

▶ **FILE #:** 2-SB-13-F

AGENDA ITEM #: 13

AGENDA DATE: 5/9/2013

▶ **SUBDIVISION:** STEVEN & PATRICIA JOHNSTON PROPERTY

▶ **APPLICANT/DEVELOPER:** STEVEN JOHNSTON

OWNER(S): Steven Johnston

TAX IDENTIFICATION: 79 03102

JURISDICTION: County Commission District 6

▶ **LOCATION:** Northwest side of Schaad Rd, northeast of Beaver Ridge Rd.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

▶ **APPROXIMATE ACREAGE:** 4.45 acres

▶ **NUMBER OF LOTS:** 2

▶ **ZONING:** A (Agricultural)

SURVEYOR/ENGINEER: Garrett & Associates

▶ **VARIANCES REQUIRED:**

1. To reduce the requirements of the Minimum Subdivision Regulations section 64-24.45 that requires all deadend JPEs to provide a suitable turnaournd meeting ASHO guidelines.
2. To reduce the requirements of the Minimum Subdivision Regulations section 64-24.61 that requires JPEs that serve more than six lots to meet the same construction standards as a public street, to waive the requirement for curbs, and to reduce the pavement width from 22' to 11'

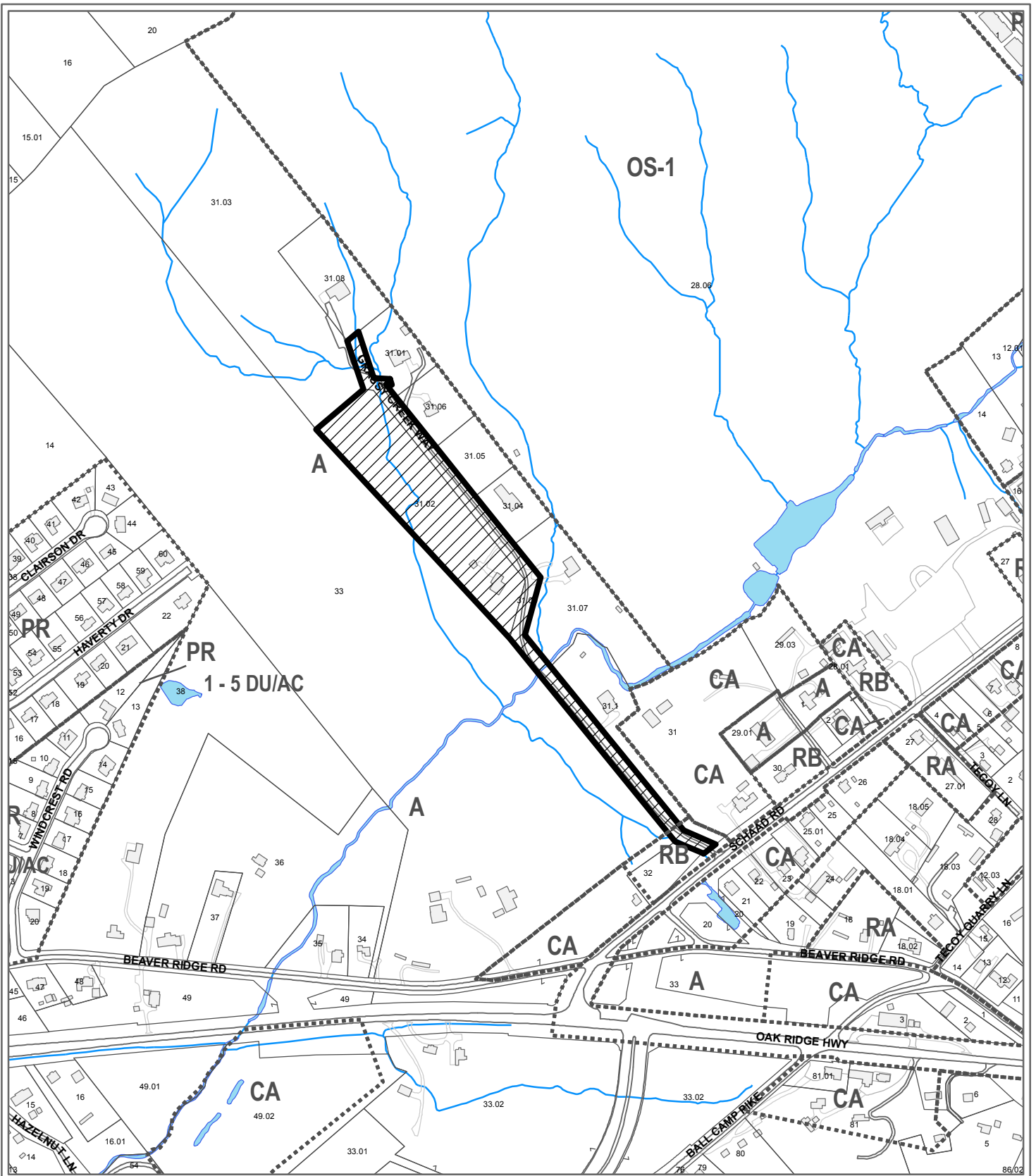
STAFF RECOMMENDATION:

