

SUBDIVISION REPORT - FINAL PLAT

► **FILE #:** 3-SB-22-F **AGENDA ITEM #:** 29
AGENDA DATE: 3/10/2022

► **SUBDIVISION:** FINAL PLAT OF THE REPLAT OF LOT 1 OF HAWKEYES CORNER
 ► **APPLICANT/DEVELOPER:** JOHN WINTER
OWNER(S): Edward Whitaker II

TAX IDENTIFICATION: 94 N J 01600 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 1717 White Ave.

► **LOCATION:** Northwest quadrant of S Seventeenth St and White Ave intersection

SECTOR PLAN: Central City

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

WATERSHED: Third Creek

► **APPROXIMATE ACREAGE:** 25045.62 square feet

► **NUMBER OF LOTS:** 1

► **ZONING:** CU-5 (Cumberland Avenue)

SURVEYOR/ENGINEER: Cannon & Cannon, Inc.

► **VARIANCES REQUIRED:** 1) Reduce the required utility and drainage easement along all lot lines and road rights-of-way from 10 ft and 5 ft, as applicable, to 0 ft.

STAFF RECOMMENDATION:

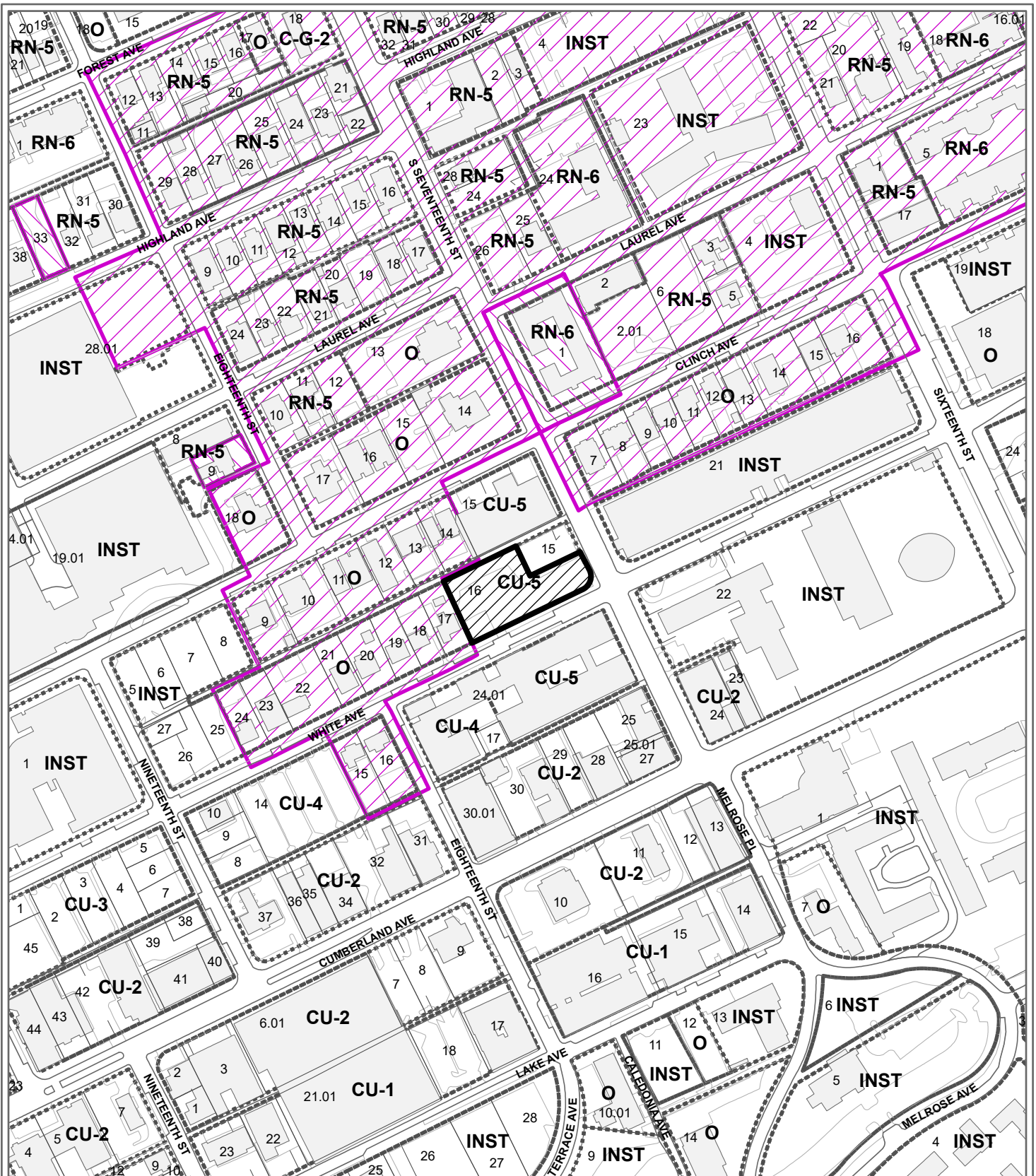
► Approve variance 1 because the utility and drainage easement is in conflict with the zoning requirements of the CU-5 (Cumberland Avenue – Seventeenth Street) District and the utility company has no comments on the plat.

