification and Kevin J. Dinsmore currently lives in the unit. He would like to reduce costs for services that DHCM, LLC plans to provide the Federal Government in Construction Management.

How

Kevin J. Dinsmore would conduct email correspondence, phone conversations, scheduling services, and other computer-related services to plan and deliver construction management services for federal projects from the home office. No construction equipment or construction services would be performed on the premises. No signage for DHCM, LLC would be placed or be visible on the exterior of the premises. Mr. Dinsmore would use his permitted parking space and have the additional parking permit available for visitors if any visitors did come to the premises during normal business hours.

Therefore, there would be no change in the use of the premises after the use on review would be approved from what takes place in other units in the complex – where students and other owners use their computers and cell phones to conduct email correspondence or phone conversations.

Thank you for your consideration of the Use on Review Application for DHCM, LLC and Kevin J. Dinsmore to conduct a home office inside Unit C302 located at 2733 Jersey Avenue, Knoxville, TN 37919.

If you have any additional questions, then Mr. Dinsmore can be reached at (865) 776-3320 or by email at kjdinsmor@gmail.com. Mail Correspondence can be sent to 2733 Jersey Ave, C302, Knoxville, TN 37919.

Sincerely,

A handwritten signature in black ink, appearing to read 'KJD', with a long horizontal flourish extending to the right.

Kevin J. Dinsmore
DHCM, LLC
(865) 776-3320
kjdinsmor@gmail.com

Metropolitan Planning Commission
City County Building
400 Main Street
Suite 403
Knoxville, TN 37902
(865) 215-2100

MPC Staff:

The purpose of this letter is to provide written permission from the HOA management group to allow Kevin J. Dinsmore to have a home office in Unit 302. We are aware that Mr. Dinsmore is filing a Use on Review application for DHCM, LLC at 2733 Jersey Avenue, C302, Knoxville, TN 37919.

The condo unit C302 located at 2733 Jersey Avenue is being rented by Kevin J. Dinsmore.

Signature & Date of HOA Personnel

Printed Name and Title of HOA Personnel

Thank you for your consideration of the Use on Review Application for DHCM, LLC and Kevin J. Dinsmore to conduct a home office inside Unit C302 located at 2733 Jersey Avenue, Knoxville, TN 37919.

