



USE ON REVIEW REPORT

▶ **FILE #:** 4-H-20-UR **AGENDA ITEM #:** 24
POSTPONEMENT(S): 4/9/2020 **AGENDA DATE:** 5/14/2020
▶ **APPLICANT:** EVERETT LAND DEVELOPMENT, LLC
OWNER(S): Everett Land Development, LLC

TAX ID NUMBER: 141 05003 (PART OF) [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 12650 Yarnell Rd.

▶ **LOCATION:** Southeast side of Yarnell Rd., southeast end of Graybeal Rd.

▶ **APPX. SIZE OF TRACT:** 5.39 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Yarnell Rd., a major collector per the Major Road Plan with an approximate pavement width of 20 ft and right-of-way of 60 ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Hickory Creek

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Adding an additional lot

less than 1 du/ac

HISTORY OF ZONING: The Knox County Commission approved PR zoning up to 5 du/ac on January 27, 2014 (12-E-13-RZ).

SURROUNDING LAND USE AND ZONING: North: Residences / A (Agricultural)

South: Floodway and Residences / PR (Planned Residential)

East: Residences / A (Agricultural)

West: Vacant / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This site is located in an area of agricultural and single family residential uses developed in the A and PR zones along Hickory Creek.

STAFF RECOMMENDATION:

▶ **APPROVE the request for up to 1 detached residential dwelling on an individual lot subject to 5 conditions.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of Knox County Department of Engineering and Public Works.
3. The driveway for this lot must have a turn-around area and be located out of the 100-yr floodplain or is raised to stay out of the 100-yr floodplain so that it complies with Knox County Department of Engineering and Public Works requirements.

4. Proper sight distance for the driveway should be adhered to that complies with Knox County Department of Engineering and Public Works requirements, therefore, the driveway should be placed where the sight distance is maximized to the fullest extent possible since Yarnell Road is a Major Collector.
5. Minimum floor elevation for the single family house must be 859.5 ft per Knox County Department of Engineering and Public Works.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a use-on-review.

COMMENTS:

The applicant is proposing to subdivide approximately 234,788 sq ft (5.39 acres) into one detached residential lot from the northern common area tract of Everett Woods Subdivision, approximately 19 acres. The area is on the north side of the large common area that is partially within the flood zone and 100-yr flood way area of Hickory Creek. This creek runs through the common area of the Everett Woods Subdivision and the proposed property is located off of Yarnell Rd. The lot will have access from Yarnell Road, across from Graybeal Road.

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

1. The proposed use will have no significant impact on schools.
2. No significant traffic will be added to the surrounding roads with the approval of this request since this is just one residential lot.
3. There will be no impact on utility requirements in the area.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed residential lot is consistent with the general standards for uses permitted on review. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the site has access to a major collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates this property for Low-Density Residential use. The residential use is compatible with the sector plan designations.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 15 (average daily vehicle trips)

