



SUBDIVISION REPORT - FINAL PLAT

▶ **FILE #:** 4-SA-23-F

AGENDA ITEM #: 24

AGENDA DATE: 4/13/2023

▶ **SUBDIVISION:** RESUBDIVISION OF PELHAM PARK, LOTS 32 AND 20 (PART OF)

▶ **APPLICANT/DEVELOPER:** LUCKY CLARK

OWNER(S): Lucky Clark

TAX IDENTIFICATION: 71 I F 028

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 155 Old State Rd.

▶ **LOCATION:** Southeast quadrant of Old State Rd and Pelham Rd

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

WATERSHED: Loves Creek

▶ **APPROXIMATE ACREAGE:** 17793 square feet

▶ **NUMBER OF LOTS:** 3

▶ **ZONING:** RN-2 (Single-Family Residential Neighborhood)/HP (Hillside Protection Overlay)

SURVEYOR/ENGINEER: Glenn Biggs

▶ **VARIANCES REQUIRED:** 1) Allow the remainder of the adjacent property to the southwest to be left without the benefit of a survey.

STAFF RECOMMENDATION:

▶ **Approve the variance to allow the remainder of the adjacent property to the southwest to be left without the benefit of a survey because it is under separate ownership and the applicant does not have the authority to have the property surveyed.**

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

COMMENTS:

1) The purpose of this plat is to create three new lots out of the subject property, which was last platted as part of the Pelham Park neighborhood in 1910. That plat (see Exhibit A) created Lots 32 and 20. Lot 32 and a sliver of Lot 20 were combined by deed in March 1976, omitting the rest of lot 20. The proposed plat includes the deeded property.

2) The Subdivision Regulations require all of the parent tract being subdivided to be included on the plat, with 2 exceptions:

a. In cases where the remainder of the property is over 5 acres in size (Section 2.13.A).

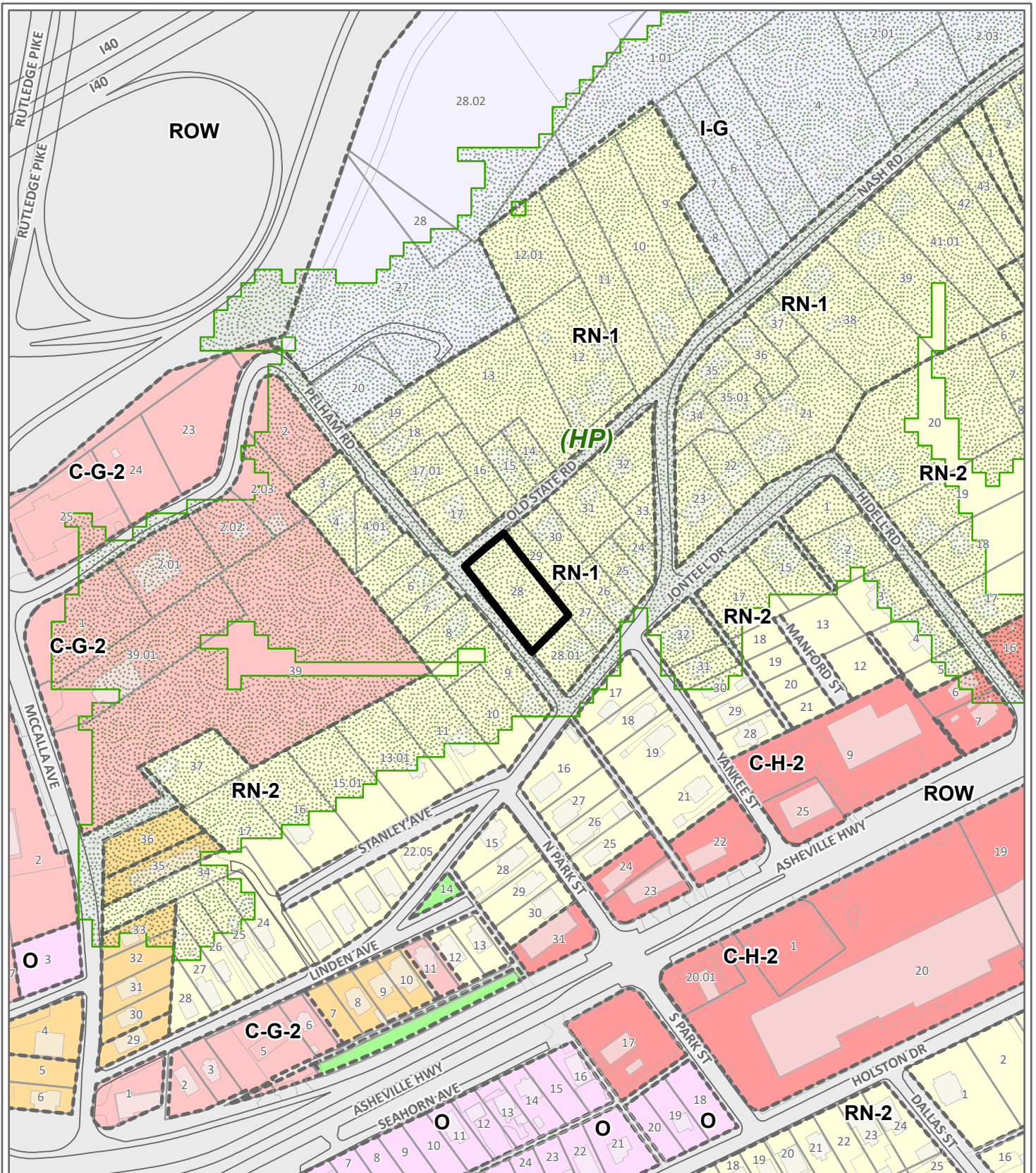
b. Or, if the remainder is less than 5 acres, and is under separate ownership as deeded before the adoption of the Subdivision Regulations on July 8, 1971 (Section 2.13.B), then it does not have to be shown on the plat.

