

▶ **FILE #:** 12-SP-07-F **AGENDA ITEM #:** 19
 POSTPONEMENT(S): 12/13/2007-6/12/2008 **AGENDA DATE:** 7/10/2008
 ▶ **SUBDIVISION:** GOOSE LANDING RESUBDIVISION OF LOT 3
 ▶ **APPLICANT/DEVELOPER:** MICHAEL BRADY, INC.
 OWNER(S): Samuel & Elaine Luttrell

TAX IDENTIFICATION: 116 8.03
 JURISDICTION: County Commission District 6
 ▶ **LOCATION:** Southwest side of W. Gallaher Ferry Road northwest of Hickory Creek Road
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Rural Area
 ▶ **APPROXIMATE ACREAGE:** 5.009 acres
 ▶ **NUMBER OF LOTS:** 3
 ▶ **ZONING:** A (Agricultural)
 SURVEYOR/ENGINEER: Michael Brady, Inc.
 ▶ **VARIANCES REQUIRED:** 1. To reduce the requirements of the Minimum Subdivision Regulations for a Joint Permanent Easement that serves more than six lots to existing conditions.
 2. To reduce the requirements of the Minimum Subdivision Regulations for site distance at the JPE and W. Gallaher Ferry Road to existing conditions.

STAFF RECOMMENDATION:

▶ **Deny Variances 1-2
 DENY Final Plat**

COMMENTS:

Staff has recommended denial of this Final Plat because it does not meet the required standards of the Minimum Subdivision Regulations 64-24.6 for a Joint Permanent Easement that serves six or more lots and required site distance does not exist at the JPE and West Gallaher Ferry Road. Applicant is seeking to subdivide an existing 5 acre lot into 3 lots. The existing 5 acre lot is served by an un-named, 15' wide, paved easement serving 10 addresses at this time. At the JPE entrance and West Gallaher Ferry Road the required site distance should be 300' in each direction and there is only 175' of site distance to the northwest and 235' to the southeast. Applicant has requested variances to reduce the requirements of the JPE and site distance to existing conditions.

This exact Final Plat was presented to MPC in August 2007 and was denied. At that time there was opposition from neighbors of the applicant. Since then it is Staff's understanding that the applicant has worked with the neighbors to resolve the issues that they were opposed to last August.

MPC's approval or denial of this request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court appeal hearing will depend on when the appeal application is filed.

