



SUBDIVISION REPORT - FINAL PLAT

▶ **FILE #:** 6-SA-23-F

AGENDA ITEM #: 42

AGENDA DATE: 6/8/2023

▶ **SUBDIVISION:** FSP ENTERPRISES, LLC

▶ **APPLICANT/DEVELOPER:** DAVID D. MULLINS

OWNER(S): FSP Enterprises, LLC FSP Enterprises, LLC

TAX IDENTIFICATION: 135 00601

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 3518 Maloney Rd.

▶ **LOCATION:** Southwest of Maloney Road and Gazebo Point intersection

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

▶ **APPROXIMATE ACREAGE:** 7.5 acres

▶ **NUMBER OF LOTS:** 0

▶ **ZONING:** A (Agricultural)

SURVEYOR/ENGINEER: David Mullins Civil Environmental Consultants, Inc.

▶ **VARIANCES REQUIRED:** 1) To reduce the required access easement width from 25 ft to 20 ft on the adjacent property.

STAFF RECOMMENDATION:

▶ **Approve the variance because the access drive is existing and the reduction in width would not be likely to cause adverse impacts on surrounding properties.**

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

COMMENTS:

1) The purpose of this plat is to subdivide a larger property into 2 lots. This property is part of a group of 4 properties currently using the same driveway for access. The access easement crosses through the property to the northeast and was platted in 2006 as a "20-ft right-of-way for ingress & egress." The driveway crosses the property with frontage on Maloney Road to serve the three existing lots to the south and southwest. The proposed subdivision would create 5 lots off of the existing easement.

2) In situations where conditions are existing, if a plat creates a new lot off of an existing access easement, that easement is required to be brought up to standards if it is noncompliant. In this case, the existing means of access does not meet the current standards for any of the access easement options. Since there will be 5 lots being served by the access drive, it is required to become a Shared Permanent Access Easement.

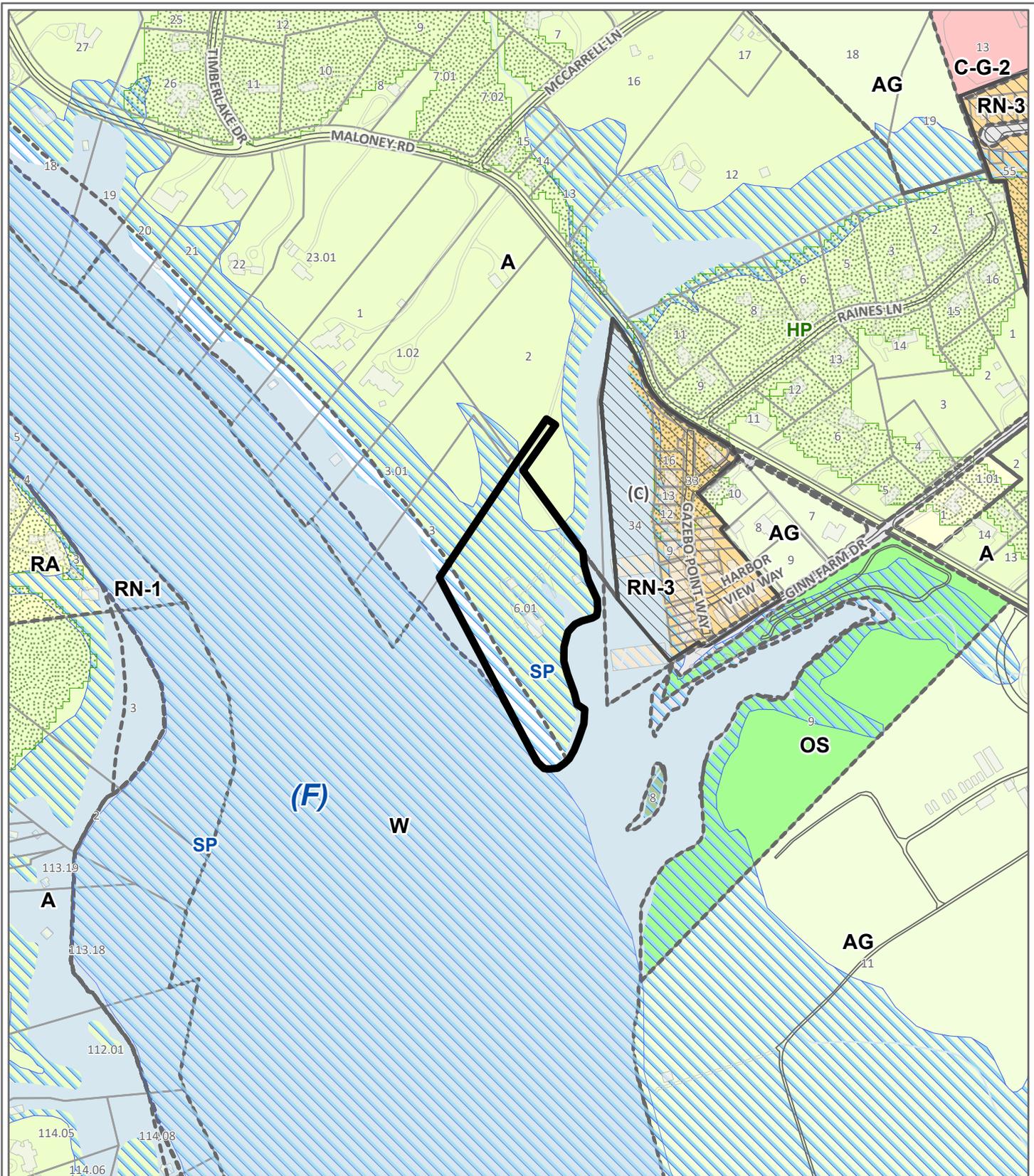
3) The easement crosses into the subject property at the flag stem portion of the lot, where it becomes 40-ft wide (the 20 ft of the existing access drive and the 20 ft of the flag stem combine to provide 40 ft of access right-of-way). Once the easement enters the main body of the property, it narrows down to 25 ft, which meets the minimum width requirement of the Subdivision Regulations.