3) In this case, the remainder property is less than 5 acres and was not deeded prior to July 8, 1971.

Therefore, a variance is needed to leave the remaining land without the benefit of a survey.

4) Planning supports the variance request since, 1) the proposed subdivision meets the Subdivision Regulation requirements, 2) the remainder of the property that is not included on the plat (the remnant of Lot 20) is under separate ownership from the subject platted property and the applicant does not have the authority to have that property surveyed.

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.



FINAL SUBDIVISION PLAT

4-SA-23-F

Petitioner: Clark, Lucky



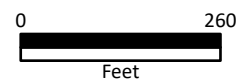
Final Plat For: Resubdivision of Pelham Park, Lots 32 and 20 (part of)

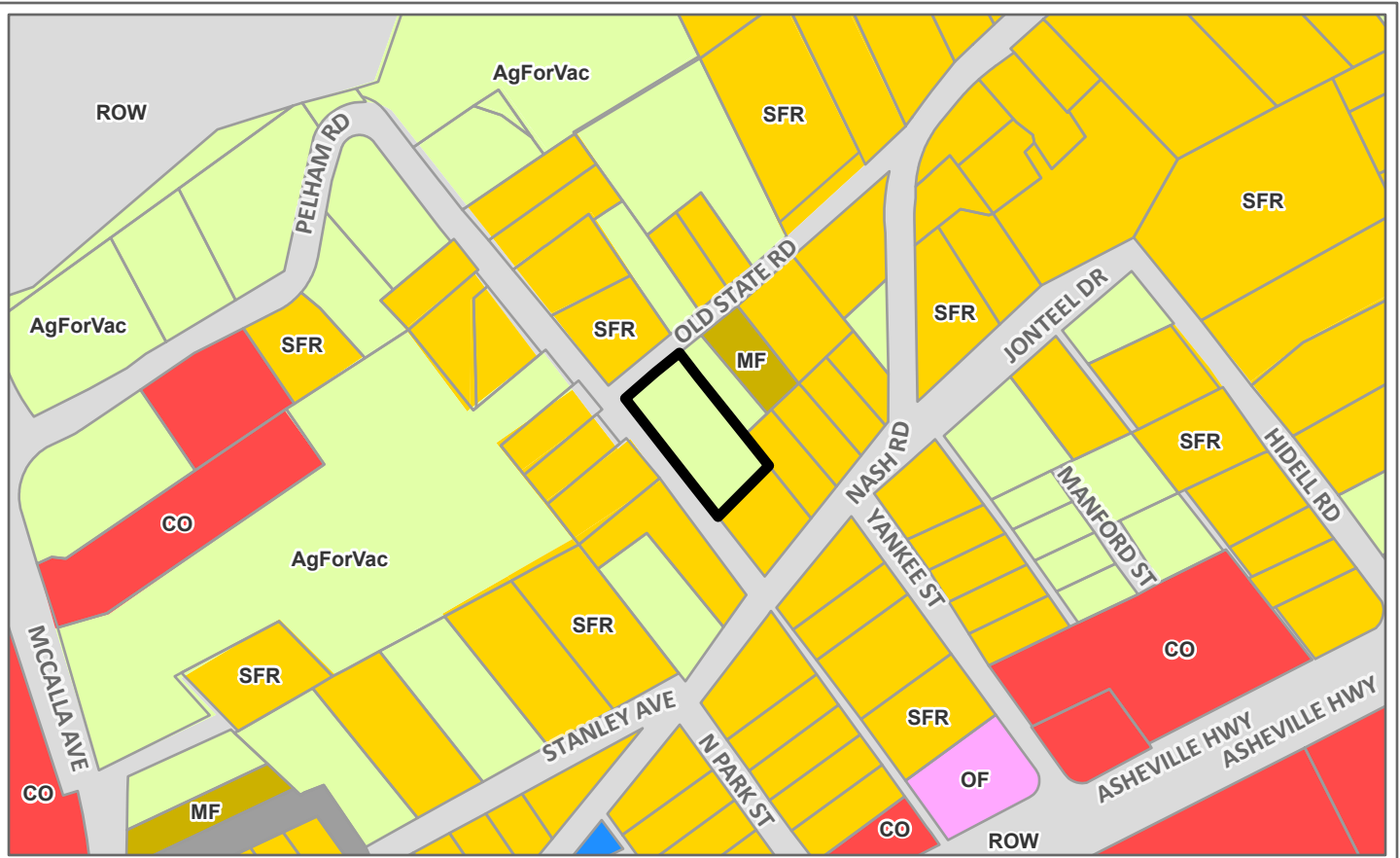
Map No: 71

Jurisdiction: City

Original Print Date: 4/4/2023

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



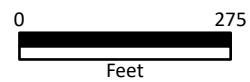


Existing Land Use and Aerial Maps

4-SA-23-F



Case boundary



City of Knoxville Department of Engineering
The Knoxville Department of Engineering hereby approves this plat
on this the _____ day of _____, 2023.

Engineering Director _____

Planning Commission 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 in the minutes of the Knoxville-Knox County Planning Commission, on this _____ day of _____, 2023, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 13-3-406 of Tennessee Code, Annotated, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect 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 Zoning

ZONING AS SHOWN ON OFFICIAL MAP: _____
Date: _____ By: _____

Knoxville - Knox County 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: _____

Certification of Approval of Public Water System Minor Subdivision

This is to certify that the subdivision shown hereon is approved subject to the installation of an public water system, and 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 a water system in the vicinity of this lot and to pay for the installation of the required connections.
Utility Provider: KNOXVILLE UTILITIES BOARD

Authorized Signature for KNOXVILLE UTILITIES BOARD: _____ DATE: _____

Certification of Approval of Public Sanitary Sewer System Minor Subdivision

This is to certify that the subdivision shown hereon 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: KNOXVILLE UTILITIES BOARD

Authorized Signature for KNOXVILLE UTILITIES BOARD: _____ DATE: _____

Certification of Property Taxes & Assessments

This is to certify that all Property Taxes and Assessments due on this property have been paid.

