

SUBDIVISION REPORT - FINAL PLAT

► **FILE #:** 4-SA-22-F **AGENDA ITEM #:** 56
AGENDA DATE: 4/14/2022

► **SUBDIVISION:** FINAL PLAT OF THE RESUBDIVISION OF LOTS 1, 3, & 4 OF THE JAMES CHRISTIAN PROPERTY

► **APPLICANT/DEVELOPER:** NED FERGUSON

OWNER(S): Scott Wolf and Cameron Price

TAX IDENTIFICATION: 80 E C 049, 04901, & 04903 [View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 1635 1637, 1641, and 1647 Wilson Rd.

► **LOCATION:** Northwest side of Wilson Rd, east of Wilson Heights subdivision

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A (within City limits)

WATERSHED: Second Creek

► **APPROXIMATE ACREAGE:** 2.36 acres

► **NUMBER OF LOTS:** 0

► **ZONING:** RN-1 (Single-Family Residential Neighborhood)

SURVEYOR/ENGINEER: Ned Ferguson

► **VARIANCES REQUIRED:** Reduce the right-of-way width in front of lot 1 to allow a distance of 26 ft to the centerline.

STAFF RECOMMENDATION:

► Approve the variance request to reduce the right-of-way in front of Lot 1 because the existing house is too close to the right-of-way line.

Approve the final plat because it is in compliance with the Subdivision Regulations.

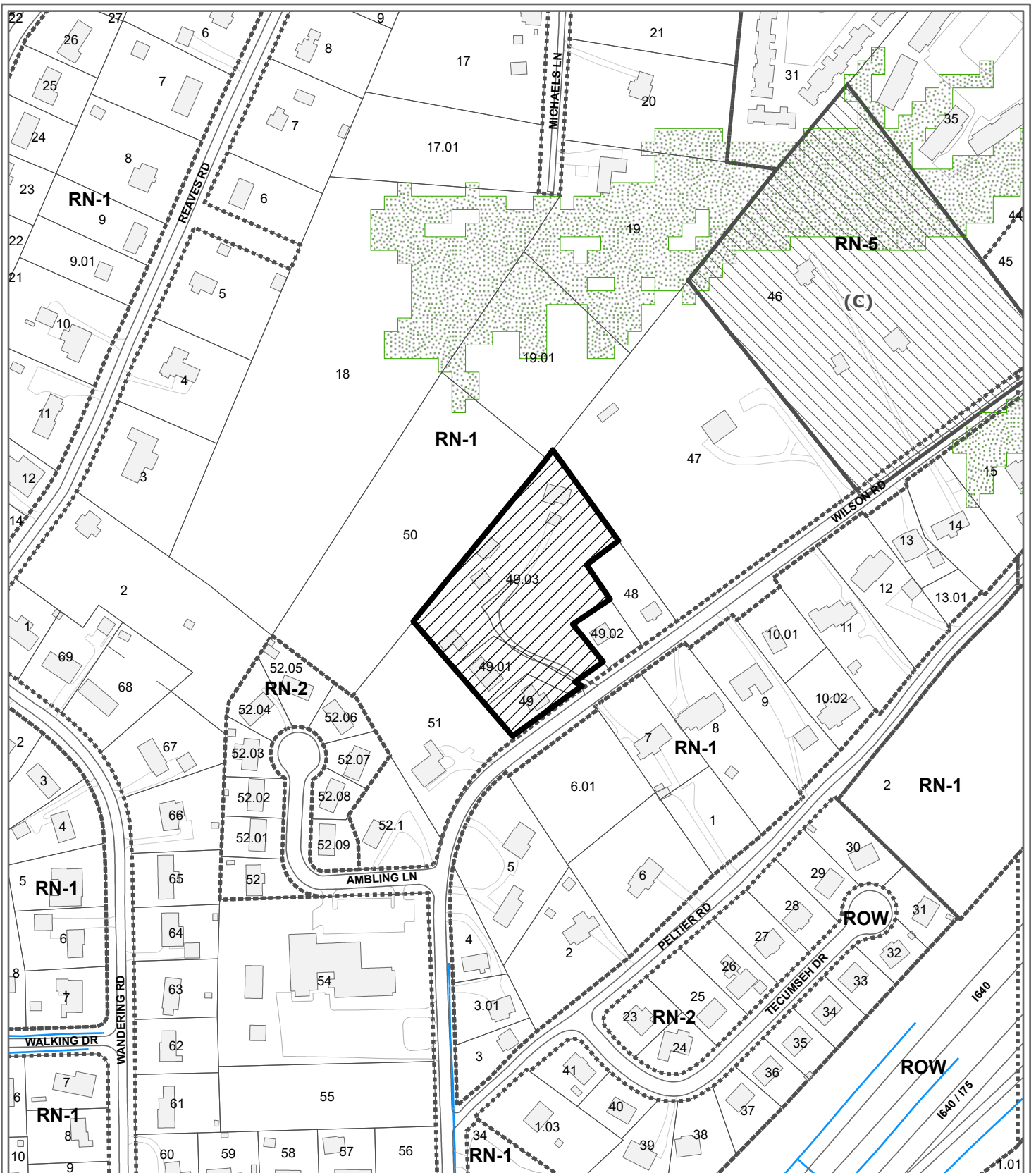
COMMENTS:

- 1) This plat is a resubdivision of four properties along Wilson Road. There are a few complications with the plat that cause a need for the requested variance.
- 2) Wilson Road is classified as a major collector and requires a 60-ft right-of-way according to the 2018 Major Road Plan. The right-of-way width in front of lot 1 is approximately 52 ft wide, so there needs to be an additional 8 ft of right-of-way at this location.
- 3) In 1977, Lots 2 and 4 were platted, and Lot 1 was created in 1988. These plats created a void where lot 3 is located. Since Lot 3 was never platted, this plat technically creates an additional lot and right-of-way dedication is required.
- 4) The lot across the street was platted in 2004 showing 30 ft to the centerline of the right-of-way on that side of the road. This being the case, the additional 8 ft would have to be dedicated from this lot for the right-of-way width to be in compliance with the Major Road Plan.
- 5) The house on Lot 1 was built in 1935. The plat of Lot 1 in 1988 created a nonconformance at the time, as the house is located 18.5 ft from the right-of-way line, and the R-1 zoning at the time of the plat required a 25-ft

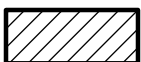
front setback. It does not appear that a variance or right-of-way dedication was required, and the plat recorded the lot as it is shown today, with a nonconforming front setback.

6) The Subdivision Regulations state that a plat cannot make a nonconforming situation worse. The house on Lot 1 is 18.5 ft from the right-of-way line, so the 8-ft dedication would put the house 10.5 ft from the right-of-way line. The applicant is seeking a variance from the right-of-way dedication requirement of the subdivisions.

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.



**4-SA-22-F
FINAL SUBDIVISION PLAT**



Final Plat For: Final Plat of the Resubdivision of Lots 1, 3, & 4 of the James Christian property

Original Print Date: 3/8/2022

Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Ferguson, Ned

Map No: 80

Jurisdiction: City

0 250
Feet



VARIANCES/ALTERNATIVE DESIGN STANDARDS REQUESTED



1. Kingston Pike ROW of 39.2 feet from center down from 50' from center.

Justify request by indicating hardship: This site is based on an approved design and has many
design elements within the greater proposed ROW (Curbs, paving, stormwater, etc).

2. A corner radius of 0' down from 75' at the intersection of Kingston Pike & Winston Rd

Justify request by indicating hardship: _____
This site is based on an approved design and a greater radius would encroach on
required landscaping and an existing curb and parking area.

3. _____

Justify request by indicating hardship: _____

4. _____

Justify request by indicating hardship: _____

5. _____

Justify request by indicating hardship: _____

6. _____

Justify request by indicating hardship: _____

7. _____

Justify request by indicating hardship: _____

I certify that any and all requests 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.