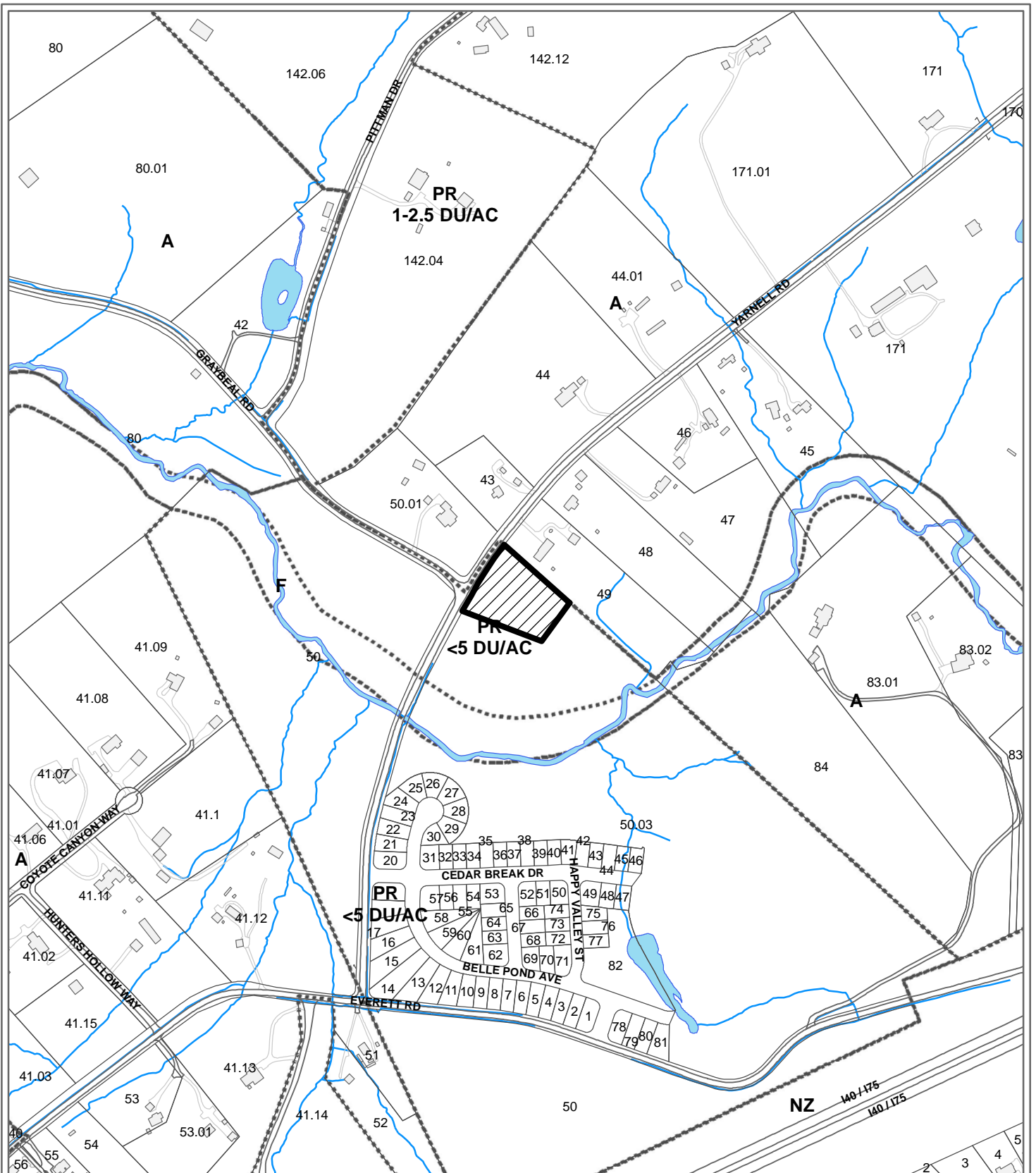
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 0 (public school children, grades K-12)

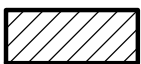
Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**4-H-20-UR
USE ON REVIEW**



Adding additional lots in PR (Planned Residential)

Original Print Date: 3/16/2020
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Everett Land Development, LLC

Map No: 141

Jurisdiction: County



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 Planning Commission, or for variances and waivers 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. 2002
Date: _____

Certification of Public Sanitary Sewerage and Water System

In unincorporated areas of Knox County where public sanitary sewers are not available, as determined by the appropriate Utility Agency, and subsurface disposal will be used.

This is to certify that this subdivision is generally suitable for subsurface sewage disposal systems; and this is to notify that all lots are subject to Sections 68-13-401 thru 68-13-413 of the Tennessee Code, Annotated, and the regulations promulgated thereto.

Knox County Health Department
Date: _____

Certification of Approval of Public Water System

This is to certify that the subdivision shown hereon is approved subject to the installation of a public water system, and that such installation shall be in accordance with State and local regulations.

It is the responsibility of the property owner to verify with the Utility Provider the availability of water system in the vicinity of the lot(s) and to pay for the installation of the required connections.

Utility Provider

Authorized Signature for Utility _____ Date _____

Certificate of Ownership And General Dedication

I (we), the undersigned owner(s) of the property shown herein, hereby adopt this (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 simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.

Owner(s) Printed Name _____ Signature _____ Date _____

Owner(s) Printed Name _____ Signature _____ 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 _____

Zoning

Zoning district(s) on which the land being subdivided is located shall be indicated as shown on the zoning map by the planning commission as follows: zoning shown on official map

Date _____ By _____

Addressing Department Certification

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/Knox County naming and addressing ordinance, the administrative rules of the planning commission, and these regulations.