CITY TAX CLERK: _____ DATE: _____

COUNTY TAX CLERK: _____ DATE: _____

Owners Certification Public Sewer and Water Services

I, the undersigned owner of the property shown herein, understand that it is my responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of this lot and to pay for the installation of the required connections.
Lucky R. CLARK

Owner: _____ DATE: _____

Certification of Ownership and General Dedication:

I, the undersigned owner of the property shown herein, hereby adopt this as my plan of subdivision and dedicates the streets as shown to the public use forever; and, hereby certify that I am the owner in fee simple of the property and as the property owner have an unrestricted right to dedicate right-of-way and/or grant easements as shown on this plat.

Owner: Lucky R. CLARK DATE: _____

State of Tennessee, County of Knox

On this _____ day of _____, 2023

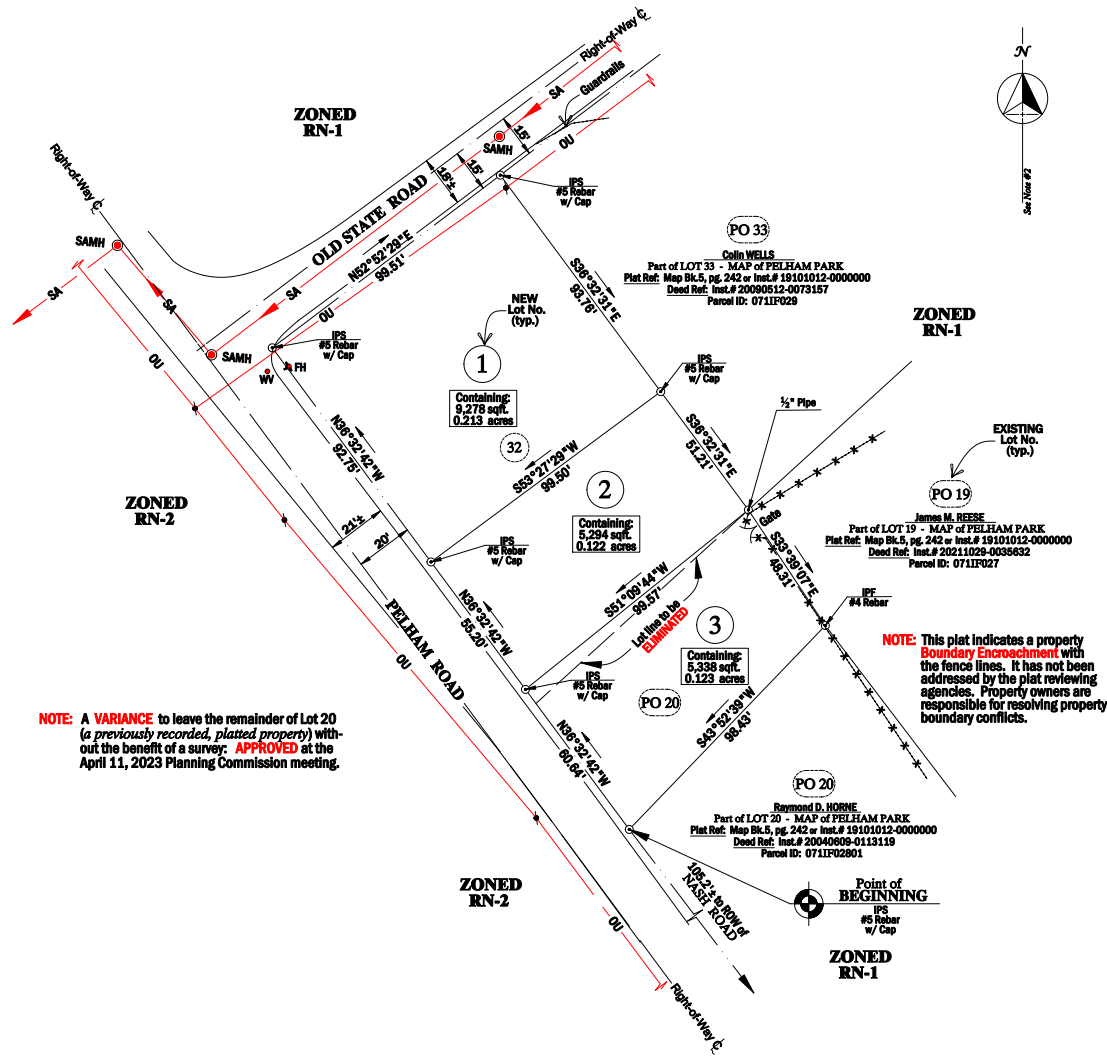
BEFORE ME PERSONALLY APPEARED
Lucky R. CLARK

