



# SUBDIVISION REPORT - CONCEPT

▶ **FILE #:** 10-SA-23-C **AGENDA ITEM #:** 12  
 POSTPONEMENT(S): 10/5/2023 **AGENDA DATE:** 11/9/2023  
 ▶ **SUBDIVISION:** MIDDLEBROOK GROVE  
 ▶ **APPLICANT/DEVELOPER:** HUBER PROPERTIES LLC  
 OWNER(S): Schubert Family Limited Partnership

TAX IDENTIFICATION: 106 C A 02301, 00401, 004, 001 [View map on KGIS](#)  
 JURISDICTION: City Council District 3  
 STREET ADDRESS: 1817 FRANCIS RD (0 Helmbolt Rd & 0 Old Amherst Rd)  
 ▶ **LOCATION:** **East side of Helmbolt Rd, north side of Francis Rd, west of Old Amherst Rd**  
 SECTOR PLAN: Northwest County  
 GROWTH POLICY PLAN: N/A (Within City Limits)  
 WATERSHED: Ten Mile Creek  
 ▶ **APPROXIMATE ACREAGE:** 16.82 acres

▶ **ZONING:** RN-2 (Single-Family Residential Neighborhood)  
 ▶ **EXISTING LAND USE:** Single Family Residential  
 ▶ **PROPOSED USE:** Detached residential subdivision  
 SURROUNDING LAND USE AND ZONING: North: Single family residential, rural residential - RN-1 (Single-Family Residential Neighborhood)  
 South: Single family residential, multi-family - AG (General Agricultural), RN-1 (Single-Family Residential Neighborhood), RN-3 (General Residential Neighborhood)  
 East: Single family residential, rural residential - AG (General Agricultural), RN-1 (Single-Family Residential Neighborhood)  
 West: Single family residential - RN-1 (Single-Family Residential Neighborhood)

▶ **NUMBER OF LOTS:** 66  
 SURVEYOR/ENGINEER: Aaron Gray Ardurra  
 ACCESSIBILITY: Access is via Helmbolt Rd, a minor arterial with 20 ft of pavement width within 50-56 ft of right-of-way; and via Francis Rd, a local street with 18 ft of pavement width within 40-45 ft of right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** **VARIANCES**  
 1) Reduce the minimum broken back curve tangent from 150-ft to 62.06-ft for Road 'B' from STA 3+66.43 to 4+28.49.  
 2) Reduce the minimum intersection spacing along Helmbolt Road, between the centerlines of Road 'A' and Creekhead Drive, from 400-ft to 190-ft.

**ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE DEPARTMENT OF ENGINEERING APPROVAL (PLANNING**

**COMMISSION APPROVAL NOT REQUIRED):**

- 1) Increase maximum road grade approach from 1.00% to 3.00% for Road "B" intersection with Road "A".**

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**STAFF RECOMMENDATION:**

- **Approve the requested variance to reduce the minimum broken back curve tangent from 150-ft to 62.06-ft for Road 'B' from STA 3+66.43 to 4+28.49 based on the following evidence of hardship.**
- The reduction in tangent length for the broken-back curve is due to the shape and topography of the existing property.**
  - The unique condition to be considered includes the proposed road following the shape of the property, which allows for internal connectivity for residents as well as emergency vehicles**
  - The purpose of the variation is not based exclusively upon a desire for financial gain.**
  - The granting of the variation will not be detrimental to public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.**

**Approve the requested variance to reduce the minimum intersection spacing along Helmbolt Road, between the centerlines of Road 'A' and Creekhead Drive, from 400-ft to 190-ft, based on the following evidence of hardship.**

- The request for a reduction in intersection spacing is due to the horizontal and vertical road alignment along Helmbolt Road.**
- The unique conditions to be considered are the existing road alignment of Helmbolt Road and the proposed new road location being the only viable location to provide appropriate sight distance.**
- The purpose of the variation is not based exclusively upon a desire for financial gain.**
- The granting of the variation will not be detrimental to public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.**

**Approve the concept plan subject to 13 conditions.**

1. Connection to sanitary sewer and meeting any other relevant utility provider requirements.
2. Provision of a street name consistent with the Uniform Street Naming and Addressing System within the City of Knoxville (City Ord. 0-280-90).
3. Certifying that the required sight distance is available along Helmbolt Road and Francis Road, in both directions, with documentation provided to the Knoxville Department of Engineering during the design plan phase.
4. Confirm that the road design complies with AASHTO standards for the proposed design speed during the design plan phase, with review and approval by the Knoxville Department of Engineering.
5. Road 'A' must meet the design requirements of the Knoxville Department of Engineering and Fire Department, including but not limited to the travel lane and median widths of the boulevard and the design of the traffic circle.
6. The permissible location of all driveways within sight distance easements or lots with frontage on the traffic circle must be approved by the Knoxville Department of Engineering during the design plan phase and shown on the final plat.
7. Obtaining approval from the Knoxville Department of Engineering during the design plan phase to increase the maximum intersection grade from 1 percent to 3 percent for the Road 'B' intersection with Road 'A'.
8. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to the dimensional standards of the RN-2 (Single-Family Residential Neighborhood) zoning district and the rules of measurement for lots in Article 2.4.
9. Revising the shared permanent access easement (SPAЕ) that crosses and/or provides access to lots 29-34 to comply with the SPAЕ standards in Section 3.03.D. of the Subdivision Regulations so that no more than 5 lots are served by the SPAЕ, including any lot that the SPAЕ crosses that has frontage on a road (lot 29). This SPAЕ currently serves 6 lots.
10. If the City of Knoxville Board of Zoning Appeals approves the setback variance requests proposed on the "BZA Concept Plan" (sheet C1A), Planning and Knoxville Department of Engineering staff may approve the lot layout and shared permanent access easement (SPAЕ) design, consistent with the approved variances and the standards of the City of Knoxville Zoning Ordinance and the Subdivision Regulations. The subdivision shall not exceed 67 lots for single-family dwellings.
11. Identifying the location of the WOW! fiber optic line during the design plan phase and show all applicable easements on the final plat.
12. Meeting all applicable requirements of the Knoxville Department of Engineering.
13. Before certification of the final plat for the subdivision, establish a property owners association or other legal entity responsible for maintaining common facilities, such as common areas, amenities, and/or stormwater drainage systems.

## COMMENTS:

This proposal is for a 66-lot detached residential subdivision on this 16.82-acre property. The applicant submitted an alternative lot design on plan sheet C1A, called BZA Concept Plan, which has 67 lots. Additional details regarding this alternative plan are below. The RN-2 zone requires a minimum lot size of 5,000 sqft and lot width of 50 ft. The proposed lot sizes range from 5,078 to 15,411 sqft, with most lots being between 5,500 to 8,000 sqft. The property was rezoned from AG (General Agricultural) to RN-2 (Single-Family Residential Neighborhood) in March 2023 (10-R-21-RZ).

### ACCESS

Helmbolt Road -- The main access to the site is from Helmbolt Road, a two-lane minor arterial street. The location of the access will require a variance to reduce the intersection separation requirement to Creekhead Drive (additional details below). The entrance road has a boulevard design and a small traffic circle at the first intersection with Road 'B'. This road design is proposed because the property does not have feasible secondary access. The City of Knoxville fire code requires two access points once a development, or road segment within a development, exceeds 30 dwelling units. This applies to houses, duplexes, and attached houses (townhouses). The Knoxville Fire Department agreed to the boulevard design and traffic circle as a method of separating the travel lanes to increase access for emergency vehicles. Alternative access designs to accommodate the fire code are considered on a case-by-case basis by the Knoxville Fire Department.

Old Amherst Road -- The property has driveway access to the terminus of Old Amherst Road, but does not have enough frontage for improved access because of the railroad right-of-way.

Francis Road -- The Francis Road frontage has limited sight distance and is not ideal as a secondary road access for the subdivision. This proposal includes access for 2 to 4 lots, depending on whether a shared permanent access easement (SPAЕ) is utilized to provide access to two lots behind the lots with Francis Road frontage.

### SHARED PERMANENT ACCESS EASEMENT (SPAЕ)

An SPAЕ allows access for up to 5 lots, but this includes any lot with frontage on a public or private road that the SPAЕ crosses. Also, the frontage lot must also obtain access from the SPAЕ, unless the Knoxville Department of Engineering approves direct access to the street. Regardless, the lot with frontage counts toward the 5 allowed lots. The proposed SPAЕ that crosses lot 29 and provides access to lots 30 – 34 has 6 lots, including lot 29. One lot must be removed from this SPAЕ.