4) The applicant is seeking a variance to allow the 20-ft access strip to remain in place since it is not owned by the applicant and to replat the access strip, the other properties utilizing the access strip would need to be

included on the plat. Staff is supporting the variance request since it is existing and would not be likely to cause adverse impacts on surrounding properties. The Knox County Department of Engineering and Public Works has also indicated their support of the variance.

5) With the requested variance from the right-of-way width, the proposed plat meets all of the above requirements.

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, ZONING MAP

6-SA-23-F

Petitioner: Mullins, David D.



Final Plat For: FSP Enterprises, LLC

Map No: 135

Jurisdiction: County

Original Print Date: 5/12/2023

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



VARIANCES/ALTERNATIVE DESIGN STANDARDS REQUESTED



1. Reduce required access easement width from 25' to 20' on flag stem portion of Lot 1 and allow pre-existing 20' on adjacent property.

Justify request by indicating hardship: Existing condition on adjacent property (Gentry property)

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.

Mullins, David

Digitally signed by Mullins, David
DN: E=dmullins@cecinc.com, CN="Mullins, David",
OU=Users, OU=Knoxville, DC=cecinc, DC=com
Reason: I am approving this document
Date: 2023.06.01 07:12:52-04'00'

Signature

6/01/2023

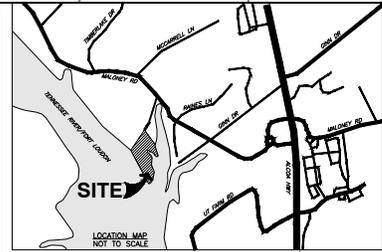
Date



CERTIFICATE OF OWNERSHIP AND GENERAL INFORMATION. I, the undersigned owner of the property shown hereon, hereby certify that this is my own plan of subdivision and that the streets as shown on this plan are for the use of the public and that I will be held responsible in the future for the maintenance and repair of the same as shown on this plan.

ADDRESSING INFORMATION. I, the undersigned, hereby certify that the subdivision name and all street names conform to the provisions of the KNOX COUNTY STREET NAMING AND ADDRESSING REGULATIONS, ADMINISTRATIVE RULES OF THE PLANNING COMMISSION, AND THESE REGULATIONS.