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

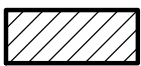
COMMENTS:

This plat was originally submitted for review for the February 2013 MPC meeting. The plat was tabled so that the property owner would have some additional time to work with Knox County Engineering and MPC staff for a solution for the non-conforming, existing Joint Permanent Easement serving the property. The existing JPE serves more than 6 lots and is approximately one half mile long and does not meet the requirements of the Minimum Subdivision Regulations. In July of 2003 another lot served by this JPE came before MPC for review and approval. Staff had recommended denial of the variance serving 6 or more lots from meeting design standards due to a lack of physical hardship and safety concerns. MPC Commission approved that plat. MPC Staff and Knox County Engineering are recommending denial of this current plat because of the same reasons

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.



**2-SB-13-F
FINAL SUBDIVISION PLAT**



Final Plat For: Steven & Patricia Johnston Property

Original Print Date: 1/30/2013
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

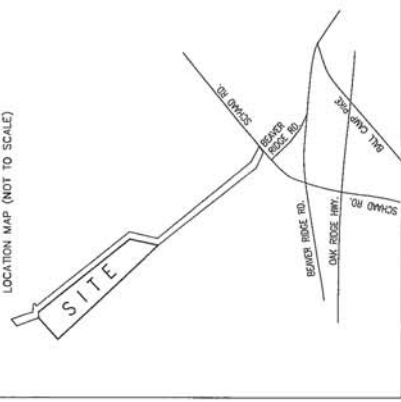
Petitioner: Johnston, Steven

Map No: 79

Jurisdiction: County



LOCATION MAP (NOT TO SCALE)

