



# SUBDIVISION REPORT - FINAL

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▶ **FILE #:** 12-SC-18-F **AGENDA ITEM #:** 14  
POSTPONEMENT(S): 12/13/2018-2/14/2019 **AGENDA DATE:** 3/14/2019  
▶ **SUBDIVISION:** COTTINGTON COURT RESUBDIVISION OF LOT 25  
▶ **APPLICANT/DEVELOPER:** MICHAEL BRADY, INC.  
OWNER(S): Hartson Construction

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TAX IDENTIFICATION: 145 P M 025 [View map on KGIS](#)  
JURISDICTION: County Commission District 4  
STREET ADDRESS:  
▶ **LOCATION:** North side of S Northshore Dr southwest side of Cottingham Ct  
SECTOR PLAN: Southwest County  
GROWTH POLICY PLAN: Planned Growth Area  
▶ **APPROXIMATE ACREAGE:** 2 acres  
▶ **NUMBER OF LOTS:** 4  
▶ **ZONING:** PR (Planned Residential)  
SURVEYOR/ENGINEER: Michael Brady Inc.  
▶ **VARIANCES REQUIRED:**

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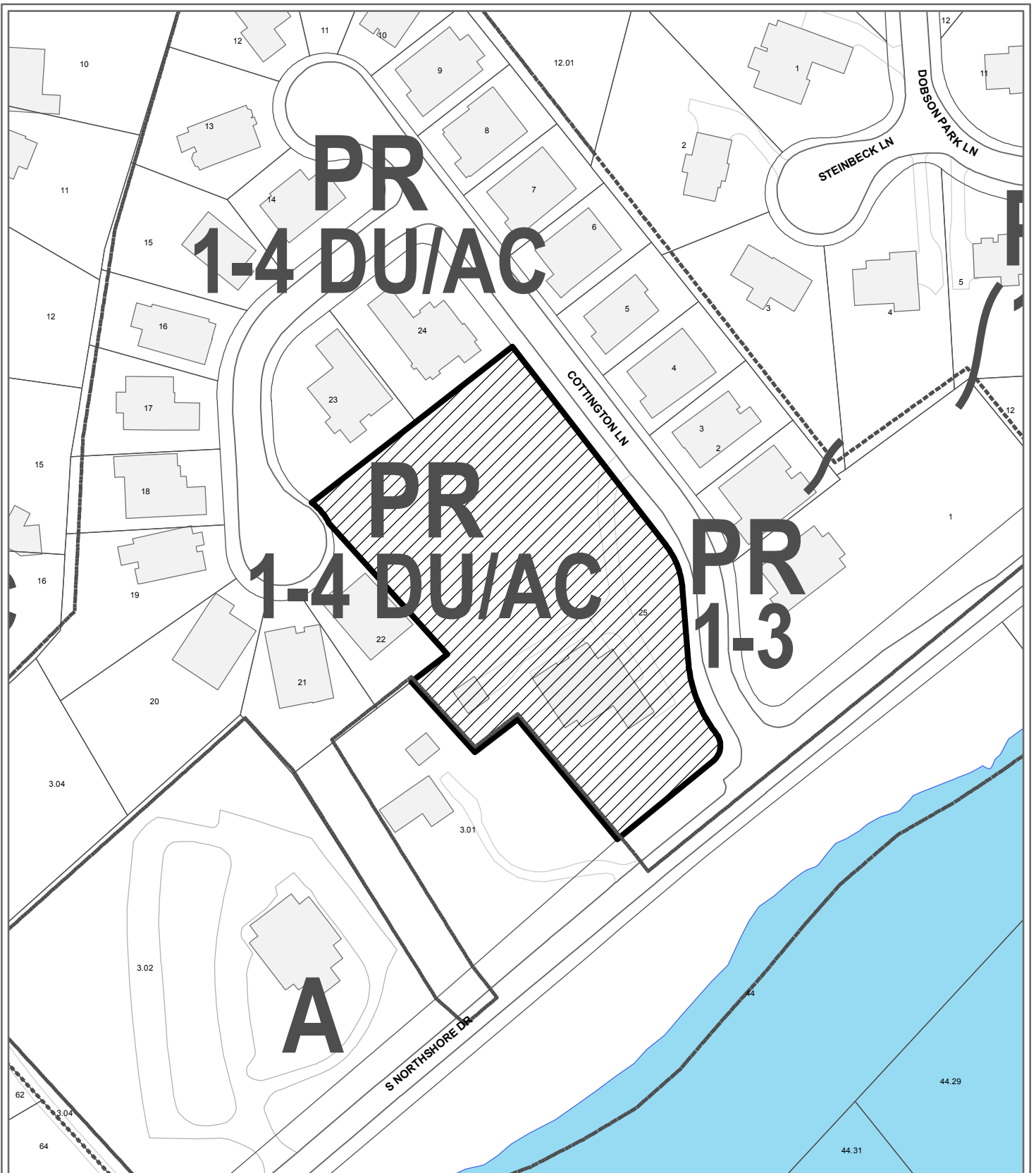
**STAFF RECOMMENDATION:**