TAXES AND ASSESSMENT INFORMATION. THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.



25' SHARED PERMANENT ACCESS EASEMENT CREATED BY THIS PLAT

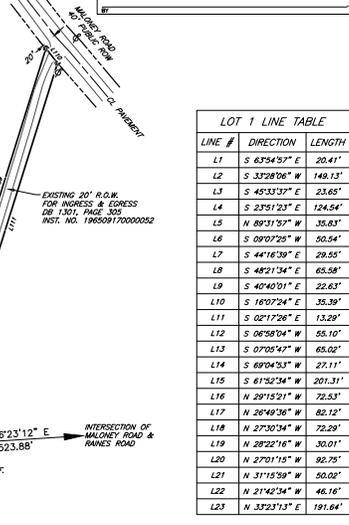
Table with 3 columns: LINE #, DIRECTION, LENGTH. Lists 113 lines for the 25' shared permanent access easement.

10' INGRESS/EGRESS EASEMENT CREATED BY THIS PLAT

Table with 3 columns: LINE #, DIRECTION, LENGTH. Lists 11 lines for the 10' ingress/egress easement.

20' EXISTING ROW LINE TABLE

Table with 3 columns: LINE #, DIRECTION, LENGTH. Lists 11 lines for the existing row line.



CERTIFICATION OF PUBLIC SERVICE AND WATER SERVICE-MAJOR SUBDIVISIONS. THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO REGULATIONS OF A PUBLIC SERVICE AND WATER SYSTEM IN THE VICINITY OF THE LOTS AND TO PAY FOR THE REGULATION OF THE RESPECTIVE CONNECTIONS.

LOT 1 LINE TABLE

Table with 3 columns: LINE #, DIRECTION, LENGTH. Lists 113 lines for Lot 1.

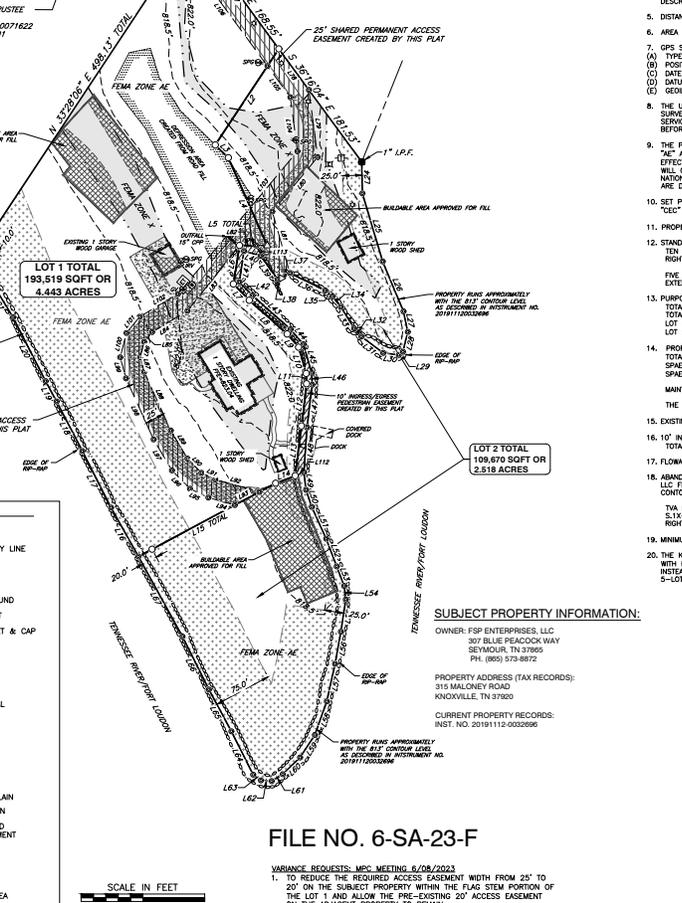
LOT 2 LINE TABLE

Table with 3 columns: LINE #, DIRECTION, LENGTH. Lists 167 lines for Lot 2.