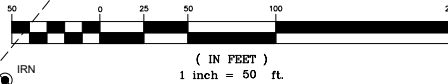
Signed _____ Date _____

Notes:

- This survey does not reflect the location of any underground utilities or structures unless specifically noted on plat.
- This survey is subject to any written or unwritten rights that may be found by an accurate search of title. No title abstract was provided for this survey and it is based solely on previously recorded deed and plat information.
- I hereby certify that part of this property does lie in a FEMA designated 100 year special flood hazard area as of the date of this survey. FIRM Map #47093C0318F, Dated: 8-5-2013.
- North is oriented to the NAD 83.
- There is a 5' utility & drainage easement on all interior lot lines and other exterior lot lines 10' utility & drainage easement along all roads and private right of ways.
- Iron pins on all lot division corners unless otherwise noted on plat.
- All lines shown as adjoining lines are calculated from recorded plats and deeds.
- Building setbacks are subject to PR Zone requirements. All future structures must conform to the zoning setbacks in effect at the time of any construction.
- Any underground or above ground existing underground utilities may have written or unwritten rights as they currently exist.
- The owner hereby acknowledges that this lot will need to be combined with the total number of lots that were approved for the concept plan (163 single-family units/lots) for a total of 164 lots. This would stay within the maximum single-family units as analyzed in the transportation impact study of 169 lots. The owner hereby acknowledges this change from common area to one(1) single family lot, and acknowledges that this may impact the future development of the remainder of the property as far as available units/density.

Owner(s): Everett Land Development, LLC
10710 Lexington Drive
Knoxville, TN 37932

GRAPHIC SCALE



360°



Surveying & Mapping
289 Maryville Highway
P.O. Box 554-mail
Seymour, TN 37865
865-577-4411
jll36survey@gmail.com

Owner Certification for Public Sewer and Water Service - Minor Subdivisions

I, (We) the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

Owner(s) Printed Name: _____

Signature(s): _____

Date: _____

Certification by the Knox County Department of Engineering and Public Works

All final plats within Knox County shall be certified by the Knox County Department of Engineering and Public Works prior to final certification by the Planning Commission and shall be included on the plat as follows:

Knox County Department of Engineering and Public Works hereby approves this plat on this _____ day of _____, 20____.

Engineering Director _____

Planning Staff 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 waivers noted on this plat, 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: _____

GREYBEAL ROAD

YARNELL ROAD
RIGHT OF WAY

ZONE X, 0.2% ANNUAL CHANCE FLOOD, SEE NOTES

JO ANN CARR
TAX: 141/49
DEED: 1468/895

Driveway will need to be located in this area to meet the sight distance guidelines of Knox County. Once the existing vegetation has been removed for line of sight the location shall be field verified to meet said criteria. Any driveway(s) constructed shall be raised above the 862.5 (NAVD83) elevation.

Lot 1
5.39 Acres ±
234618 Sq. Feet ±
(M.F.E. 895.5'
per Knox County)

Common Area
Everett Woods

4-H-20-UR
Revised: 5/6/2020

FINAL PLAT
of the
Everett Land Development LLC
Lot 1
Instrument #201612090036762
District 6, Knox County, Tn
Tax Map 141 part of Parcel 50.03
Total Acreage: 5.39+- Acres
New Lots: 1
Scale 1" = 50'
Zoned: PR
Date: 11-22-2019
Planning Service # 12-O-19
Job: 05016

- Legend:**
- Iron Rod Old, Other ○ IRO
 - Iron Rod New w/Cap #2002 ○ IRN
 - Calculated Point ○
 - Adjoiner ○



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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 1:10000 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.



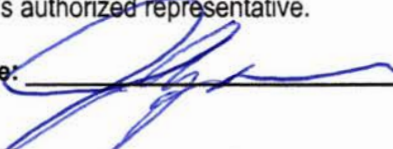
Request to Postpone • Table • Withdraw

Name of Applicant: EVERETT LAND DEVELOPMENT, LLC
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 4-11-20-UR