▶ **DENY the Final Plat. The plat does not comply with Section 3.02 A.1c of The Subdivision Regulations**

**COMMENTS:**

Planning Staff received a corrected/revised copy of this Final Plat on November 29, 2018. The plat has been postponed since the December 13, 2018 MPC meeting. The property of the proposed subdivision is two acres in size and the applicant want to subdivide it into four lots. One lot would have the existing house and 1.25 acres and the other three lots would be the other 3/4 of an acre. The three lots are almost completely enveloped by a sinkhole/closed contour depression. The Subdivision Regulations under Section 3.02.A.1.c includes a lot standard that "Lots shall contain adequate building sites outside of required riparian buffer zones and sinkholes and shall meet the required minimum building setbacks." The applicant has not provided clear documentation that this provision is met for the additional lots. It is staff's position that the three proposed new lots will not have adequate building sites outside of the sinkhole (includes a 5 foot easement outside of the closed contour) and required building setbacks. The three lots shown on this plat as Lots 27, 28, & 29 could not achieve this requirement. Staff therefore recommends denial of the Final Plat.

Knoxville-Knox County Planning Commission'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.



**12-SC-18-F  
FINAL SUBDIVISION PLAT**

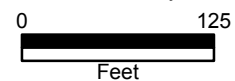
Petitioner: Michael Brady, Inc.



Final Plat For: Cottington Court Resubdivision of Lot 25

Map No: 145

Jurisdiction: County



Original Print Date: 3/6/2019 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**In the City of Knoxville and Sewered Areas of Knox County**

This is to certify that the subdivision shown hereon is approved subject to the installation of sanitary sewers and treatment facilities, and that such installation shall be in accordance with state and local regulations.

Knox County Health Department  
Date: \_\_\_\_\_

**Taxes and Assessments**

This is to certify that all property taxes and assessments due on this property have been paid.

Knox County Trustee: Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Addressing Department Certification**

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

**Zoning Certification**

Zoning Shown on Official Map \_\_\_\_\_  
Date: \_\_\_\_\_  
By \_\_\_\_\_

**Utility & Drainage Easement Waiver**

I, \_\_\_\_\_ with \_\_\_\_\_ Engineering Department have reviewed this plat and agree to the waiver of the required utility and drainage easement in area shown and identified on plat.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

**Certificate of Ownership and General Dedication**

(I, We) the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I am, we are) the owner(s) in fee dedicate right-of-way and/or grant easement as shown on this plat.