### LOT LAYOUT ON A SPAЕ

The City of Knoxville Zoning Ordinance defines 4 types of lots: interior, corner, through (double frontage), and flag (Article 2.4.1.). The lots proposed on the SPAЕs are most closely related to flag lots, because they located behind other lots. The front yard and setback of a flag lot is measured from the rear lot line of the lot that separates the flag portion of the lot from the street. The street could be a public or private street, but an access easement, such as an SPAЕ, is not a street. So, lots on an SPAЕ have to conform to the flag lot standards, where it is located behind a lot with frontage on the street and to the rear of that lot it is behind. The flag lot standards orient the front and rear setbacks toward the public or private street, not the SPAЕ.

### BZA (BOARD OF ZONING APPEALS) CONCEPT PLAN

The setback variances the applicant has applied for are to reduce the front and rear setbacks to 5 ft so they function as side setbacks. The houses can be oriented toward the SPAЕ, regardless of whether BZA approves the variances. However, fewer houses can fit in these narrow portions of the development the setback variances are denied.

### VARIANCES

- 1) A broken back tangent is the straight road segment between two horizontal curves that curve in the same direction. The road design standards in the Subdivision Regulations are intended for a 30 mph speed limit. The road design speed for this subdivision is proposed to be 15 mph. The roads will be designed to restrict speeds to 15 mph with either the physical design of the roadway, or other means, such as traffic calming.
- 2) The required intersection separation along an arterial road is 400 ft from the centerline of the intersections. Under normal circumstances, the preferred intersection location is immediately across from an existing intersection, such as Creekhead Drive. However, in this case, the Creekhead Drive location has inadequate sight distance in both directions, so aligning Road 'A' at this intersection is not preferred. The minimum sight distance can be obtained in both directions at the proposed Road 'A' access point and it is located far enough away from Creekhead Drive that the vehicle queue for left turn movements from Helmbolt Road to either of those roads should not back up into either intersection.

ESTIMATED TRAFFIC IMPACT: 688 (average daily vehicle trips)

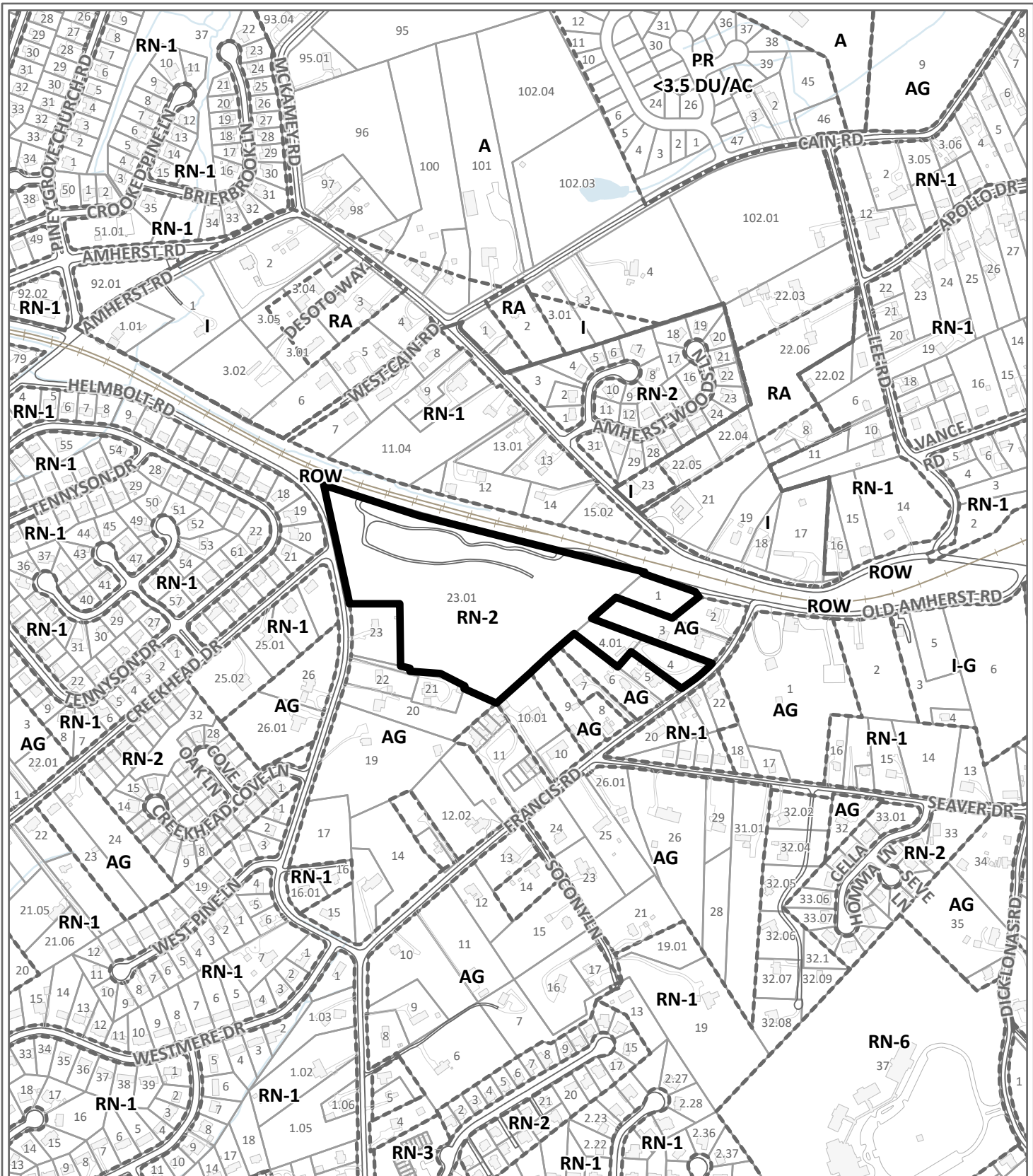
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 27 (public school children, grades K-12)

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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.

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.



**CONCEPT PLAN**

**10-SA-23-C**

**Petitioner:** Huber Properties LLC

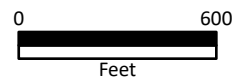


Detached residential subdivision in RN-2 (Single-Family Residential Neighborhood)

**Original Print Date:** 8/31/2023

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

**Map No:** 106  
**Jurisdiction:** City





# Request to Postpone • Table • Withdraw

Huber Properties, LLC

9-28-23

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

10-5-23

Scheduled Meeting Date

10-SA-23-C

File Number(s)

## POSTPONE

**POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

**SELECT ONE:**  30 days  60 days  90 days

Postpone the above application(s) until the November 9, 2023 Planning Commission Meeting.

## WITHDRAW

**WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

## TABLE

*\*The refund check will be mailed to the original payee.*

**TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

## AUTHORIZATION

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

John Huber

Applicant Signature

Please Print

865-966-1600

john@southernsignature.net

Phone Number

Email

## STAFF ONLY

Michael Reynolds

Staff Signature

Please Print

Date Paid

No Fee

Eligible for Fee Refund?  Yes  No

Amount:

Approved by:

Date:

Payee Name

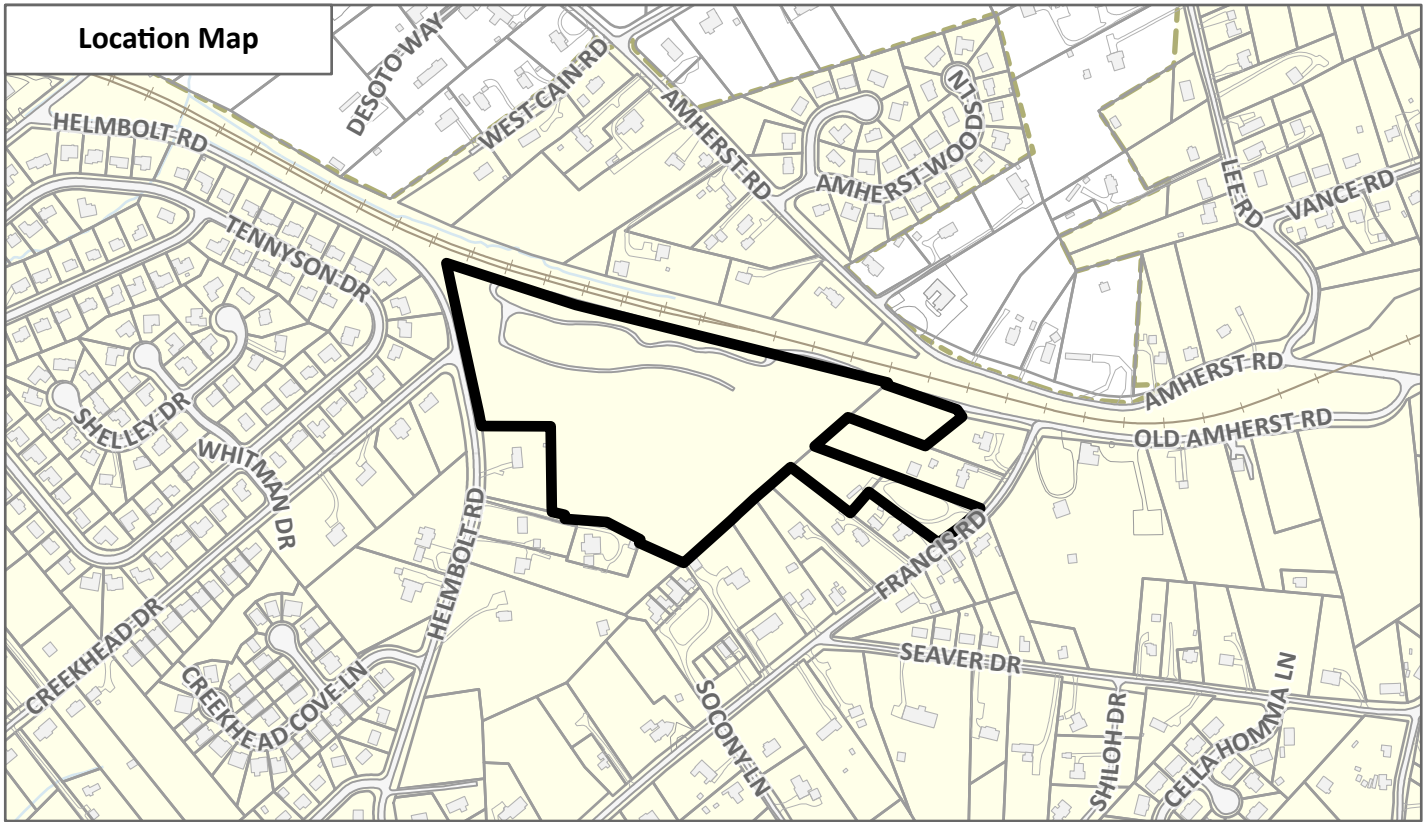
Payee Phone

Payee Address



# Exhibit A. Contextual Images

Location Map



Aerial Map

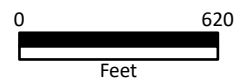


CONTEXTUAL MAPS 1

10-SA-23-C

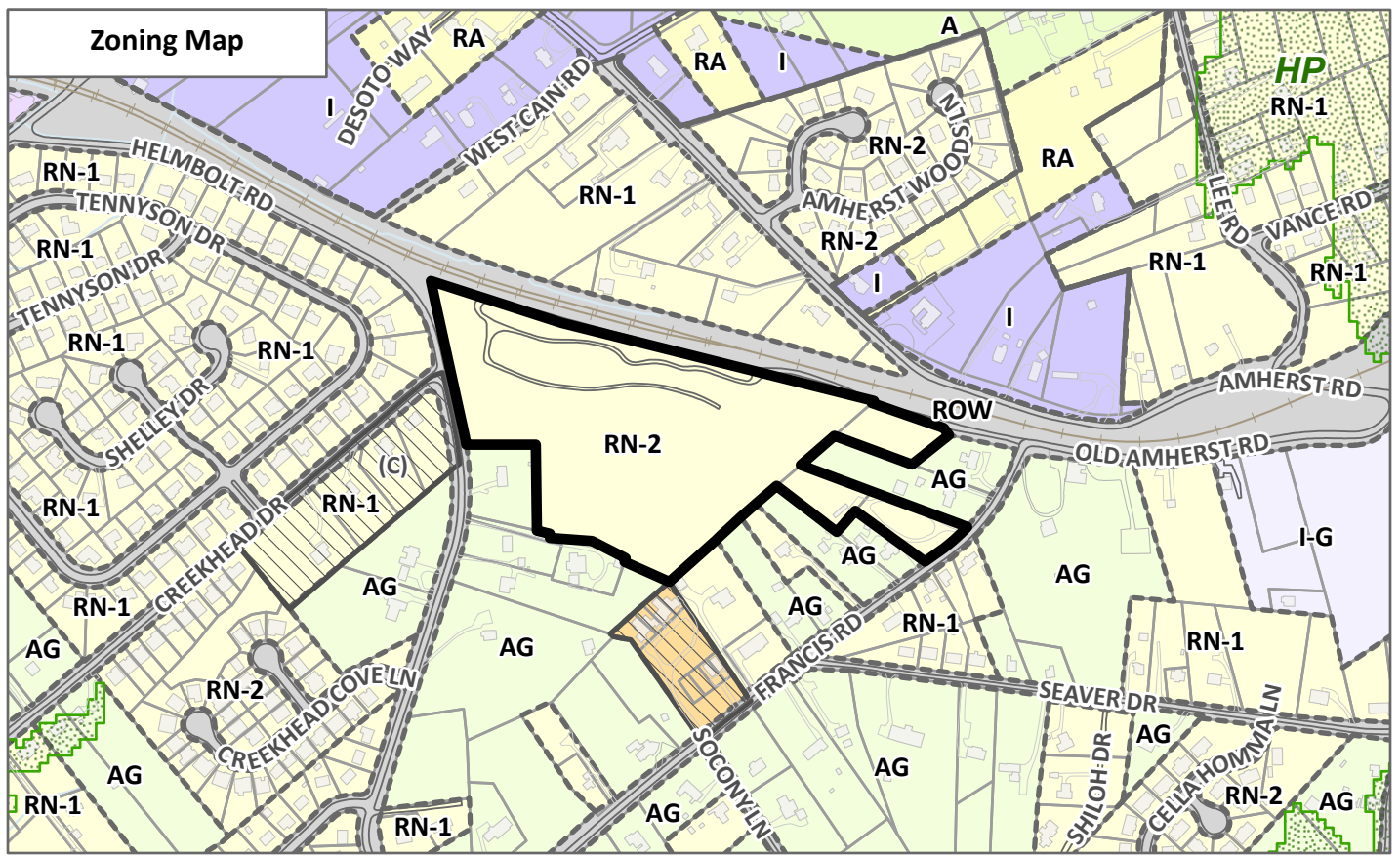


Case boundary

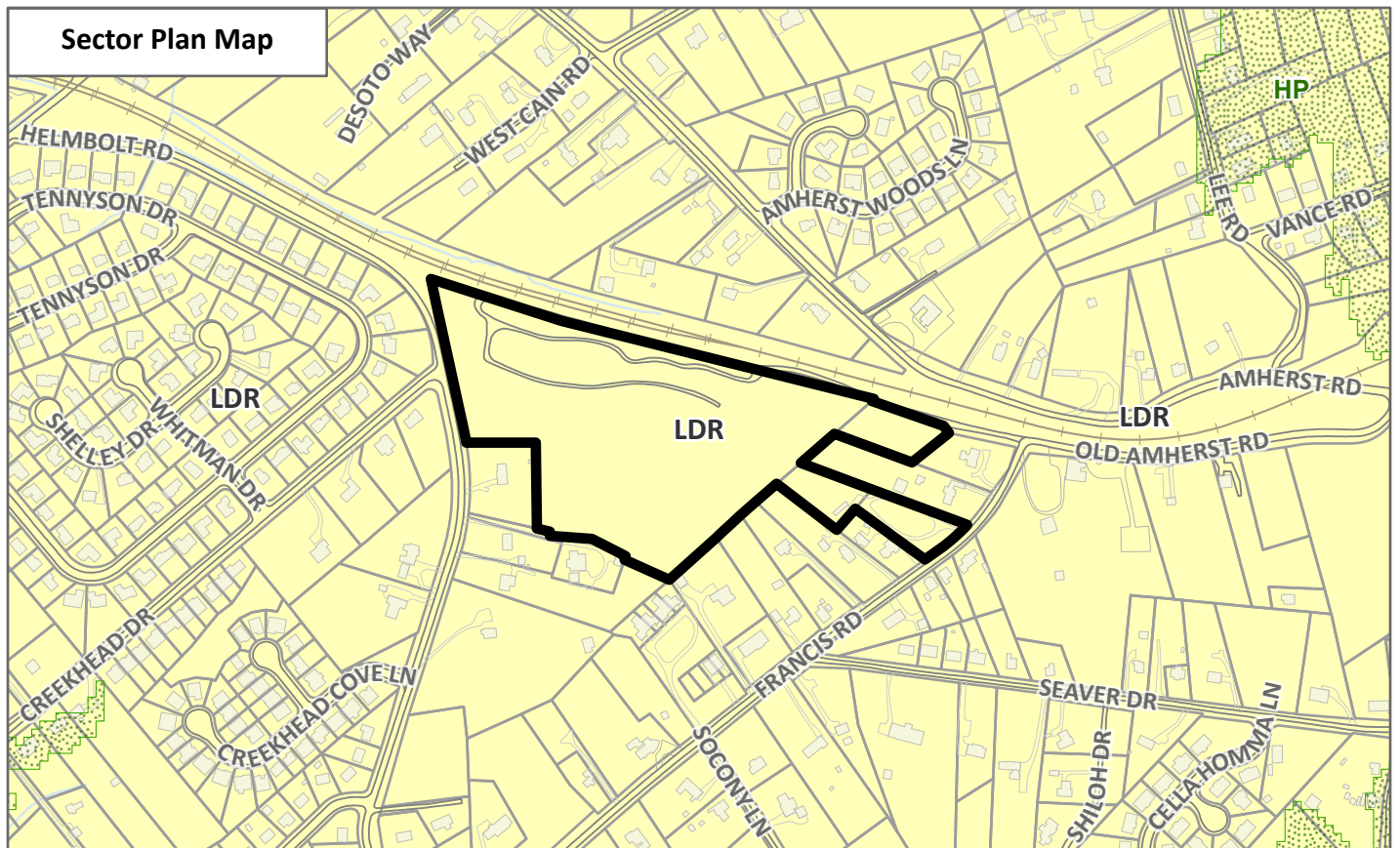




Zoning Map



Sector Plan Map

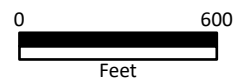


CONTEXTUAL MAPS 2

10-SA-23-C

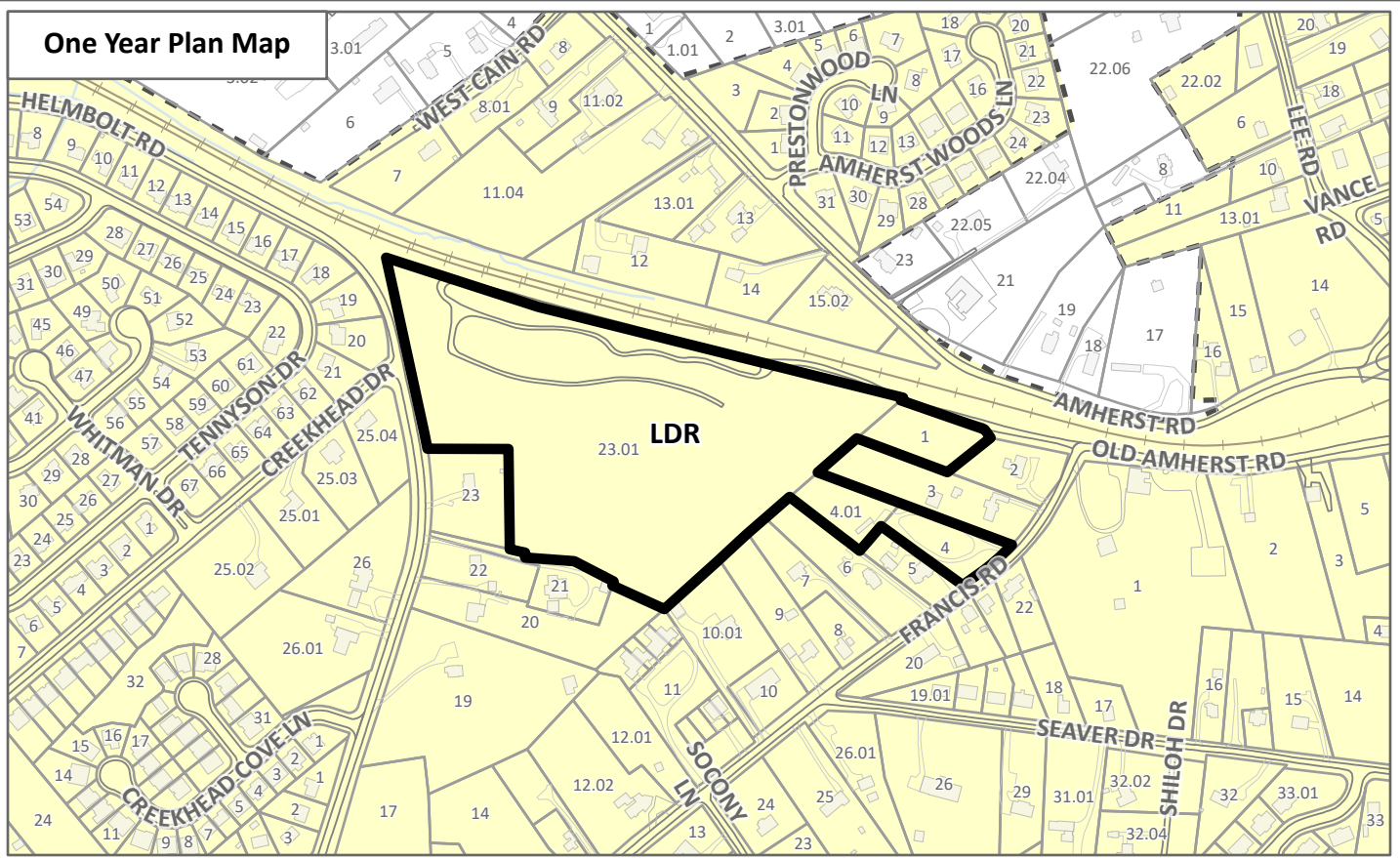


Case boundary

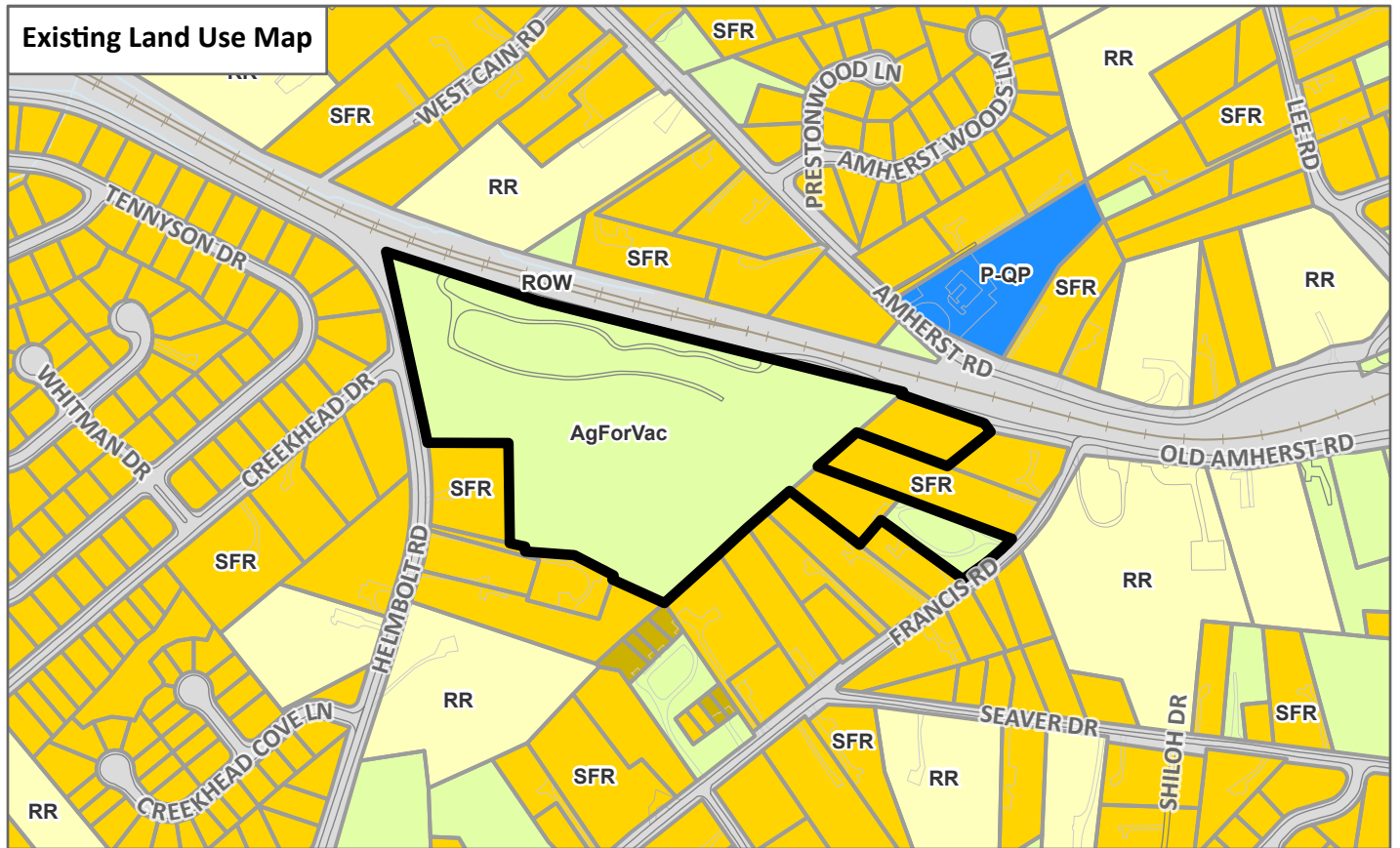




### One Year Plan Map



### Existing Land Use Map



### CONTEXTUAL MAPS 3

10-SA-23-C



Case boundary



# VARIANCES

The Planning Commission may reduce or otherwise vary the requirements of the Subdivision Regulations when it finds the hardship criteria are met. In granting such variances, the Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variance granted by the Planning Commission shall be noted in its official minutes along with the justification for granting the variance (Subdivision Regulations, Section 1.05).

