

USE ON REVIEW REPORT

► **FILE #:** 1-A-22-UR

AGENDA ITEM #: 27

AGENDA DATE: 1/13/2022

► **APPLICANT:** TERRY D. POLLARD

OWNER(S): Terry D. Pollard

TAX ID NUMBER: 74 00202

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 9101 Carter Mill Dr.

► **LOCATION:** North side of Carter Mill Dr, east of Carter View Ln

► **APPX. SIZE OF TRACT:** 8.94 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is off of Carter Mill Drive, a minor collector with a 18.5-ft pavement width inside a 60-ft wide right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Septic

WATERSHED: Lyon Creek

► **ZONING:** PR (Planned Residential) with up to 2 du/ac

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** 3 lots for single family dwellings

DENSITY PROPOSED: Less than 1 du/ac (0.33 du/ac)

HISTORY OF ZONING: This property was rezoned from A (Agricultural) to PR (Planned Residential) with up to 2 du/ac in 1998 (Case # 2-H-98-RZ); a case to rezone the property to RAE was withdrawn before going to the Planning Commission (Case #10-L-97-RZ)

SURROUNDING LAND USE AND ZONING: North: Single family residences - A (Agricultural)

South: Vacant land - PR (Planned Residential) with up to 2.5 du/ac

East: Vacant land - PR (Planned Residential) with up to 2 du/ac

West: Single family residential neighborhood - PR (Planned Residential) with up to 2 du/ac

NEIGHBORHOOD CONTEXT: This area consists of single family residences along side roads off of Carter Mill Drive and large, vacant properties yet to be developed along this section of Carter Mill Drive. The entrance to Paschal Carter Park is approximately a quarter mile to the east.

STAFF RECOMMENDATION:

► **Approve the request to subdivide the property into 3 lots, subject to 3 conditions.**

1) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

- 2) Obtaining approval of the proposed security gates from the Knox County Fire Marshal.
- 3) Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) zoning district and the other criteria for approval of a Use on Review.

COMMENTS:

This request is to subdivide the property at 9101 Carter Mill Drive into 3 lots. A preliminary plat shows each property with 2.87 acres and over 300 feet of frontage on Carter Mill Drive. Those lot sizes and widths meet the requirements of the PR zone for this property, which allows up to 2 du/ac.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The East County Sector Plan designates this property as LDR (Low Density Residential), which allows up to 5 du/ac. The proposed subdivision has a density of 0.336 du/ac, which is below the maximum allowed by the LDR land use classification.

B. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.

B. The LDR (Low Density Residential) land use class allows PR zoning, which permits detached single family dwellings by right, though development plans require approval by the Planning Commission through the use on review process.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. Surrounding development consists of single family detached dwellings. This proposal is consistent with the surrounding development.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed number of lots is minimal and is not expected to injure the value of adjacent property.

B. The proposed lots are over one size in acre. This is larger than what the surrounding A (Agricultural) zone and PR with up to 2.5 and 2 du/ac would allow and is not expected to cause any adverse impacts or injure property values.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. Access to these lots would be off of Carter Mill Drive, a minor collector. Therefore, traffic would not be drawn through other residential areas to access these properties.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed single family residential lots.

ESTIMATED TRAFFIC IMPACT: 41 (average daily vehicle trips)