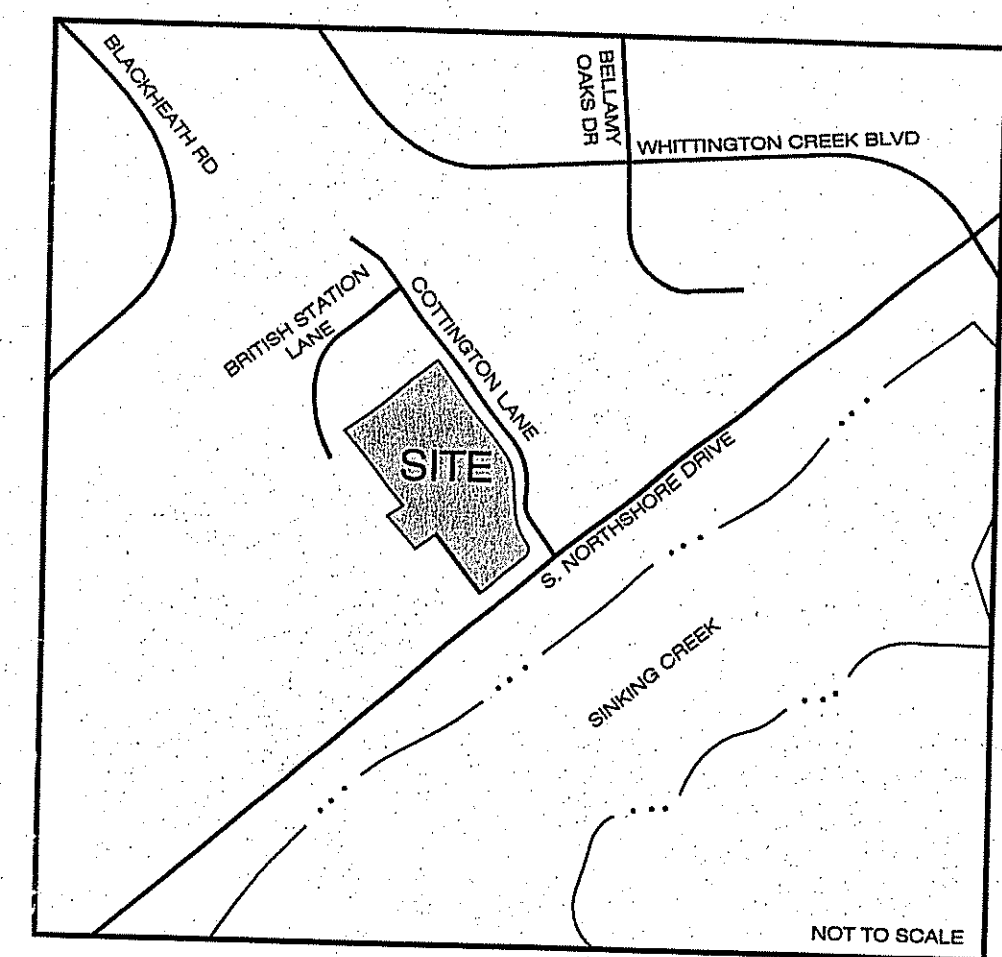
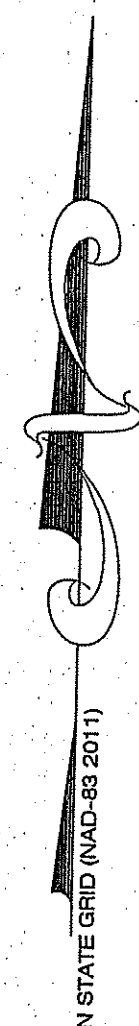
Owner(s) Printed \_\_\_\_\_ Signature(s): \_\_\_\_\_  
Name \_\_\_\_\_  
Date: \_\_\_\_\_