Date Scheduled for Planning Review: 4.9.2020

Date Request Filed: 4.2.2020 Request Accepted by: Tarren Barrett

<p style="text-align: center;">REQUEST</p> <p><input checked="" type="checkbox"/> Postpone Please postpone the above application(s) until: <u>5.14.2020</u> <small>DATE OF FUTURE PUBLIC MEETING</small></p> <p><input type="checkbox"/> Table Please table the above application(s).</p> <p><input type="checkbox"/> Withdraw Please withdraw the above application(s).</p> <hr/> <p>State reason for request: <u>MODIFICATIONS TO MAPPING.</u></p> <hr/> <p>Eligible for Fee Refund? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount: _____ Approved by: _____ Date: _____</p> <hr/> <p style="text-align: center;">APPLICATION AUTHORIZATION</p> <p>I hereby certify that I am the property owner, applicant, or applicant's authorized representative.</p> <p>Signature: <u></u></p> <p><small>PLEASE PRINT</small> Name: <u>JONATHAN L. LEWIS</u></p> <p>Address: <u>209 MARYVILLE HWY.</u></p> <p>City: <u>SEYMOUR</u> State: <u>TN</u> Zip: <u>37865</u></p> <p>Telephone: <u>865-577-4011</u></p> <p>E-mail: <u>jll.369SURVEY@GMAIL.COM</u></p>	<p style="text-align: center;">PLEASE NOTE</p> <p>Consistent with the guidelines set forth in Planning's <i>Administrative Rules and Procedures</i>:</p> <p>POSTPONEMENTS Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Monday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.</p> <p>TABLINGS Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.</p> <p>WITHDRAWALS Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Monday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.</p> <p>Any new item withdrawn may be eligible for a fee refund according to the following: Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.</p>
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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 Planning Commission, or for variances and waivers 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__.

Owner(s): Everett Land Development, LLC
10710 Lexington Drive
Knoxville, TN 37932

Registered Land Surveyor _____
Tennessee License No. 2002
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Date: _____

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Utility Provider _____
Authorized Signature for Utility _____ Date _____

Owner Certification for Public Sewer and Water Service - Minor Subdivisions

I, We the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

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Signature(s): _____
Date: _____

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Knox County Department of Engineering and Public Works
The Knox County Department of Engineering and Public Works hereby approves this plat on this the ___ day of _____, 20__
Engineering Director _____

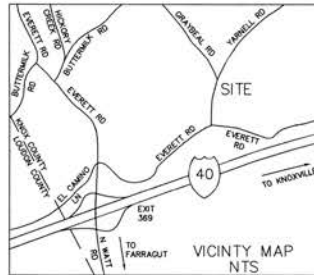
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Signed: _____
Date: _____

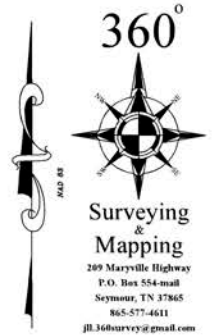
Notes:

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FIRM Map #47093C0318F, Dated: 8-5-2013.
- 4-North is oriented to the NAD 83.
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- 7-All lines shown as adjoining lines are calculated from recorded plats and deeds.
- 8-Building setbacks are subject to PR Zone requirements. All future structures must conform to the Zoning setbacks in effect at the time of any construction.
- 9-Any underground or above ground existing underground utilities may have written or unwritten rights as they currently exist.



Legend:

- Iron Rod Old, Other
- Iron Rod New w/Cap #2002
- Calculated Point
- Adjoiner



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 simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.

Owner(s) Printed Name _____ Signature _____ Date _____

Owner(s) Printed Name _____ Signature _____ Date _____

Taxes and Assessments

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Knox County Trustee: Signed _____ Date _____