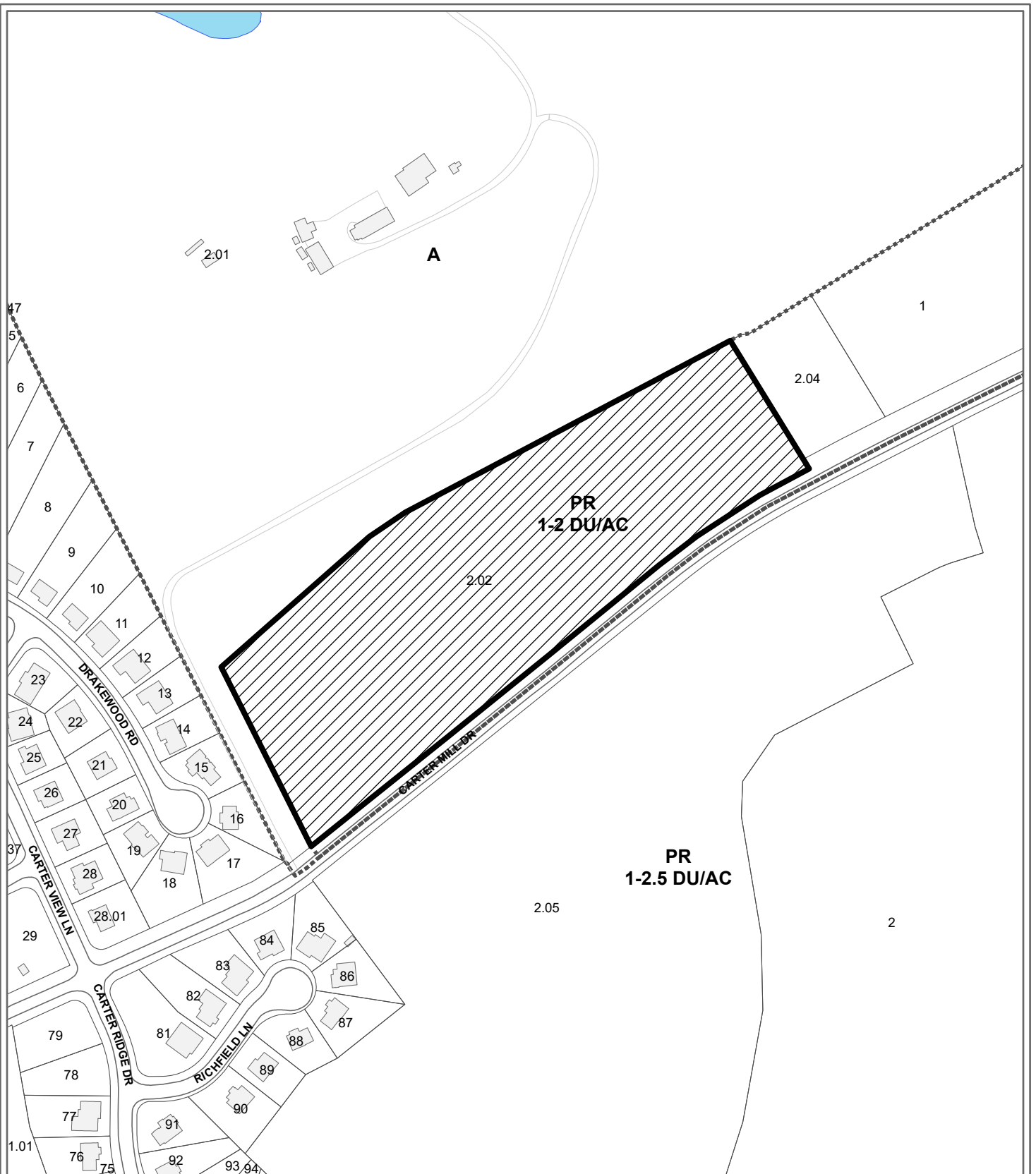
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public school children, grades K-12)

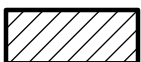
Schools affected by this proposal: Carter Elementary, Carter Middle, and Carter High.

- 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.



**1-A-22-UR
USE ON REVIEW**



Dividing one lot zoned PR 1-2 du/ac into 3 lots in PR (Planned Residential)

Original Print Date: 12/2/2021
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Pollard, Terry D.

Map No: 74

Jurisdiction: County

0 250
Feet



KNOX COUNTY 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(S): _____
OWNER(S) PRINTED NAME: _____
SIGNATURE(S): _____
OWNER(S) PRINTED NAME: _____
SIGNATURE(S): _____
OWNER(S) PRINTED NAME: _____
SIGNATURE(S): _____
DATE: _____

CERTIFICATION OF APPROVAL OF SUBSURFACE SEWAGE
DISPOSAL SYSTEMS
IN UNINCORPORATED AREAS OF KNOX COUNTY WHERE PUBLIC
SANITARY SEWERS ARE NOT AVAILABLE
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 THEREIN.
KNOX COUNTY HEALTH DEPARTMENT
DATE: _____

CERTIFICATION BY THE KNOX COUNTY DEPARTMENT OF ENGINEERING
AND PUBLIC WORKS
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 _____

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 AMENDMENTS
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.