**Legend**

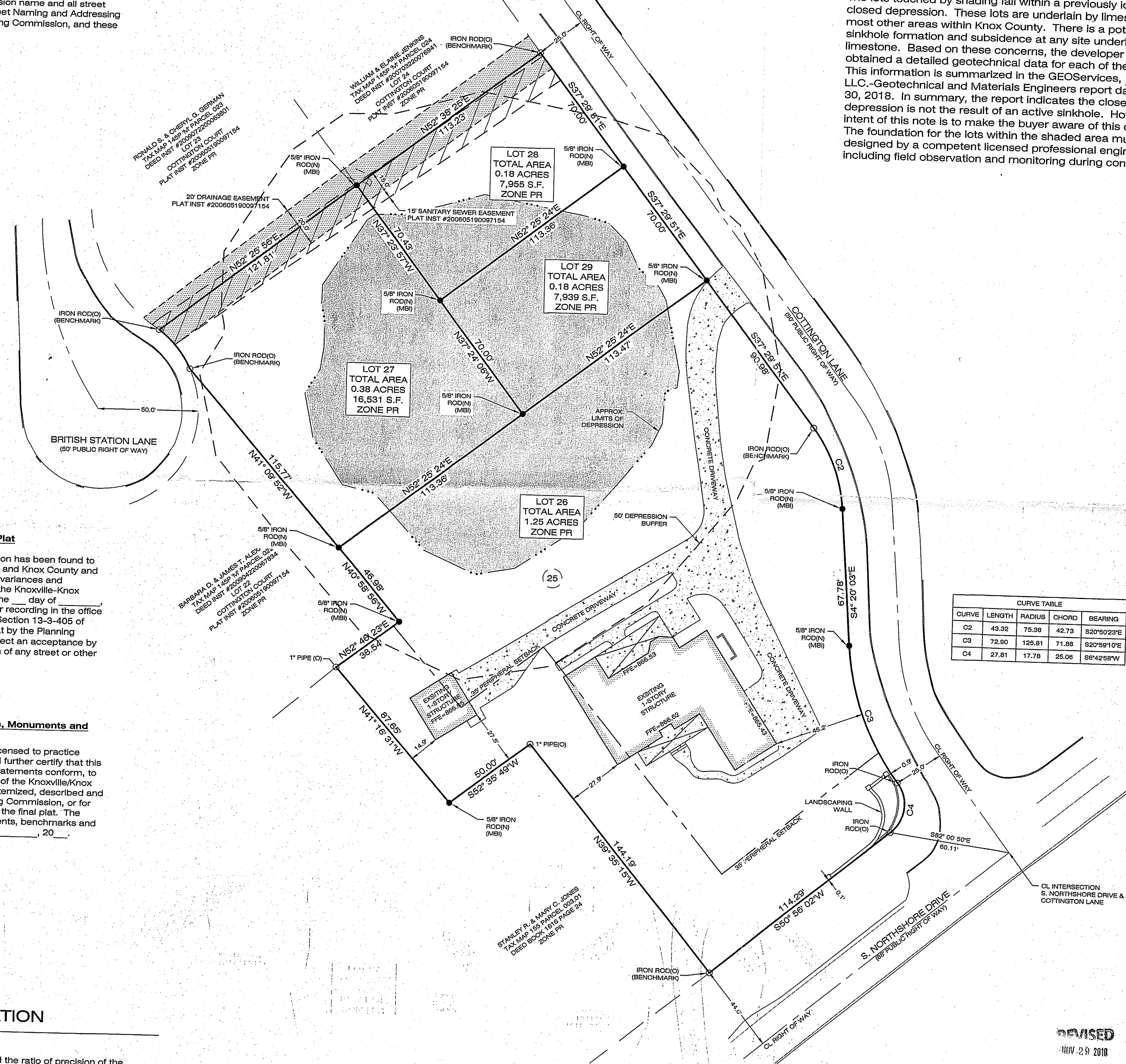
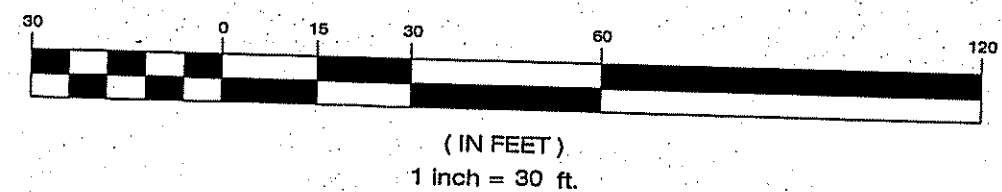
- (C) - monument (old)
- (N) - monument (new)
- - concrete

**NOTE**

The lots touched by shading fall within a previously identified closed depression. These lots are underlain by limestone as are most other areas within Knox County. There is a potential for sinkhole formation and subsidence at any site underlain by limestone. Based on these concerns, the developer has obtained a detailed geotechnical data for each of these lots. This information is summarized in the GEOServices, LLC - Geotechnical and Materials Engineers report dated July 30, 2018. In summary, the report indicates the closed depression is not the result of an active sinkhole. However, the intent of this note is to make the buyer aware of this condition. The foundation for the lots within the shaded area must be designed by a competent licensed professional engineer, including field observation and monitoring during construction.



