



USE ON REVIEW REPORT

► **FILE #:** 9-B-26-UR

AGENDA ITEM #: 34

AGENDA DATE: 9/10/2026

► **APPLICANT:** HUNTER FORTNER

OWNER(S): Cynthia L. and Joseph C. Cocalis

TAX ID NUMBER: 61 06504

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 7513 MARY LAY LN

► **LOCATION:** West side of Mary Lay Ln, south of N Ruggles Ferry Pike

► **APPX. SIZE OF TRACT:** 4.79 acres

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

ACCESSIBILITY: Access is via an access easement off of Mary Lay Lane, an unstriped private street with 13-19 ft of pavement width within a right-of-way width that varies from 21-27 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Sinking Creek East

► **ZONING:** A (Agricultural)

PLACE TYPE: SR (Suburban Residential)

► **EXISTING LAND USE:** Rural Residential

► **PROPOSED USE:** Dog boarding facility

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agricultural)

South: Single family residential - A (Agricultural)

East: Single family residential - A (Agricultural)

West: Agriculture/forestry/vacant land - A (Agricultural)

NEIGHBORHOOD CONTEXT: The subject property is in an area that features single family houses in subdivisions and on larger lots interspersed with undeveloped tracts. Asheville Highway is nearby to the south.

STAFF RECOMMENDATION:

- Deny the request for a dog boarding facility in the A (Agricultural) zone because the request does not meet the criteria for use-on-review approval, and it will adversely impact surrounding residential properties.

COMMENTS:

This request is for a dog boarding facility on a 4.8-acre property in a residential area. The property currently accommodates a house and a large accessory structure. The property is accessed via a private gravel road that is shared with 9 other properties.

The proposal includes a 30 ft x 60 ft metal structure with a 10 ft x 60 ft controlled outdoor run, within a fenced outdoor area measuring 55 ft by 130 ft (approximately). The proposed structure includes sixteen kennels, each measuring 4 ft wide x 10 ft deep, an indoor training area, a cat room, and a lobby space. The existing accessory structure along the northern property boundary will be used for storage. The applicant's proposed operations summary and waste disposal plan are marked as Exhibits B and C.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10, SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE COMPREHENSIVE PLAN OF KNOX COUNTY.

A. The property is designated as the SR (Suburban Residential) place type in the Comprehensive Plan, which is primarily intended for single-family residential development. Commercial uses are not listed as a primary or secondary use within the land use mix of this place type.

B. Without adequate provisions for noise control, a dog boarding facility can significantly affect its surrounding environment, potentially causing nuisance and stress for both animals and humans, which would be inconsistent with the Comprehensive Plan's Implementation Policy 2, to ensure that development is sensitive to existing community character.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The A zone is intended to provide for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces. The proposed dog kennels are permitted via the use on review process.

B. There are no supplementary standards for commercial dog kennels in the A zone. However, other provisions of the ordinance require a minimum setback of 100 ft when such uses adjoin residential properties. For example, the A zone prohibits the outdoor animal area of a veterinary clinic within 100 ft of any residence other than that of the subject property owner (Article 5.22.03.M), and the CA (General Business) and CB (Business and Manufacturing) zones require a minimum setback of 100 ft and have provisions for a landscape screen when a commercial kennel adjoins a residential, office, or commercial zone (Article 4.99).

C. The proposed structures shall be at least 200 ft away from the nearby dwellings to the east and at least 300 ft from nearby residences to the north and south. The existing houses to the west are approximately 780 ft away and separated by an undeveloped property.

D. The proposed structure and outdoor fenced area meet the minimum setbacks for nonresidential uses (i.e., 50 ft front setback and 35 ft side and rear setbacks). The existing accessory structure to the north is nonconforming to the minimum side setback requirement.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATIONS OF BUILDINGS IN THE VICINITY.

A. The subject property is surrounded by residential developments on three sides. While some of these property owners may have dogs that spend time outdoors, it would be 1 or 2 dogs at a time, sporadically spread through the area, which would be a lesser degree of noise than what would be generated by a kennel.

B. The size and scale of the proposed structure are consistent with other structures in the vicinity.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC CONGESTION OR OTHER IMPACTS WHICH MAY DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The applicant has proposed the following measures to help mitigate noise and odor concerns; however, the effectiveness of the proposed sound attenuation measures is unverified.

- i. The structure's location at least 200 ft from other dwellings is greater than the minimum required setback for similar uses,
- ii. Installation of a concrete floor and 4-6 inch thick spray foam inside all exterior walls to block sound,
- iii. Installation of an 8-ft tall wooden fence to minimize outside distractions for dogs,
- iv. Installation of evergreen trees along the east and south of the outside fenced area,

- v. limited hours for dog drop-off and pick-up,
- vi. Controlled time, and a limited number of dogs allowed outside at one time,
- vii. A waste disposal plan with protocols for daily operations and weekly waste removal service.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The road is gravel, and it is shared with 9 other properties. This use would generate more trips than a low-density residential use, as is common in this area, and since it's gravel, it would degrade more quickly than if it were paved. There is a maintenance agreement already in place, but it does not address which types of uses are permitted to use it. Typically, all property owners would share in its future maintenance. The other owners are not in support of a commercial kennel sharing their road.