Signature

3/28/2022

Date

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION.
(I, We), the undersigned owner(s) of the property shown herein, hereby certify that 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 plan.
Owner(s) Printed Name:

SCOTT WOLF 2-22-22
DATE
Signature
2-22-22
DATE
JOSEPH C. CLARK
Signature
MIKA R. DOUGLAS
Signature
DATE

State of Tenn County of Knox
On this 22nd day of FEB 2022

Before me personally appeared the above signed to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Witness my hand and notarial seal this 1st day and year above.
Written: Ralph Smith III
Signature

Notary Public
Ralph Smith III
Tennessee
My Commission Expires 09-24-2023

My Commission expires 09-24-2023

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 that 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 11TH day of NOV, 2020.
Registered Land Surveyor
Signature
Tennessee License No. 1643 DATE: 2/12/2020

CERTIFICATION OF CATEGORY AND ACCURACY OF SURVEY
I, hereby certify that this is a Category 1 survey and the ratio of precision of the unscaled survey is not less than 1:10,000 as shown herein and that said survey was prepared in compliance with the current edition of the Rules of the Tennessee State Board of Engineering and Land Surveyors - Standards of Practice.
Registered Land Surveyor
Signature
Tennessee License No. 1643 DATE: 2/12/2020

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 Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.
Signatures: _____ Date: _____

CERTIFICATION BY THE KNOXVILLE DEPARTMENT OF ENGINEERING
The Knoxville Department of Engineering hereby approves this plat on this _____ day of _____, 20____.

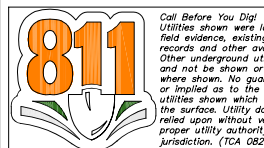
Engineering Director

TAXES AND ASSESSMENTS
This is to certify that all property taxes and assessments due on this property have been paid.
City Tax Clerk: _____

Signatures: _____ Date: _____

Knox County Trustees: _____

Signatures: _____ Date: _____



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by Professional Land Systems

CITY - RELEASE OF EASEMENTS.

Except as noted or shown on this plat, the following parties hereby consent to the release of all rights that may have accrued for their use and benefit in the utility and drainage easements along all boundary lot lines.

The following parties do not release any rights that may have accrued for their use and benefit where there are existing facilities within the previously established easement, whether or not shown on this plat. Any relocation of existing facilities will be made at the property owner's expense. If the facilities are relocated, the easement rights will be released.

Signatures: _____ Date: _____
City of Knoxville Department of Engineering

Signatures: _____ Date: _____
Water: KUB

Signatures: _____ Date: _____
Sewer: KUB

Signatures: _____ Date: _____
Electric: KUB

Signatures: _____ Date: _____
Gas: KUB

Signatures: _____ Date: _____
ATTN: _____

Signatures: _____ Date: _____
Cable: Television: COMCAST

OWNER CERTIFICATION ON RELEASE OF EASEMENT
(I, We) the undersigned owner(s) of the property shown herein understand that easement rights for any existing facilities are not being released and it is our responsibility to verify with the above parties if there are any existing facilities along the lot lines being eliminated by this plat before digging or constructing any building or structure.
Owner(s) Printed Name:

SCOTT WOLF 2-22-22
DATE
Signature
2-22-22
DATE
JOSEPH C. CLARK
Signature
MIKA R. DOUGLAS
Signature
DATE

LEGEND

- CLEAN OUT
- 1/2" IRON PIN SET
- 1/2" IRON PIN FOUND
- ▲ MAGNAIL/CAP SET
- NO MONUMENT
- GAS METER
- ELECTRIC METER
- LIGHT POLE
- MANHOLE
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- WATER VALVE

CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING
The Knoxville Department of Engineering hereby approves this plat on this _____ day of _____, 20____.

Engineering Director

TAXES AND ASSESSMENTS
This is to certify that all property taxes and assessments due on this property have been paid.
City Tax Clerk: _____

Signatures: _____ Date: _____

Knox County Trustees: _____

Signatures: _____ Date: _____

This is to certify that the described property is not located in a special flood hazard area as shown on the National Flood Insurance Program Flood Insurance Rate Map.
This is to certify that the described property is NOT located in a special flood hazard area as shown on the National Flood Insurance Program Flood Insurance Rate Map.
MAP NO. 47093C02766 ZONE: X
EFFECTIVE: 8/5/13

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:

SCOTT WOLF 2-22-22
DATE
Signature
2-22-22
DATE
JOSEPH C. CLARK
Signature
MIKA R. DOUGLAS
Signature
DATE

CERTIFICATION OF APPROVAL FOR RECORDING - FINAL PLAT

This is to certify that the subdivision plat shown herein 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 in the minutes of the Knoxville-Knox County 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 13-1-402 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.