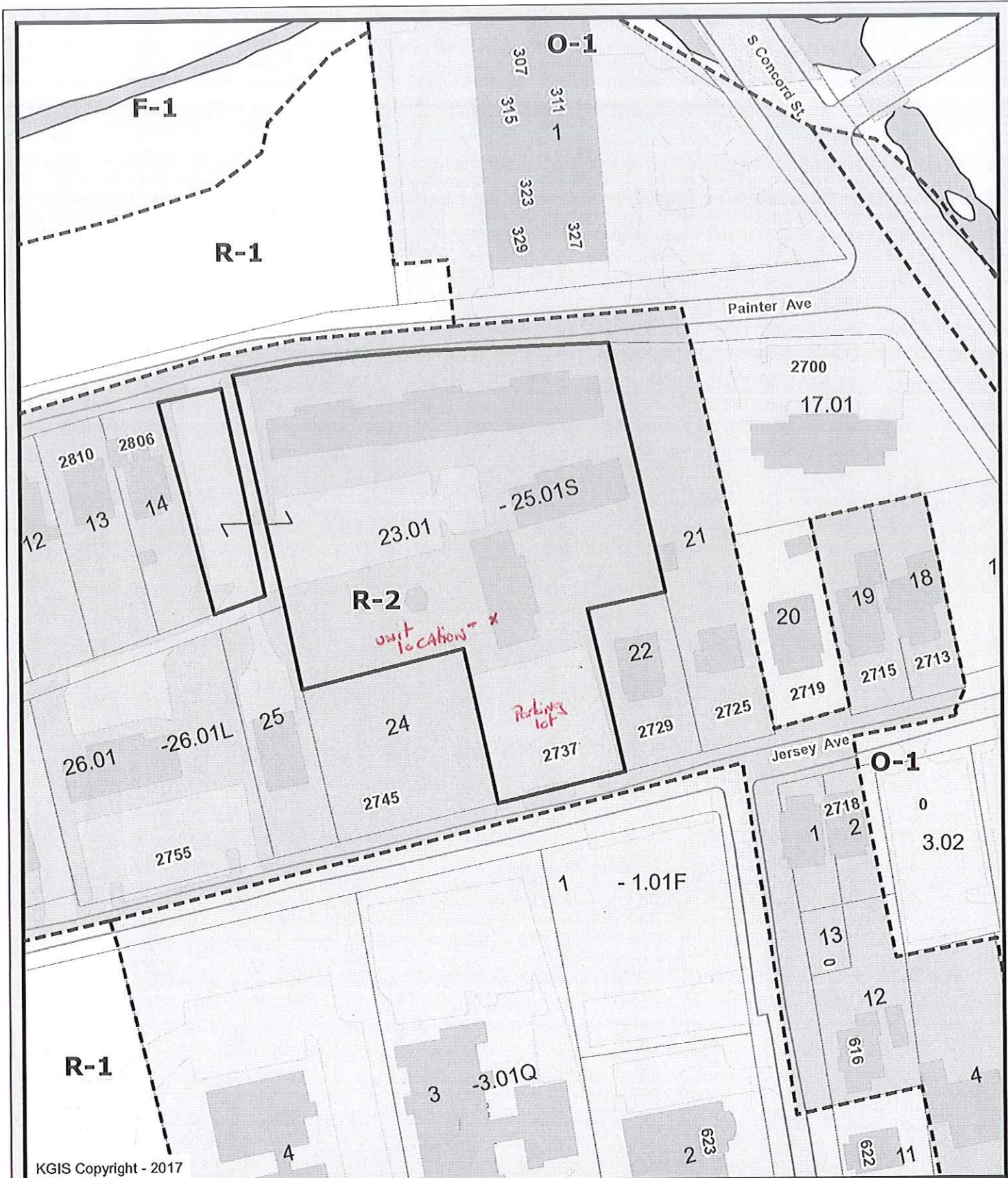
If you have any additional questions, then Mr. Dinsmore can be reached at (865) 776-3320 or by email at kjdinsmor@gmail.com. Mail Correspondence can be sent to 2733 Jersey Ave, C302, Knoxville, TN 37919.

Sincerely,

Kevin J. Dinsmore
DHCM, LLC
(865) 776-3320
kjdinsmor@gmail.com

Sent to Board
HOA
1.23.2017

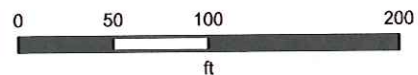
Jessica Brown
HOA management



Letter Portrait

Printed: 1/23/2017 at 12:32:16 PM

Knoxville - Knox County - KUB Geographic Information System



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Floor Plan for Unit 302
Location: 2733 Jersey Avenue, Knoxville, TN 37919





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

3-H-17-UR - Use on Review File Number additional documentation

1 message

Kevin Dinsmore <kjdinsmor@gmail.com>
To: bettyjo.mahan@knoxmpc.org

Fri, Jan 27, 2017 at 9:46 AM

Betty Jo:

Ma'am,

The purpose of this email is to provide additional documentation from HOA management approving the Use on Review by the Kingston Place Condo Association Board for a Home Office located at 2733 Jersey Avenue, C302, Knoxville, TN 37919.

This documentation is in support of

- File Number: Use on Review 3-H-17-UR

Please find attached the email that shows final approval from the HOA Board, Confirmation sent by Jessica Brown, Wednesday 1.25.2017.

Attached

- 2017.1.25 - HOA final approval

Thank you for taking the time to add this supporting documentation to our file.

Sincerely,

Kevin

Kevin J. Dinsmore

DHCM, LLC

We Build!

kjdinsmor@gmail.com

(865) 776-3320



DL, LLC Team Member

Dinsmore Leasing

We Maintain!