## Hardship conditions to be met:

1. **Conditions Required.** Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, they may grant, by way of application, variations to the Subdivision Regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variations shall not have the effect of nullifying the intent and purpose of these regulations or the comprehensive plan.
2. **Evidence of Hardship Required.** The Planning Commission shall not grant variations to the Subdivision Regulations unless they make findings based upon the evidence presented to them in each specific case that:
  - a. Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.
  - b. The conditions upon which the request for a variation is based is unique to the property for which the variation is sought and is not applicable, generally, to other property, and has not been created by any person having an interest in the property.
  - c. The purpose of the variation is not based exclusively upon a desire for financial gain.
  - d. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

## Variances Requested:

For each variance requested, identify the hardship that would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to.

1. Variance requested:

Reduce minimum broken back curve tangent length from 150-ft to 62.06-ft for Road "B" from Sta. 3+66.43 to Sta. 4+28.49.

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Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. Reference Attachment 1

b. Reference Attachment 1

c. Reference Attachment 1

d. Reference Attachment 1

Engineering supports the variance requested (to be completed during review process): YES  NO

Engineering Comments: \_\_\_\_\_

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2. Variance requested:

Reduce intersection spacing along Helmbolt Road from 400-ft to 190-ft from Creekhead Drive to R

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

- a. Reference Attachment 1 \_\_\_\_\_
- b. Reference Attachment 1 \_\_\_\_\_
- c. Reference Attachment 1 \_\_\_\_\_
- d. Reference Attachment 1 \_\_\_\_\_

Engineering supports the variance requested (to be completed during review process): YES  NO

Engineering Comments: \_\_\_\_\_  
\_\_\_\_\_

3. Variance requested:

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

Engineering supports the variance requested (to be completed during review process): YES  NO

Engineering Comments: \_\_\_\_\_  
\_\_\_\_\_

4. Variance requested:

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

Engineering supports the variance requested (to be completed during review process): YES  NO

Engineering Comments: \_\_\_\_\_  
\_\_\_\_\_



5. Variance requested:

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Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

Engineering supports the variance requested (to be completed during review process): YES  NO

Engineering Comments: \_\_\_\_\_

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6. Variance requested:

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Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

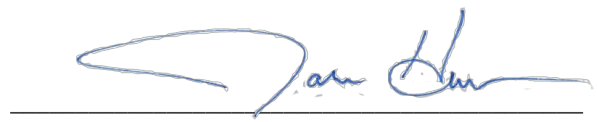
d. \_\_\_\_\_

Engineering supports the variance requested (to be completed during review process): YES  NO

Engineering Comments: \_\_\_\_\_

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By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision 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

John Huber

Printed Name

11/3/23

Date

# ALTERNATIVE DESIGN STANDARDS

The minimum design and performance standards shall apply to all subdivisions unless an alternative design standard is permitted within Article 3 Section 3.01.D. as identified below or as permitted through Article 4 Alternative Design Standards and Required Improvements (Subdivision Regulations, 3.01.D).

## Alternative Design Standards Requested:

For each alternative design standard requested, identify the hardship that would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to.

1. Alternative design standard requested: Increase maximum road grade approach from 1.00% to 3.00% for Road "B" intersection with Road "A". This request is based on the existing property topography

Approval required by: Planning Commission  Engineering

Engineering supports the request (to be completed during review process): YES  NO  Engineering

Comments: \_\_\_\_\_

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2. Alternative design standard requested: \_\_\_\_\_

Approval required by: Planning Commission  Engineering

Engineering supports the request (to be completed during review process): YES  NO  Engineering

Comments: \_\_\_\_\_

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3. Alternative design standard requested: \_\_\_\_\_

Approval required by: Planning Commission  Engineering

Engineering supports the request (to be completed during review process): YES  NO  Engineering

Comments: \_\_\_\_\_

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4. Alternative design standard requested: \_\_\_\_\_

Approval required by: Planning Commission  Engineering

Engineering supports the request (to be completed during review process): YES  NO  Engineering

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

5. Alternative design standard requested: \_\_\_\_\_

Approval required by: Planning Commission  Engineering

Engineering supports the request (to be completed during review process): YES  NO  Engineering

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision 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

John Huber  
\_\_\_\_\_  
Printed Name

11/3/23  
\_\_\_\_\_  
Date



## Attachment 1

**Project Name: Middlebrook Grove Subdivision**

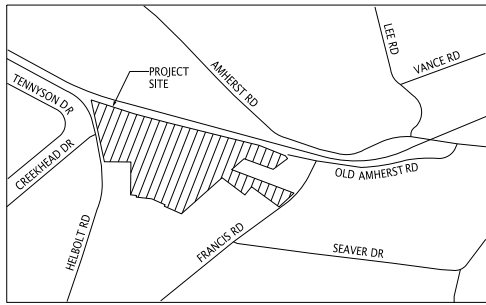
**Planning Commission File Number: 10-SA-23-C**

**Date: November 3, 2023**

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### **Variances Requested:**

- 1. Reduce minimum broken back curve tangent length from 150-ft to 62.06-ft for Road "B" from Sta. 3+66.43 to Sta. 4+28.49.**
  - a. The reduction in tangent length for the broken-back curve is due to the shape and topography of the existing property. The proposed road is following the shape of the property which allows for internal connectivity for residents as well as emergency vehicles.
  - b. The unique shape and topography of the property is the basis for the request (reference description in Part "a" above).
  - c. The purpose of the variance is not based upon a desire for financial gain. It is requested to improve subdivision safety due to the negative physical attributes of the property.
  - d. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.
- 2. Reduce intersection spacing along Helmbolt Road from 400-ft to 190-ft from Creekhead Drive to Road "A".**
  - a. The request for reduction in intersection spacing is due to the horizontal and vertical road alignment along Helmbolt Road. The proposed new road location is the only viable location to provide appropriate site distance.
  - b. The unique shape and topography of the property is the basis for the request (reference description in Part "a" above).
  - c. The purpose of the variance is not based upon a desire for financial gain. It is requested to improve entering and exiting the subdivision safety due to the negative physical attributes of the property.
  - d. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.



**UTILITY OWNERS:**

**WATER & SEWER**  
 KNOXVILLE UTILITIES BOARD (KUB)  
 4505 MIDDLEBROOK PIKE  
 KNOXVILLE, TN 37921  
 CONTACT: TIM BRANNON  
 OFFICE PHONE: 865.558.2552

**GAS**  
 KNOXVILLE UTILITIES BOARD (KUB)  
 4505 MIDDLEBROOK PIKE  
 KNOXVILLE, TN 37921  
 CONTACT: TIM BRANNON  
 OFFICE PHONE: 865.558.2552

**ELECTRIC**  
 KNOXVILLE UTILITIES BOARD (KUB)  
 4505 MIDDLEBROOK PIKE  
 KNOXVILLE, TN 37921  
 CONTACT: TIM BRANNON  
 OFFICE PHONE: 865.558.2552

**ENGINEERING CERTIFICATION:**

I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE-KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN ITEMIZED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.

REGISTERED ENGINEER: MARRON M. GRAY, P.E.  
 TENNESSEE CERTIFICATE NO. 0108410

- NOTES:**
- THE BOUNDARY AND TOPOGRAPHIC DATA WAS TAKEN FROM ABBOTT LAND SURVEYING THAT WAS OBTAINED JANUARY 5, 2023.
  - PROPERTY CONCERNED REFLECTS PARCELS 106CA02201, 106CA001, 106CA0401, AND 106CA004 AS SHOWN IN KNOX COUNTY CLT MAP 106. ZONING FOR THE PROPERTY IS RN-2. SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD ZONING DISTRICT, CITY BLOCK NO. 45510, WARD NO. 45. TOTAL AREA = 16.82 AC.
- OWNER: HUBER PROPERTIES, LLC  
 P.O. BOX 23038  
 KNOXVILLE, TN 37933
- BUILDING SETBACKS ARE 20'-FT. IN FRONT, MIN. 5'-FT. ON SIDE (ENC. COMBINED TOTAL 15'-FT.), MIN 12'-FT. ON CORNER SIDE AND 25'-FT. IN REAR.
  - ACCESS TO LOTS IS RESTRICTED TO INTERNAL STREETS.
  - 10' UTILITY & DRAINAGE EASEMENT INSIDE ROAD FRONTAGE AND S/D PERMETER LOT LINES; 5' EACH SIDE OF ALL INTERIOR LOT LINES.
  - PROPOSED IMPROVEMENTS INCLUDE: 60" WIDE PUBLIC ROAD, EXPANDED CURB, STORM SEWER, SANITARY SEWER, WATER, ELECTRIC, TELEPHONE, AND CABLE TV.
  - PROPOSED ROAD DESIGN SPEED IS 15 MPH.
  - PLANNING COMMISSION CASE NUMBER: 10-SA-3C.
  - TWO (2) ADDITIONAL LOTS MAY BE AVAILABLE PENDING BZA REVIEW.