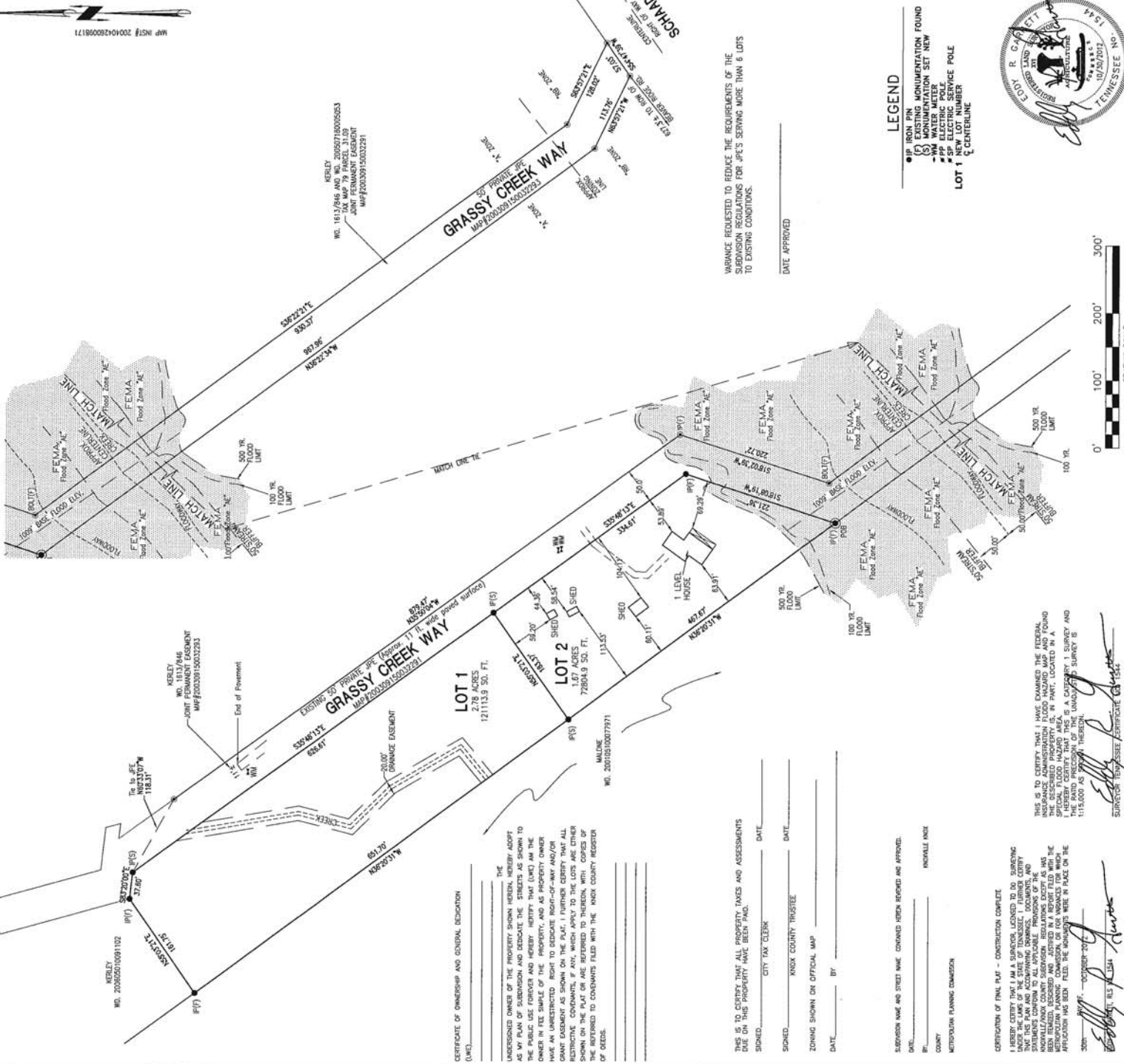


MAP INFO# 2004028098171

NOTES:
NEW IRON PINS SET AT ALL CORNERS, AT TIME OF SURVEY, UNLESS OTHERWISE NOTED.
UTILITY AND DRAINAGE EASEMENT OF 10' ALONG ALL EXTERIOR SUBDIVISION BOUNDARIES AND ALONG RIGHT OF WAYS, 5' ALONG ALL INTERIOR LOT LINES.
PROPERTY CONSISTS OF 2 LOTS WITH A TOTAL AREA OF 4.45 ACRES.

OWNERS:
STEVEN C. JOHNSTON AND PATRICIA JEAN PARROTT
8811 CRASSY CREEK WAY
KNOXVILLE, TN, 37921
PH: 865-691-7766

NOTES PERTAINING TO JOINT FORMANT EASEMENT:
1. JOINT FORMANT EASEMENT IS NOT A PUBLIC ROAD AND WILL NOT BE MAINTAINED AS A PUBLIC ROAD.
2. JOINT FORMANT EASEMENT IS TO BE MAINTAINED AS A UTILITY EASEMENT.
3. JOINT FORMANT EASEMENT AND MAINTENANCE AGREEMENT AGREEMENT RECORDED AS PD#0405005000291.