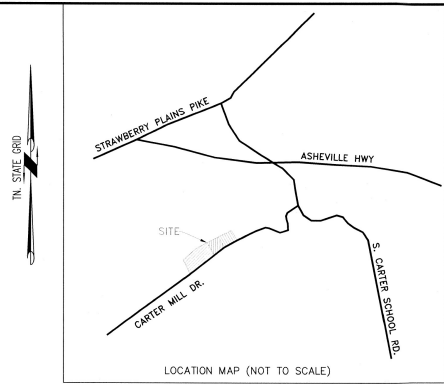
SIGNED/DATED

THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS
DUE ON THIS PROPERTY HAVE BEEN PAID.
TAXES
SIGNED: _____
CITY TAX CLERK/DATE: _____
SIGNED: _____
KNOX COUNTY TRISTEE: _____
ZONING
ZONING DISTRICT(S) IN 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 STREET NAMING AND ADDRESSING ORDINANCE, AND THE
ADMINISTRATIVE RULES OF THE PLANNING COMMISSION, AND THESE
REGULATIONS.
SIGNED: _____
DATE: _____

OWNERS PUBLIC SERVICE
SEWER/WATER SERVICE
MINOR SUBDIVISION
Owner Certification for Public Sewer and Water Service--Minor Subdivision
(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.
Owners Printed Name(s): _____
Signature(s): _____
Date: _____

Certification of Approval of Public Water System --
Minor Subdivisions
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 _____

LEGEND
● IP IRON PIN
(F) EXISTING MONUMENTATION FOUND
(S) MONUMENTATION 1/2" IRON PIN SET NEW
WM WATER METER
PP ELECTRIC POLE
SP ELECTRIC SERVICE POLE
NEW LOT NUMBER
LOT
LOT ORIGINAL LOT NUMBER PRIOR TO RESUB.



A standard utility and drainage easement situated along lot lines in a subdivision, shall
be dedicated to the public and to the appropriate Utility Agencies as follows:
1. "utility and drainage" The required utility and drainage easement shall be 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 shall be
provided 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 and shall be clearly
noted on the final plat.

NOTES:
NEW IRON PINS SET AT ALL CORNERS, AT TIME OF SURVEY, UNLESS
OTHERWISE NOTED.

PROPERTY CONSISTS OF THREE LOTS WITH A TOTAL AREA OF 8.62
ACRES.

OWNERS:
TERRY & BRILLIA POLLARD
9032 ASHVILLE HWY
KNOXVILLE, TN 37914
865-257-1892

&
ROBERT KEITH & REBECCA POLLARD
9101 CARTER MILL DR.
KNOXVILLE, TN 37914



FLOOD CERTIFICATION
This is to certify that I have examined the federal insurance
administration flood hazard map and found the described property
IS NOT located within a special flood hazard area.

CERTIFICATE OF ACCURACY AND PRECISION
I hereby certify that this is a category 1 survey and the ratio of
precision of the undisturbed survey is 1:15,000 or greater as
shown hereon and that this survey was performed in compliance
with current Tennessee Minimum Standards of Practice.

Part or All of this survey was performed using a dual frequency Topcon HiPer
SP GPS receiver, model H102359-01.
Positional accuracy: 10mm+1ppm horizontal, 15mm+1ppm vertical.
Type of GPS field procedure: Real Time Kinematic Network
Datum/Epoch: Northville-IND 83, Northville-IND 83
Published/Field-control used: TDOT ONSR Reference Network
Geoid Model: 2011
Combined vertical errors: none noted
Eddy R. Garrett, Tennessee Certificate No. 1544

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

20 OCT 2021 20 21
Eddy R. Garrett
Registered Land Surveyor: EDDY R. GARRETT
Tennessee License No. 1544
Date: 10/20/2021

Certification of the Accuracy of Survey

I hereby certify that this 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 Surveyor: Eddy R. Garrett
Tennessee License No. 1544
Date: 10/20/2021

Final Plat of
TERRY AND BRILLIA POLLARD
Located within the 8th district of KNOX county, Tennessee
within the city of:
SUBDIVISION:
Tax Map/Group/Parcel: 074/-/002.02 Deed Ref. Bk/Pg: 200204290089312
Bearing Base: Tn. State Grid
GARRETT & ASSOCIATES
EDDY R. GARRETT, RLS#1544
4839 SHADY RD., STRAWBERRY PLAINS, TN 37871
PHONE: (865)-933-5622 FAX: (865)-933-1277 3611'14.318"
EMAIL: GARRETT1544@BELL.SOUTH.NET -83'39'21.028"
LAND SURVEYORS
DATE 10/20/2021
REVISIONS
DRAWN BY GAB TDH
SCALE 1"= 100'
DRAWING NO. 21-182



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

Terry D Pollard
Applicant Name

Owner
Affiliation

11/22/21
Date Filed

January 13th 2022
Meeting Date (if applicable)