**PROPOSED DENSITY**

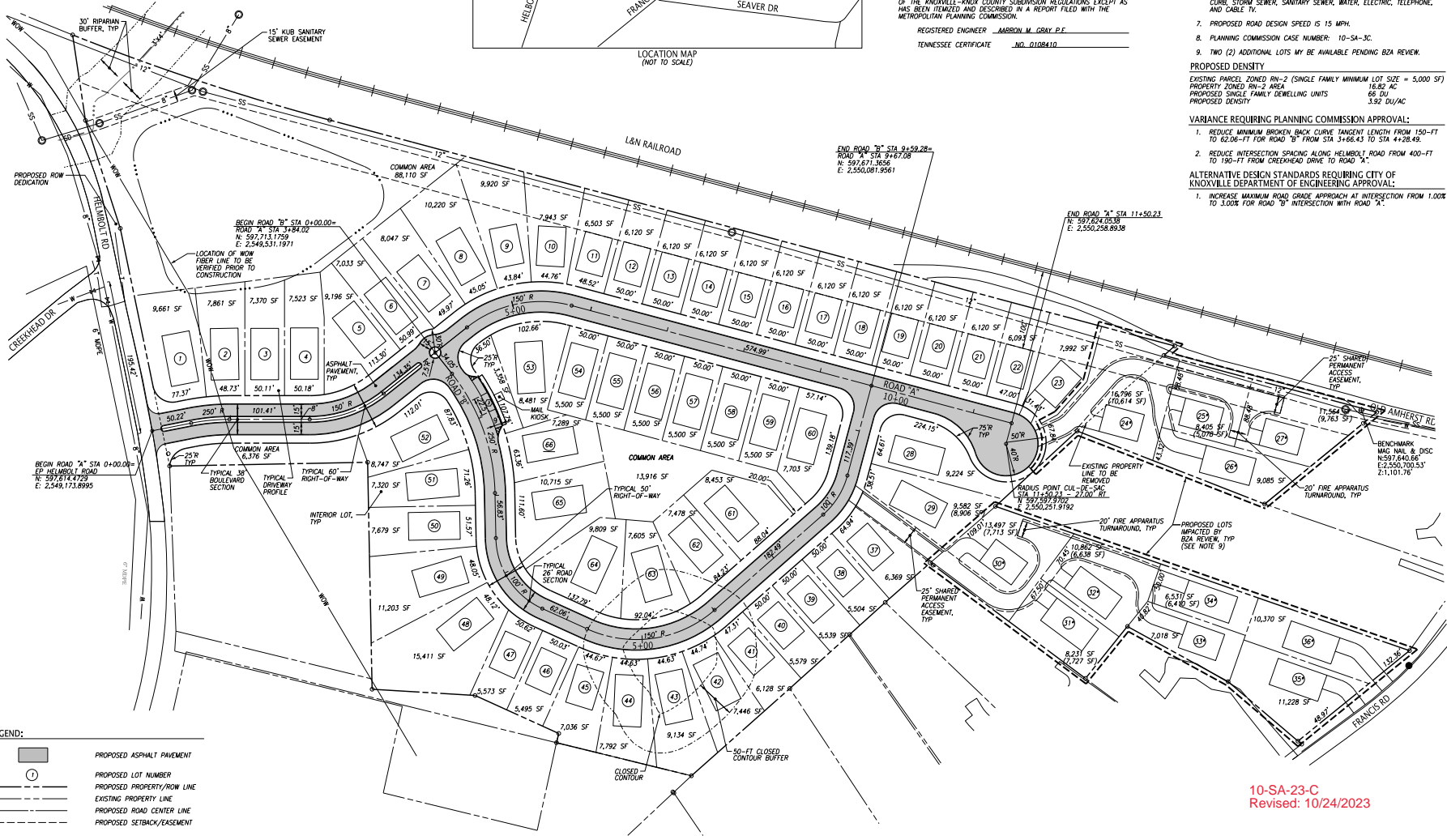
EXISTING PARCEL ZONED RN-2 (SINGLE FAMILY MINIMUM LOT SIZE = 5,000 SF)  
 PROPERTY ZONED RN-2 AREA: 16.82 AC  
 PROPOSED SINGLE FAMILY DWELLING UNITS: 68 DU  
 PROPOSED DENSITY: 3.92 DU/AC

**VARIANCE REQUESTING PLANNING COMMISSION APPROVAL:**

- REDUCE MINIMUM BROKEN BACK CURVE TANGENT LENGTH FROM 150'-FT TO 62.06'-FT FOR ROAD "B" FROM STA 3+66.43 TO STA 4+28.49.
- REDUCE INTERSECTION SPACING ALONG HELMOLT ROAD FROM 400'-FT TO 190'-FT FROM CREEKHEAD DRIVE TO ROAD "A".

**ALTERNATIVE DESIGN STANDARDS REQUIRING CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING APPROVAL:**

- INCREASE MAXIMUM ROAD GRADE APPROACH AT INTERSECTION FROM 1.00% TO 3.00% FOR ROAD "B" INTERSECTION WITH ROAD "A".



**LEGEND:**

- PROPOSED ASPHALT PAVEMENT
- PROPOSED LOT NUMBER
- PROPOSED PROPERTY/ROW LINE
- EXISTING PROPERTY LINE
- PROPOSED ROAD CENTER LINE
- PROPOSED SETBACK/EASEMENT



HUBER PROPERTIES, LLC  
 P.O. BOX 23214  
 KNOXVILLE, TN 37933

JOHN HUBER  
 jhuber@huberproperties.net  
 865-978-6600

NO.	DATE	REVISION/DESCRIPTION
1	10/24/2023	ISSUED FOR PERMITS
2	10/24/2023	REVISED FOR PERMITS COMMENTS
3	10/24/2023	REVISED FOR PERMITS COMMENTS
4	10/24/2023	REVISED FOR PERMITS COMMENTS
5	10/24/2023	REVISED FOR PERMITS COMMENTS
6	10/24/2023	REVISED FOR PERMITS COMMENTS
7	10/24/2023	REVISED FOR PERMITS COMMENTS
8	10/24/2023	REVISED FOR PERMITS COMMENTS
9	10/24/2023	REVISED FOR PERMITS COMMENTS
10	10/24/2023	REVISED FOR PERMITS COMMENTS
11	10/24/2023	REVISED FOR PERMITS COMMENTS
12	10/24/2023	REVISED FOR PERMITS COMMENTS
13	10/24/2023	REVISED FOR PERMITS COMMENTS
14	10/24/2023	REVISED FOR PERMITS COMMENTS
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16	10/24/2023	REVISED FOR PERMITS COMMENTS
17	10/24/2023	REVISED FOR PERMITS COMMENTS
18	10/24/2023	REVISED FOR PERMITS COMMENTS
19	10/24/2023	REVISED FOR PERMITS COMMENTS
20	10/24/2023	REVISED FOR PERMITS COMMENTS
21	10/24/2023	REVISED FOR PERMITS COMMENTS
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64	10/24/2023	REVISED FOR PERMITS COMMENTS
65	10/24/2023	REVISED FOR PERMITS COMMENTS
66	10/24/2023	REVISED FOR PERMITS COMMENTS
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68	10/24/2023	REVISED FOR PERMITS COMMENTS