Signatures: _____ Date: _____

CERTIFICATION OF APPROVAL OF PUBLIC SANITARY SEWER SYSTEM - MINOR SUBDIVISIONS

This is to certify that the subdivision shown herein is approved subject to the installation of public sanitary sewers and treatment facilities, 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 sanitary sewers in the vicinity of the lot(s) and to pay for the installation of the required connections.

Utility provider

Authorized Signature for Utility _____ Date: _____

LINE	BEARING	DISTANCE
L1	N36°41'41"W	10.65'
L2	S54°05'15"W	25.00'
L3	N36°41'41"W	13.92'
L4	N36°41'41"W	5.12'
L5	N38°09'08"E	21.82'
L6	S48°48'51"W	12.93'
L7	N56°16'54"E	27.92'

CERTIFICATION OF APPROVAL OF PUBLIC WATER SYSTEM - MINOR SUBDIVISIONS

This is to certify that the subdivision shown herein 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.

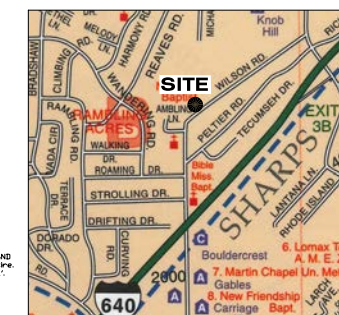
Utility Provider

Authorized Signature for Utility _____ Date: _____



TN NAD83(2011)

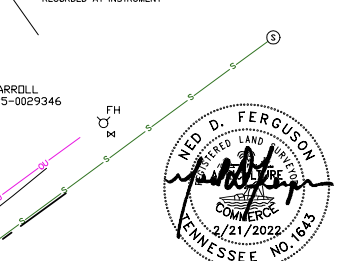
Positional accuracy CH
GPS Field procedure RST
State of survey 12/4/2021
Datum/Elevation NAD83(2011)
Published/Field-control user:
DUT CDN LTND 12/4/2021
LAT 36.00 0823508 N
LONG 83.48 1352929 W
Geoid Model: 18
Equipment: CARLSON BROTHERS B2M
Portion of survey GPS used entire
Relative positional accuracy < 0.1"
GPS Scale: 199999203
GPS Scale Factor:
NAD83(2011) E25682571541



LOCATION MAP-NTS

0 40 80 120

- NOTES:
1. THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE COMMITMENT HAS BEEN PROVIDED TO THE SURVEYOR. AN EXHAUSTIVE SEARCH OF PUBLIC RECORDS HAS NOT BEEN DONE. THIS SURVEY IS PERFORMED USING THE LATEST RECORDED DEED AND OTHER INFORMATION THAT MAY BE PROVIDED BY THE CLIENT.
 2. SUBJECT TO UTILITY AND DRAINAGE EASEMENTS TEN (10) FEET IN WIDTH INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY (INCLUDING JOINT PERMANENT EASEMENTS). EASEMENTS OF FIVE (5) FEET IN WIDTH ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES. THESE EASEMENTS ARE NOT REQUIRED ALONG SPECIFIC LOT LINES FOR PROPERTY THAT IS ZONED TO ALLOW LESS THAN A FIVE (5) FOOT BUILDING SETBACK.
 3. DEED 20210226-009423, 20211229-0024.
 4. PROPERTY IS ZONED RM-1. SETBACKS ARE PER ZONING.
 5. 4 LOTS CONTAINING 2.364 ACRES.
 6. THIS SURVEY INDICATES A PROPERTY BOUNDARY ENCROACHMENT. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. OWNERS ARE RESPONSIBLE FOR RESOLVING PROPERTY BOUNDARY CONFLICTS.
 7. THE APPROVAL OF THIS PLAT DOES NOT INCREASE ANY ZONING NON-COMFORMITIES FOR THE EXISTING STRUCTURES ON THE PROPERTY NOR DOES IT CHANGE THE NON-COMFORMITY 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 TIME LATER FOR PERMIT APPLICATIONS OR OTHER DEVELOPMENT APPROVALS.
 8. ALL STRUCTURES MUST BE LOCATED AT LEAST 50' FROM THE LAST CLOSED CONTOUR OF THE SINKHOLE ON THIS SITE. CONSTRUCTION WITHIN THE 50' SINKHOLE BUFFER MAY BE PERMITTED IF A GEOTECHNICAL STUDY IS PREPARED BY A REGISTERED ENGINEER AND STATES THAT BUILDING WITHIN THE 50' SINKHOLE BUFFER IS ACCEPTABLE AND THE STUDY IS APPROVED BY KNOX COUNTY ENGINEERING. AN ENGINEERING FOOTPRINT WILL BE REQUIRED FOR ANY STRUCTURES TO BE PLACED WITHIN THE 50' SINKHOLE BUFFER.
 9. BY APPROVING THIS PLAT, KNOX COUNTY PLANNING GRANTS A VARIANCE TO REDUCE THE RIGHT-OF-WAY IN FRONT LOT LOT 1 FROM 30' FROM CENTERLINE TO THE CONDITIONS SHOWN. DECLARATION OF EASEMENT AND MAINTENANCE AGREEMENT RECORDED AT INSTRUMENT
 10. RECORDED AT INSTRUMENT