Zoning

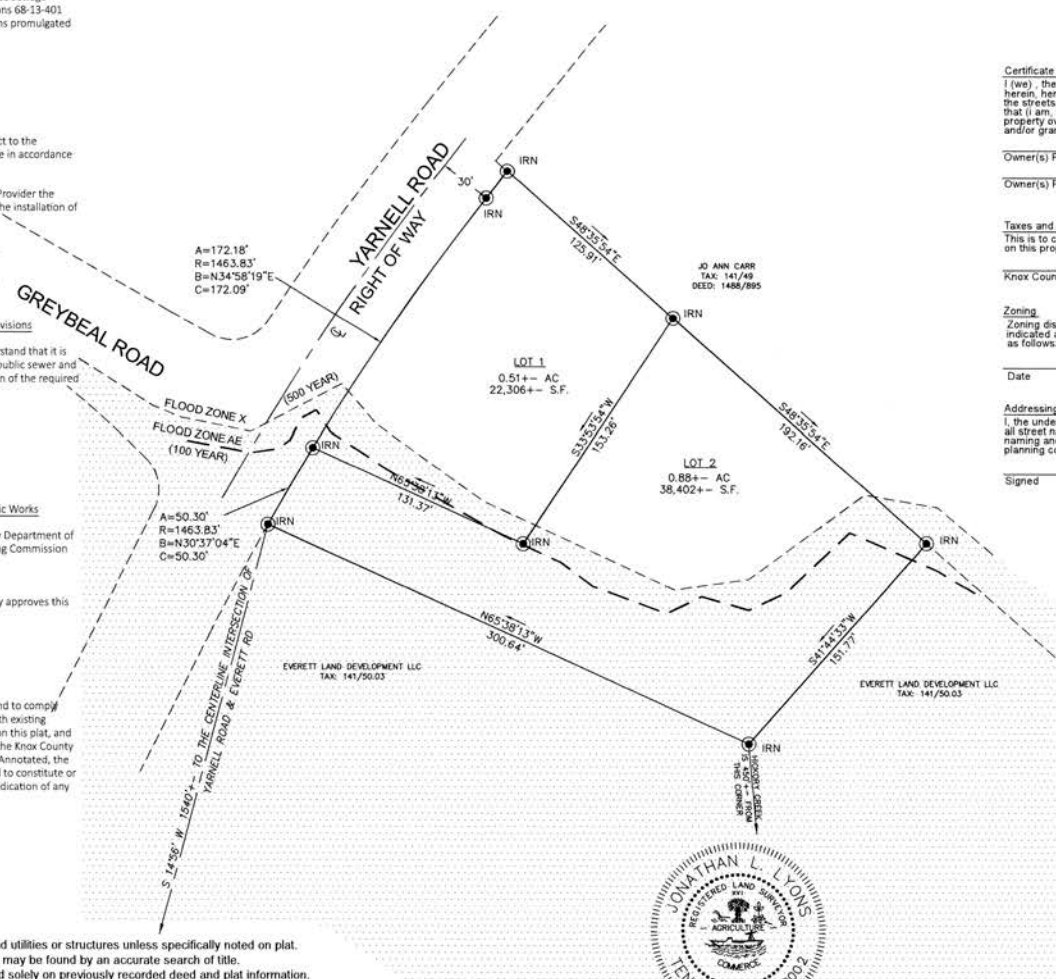
Zoning district(s) on which the land being subdivided is located shall be indicated as shown on the zoning map by the planning commission as follows: zoning shown on official map

Date _____ By _____

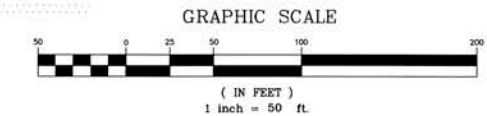
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Signed _____ Date _____



4-H-20-UR
FINAL PLAT
of the
Everett Land Development LLC
Lots 1 & 2
Instrument #201612090036762
District 6, Knox County, Tn
Tax Map 141 part of Parcel 50.03
Total Acreage: 1.39+/- Acres
Divided into 2 Lots
Scale 1" = 50'
Zoned: PR
Date: 11-22-2019
Planning Service # 12-O-19
Job: 05016



© COPYRIGHT 2020 By: 360 Surveying & Mapping
CERTIFICATION OF CATEGORY AND ACCURACY OF SURVEY
I hereby certify that this is a Category I survey and the ratio of precision of the unadjusted survey is not less than 1:10000 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.



DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning



EVERETT LAND DEVELOPMENT LLC

OWNER

Applicant Name

Affiliation

2-24-20
Date Filed

April 9, 2020
Meeting Date (if applicable)

4-H-20-UR
File Numbers(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

JONATHAN LYONS

360 SURVEYING & MAPPING, LLC

Name

Company

209 MARYVILLE HWY

SEYMOUR

TN

37865

Address

City

State

Zip

865-577-4611

JLL.360SURVEY@GMAIL.COM

Phone

Email

CURRENT PROPERTY INFO

EVERETT LAND DEVELOPMENT LLC 10710 LEXINGTON DR KNOXVILLE 865-806-2284

Owner Name (if different)

Owner Address

Owner Phone

12650 YARNELL RD

141-05003

p/o 050.03

Property Address

SE/S Yarnell Rd. N of Everett Rd.

Parcel ID

YARNELL RD & EVERETT RD INTERSECTION

1.39 AC out of

36.6 Acres

General Location

north of I-40/75

Tract Size

county comm.

6

PR

Jurisdiction (specify district above)