**GRAPHIC SCALE**



CURVE	LENGTH	RADIUS	CHORD	BEARING
C2	43.32	75.38	42.73	S20°50'23"E
C3	72.90	125.81	71.88	S20°59'10"E
C4	27.81	17.78	25.06	S6°42'58"W

**Certification of Approval for Recording - Final Plat**

This is to certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, with the exception of any variances and stipulations noted on this plat and in the minutes of the Knoxville-Knox County Metropolitan Planning Commission, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 13-3-405 of Tennessee Code, Annotated, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the City of Knoxville or Knox County of the dedication of any street or other ground upon the plat.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

**Certification of Final Plat - All Indicated Markers, Monuments and Benchmarks Set**

I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and statements conform, to the best of my knowledge, to all applicable provisions of the Knoxville/Knox County Subdivision Regulations except as has been itemized, described and justified in a report filed with the Metropolitan Planning Commission, or for variances which have been approved as identified on the final plat. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Registered Land Surveyor \_\_\_\_\_  
Tennessee License No. 1829  
Date: \_\_\_\_\_

**SURVEYOR'S CERTIFICATION**

**Certification of Category and Accuracy of Survey**

I hereby certify that this is a Category 1 survey and the ratio of precision of the unadjusted survey is not less than 1 : 10,000 as shown hereon and that said survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.

Registered Land Surveyor \_\_\_\_\_  
Tennessee License No. 1829  
Date: \_\_\_\_\_

**PRELIMINARY  
NOT FOR CONSTRUCTION,  
RECORD PURPOSES, OR  
IMPLEMENTATION**

**GENERAL NOTES**

- G1 The purpose of this plat is: create 4 lots from 1 lot.
- G2 Verify exact size, depth and location of all underground utilities prior to construction.
- G3 Property subject to all applicable easements, setbacks, and restrictions of record.
- G4 This survey plat does not warrant title.
- G5 Horizontal coordinates are on Tn State Grid (NAD83-2011), with elevations on NAVD88. Distances have not been reduced to grid.
- G6 By graphic plotting, this property lies in Zone X on FEMA firm panel #4709C0385F, which bears an effective date of May 2, 2007, and is not in a special flood hazard area.
- G7 A standard utility and drainage easement of 10' is required inside all exterior lot lines adjoining streets and private rights-of-way (including Joint Permanent Easements). 5' is required along both sides of all interior lot lines and on the inside all other exterior lot lines.
- G8 All lots will have access to the interior street system only.
- G9 If any building construction is proposed within the 50' buffer area around the sinkholes/depressions, a geotechnical report must be prepared by a registered engineer to determine soil stability and that report must be submitted to the Knoxville-Knox County Metropolitan Planning Commission for consideration. Any construction in these areas is subject to approval by the county following review of the geotechnical report.
- G10 The approval of this plat does not increase any zoning non-conformities for the existing structures on the property nor does it change the nonconforming status of the existing structures. Documentation as to the legal status of the structures or variances from the Board of Zoning Appeals may be required at some later date for permit applications or other development approvals.
- G11 For approved subdivision variances and conditions of approval of the use-or-review, refer to the Metropolitan Planning Commission's file 12-E-18-UR.
- G12 Total Lots = 4 Total Area = 2.00 acres / 87,092 s.f.

**UTILITY INFORMATION**

- U1 Utility information as shown on this survey is represented by a combination of available maps and features evident during the field survey only.
- U2 Verify exact size, depth and location of all underground utilities prior to design and/or construction.
- U3 Notify Tennessee One-Call System, Inc. for underground utility location before you dig.

**ZONING INFORMATION**

- Z1 Property is zoned - PR (Planned Residential)
- Z2 Building Setbacks:  
Front: Houses 20 feet; all other as determined by Planning Commission, but not less than 15 feet.  
Side: Per zoning requirements: As determined by Planning Commission, but no greater than 15 feet unless setback is also the periphery boundary.  
Rear: As determined by Planning Commission, but not greater than 35 feet.  
Periphery: 35 feet, except along boundary of Whittington Creek Subdivision which is 30 feet.
- Z3 Verify full Zoning Regulations by contacting:  
Knoxville/Knox County Metropolitan Planning Commission  
400 Main Street, Suite 401  
Knoxville, Tennessee 37902  
Phone: 865-215-2500