COMMENTS:

1. The purpose of this plat is to remove the utility and drainage easement along all lot lines.
2. The plat shows the sanitary sewer lines are located in the ROW and utility lines are overhead. Utility providers are required to sign off on plats, and KUB had no issues with the removal of the U&D easement area.
3. The applicant has stated that the reason the variance is needed is to meet the form base code requirements of the CU-5 (Cumberland Avenue - Seventeenth Street) District.
4. The CU-5 District has a 5-ft minimum front setback at streets and alleys, and a 5-ft side interior setback. The property is located at the corner of two public rights-of-way and has an alley located along a third lot line, so it has a 5-ft setback along all those three frontages and on the interior side lot line.
5. Utility and drainage easements (U&D) consist of 10 ft along exterior lot lines and 5 ft along interior lot lines. Therefore, it has a 10-ft easement around its north, south, and west lot lines, and 5 ft along its eastern (side interior) lot line.
6. The plat is requesting to drop the U&D completely in order to comply with zoning requirements, but the eastern lot line is consistent with the CU-5 zoning. However, since there are no utilities along that lot line and the utilities had no issues with giving up the easement area, staff is recommending approval of the U&D

removal.

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.



**3-SB-22-F
FINAL SUBDIVISION PLAT**



Final Plat For: Final plat of the replat of Lot 1 of Hawkeyes Corner

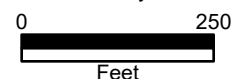
Original Print Date: 2/7/2022
 Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Winter, John

Map No: 94

Jurisdiction: City



VARIANCES GRANTED BY MPC, OCTOBER 1994.

1. TO REDUCE THE REQUIRED RADIUS AT THE INTERSECTION OF WHITE AVENUE AND S SEVENTEENTH STREET FROM 75' TO 25'
2. TO REDUCE THE REQUIRED RIGHT-OF-WAY WIDTH OF S SEVENTEENTH STREET FROM 40' TO 30'

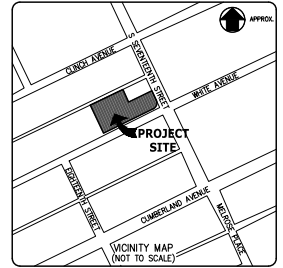
VARIANCES GRANTED BY KNOX PLANNING MARCH 10, 2022

1. TO REDUCE THE REQUIRED UTILITY & DRAINAGE EASEMENT ALONG ALL LOT LINES AND ROAD RIGHT-OF-WAYS FROM 5' & 10' WHERE APPLICABLE TO 0' TO MEET FORM BASE CODE REQUIREMENTS FOR BUILDING DESIGN.

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	TANGENT	LENGTH	CHORD
CT	089°29'04"	25.00'	24.78'	39.04'	S 19°23'40" W 35.20'



PLANNING # 3-SB-22-F



NOTES:

1. OWNERSHIP AND REFERENCE
LOT 1 -- HAWKEYE'S CORNER
VILLA UTK, LLC
3502 TARKLEY STREET
HOUSTON, TEXAS 77005
TAX MAP 094, INSERT N, GROUP J, PARCEL 016.00
DEED REFERENCE: #202201280008706
PLAT CABINET N, SLIDE 236-0
2. TOTAL AREA (ONE LOT): 25,045.62 S.F. / 0.575 AC.
3. DATE OF SURVEY: MAY 12, 2021
4. SUBJECT PROPERTY LIES OUTSIDE THE 100 YEAR FLOODWAY PER FIRM MAPPING OF KNOX COUNTY, TENNESSEE. COMMUNITY PANEL NO: 470930283G DATED 8/5/2013.
5. PROPERTY IS ZONED:
CU-5 (CUMBERLAND AVENUE-SEVENTEENTH STREET)
SETBACKS PER REQUIRED ZONING REGULATIONS
6. ABOVE GROUND AND UNDERGROUND UTILITIES AS SHOWN WERE LOCATED FROM VISIBLE FIELD EVIDENCE, UTILITY MARKINGS AND/OR DRAWINGS BY OTHERS. VERIFICATION AS TO EXISTENCE, LOCATION, SIZE, MATERIAL AND DEPTH SHOULD BE PURSUED PRIOR TO ANY DECISIONS BEING MADE RELATIVE TO UTILITIES. TO AVOID CONFLICTS AND/OR HAZARDS, NOTIFY TENNESSEE ONE CALL AT 1-800-361-1111 PRIOR TO ANY EXCAVATION OR GRADING ACTIVITIES.
7. THE PURPOSE OF THIS PLAT IS TO REMOVE THE UTILITY & DRAINAGE EASEMENT ALONG ALL LOT LINES TO MEET FORM BASE CODE REQUIREMENTS FOR BUILDING DESIGN.
8. THIS PLAT INDICATES A PROPERTY BOUNDARY ENCROACHMENT. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. OWNERS ARE RESPONSIBLE FOR RESOLVING PROPERTY BOUNDARY CONFLICTS.