City County

Zoning District

Northwest County

LDR

Rural Area & Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

vacant

N

WKUD

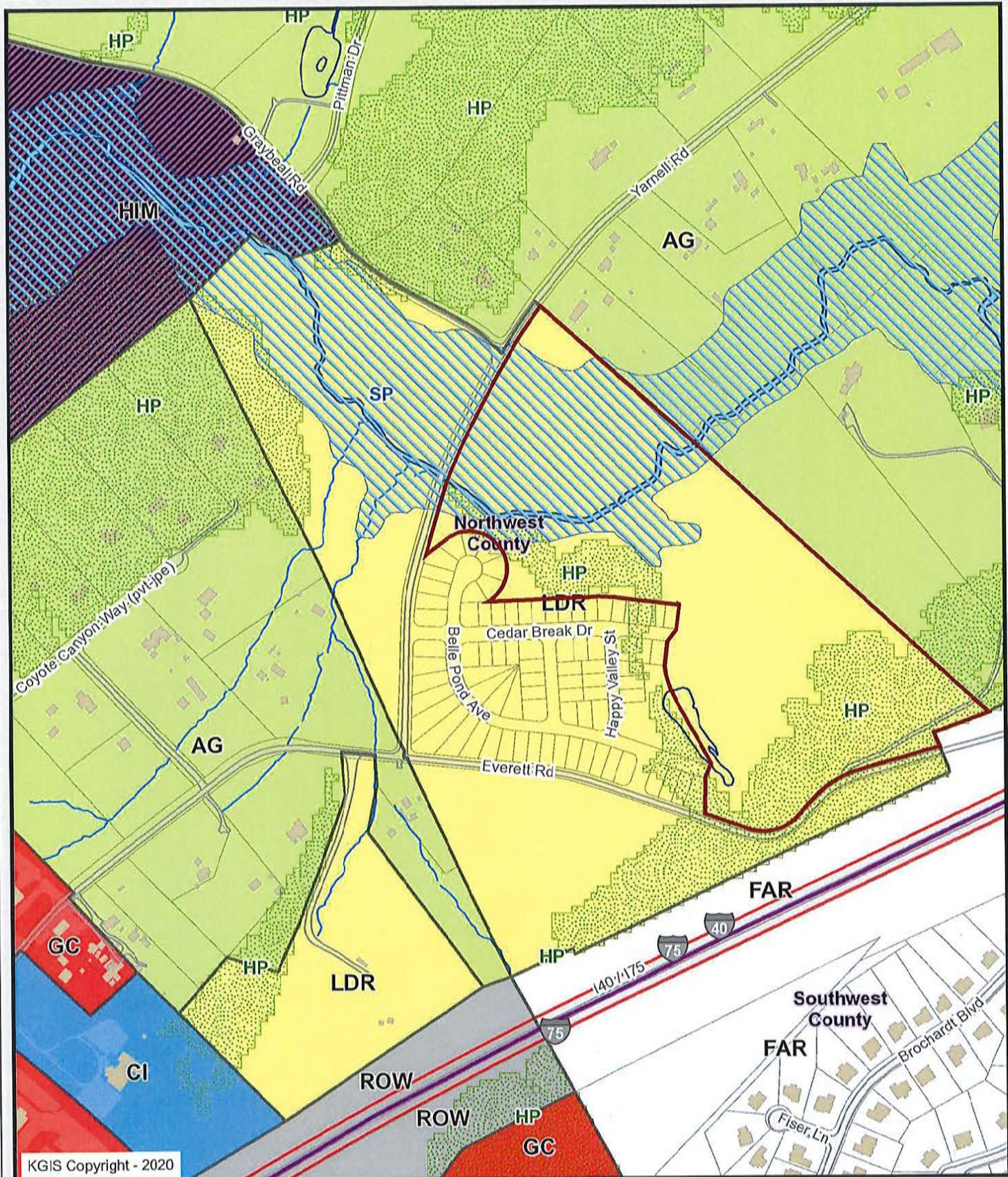
WKUD

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider



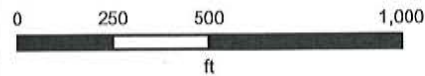
KGIS Copyright - 2020

12650 Yarnell Rd.

Knoxville - Knox County - KUB Geographic Information System



Printed: 2/25/2020 at 12:20:47 PM



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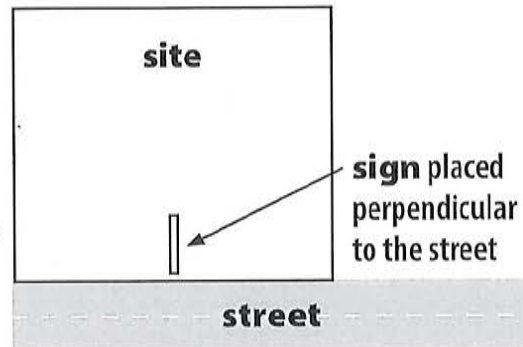
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then 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 15 days before 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 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

March 25th (Wed) and April 10th (Fri)
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: _____

Printed Name: _____

Phone: 865-577-4611

Email: jill.360SURVEY@GMAIL.COM

Date: _____

File Number: _____