DHCM – Contracted As:

Owner Representative & Government Liaison


DHCM provides:

- Federal Construction Management Experience from the Office
- Tenant Improvements Expertise, and
- Federal Construction Experience from the Field

DL provides:

- Operations & Maintenance Professionalism
- Commercial Leasing Experience, and
- A Reputation for Character and Fair-Dealing

Together we are the solution for any Federal Agency. We Build and We Maintain!

 2017.1.25 - HOA final approval.pdf
115K

Kevin Dinsmore

From: Jessica Brown <jessica.brown@hoamanagementcorp.com>
Sent: Wednesday, January 25, 2017 3:08 PM
To: 'Kevin Dinsmore'
Subject: RE: Use of Review - HOA Board Decision

Hi Kevin,

It has been approved. You can go ahead and file. Thank you.

Jessica L. Brown

HOA Management
120 Suburban Road, Suite 103
Knoxville, TN 37923
Office: 865.558.3030
Fax: 865.558.3017

From: Kevin Dinsmore [mailto:kjdinsmor@gmail.com]
Sent: Wednesday, January 25, 2017 10:43 AM
To: jessica.brown@hoamanagementcorp.com
Subject: Use of Review - HOA Board Decision

Jessica,

The purpose of this email is to thank you for taking the time to talk with me on Monday and for emailing the HOA board about our request to use our condo for a home office.

Your help is greatly appreciated and it was a pleasure talking with you. I wanted to provide you with my contact information, so you would be able to send the Board's response.

You can reply to this email address:

- kjdinsmor@gmail.com

Or call me at:

- (865) 776-3320

Kevin

Kevin J. Dinsmore
DHCM, LLC
We Build!
kjdinsmor@gmail.com
[\(865\) 776-3320](tel:8657763320)

Use on Review Development Plan

Name of Applicant: Kevin John Dinsmore

Date Filed: 1.23.2017 Meeting Date: 3.9.2017

Application Accepted by: Thomas Brechler

Fee Amount: File Number: Development Plan

Fee Amount: \$450.00 File Number: Use on Review 3-H-17-UR



PROPERTY INFORMATION

Address: 2733 Jersey Ave, C302, Knoxville, TN 37919

General Location: South side Painter Ave, north side of Jersey Ave.

Tract Size: 1.9 acres No. of Units: 1

Zoning District: R-2

Existing Land Use: Condominiums

Planning Sector: Central City

Sector Plan Proposed Land Use Classification: MDR/O

Growth Policy Plan Designation: Urban

Census Tract: 26

Traffic Zone: 105

Parcel ID Number(s): 108BED2301

Jurisdiction: [X] City Council 2 District [] County Commission District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: Kevin J. Dinsmore

Company: DHCM, LLC

Address: 2733 Jersey Ave, C302

City: Knoxville State: TN Zip: 37919

Telephone: (865) 776-3320

Fax:

E-mail: kjdinsmor@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Kevin J. Dinsmore

Company:

Address: 2733 Jersey Avenue, C302

City: Knoxville State: TN Zip: 37919

Telephone: (865) 776-3320

Fax:

E-mail: kjdinsmor@gmail.com

APPROVAL REQUESTED

[] Development Plan: Residential Non-Residential

[X] Home Occupation (Specify Occupation)

Construction Management

Office only - sole employee

Kevin J. Dinsmore

[X] Other (Be Specific)

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature:

PLEASE PRINT

Name: Kevin J. Dinsmore

Company:

Address: 2733 Jersey Ave, C302

City: Knoxville State: TN Zip: 37919


Telephone: (865) 776-3320

E-mail:

SIGNATURES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Sign in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option	
KEVIN J. DINSMORE	2733 Jersey Ave C302	Knoxville,	TN	37919		✓	
							
Justin T. Dinsmore	10533 Lake Cove Way	Knoxville,	TN	37922	✓		