LEGEND

==ST==	STORM SEWER LINE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
■	CATCH BASIN
---	SANITARY SEWER LINE
---	SEWER CLEANOUT
⊙	SEWER MANHOLE
⊙	OVERHEAD UTILITIES
⊙	GUY WIRE
⊙	LIGHT POLE
⊙	POWER POLE
⊙	FENCELINE

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 limited, described and justified in a report filed with the 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 _____, 2022.

Registered Land Surveyor _____

Tennessee License No. _____ Date: _____

PLANNING COMMISSION 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 the _____ day of _____, 2022, 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: _____

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 occurred 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 occurred 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.

City of Knoxville Department of Engineering _____ Date: _____

Water/Knoxville Utilities Board _____ Date: _____

Sewer/Knoxville Utilities Board _____ Date: _____

Electric/Knoxville Utilities Board _____ Date: _____

Gas/Knoxville Utilities Board _____ Date: _____

Telephone _____ Date: _____

Cable Television _____ Date: _____

CERTIFICATE OF OWNERSHIP AND 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.

VILLA UTK, LLC

Owner(s) Printed Name _____

Signature(s) _____

Date _____

NOTARY CERTIFICATION

State of _____ County of _____
On this _____ day of _____, 2022,
Before me personally appeared _____

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 day and year above.

Written _____ Notary _____

My Commission expires _____ "Seal"

ZONING

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.

City of Knoxville Department of Engineering _____

Signed _____ Date _____

TAXES AND ASSESSMENTS

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

City Tax Clerk _____ Date _____

Knox County Trustee _____ Date _____

CERTIFICATION OF ACCURACY OF SURVEY

Survey accuracy shall meet the requirements of the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors -- Standards of Practice.

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 Land Surveyor _____

Tennessee License No. _____ 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.

Utility Provider _____

Authorized Signature for Utility _____ Date _____

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 _____

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 _____

Signature(s) _____

Date _____

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 _____

Signature(s) _____

Date _____

CERTIFICATE OF CLASS AND ACCURACY OF SURVEY

I hereby certify that this is a category 1 survey and the ratio of precision of the unsupervised survey is not less than 1:15,000 as shown thereon.

Term: Reg. No. 1332

REVISED PER CITY COMMENTS 2/14/2022

REVISIONS _____ DATE _____



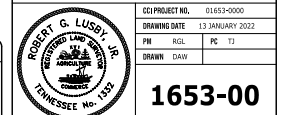
CLIENT: VILLAS STUDENT HOUSING, LLC

506 W 22ND STREET
AUSTIN, TEXAS 78705
(313) 610-8955

PROJECT: LOT 1 - HAWKEYE'S CORNER

DISTRICT 4, WARD 10, BLOCK 10341
KNOXVILLE, TENNESSEE 37916

FINAL PLAT OF THE RE-PLAT OF LOT 1 OF HAWKEYE'S CORNER



PLANNING # 3-SB-22-F

3-SB-22-F

2.25.2022



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

John Winter

Surveyor

Applicant Name

Affiliation

1/24/2022

3/10/2022

Date Filed

Meeting Date (if applicable)

File Number(s)

3-SB-22-F

CORRESPONDENCE

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

- ☐ Applicant ☐ Property Owner ☐ Option Holder ☒ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

John Winter

Cannon & Cannon, Inc.