MIDDLEBROOK GROVE SUBDIVISION  
 CONCEPT PLAN

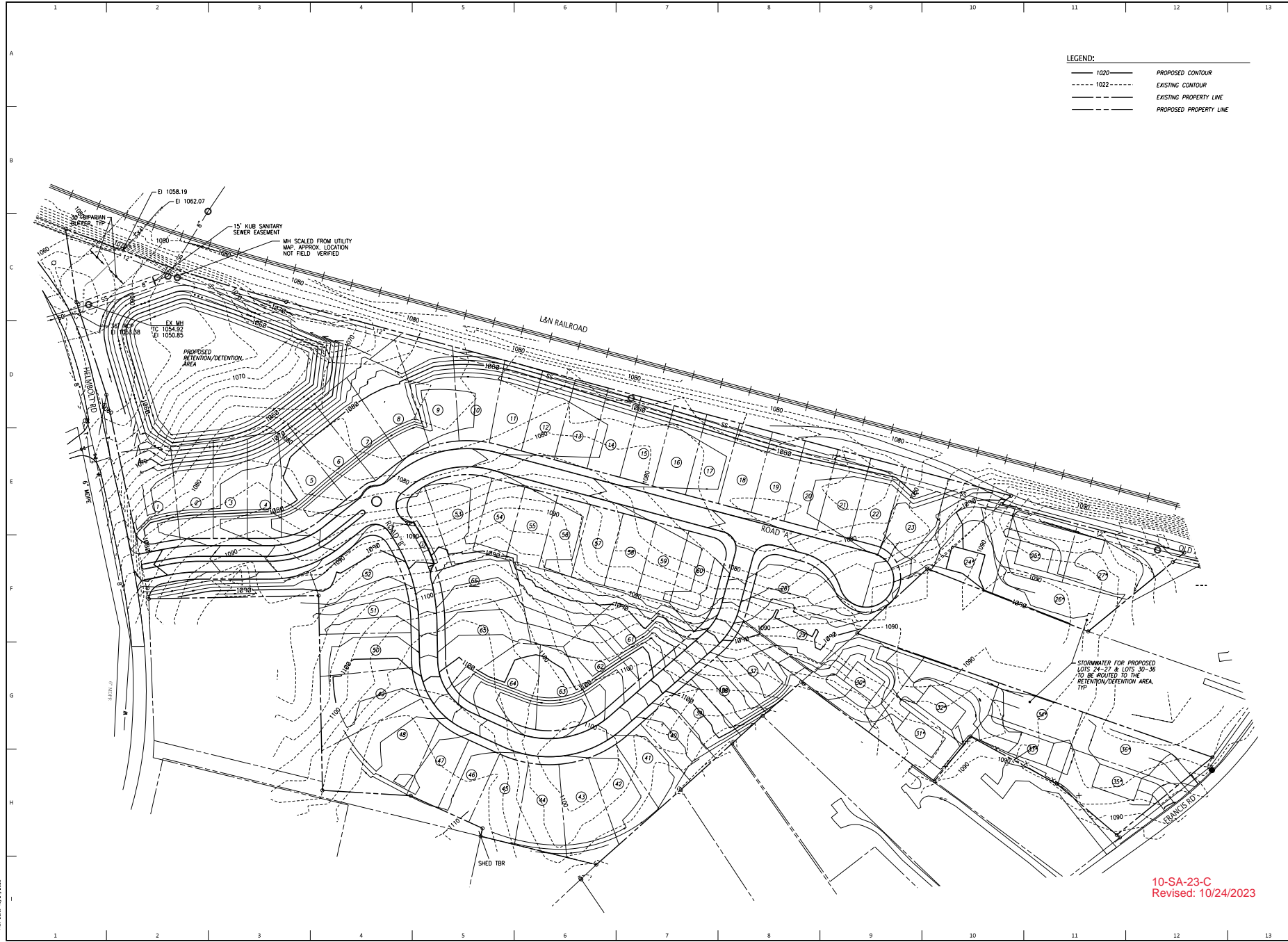
PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

JOB NO: 190011  
 DATE: 08/21/2023

**C1**  
 CONCEPT PLAN  
 08/21/2023

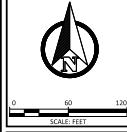
10-SA-23-C  
 Revised: 10/24/2023

File Path: I:\2023\10-23-23-C1\10-23-23-C1\10-23-23-C1.dwg  
 Plot Date: 10/24/2023



**LEGEND:**

- 1020 — PROPOSED CONTOUR
- - - 1022 - - - EXISTING CONTOUR
- - - - - EXISTING PROPERTY LINE
- - - - - PROPOSED PROPERTY LINE



**ARDURRA**  
 COLLABORATE. INNOVATE. CREATE.  
 2160 Lakeside Centre Way, Suite 201  
 Knoxville, TN 37932  
 Phone: (865) 690-6419  
 www.ardurra.com

**HUBER PROPERTIES, LLC**  
 P.O. BOX 22314  
 KNOXVILLE, TN 37933

JOHN HUBER  
 jhub@southernregulate.net  
 865-978-6600

NO.	DATE	BY	DESCRIPTION
1			ISSUED FOR COMMENTS
2			REVISED
3			REVISED
4			REVISED

**MIDDLEBROOK GROVE SUBDIVISION**

**PRELIMINARY GRADING PLAN**

**PRELIMINARY NOT FOR CONSTRUCTION**

JOB NO: 290211  
 DATE: 08/21/2023

**C2**

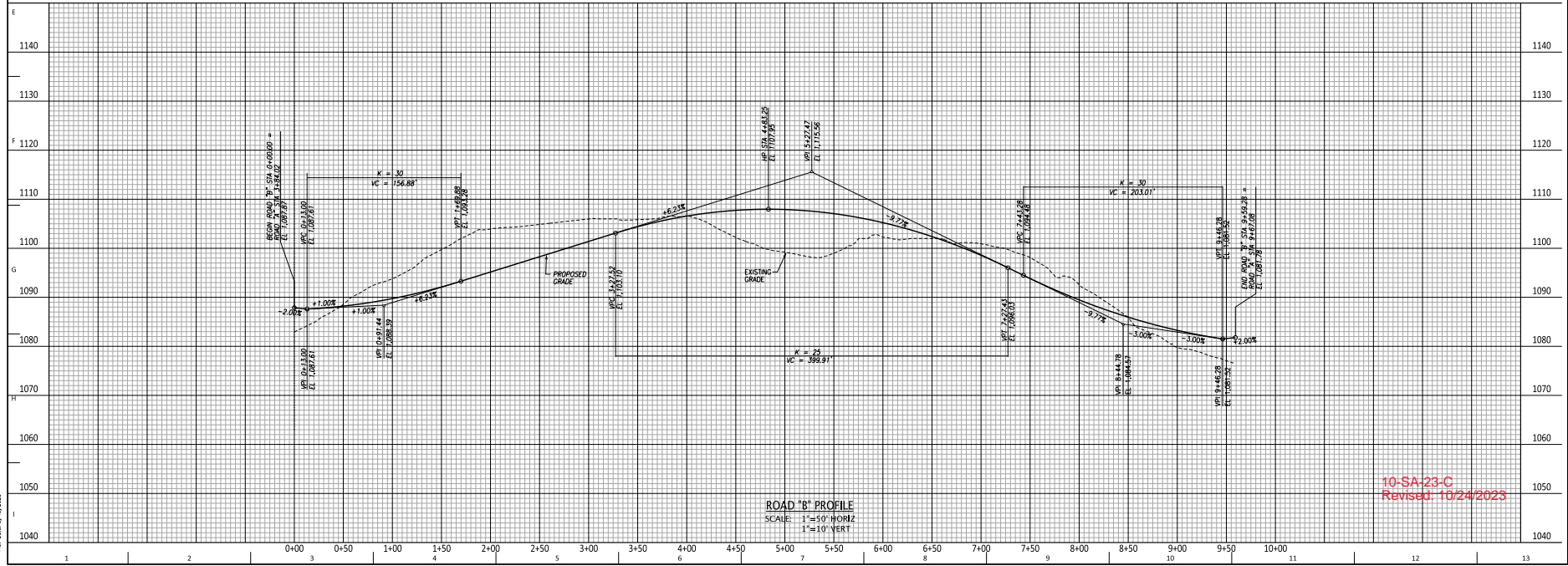
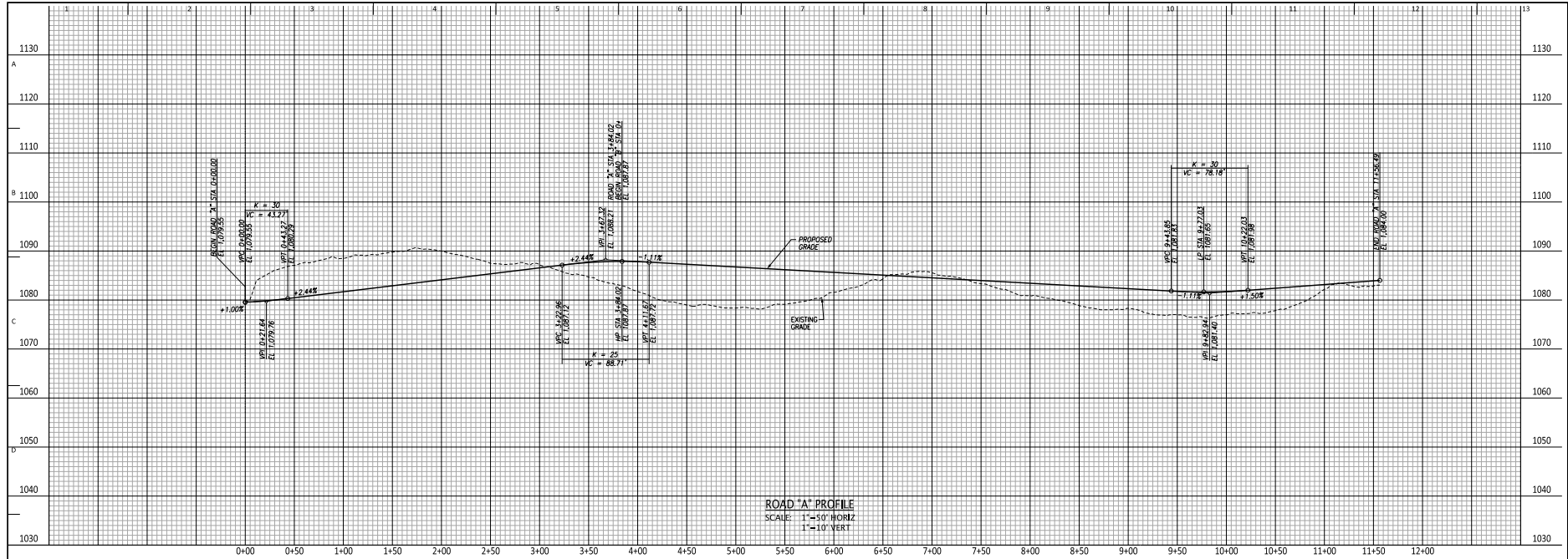
CONCEPT PLAN  
 08/21/2023