SKD FINANCIAL, INC. AS TRUSTEE OF SKD TRUST. INSTRUMENT NO. 20200429-0071622. PARCEL ID: 135 0301

ROOMAY & KATHY TOWNSEND. INSTRUMENT NO. 201809071663. PARCEL ID: 135 003

- LEGEND: PROPERTY LINE, ADJACENT PROPERTY LINE, RIP RAP, IRON PIN FOUND, MAG / PK NAIL FOUND, REBAR IRON PIN SET & CAP, CALCULATED POINT, POWER POLE, ELECTRIC PULL BOX, TRANSFORMER, TELEPHONE PEDESTAL, LIGHT STANDARD, CABLE PEDESTAL, GAS VALVE, WATER VALVE, IRRIGATION VALVE, WATER METER, 100 YR FLOOD PLAIN, 500 YR FLOOD PLAIN, AREA OF ABANDONED TVA FLOWAGE EASEMENT, CONCRETE, GRAVEL, 50' AVERAGE WIDTH STREAM BUFFER AREA.



- NOTES: 1. BENCHMARKS ARE BASED ON TENNESSEE STATE PLANE COORDINATE SYSTEM NAD83 (2011). 2. NO TITLE COMMITTEE WAS PROVIDED FOR THIS SURVEY, THEREFORE EASEMENTS AND RIGHT OF WAYS NOT SHOWN MAY EXIST. 3. ALL DEED BOOK AND PLAT REFERENCES PERTAIN TO REGISTER'S OFFICE OF KNOX COUNTY, TENNESSEE. 4. ADJOINING PARCEL LINES SHOWN WERE PLOTTED FROM INFORMATION TAKEN FROM EITHER DEED DESCRIPTION, RECORD PLATS, OR TAX MAPS. 5. DISTANCES ARE BASED ON A FIELD SURVEY USING GPS AND EDM EQUIPMENT. 6. AREA WAS DETERMINED BY COORDINATE GEOMETRY. 7. GPS SURVEY DATA: (A) TYPE OF GPS SURVEY: REAL-TIME KINEMATIC (B) POSITIONAL ACCURACY: 0.07 FEET (C) DATE OF SURVEY: 04/6/2023 (D) DATUM/EPOCH: NAD83(2011) EPOCH 2010.00 (E) GEOID MODEL: GEOID 19. 8. THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM VISIBLE FIELD SURVEY INFORMATION, THE SURVEYOR MAKES NO GUARANTEE THAT THEY CORRESPOND TO ALL UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. IT IS RECOMMENDED THAT YOU NOTIFY TENNESSEE ONE-CALL SYSTEM, INC. BEFORE ANY EXCAVATION IS CONDUCTED. DIAL 811. 9. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN SPECIAL FLOOD HAZARD AREA (SFA) ZONE "A" AND "AE" ACCORDING TO F.I.R.M. MAPS 470930289F AND 470930289F OF KNOX COUNTY, HAVING AN EFFECTIVE DATE OF 5/02/2007. THIS STATEMENT DOES NOT GUARANTEE THAT THE SUBJECT PROPERTY WILL OR WILL NOT FLOOD. THE LIMITS OF THE SFA SHOWN HEREON HAVE BEEN TAKEN FROM THE NATIONAL FLOOD HAZARD DATA DATABASE AVAILABLE THROUGH THE TVA MAPPING SERVICE CENTER AND ARE DEPICTED BY SHAPE MAP LOCATION AND GRAPHIC PLOTTING ONLY. 10. SET PROPERTY CORNERS ARE MARKED WITH 5/8" DIAMETER REBAR WITH A "CEC" CAP, MAG NAIL WITH "CEC" WASHER, OR MAG NAIL. 11. PROPERTY IS ZONED "A" PER CURRENT ASSESSMENT RECORDS. 12. STANDARD UTILITY AND DRAINAGE EASEMENTS: (A) TEN (10) FEET IN WIDTH ALONG ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY INCLUDING JOINT PERMANENT EASEMENTS. FIVE (5) FEET IN WIDTH ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF EXTERIOR LOT LINES. 13. PURPOSE OF THIS PLAT IS TO SUBDIVIDE SUBJECT PROPERTY INTO TWO LOTS. TOTAL AREA SURVEYED: 304,189 SQ. FT. OR 6.96 ACRES +/- TOTAL NUMBER OF LOTS: 2 LOT 1 EXCLUDING SPAE: 172,190 SQ. FT. OR 3.95 ACRES +/- LOT 2 EXCLUDING SPAE: 131,970 SQ. FT. OR 2.93 ACRES +/- 14. PROPOSED 25' SHARED PERMANENT ACCESS EASEMENT (SPA) CREATED BY THIS PLAT: TOTAL AREA: 29,281 SQ. FT. OR 0.67 ACRES +/- SPAE LOT 1: 11,312 SQ. FT. OR 0.26 ACRES +/- SPAE LOT 2: 7,952 SQ. FT. OR 0.18 ACRES +/- THE SPAE SHALL SERVE AS AN EASEMENT FOR DRAINAGE, UTILITIES, AND COUNTY ACCESS. 15. EXISTING 20' PRIVATE R.O.W.: 14,010 SQ. FT. OR 0.322 ACRES +/- 16. 10' INGRESS/EGRESS EASEMENT CREATED BY THIS PLAT: TOTAL AREA: 2,735 SQ. FT. OR 0.06 ACRES +/- 17. FLOWAGE EASEMENT BELOW THE 822' CONTOUR ELEVATION: 626, PG 547 18. ABANDONED TVA FLOWAGE EASEMENT AREAS PER LETTER DATED JANUARY 26, 2023 TO FSP ENTERPRISES, LLC FROM TENNESSEE VALLEY AUTHORITY. APPROVAL TO FILL BETWEEN THE 822 AND 818.5 FOOT CONTOUR ELEVATIONS. TVA FILE NO. 4021425-LICENSE FOR EARLY ENTRY-TENNESSEE VALLEY AUTHORITY TRACT NO. FL-768F, SIX-DISPOSAL, 4011981-FSP ENTERPRISES, LLC-REQUEST FOR ABANDONMENT OF FLOWAGE RIGHTS-FOR LOUVEN RESERVOIR-KNOX COUNTY, TENNESSEE. 19. MINIMUM FLOOR ELEVATION FOR ANY NEW STRUCTURES: 823.0'. 20. THE KNOX COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS HAS APPROVED THE ADJACENT LOT WITH RIGHT-OF-WAY FRONTAGE TO THE PROPERTY TO USE THE PUBLIC ROAD ON WHICH IT FRONTS INSTEAD OF THE SPAE FOR ACCESS. HOWEVER, THE GERRY FRONTAGE LOT STILL COULD TOWARD THE 5-LOT MAXIMUM FOR THIS SPAE.