CERTIFICATION OF APPROVAL FOR RECORDING-FINAL PLAT
THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE UNIFORM PLAT ACT AND THE REQUIREMENTS OF THE METROPOLITAN PLANNING COMMISSION, ON THE DATE OF THE RECORDING OF THIS PLAT.
HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS.
SIGNED: _____ DATE: _____

VARIANCE REQUESTED TO REDUCE THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS FOR JET'S SERVING MORE THAN 6 LOTS TO EXISTING CONDITIONS.
DATE APPROVED: _____

UNINCORPORATED AREAS OF KNOX COUNTY, WHERE SANITARY SEWERS ARE NOT AVAILABLE, THIS TO CERTIFY THAT THIS SUBDIVISION IS GENERALLY LOCATED WITHIN THE 100' DISTRICT OF KNOX COUNTY, TENNESSEE, AND THAT ALL LOTS ARE SUBJECT TO SECTIONS 48-13-40 THROUGH 48-13-43 OF THE TENNESSEE CODE ANNOTATED, AND THE REGULATIONS ENACTED THEREIN.
DATE: _____
KNOX COUNTY HEALTH DEPT.

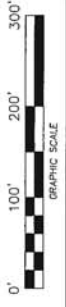
REVISED
4-29-13

FINAL PLAT OF:
STEVEN AND PATRICIA JOHNSTON PROPERTY
LOCATED WITHIN THE 100' DISTRICT OF KNOX COUNTY, TENNESSEE
TAX MAP 73, GROUP 1, PARCEL 3108
WARRANTY DEED BK/PG 1512/1002 & NO. 1643/230
RECORDING BASE MAP INFO# 2004050009171

GARRETT & ASSOCIATES
4830 SHADY RD. STRAMBERY PLAINS, TN 37971
PHONE: (865)-933-9222 FAX: (865)-933-1277
EMAIL: GARRETT1544@BELLSOUTH.NET
DATE 10/20/2012
SCALE 1"=100'
DRAWN BY: _____
REVISIONS: _____
WARRANTY DEED BK/PG 1512/1002 & NO. 1643/230



- LEGEND
- IRON PIN MONUMENTATION FOUND
 - (S) MONUMENTATION SET NEW
 - WM WATER METER
 - EM ELECTRIC SERVICE POLE
 - * SP NEW LOT NUMBER
 - CENTERLINE
- LOT 1 NEW LOT NUMBER



CERTIFICATE OF OWNERSHIP AND GENERAL DECLARATION (ONE).
I, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT AS MY PLAN OF SUBDIVISION AND DEDICATE THE STREETS AS SHOWN TO THE PUBLIC USE FOREVER AND HEREBY HEREBY THAT (LINE) AM THE OWNER IN THE SIMPLE OF THE PROPERTY, AND AS PROPERTY OWNER HAVE AN UNRESTRICTED RIGHT TO DEDICATE RIGHT-OF-WAY AND/OR RESERVING COVENANTS, IF ANY, AS APPLICABLE TO THE LOTS AND OTHER SHOWN ON THE PLAT OR ARE REFERRED TO THEREON, WITH COPIES OF THE REFERRED TO COVENANTS FILED WITH THE KNOX COUNTY REGISTER OF DEEDS.

THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.
SIGNED: _____ DATE: _____
CITY TAX CLERK
KNOX COUNTY TREASURER
ZONING SHOWN ON OFFICIAL MAP _____ DATE: _____
BY: _____

SUBDIVISION NAME AND STREET NAME OWNED HEREON REVIEWED AND APPROVED:
DATE: _____
KNOXVILLE INDI
COUNTY
METROPOLITAN PLANNING COMMISSION

CERTIFICATION OF FINAL PLAT - CONSTRUCTION COMPLETE
I, HEREBY CERTIFY THAT I AM A SURVEYOR LICENSED TO DO SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE, I JURISDICTION IN THE COUNTY OF KNOXVILLE, TENNESSEE, AND THAT THE PLAN AND COMPASSING BEARINGS, DOCUMENTS, AND INSTRUMENTS SHOWN ON THIS PLAT WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A REGISTERED SURVEYOR AS WAS THE APPLICANT IN KNOX COUNTY AND I HEREBY CERTIFY THAT THIS IS A CATERING I SURVEY AND APPLICATION HAS BEEN FILED THE INSTRUMENTS WERE IN PLACE ON THE DATE OF RECORDING.
DATE: _____
SIGNED: _____
EDITH R. GARRETT