**MBI**  
michael brady inc.  
architectural engineering interior surveying  
289 N. WEISGARDER RD.  
KNOXVILLE, TENNESSEE 37919  
PHONE: 865 564 0599  
FAX: 865 564 5213  
www.michaelbradyinc.com

811  
Know what's below.  
Call before you dig.  
In Tennessee call 811 or 1-800-331-1111

OWNER:  
Hartson Construction LLC  
10025 Investment Drive  
Suite 150  
Knoxville, TN 37932

REPLAT OF  
**LOT 25  
COTTINGTON COURT**  
COTTINGTON LANE  
KNOXVILLE, TENNESSEE

Knox County, Tn  
Civil District: 6  
Tax Parcel Id:  
Map 145P 'M' Parcel 025  
Deed Ref(s):  
Inst #201808170010751  
Plat Ref(s):  
Inst #200605190097154

Crew Chief: B. Pate  
Drawn By: M. Blankenship  
Appvd. By: J. Patteson  
Field date: 7-18-18  
Drawing date: 10-2-18  
Last Revision: 11-29-18  
Scale: 1" = 30'  
Job No. 180655  
Sheet: 1 OF 1

Suite 403 • City County Building  
 400 Main Street  
 Knoxville, Tennessee 37902  
 865 • 215 • 2500  
 FAX • 215 • 2068  
 www.knoxmpc.org

# SUBDIVISION - FINAL



Name of Applicant: Michael Brady, Inc.  
 Date Filed: 10-19-18 Meeting Date: 12-13-18  
 Application Accepted by: Sherry Michienzi  
 Fee Amount: 500<sup>00</sup> File Number: Subdivision - Final 12-5C-18-F

**PROPERTY INFORMATION**

Subdivision Name: Lot 25 Cottingham Court  
 Unit/Phase Number: \_\_\_\_\_  
 General Location: NTS 5 Northshore Dr.  
SW 1/2 Cottingham Dr  
1933 Cottingham Lane  
 Tract Size: 2.00 ac / 87,092 S.F.  
 Zoning District: PR  
 Planning Sector: Central City  
 Growth Policy Plan Designation: Planned Growth  
 Census Tract: 28 57.12  
 Traffic Zone: 169  
 Tax Identification Number: 145P 'M' 025  
 Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 4 District

**PROPERTY OWNER/OPTION HOLDER**

PLEASE PRINT  
 Name: Hartson Construction  
 Company: \_\_\_\_\_  
 Address: 10025 Suite 150 Investment Dr  
 City: Knoxville State: TN Zip: 37932  
 Telephone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**PROJECT SURVEYOR/ENGINEER**

PLEASE PRINT  
 Name: John Patteson  
 Company: MBI  
 Address: 299 N. Weisgarber Road  
 City: Knoxville State: TN Zip: 37919  
 Telephone: 865-584-0999  
 Fax: 865-584-5213  
 E-mail: johnp@mbiarch.com

**COMBINE OR DIVIDE PARCELS**

Combine  Divide  
 No. of Lots Created: 4

**AVAILABILITY OF UTILITIES**

List utility districts proposed to serve this subdivision:  
 Sewer FUD  
 Water FUD  
 Electricity LCUB  
 Gas KUB  
 Telephone AT&T

**DESIGN PLANS CERTIFICATION REQUIRED**

Yes  No

**VARIANCE(S) REQUESTED**

No  Yes (If Yes, see reverse side of this form)

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application (including plat corrections) should be directed to:

PLEASE PRINT  
 Name: John Patteson  
 Company: MBI  
 Address: 299 N. Weisgarber Road  
 City: Knoxville State: TN Zip: 37919  
 Telephone: 865-584-0999  
 Fax: 865-584-5213  
 E-mail: johnp@mbiarch.com

*per M.B.*

**VARIANCES REQUESTED**

1. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

4. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

5. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

6. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

7. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_

\_\_\_\_\_

**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, as listed on this form. I further certify that any and all variances needed to meet regulations are requested above, or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested. I hereby waive the requirement for approval or disapproval of the plat within sixty (60) days after its submission, in accordance with the provisions of Tennessee Code Annotated 13-3-404.