B. Knox County Engineering and Public Works Department does not support the proposed use under the current road configuration and will require widening the street to 18 ft from the intersection with N Wooddale Road to the development access point if the use is approved.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

ESTIMATED TRAFFIC IMPACT: 39 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed. For more information on the appeal process, contact Knoxville-Knox County Planning.

Exhibit A. Contextual Images



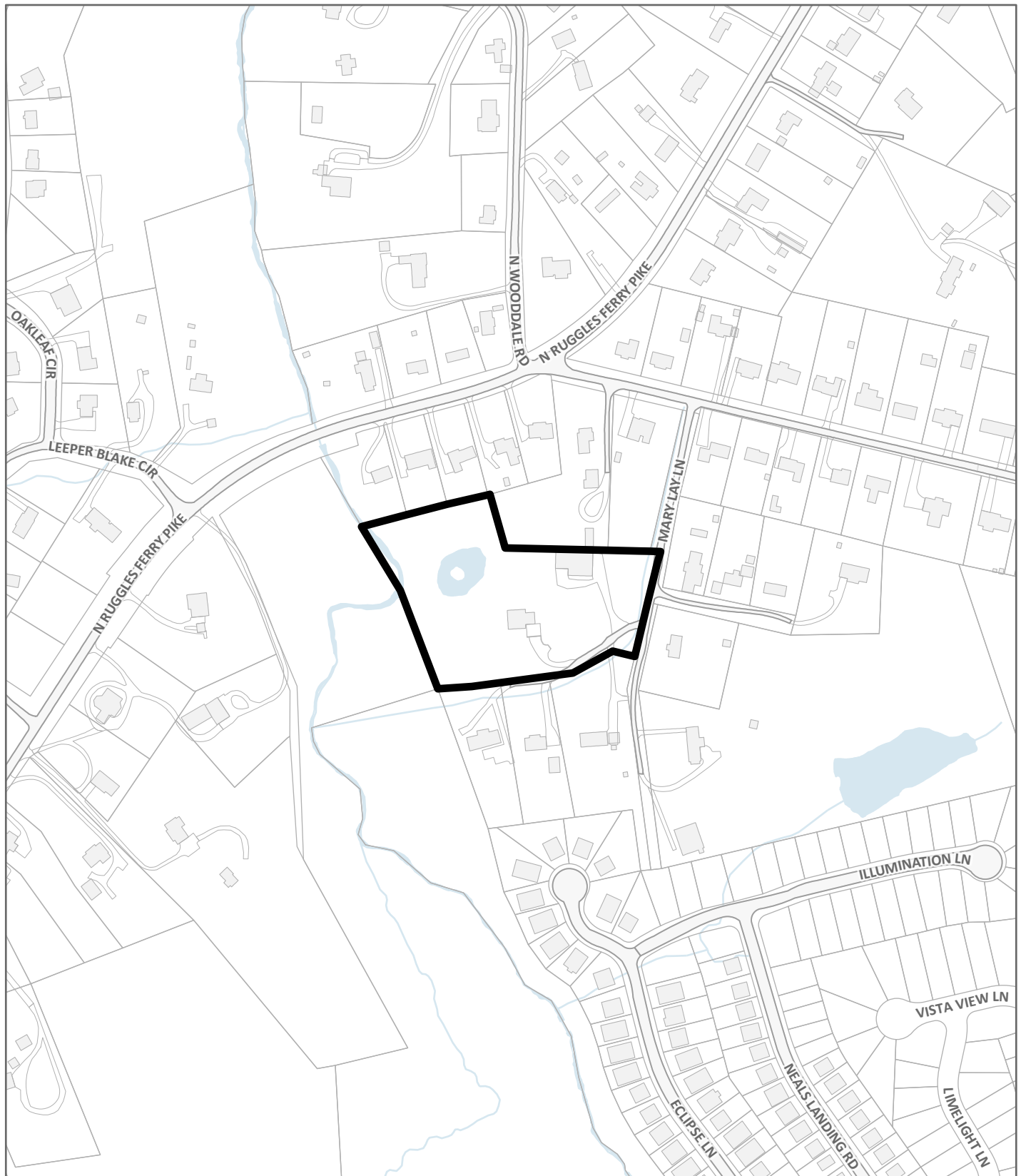
AERIAL MAP



Case boundary



Exhibit A. Contextual Images



LOCATION MAP

9-B-26-UR

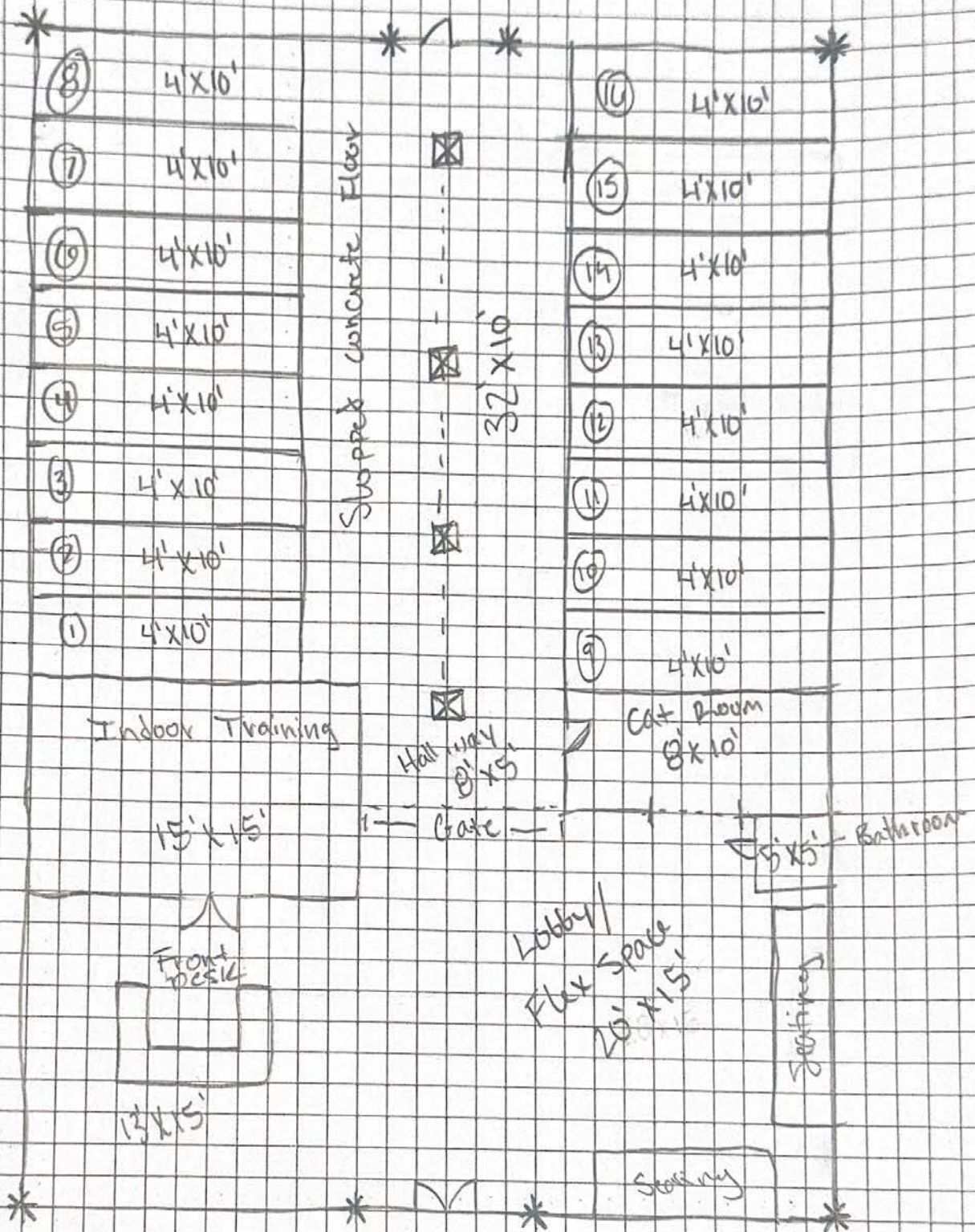


Case boundary

0 360
Feet



* - Out Door Lights



☒ - Floor Drains

- All exterior walls to have 4" to 6" of spray foam insulation for noise cancellation

Exhibit B. Proposed operations summary

The maximum number of dogs able to stay overnight is 16 for Canine Adventure Lodge. The dogs will be brought indoors no later than 7pm year round. (earlier in the colder months). The building requested will be a 30X60 metal building with engineered stamped specs. The interior metal walls will be sprayed with 4"-6" of soundproofing spray foam insulation. The distance to the closest homes from the exterior of the fenced in designated outdoor dog areas are : 300', 244', 204', 294', and 301'. The existing structure on the northern boundary will remain intact for a sound and sight barrier and to be used as a storage area for supplies. The landscaping plan resembles leyland cyprus trees (known for sound resistance) along the exterior of the outdoor dog area to serve as a sound and site proofing from the road and other houses in the area for when the dogs are outside in the fenced in areas. In the parking lot we will have 14 regular parking spaces with two handicap spaces. There will also be two ADA accessible spots on the sidewalk to the entrance area. The outdoor run will have composite decking instead of turf with gravel/concrete draining underneath. The max dogs allowed in this area will be 8. The overall fenced area will be grass and used for training only. The fence will be an 8ft tall privacy fence with a small concrete footer underneath the whole area. In the total fenced area that will be 1 on 1 dog training. So 1 two out there at the same time would be the max number. Dogs will be let out around 8-9 am during the week and 9-10am on the weekends.