FILE NO. 6-SA-23-F

VARIANCE REQUESTS: MPC MEETING 6/8/2023 TO REDUCE THE REQUIRED ACCESS EASEMENT WIDTH FROM 25' TO 20' ON THE SUBJECT PROPERTY WITHIN THE FLAG STEM PORTION OF THE LOT 1 AND ALLOW THE PRE-EXISTING 20' ACCESS EASEMENT ON THE ADJACENT PROPERTY TO REMAIN. (HARDSHIP - EXISTING CONDITION ON ADJACENT PROPERTY)

SUBJECT PROPERTY INFORMATION: OWNER: FSP ENTERPRISES, LLC 307 BLUE PEACOCK WAY SEYMOUR, TN 37865 PH: (865) 573-8872

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 AUTHORITY OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THIS PLAT AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS CONFORM TO THE BEST OF MY KNOWLEDGE AND BELIEF TO THE KNOWLEDGE/KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN REMOVED OR DELETED 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 EASEMENT MARKERS AND MONUMENTS, BENCHMARKS AND PROPERTY MONUMENTS WERE IN PLACE ON THE 15TH DAY OF MAY 2023.

DRAFT

REGISTERED SURVEYOR #3338 DATE

CERTIFICATION OF THE ACCURACY OF THE 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.