PLEASE PRINT

Name: John Patteson

Address: 299 N. Weisgarber Road

City: Knoxville State: TN Zip: 37919

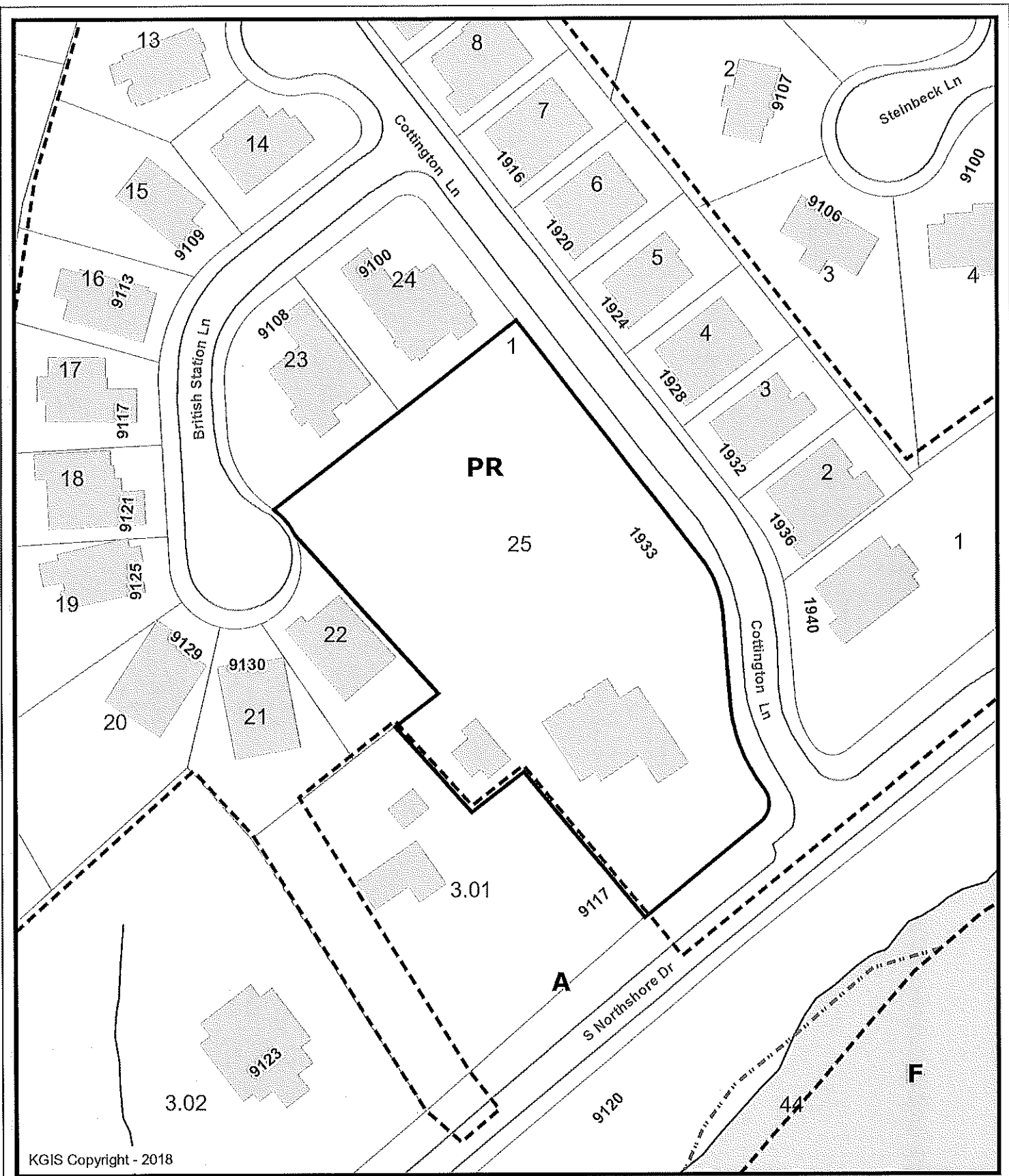
Telephone: 865-584-0999

Fax: 865-584-5213

E-mail: johnp@mbiarch.com

Signature: \_\_\_\_\_

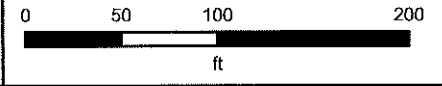
Date: 10-19-18



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### Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System

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