The operating hours are as followed:

Sunday: 2pm-3pm

Monday: 8am-6pm

Tuesday: 8am-6pm

Wednesday: 8am-6pm

Thursday: 8am-6pm

Friday: 8am-6pm

Saturday: 9am-3pm

Exhibit C. Proposed Waste Management Plan

Pet Waste Management & Environmental Compliance Plan

Facility Type: Professional Dog Kennel

Location: Knox County, TN

Primary Waste Disposal Partner: DoodyCalls of East Tennessee (Seymour, TN office: 865-737-2260 (tel:865-737-2260))

1. Objective and Scope

This plan details the strict operational protocols for capturing, storing, and disposing of canine waste generated at the facility. The purpose of this plan is to fulfill Knox County zoning requirements, satisfy the conditions of the **Special Pollution Abatement Permit (SPAP)**, and prevent any biological or chemical contaminants from altering local soil quality or entering the county's stormwater infrastructure.

2. Primary Solid Waste Protocol (Daily Operations)

To prevent runoff and minimize odor, solid waste will not be allowed to accumulate on the ground:

Immediate Extraction: Staff will monitor all indoor runs and outdoor play areas continuously. Solid waste will be bagged immediately upon defecation.

Surface Considerations: Outdoor relief areas will utilize **pet-grade artificial turf** over an engineered, draining gravel base to allow rapid sanitization while ensuring zero raw soil contamination.

Receptacle Storage: Bagged waste will be transferred immediately to heavy-duty, airtight, industrial-grade commercial pet waste stations. These structures are anchored securely to prevent tampering by wildlife or tipping from high winds.

3. Professional Waste Removal Agreement

The kennel will completely bypass the use of local residential convenience centers (which legally prohibit commercial waste) by utilizing a dedicated commercial service contract with **DoodyCalls of East Tennessee**.

Service Frequency: DoodyCalls technicians will service the facility **twice weekly** (or custom intervals depending on kennel capacity) to empty the commercial stations and ensure zero long-term storage on-site.

Professional Standards: All waste extraction is executed by trained, uniformed technicians operating marked commercial vehicles.

Responsible Disposal Chain: DoodyCalls removes 100% of the collected biological material from the property during each visit. They assume legal chain of custody for the waste, hauling it off-site to a designated, legally sanctioned municipal solid waste landfill or wastewater treatment environment as dictated by regional EPA and Knox County sanitization standards.

Exhibit C. Proposed Waste Management Plan

4. Runoff & Stormwater Pollution Prevention (SPAP Compliance)

In strict accordance with Chapter 10 of the *Knox County Stormwater Management Manual*:

Zero Runoff Mandate: No animal waste, contaminated wash-water, or cleaning chemicals will ever be washed directly into outdoor grates, ditches, sinkholes, or perimeter soils.

Indoor Washdowns: Indoor kennel runs are constructed with non-porous epoxy flooring sloped toward dedicated internal floor drains. These drains route wastewater directly into the municipal sanitary sewer system (or approved commercial septic tank), keeping it completely isolated from the stormwater system.

Substrate Control: Soiled bedding or wood shavings will be bagged and handled via the solid waste stream, ensuring no loose particles can migrate into the storm infrastructure during rainy periods.

5. Odor, Vector, and Pest Control

Sanitization: Following solid waste removal, turf and non-porous surfaces will be treated daily using a veterinary-grade, biodegradable disinfectant/deodorizer that safely neutralizes bacteria without damaging the surrounding environment.

Insect and Rodent Mitigation: Because waste is sealed in airtight bins and removed twice a week by DoodyCalls, the attraction of flies, mosquitoes, and rodents is effectively neutralized.

Public Notice and Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). The contact information you provide in your application may be used for that purpose. We require applicants to acknowledge their role in this process.

Sign Posting and Removal

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission.

Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

Location and Visibility

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

Timing

The sign(s) must be posted not less than 12 days prior to the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

8/14/26

8/29/26

Date to be Posted

9/10/26

9/11/26

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

☐ Yes ☐ No

☒ No, but I plan to prior to the Planning Commission meeting



Applicant Signature

Hunter Fortner

Applicant Name

7/27/26

Date