Name

Company

8550 Kingston Pike

Knoxville

TN

37919

Address

City

State

ZIP

865-670-8555

jwinter@cannon-cannon.com

Phone

Email

CURRENT PROPERTY INFO

Edward Whitaker II

238 Galway Road, Bristol, TN 37620

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1717 White Avenue

094N J 016.00

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

NW quadrant of S Seventeenth St and White Ave intersection

25,045.62 sq ft

General Location

Tract Size

☒ City ☐ County

1

CU-5

CO

District

Zoning District

Existing Land Use

Central City

MU-UC

n/a

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

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

Hawkeye's Corner Re-Plat of Lot 1

Proposed Subdivision Name

☐ Combine Parcels ☐ Divide Parcel

1

Unit / Phase Number

Total Number of Lots Created

☒ Other (specify) Variance Request☒ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☐ Zoning Change

Proposed Zoning _____

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

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

0201

\$200

Fee 2

0207

\$250

Fee 3

Total

\$450

AUTHORIZATION

Applicant Signature

John Winter

Please Print

1/18/2022
Date

Phone Number

865-670-8555

Email

jwinter@cannon-cannon.com

1/24/22 swm

Property Owner Signature

1/24/22 EK

Please Print

Date

VARIANCES/ALTERNATIVE DESIGN STANDARDS REQUESTED



1. To reduce the required utility and drainage easements along all lot lines and road right-of-ways from 5' & 10' where applicable to 0'.

Justify request by indicating hardship: To meet base code requirements for building design.

2. _____

Justify request by indicating hardship: _____

3. _____

Justify request by indicating hardship: _____

4. _____

Justify request by indicating hardship: _____

5. _____

Justify request by indicating hardship: _____

6. _____

Justify request by indicating hardship: _____

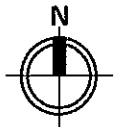
7. _____

Justify request by indicating hardship: _____

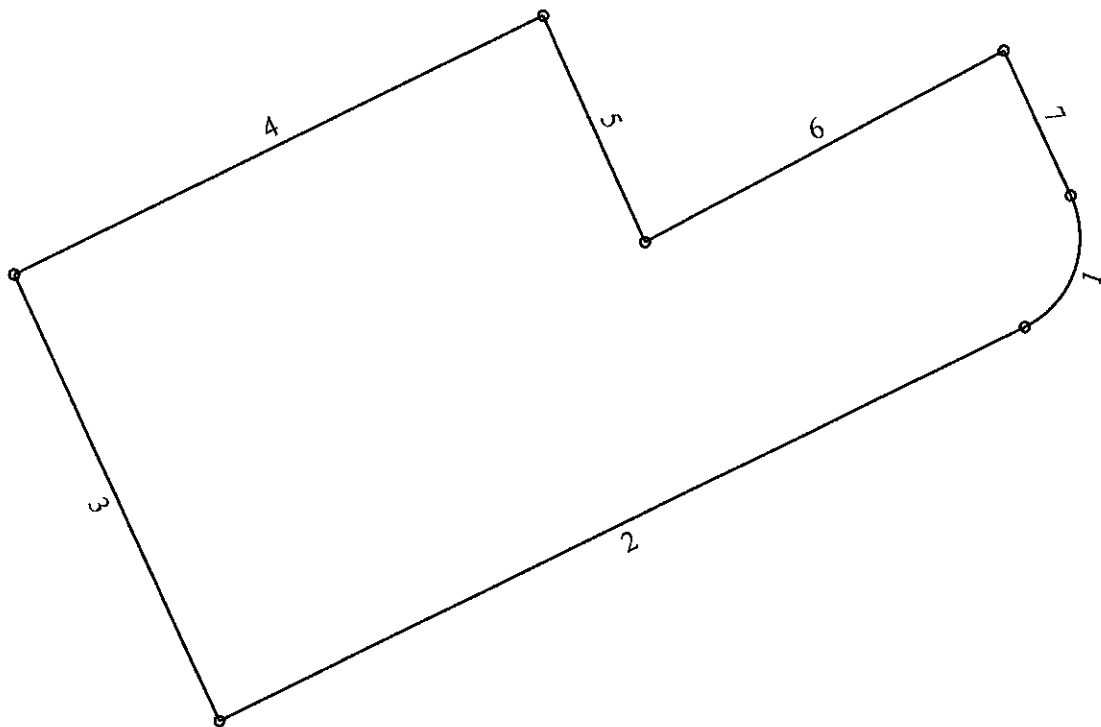
I certify that any and all requests needed to meet regulations are requested above, or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested.

Signature

Date



FINAL PLAT OF THE RE-PLAT OF LOT 1 OF HAWKEYE'S CORNER
EXTERNAL BOUNDARY
Area: 25,045.62 square feet
Perimeter: 748.5707 feet
Gap: 0.006



- | | |
|-------------------------------------|------------------------|
| 1. S19°23'40"W Ch35.20' Rad25.00' R | 5. S24°47'56"E 62.87' |
| 2. S64°08'12"W 228.51' | 6. N62°06'17"E 103.37' |
| 3. N25°01'57"W 124.44' | 7. S25°20'52"E 40.39' |
| 4. N64°09'46"E 149.94' | |