to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Witness my hand and notarial seal, this day and year above.

Written: _____ NOTARY

My Commission Expires: _____ NOTARY SEAL

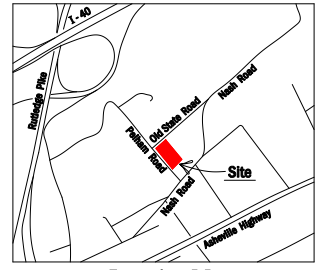


General Notes:

1. Iron pins are located at all property corners, unless noted otherwise.
2. The NORTH ARROW is referenced to the bearings of a survey prepared by: Batson and Himes Engineers, Knoxville, Tennessee; Dated: October 5, 1965 & recorded in Deed Inst.# 20120803-0007617.
3. This property is Zoned RN-2 and lies within a 'Hill-side Protection Overlay Area' which requires development plans' review.
4. There is a ten (10) foot wide utility & drainage easement inside all exterior lot lines adjoining streets and private rights-of-way (including joint permanent easements); and, a five (5) foot in width utility & drainage easement shall be provided along both sides of all interior lot lines and on the inside of all other exterior lot lines.
5. Two lots containing 19,910 sqft. or 0.457 acres into 3 (three) lots.

Symbols & Abbreviations:

⊕	Centerline
⊙	Property Corner
IPS	Iron Pin Set
IPF	Iron Pin Found
—	Right-of-Way Line
—	Centerline
—	Warranty Deed Book
—	Page
—	Instrument Recording Number
—	Utility Pole
—	Sanitary Sewer Line
—	Parker Kalon Nail Set
—	Sanitary Sewer Manhole
—	Overhead Utilities
—	Squares Feet
—	Part of
—	Radius
—	Arc Length
—	Fire Hydrant
—	Fence Line
—	Water Valve
—	WD Bk.
—	Pg.
—	Inst. #
—	#
—	SA
—	PKNS
—	SAMH
—	OU
—	sqft.
—	PO
—	R
—	L
—	Δ FH
—	WV



Location Map
Not to Scale

CERTIFICATE 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 the Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.

Registered Land Surveyor: Glenn F. Biggs, Jr.
Tenn. Reg. No. 712

CERTIFICATION of FINAL PLAT

All indicated Markers, Measurements 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 plan 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 amended, described and justified in a report filed with the Metropolitan Planning Commission, or for variances which have been approved as identified on this subdivision plan. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the 1st day of February, 2022.

Registered Land Surveyor: Glenn F. Biggs, Jr. 2/1/23
Tennessee Certificate No. 712 DATE

Certification of NO Recorded Easements

This is to certify that there are no known recorded drainage or utility easements on lot lines being eliminated on this subdivision plan.
Date: 2/1/23 By: Glenn F. Biggs, Jr.
Glenn F. Biggs, Jr., TNLS #712



**PLANNING FILE 4-SA-23-F
PLANNING SERVICE 2-D-23**

**FINAL PLAT of the L.R. CLARK SUBDIVISION:
MAP OF PELHAM PARK
LOT 32 & Part of 20**

OWNER:
Lucky R. CLARK
1351 Yarnell Station Boulevard
Knoxville, TN. 37932
(865) 985-9034