File Number(s)

1-A-22-UR

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

Terry D Pollard
Name

Company

9032 Asheville Highway Knoxville Tenn 37924
Address City State ZIP

865 680 6825 MUSTANG66ho@bellsouth.net
Phone Email

CURRENT PROPERTY INFO

Same as above
Owner Name (if different) Owner Address Owner Phone
Same 9101 Carter Mill Dr. 874 00202
Property Address Parcel ID
n/a KUB Y
Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

Northside Carter Mill Dr., Due East of Carter View Lane 8.94 ac +/-
General Location Tract Size
☐ City ☒ County 8th PR 1-2 du/ac Ag For Vac
District Zoning District Existing Land Use
East County LDR (4p) Planned
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) Dividing one LOT ZONED PR 1-2 du/ac. into 3 Lots

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

☐ Combine Parcels

☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____

☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

☐ Zoning Change

Proposed Zoning _____

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

☐ Other (specify) _____

Pending Plat File Number

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
0402	\$450.00	\$450.00
Fee 2		
Fee 3		

AUTHORIZATION

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

Terry D Pollard
Applicant Signature

Terry D. Pollard
Please Print

11-22-2021
Date

865-680-6825
Phone Number

MUSTANG66 ho@bellsouth.net
Email

[Signature]
Staff Signature

Marc Payne
Please Print

11/22/21
Date



Sherry Michienzi <sherry.michienzi@knoxplanning.org>

[Planning Applications] Fwd: UOR application to be filed - Carter Mill Dr.

1 message

Mike Reynolds <mike.reynolds@knoxplanning.org>

Mon, Nov 22, 2021 at 11:07 AM

To: applications@knoxplanning.org

This property owner, Terry Pollard, is planning to come into the office to apply today (Parcel 074-00202). He previously submitted a 3-lot plat in the PR zone but there wasn't a UOR approved yet. We already have the plat so we don't need a new site plan. The fee is \$450.

Mike Reynolds, AICP
Senior Planner
865.215.3827



Knoxville-Knox County Planning | [KnoxPlanning.org](https://knoxplanning.org)
400 Main Street, Suite 403 | Knoxville, TN 37902

----- Forwarded message -----

From: **Jeanne Stevens** <jeanne.stevens@knoxplanning.org>

Date: Wed, Nov 17, 2021 at 3:36 PM

Subject: UOR application to be filed - Carter Mill Dr.

To: Mike Reynolds <mike.reynolds@knoxplanning.org>

Cc: Marc Payne <marc.payne@knoxplanning.org>

Mike,

I just spoke with the gentleman who wants to subdivide Parcel 074 002.02 into 3 lots, which is zoned PR. This is the property we discussed briefly yesterday.

I let him know that his next step is to file a very simple plan with us as a UOR application. After discussion with Amy, we determined his fee will be \$450, and I let him know that as well.

His son (son-in-law?) works downtown, so he is going to ask him to stop by in person to talk with you about what will be required. I did give him your phone number, and suggested that they call first to make sure you'll be in the office.

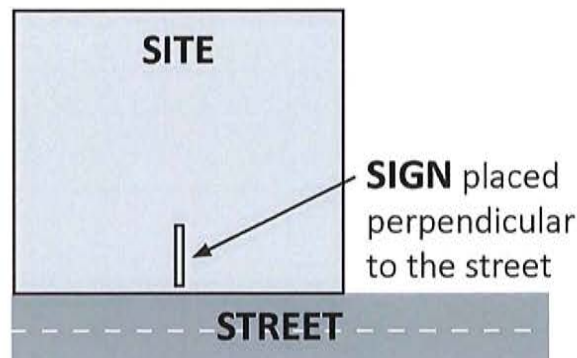
As discussed, we also have a copy of a survey showing the proposed 3 lots which he would like to process as an administrative plat when the development plan is approved. Since the January planning commission meeting is the earliest that the UOR could be heard, it would probably be best for them to file the plat application when they are already here for the PC meeting. Otherwise it would just sit here and it would be easier to lose track of it.

In case you need it, this is the owner contact info - as mentioned, though, he plans to ask his son to meet with us:

Terry Pollard
(865) 680-6825 or mustang66ho@bellsouth.net

Thanks,
Jeanne

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

December 29 2021 and January 14 2022
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Terry Pollard

Date: November 22 2022

File Number: 1-A-22-UR

- ☐ Sign posted by Staff
- ☒ Sign posted by Applicant