4-SA-22-F

FINAL PLAT
RESUB. OF LOTS 1, 3, & 4 OF THE
JAMES CHRISTIAN PROPERTY

PLAT REF: CAB. 1 SLIDE 253A, CAB. 1 SLIDE 253C, ENG. MAP 41580A
PARCEL(S): 080EC049, 049D01, 049D03 SCALE: 1"=40'
COUNTY/DISTRICT: KNDX/5 DATE: 2/21/2022 REV. 3/28/22
CITY: KNDXVILLE WARD/BLOCK: 41/41580

Ned D. Ferguson, R.L.S.
205 Oxford Hills Dr
Clinton, TN 37716
Phone: (865) 689-6169
Fax: (865) 232-8718 Toll Free
www.PLSurvey.com
When you need to know, knowing is our business.

DRAWING NO. 9D1121



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☒ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Ned Ferguson

Surveyor

Applicant Name

Affiliation

2/21/2022

N/A 4/14/22

Date Filed

Meeting Date (if applicable)

2/28/22 Converting to Meeting Plat

File Number(s)

2-AA-22 (formerly)
New Meeting File #: 4-SA-22-F

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

Ned D Ferguson

Professional Land Systems

Name

Company

205 Lamar Ave

Clinton

TN

37716

Address

City

State

ZIP

865.689.6169

nedferguson@gmail.com

Phone

Email

CURRENT PROPERTY INFO

SCOTT WOLF/CAMERON CLARK

905 OXFORD HILLS DR MARYVILLE 37803

865.805.5365

Owner Name (if different)

Owner Address

Owner Phone

1635,1637,1641,1647 WILSON RD

080EC049, 080EC04901, 080EC04903

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Wilson Rd, east of Wilson Heights Subdivision

2.36 acres

General Location

Tract Size

☒ City ☐ County

District

RN-1

Zoning District

RR

Existing Land Use

Northwest City

LDR

Inside City Limits

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST
☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA

☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

RESUB. OF LOTS 1, 3, & 4 OF THE JAMES CHRISTIAN PROPERTY

Related Rezoning File Number

Proposed Subdivision Name

4

☐ Combine Parcels ☒ Divide Parcel

Unit / Phase Number

Total Number of Lots Created

☐ Other (specify) _____☐ Attachments / Additional Requirements**ZONING REQUEST**☐ Zoning Change

Proposed Zoning

Pending Plat File Number

☐ Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____**STAFF USE ONLY****PLAT TYPE**
☒ Staff Review ☐ Planning Commission
ATTACHMENTS
☐ Property Owners / Option Holders ☐ Variance Request
ADDITIONAL REQUIREMENTS☐ Design Plan Certification (*Final Plat*)☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1		Total
0205	\$500	
Fee 2		\$500
Fee 3		
0207	\$250	
	(charged 2/25/22)	
		\$750 Total

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.



Ned Ferguson

2/21/2022

Applicant Signature

Please Print

Date

865.689.6169

nedferguson@gmail.com

Phone Number

Email



Levan King Cranston

2/22/2022

Staff Signature

Please Print

Date

swm 2/22/22