PROPERTY DATA:
7th. Civil District - Knox, County, Tennessee
31st. Ward - City of Knoxville, Tennessee
City Block #31030
TAX Map No.: 0711, Group "T" Parcel 028
DEED Ref: Inst.# 20210809 - 0010990
PLAT Refs: Inst.# 19101012 - 0000000 or
Map Bk. 5, Pg. 242

SURVEYOR:
Glenn F. Biggs, Jr.
2855 Gibbs Drive
Knoxville, Tennessee 37918
Off. (865) 688-1843 e-Mail: dtcgbf@Comcast.net

Date: 1 February 2023 Project #230201
Surv. By: GFB Dwg. By: GFB Rev.: MPC 3/15/23
30 20 10 0 75
Scale: 1" = 30'



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Lucky Clark

Applicant Name

Affiliation

2/15/2023

Date Filed

4/13/2023

Meeting Date (if applicable)

4-SA-23-F

File Number(s)

CORRESPONDENCE

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

Glenn Biggs

Name / Company

2855 Gibbs Dr. Dr. Knoxville TN 37918

Address

865-688-1843 / dtcgfba@comcast.net

Phone / Email

CURRENT PROPERTY INFO

Lucky Clark

Owner Name (if different)

1351 Yarnell Station Blvd Knoxville TN 37932

Owner Address

865-385-9034

Owner Phone / Email

155 Old State Rd.

Property Address

71 I F 028

Parcel ID

17793 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

No

Septic (Y/N)

STAFF USE ONLY

Southeast quadrant of Old State Rd and Pelham Rd

General Location

City

Council District 6

**RN-2 (Single-Family Residential Neighborhood)/HP
(Hillside Protection Overlay)**

County

District

Zoning District

Existing Land Use

East City

Planning Sector

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Resubdivision of Pelham Park, Lots 32 and 20 (part of)	Related Rezoning File Number
Proposed Subdivision Name	
_____ <input checked="" type="checkbox"/> Split Parcels	3
Unit / Phase Number	Total Number of Lots Created
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number

<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Zoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$750.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature	Lucky Clark	2/15/2023
	Please Print	Date

Property Owner Signature	Lucky Clark	2/15/2023
	Please Print	Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



Planning
KNOXVILLE | KNOX COUNTY

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

Lucky R. CLARK
Applicant Name

owner
Affiliation

2-1-23
Date Filed

Meeting Date (if applicable)

File Number(s)

4-SA-23-F
2-D-23

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

Glenn F. Biggs, Jr. TN RLS 712
Name Company

2855 Gibbs Dr., Knoxville, TN. 37918
Address City State ZIP

(865) 688-1843 dtcgfb@comcast.net
Phone Email

CURRENT PROPERTY INFO

L.R. CLARK 1351 Yarnell Station Blvd.
Property Owner Name (if different) Property Owner Address Knoxville, TN. 37932 (865) 385-9034
Property Owner Phone

155 Old State Road 071IF028
Property Address Parcel ID

KUB KUB N
Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

SE quad of Old State Rd, Pelham Rd intersection 17,793 ft²
General Location Tract Size

City County 6 RN-2, HP Ag for Vac
District Zoning District Existing Land Use

East City LDR —
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

L.R. CLARK SUBDIVISION
 Proposed Subdivision Name _____

 Combine Parcels Divide Parcel 3
 Unit / Phase Number _____ Total Number of Lots Created
 Other (specify) two lots into three lots
 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
0202 \$500	\$500
0208 \$180	\$680
Fee 3	\$250 Variance fee paid 2/15/23

AUTHORIZATION

Lucky Clark Lucky R. CLARK
 Applicant Signature Please Print Date
(865) 385-9034 mrlclark@hotmail.com
 Phone Number Email
Lucky Clark Lucky R. CLARK 2/11/2023
 Property Owner Signature Please Print Date