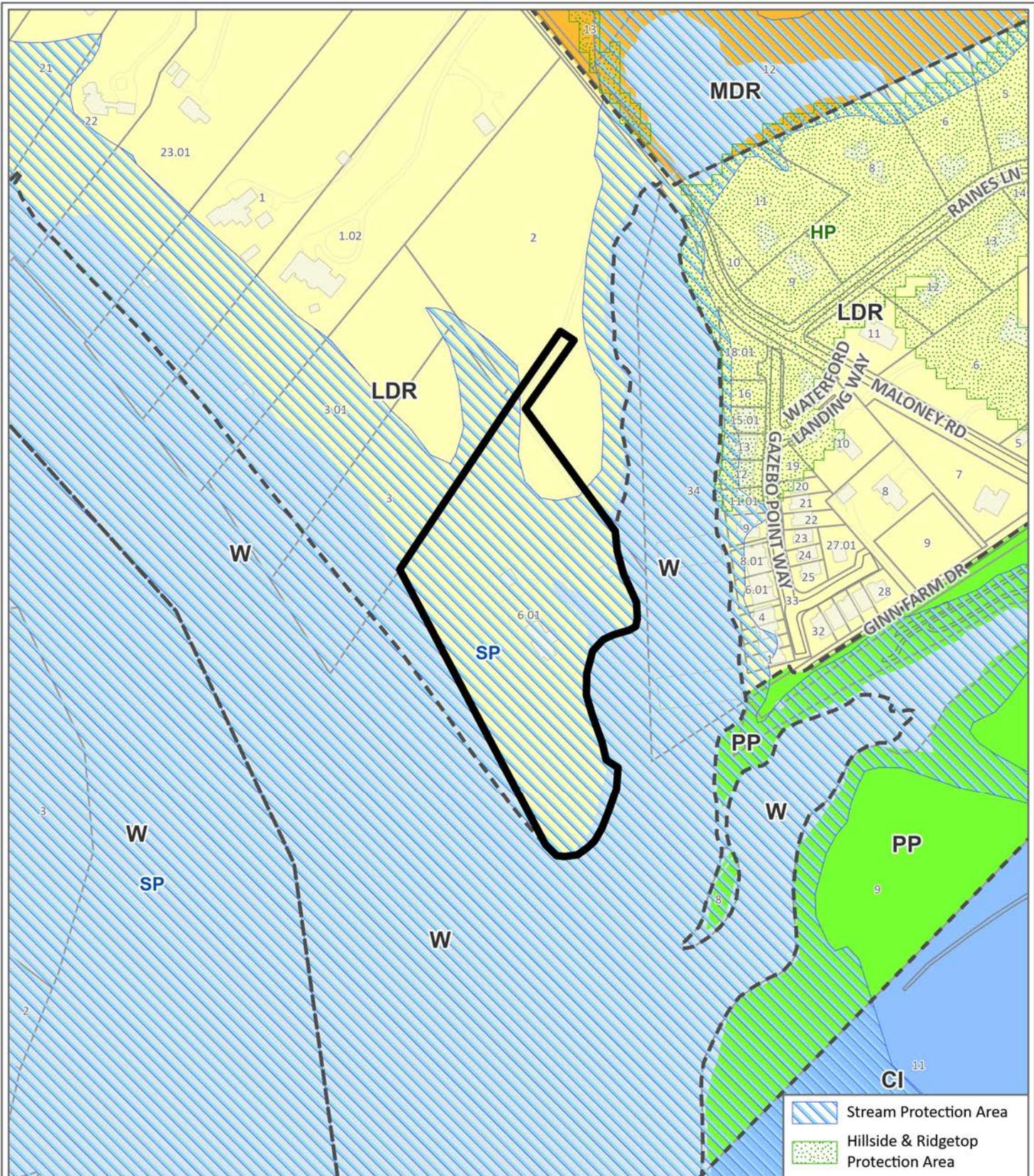
REGISTERED SURVEYOR #3338 DATE

HEARTLAND DEVELOPMENT, LLC 307 BLUE PEACOCK WAY SEYMOUR, TN PH. (865) 573-8872 DATE: JUNE 01, 2023 DRAWN BY: DDM DWG SCALE: 1"=80' CHECKED BY: DRAFT PROJECT NO: 311-2281 APPROVED BY: DRAFT

FINAL PLAT OF FSP ENTERPRISES, LLC PARCEL ID: 135 00601 DISTRICT 9 KNOX COUNTY, TENNESSEE

CFC Civil & Environmental Consultants, Inc. 700 Cherrington Parkway - Moon Township, PA 15108 412-429-6324 - 800-366-2324 www.ceinc.com

REVISION RECORD table with columns for NO, DATE, and DESCRIPTION.



SOUTH COUNTY SECTOR PLAN MAP

6-SA-23-F

Petitioner: Mullins



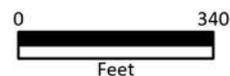
Case boundary

Map No: 135

Jurisdiction: County

Original Print Date: 5/16/2023

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





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

David D. Mullins

Applicant Name

Affiliation

4/28/2023

Date Filed

6/8/2023

Meeting Date (if applicable)

6-SA-23-F

File Number(s)

CORRESPONDENCE

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

David Mullins Civil Environmental Consultants, Inc.

Name / Company

2704 Cherokee Farm Way Suite 101 Knoxville TN 37920

Address

865-328-6679 / dmullins@cecinc.com

Phone / Email

CURRENT PROPERTY INFO

FSP Enterprises, LLC FSP Enterprises, LLC

Owner Name (if different)

307 Blue Peacock Way Seymour TN 37865

Owner Address

865-573-8872

Owner Phone / Email

3518 Maloney Rd.

Property Address

135 00601

Parcel ID

7.5 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Water Provider

Yes

Septic (Y/N)

Sewer Provider

STAFF USE ONLY

Southwest of Maloney Road and Gazebo Point intersection

General Location

City **Commission District 9 A (Agricultural)**

County District Zoning District

Existing Land Use

South County

Planning Sector

Sector Plan Land Use Classification

Planned Growth Area

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

| | |
|--|--|
| FSP Enterprises, LLC | Related Rezoning File Number |
| Proposed Subdivision Name | |
| Unit / Phase Number | 3 Total Number of Lots Created |
| <input checked="" type="checkbox"/> Split Parcels | |
| 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 |
|-----------------|-------|
| \$930.00 | |
| Fee 2 | |
| Fee 3 | |

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature: **David D. Mullins** Please Print **4/28/2023** Date

Phone / Email _____
Property Owner Signature: **FSP Enterprises, LLC FSP Enterprises, LLC** Please Print **4/28/2023** Date



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

David D. Mullins

CEC, Inc.

Applicant Name

Affiliation

02/23/23

April 13, 2023

Date Filed

Meeting Date (if applicable)

File Number(s)

~~2-11-23~~
6-SA-23-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

David D. Mullins

Civil Environmental Consultants, Inc.

Name

Company

2704 Cherokee Farm Way Suite 101

Knoxville

TN

37920

Address

City

State

ZIP

865-328-6679

dmullins@cecinc.com

Phone

Email

CURRENT PROPERTY INFO

FSP Enterprises, LLC

307 Blue Peacock Way, Seymour, TN 37865 865-573-8872

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

3518 Maloney Rd, Knoxville, TN 37920

135 00601

Property Address

Parcel ID

Y

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

SW of Maloney Road and Gazebo Point Way intersection

7.5 AC

General Location

Tract Size

City County

9

A & W

RR

District

Zoning District

Existing Land Use

South County

LDR & W

Planned Growth

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

FSP Enterprises, LLC

Proposed Subdivision Name

Unit / Phase Number

Combine Parcels

Divide Parcel

3

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 |
|-------|-------|------------------|
| 0202 | 500 | |
| Fee 2 | | \$680 |
| 0208 | 180 | \$930.00 |
| Fee 3 | | |
| 0405 | \$250 | |

AUTHORIZATION

Mullins, David

Digitally signed by Mullins, David
DN: E=dnullins@cecinc.com, CN="Mullins, David", OU=Users,
OU=Hillsdale, DC=cecinc, DC=com
Reason: I am approving this document
Date: 2023.02.23 08:22:53-0500

David D. Mullins

2/23/2023

Applicant Signature

Please Print

Date

865-328-6679

dmullins@cecinc.com

Phone Number

Email

Property Owner Signature

Please Print

Date