10-SA-23-C  
 Revised: 10/24/2023

File Name: 10-SA-23-C (1) (MDS) 2001 (1)0602.dwg  
 Plot Date: 10/24/2023



P:\New\_1\10-SA-23-C\10-SA-23-C\10-SA-23-C\10-SA-23-C.dwg  
 Plot Date: 08/21/2023



10-SA-23-C  
 Revised: 10/24/2023



**HUBER PROPERTIES, LLC**  
 P.O. BOX 22314  
 KNOXVILLE, TN 37933

**JOHN HUBER**  
 jhub@houstonengineering.net  
 865.978.6600

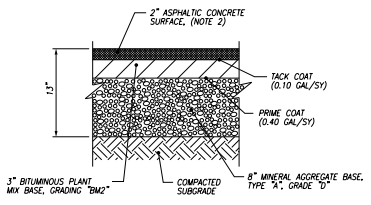
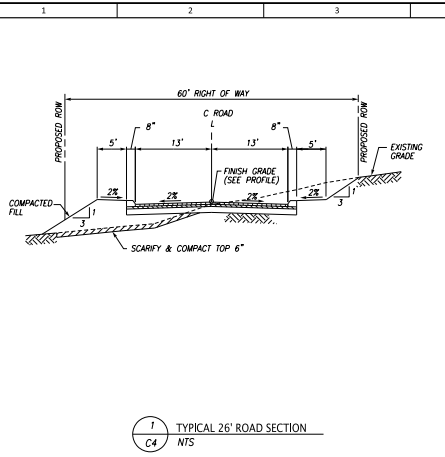
NO.	DATE	DESCRIPTION	BY

**MIDDLEBROOK GROVE SUBDIVISION**  
**ROAD PROFILES**

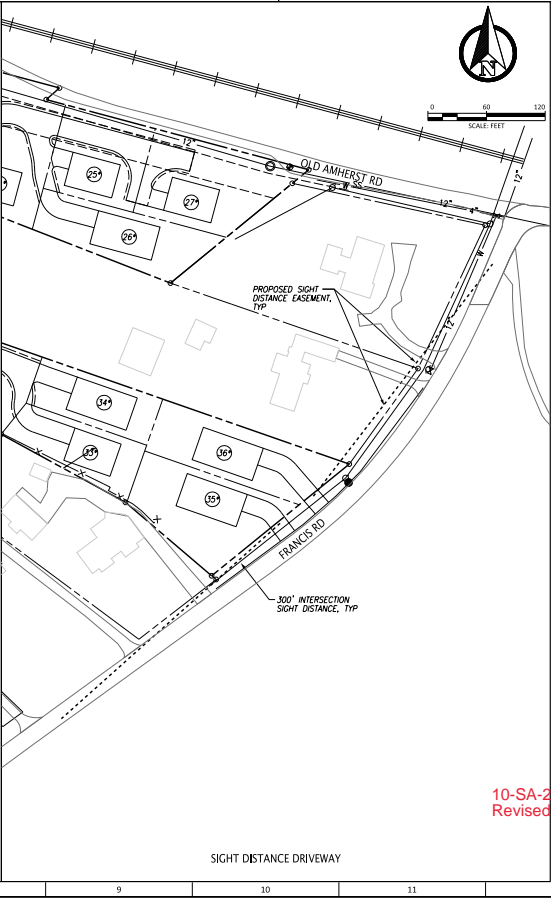
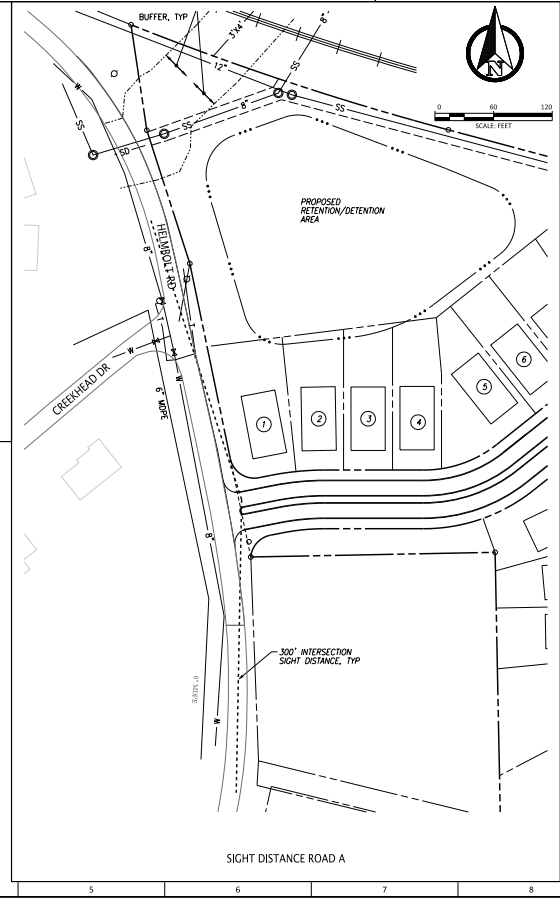
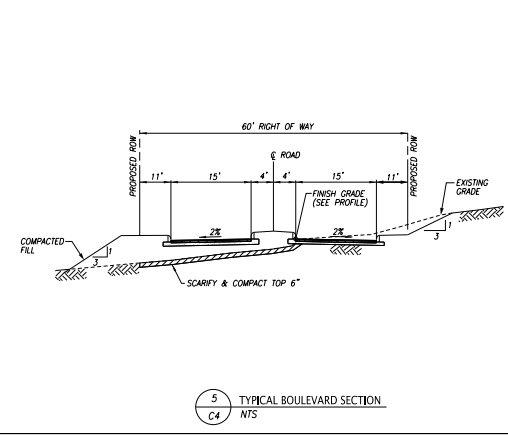
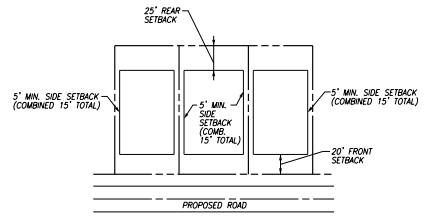
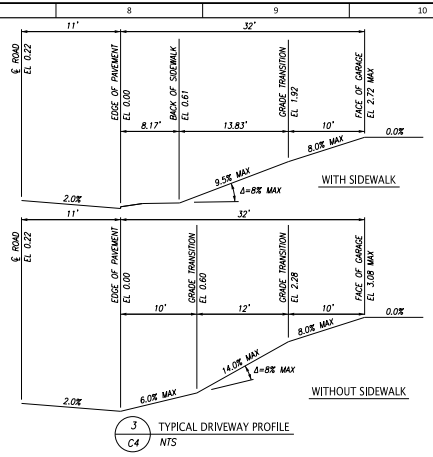
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**

JOB NO: 190.011  
 DATE: 08/21/2023

**C3**  
 CONCEPT PLAN  
 08/21/2023



**NOTES:**  
 1. PAVEMENT HAS NOT BEEN DESIGNED FOR CONSTRUCTION TRAFFIC/ACTIVITIES. USE OF THESE SURFACES FOR CONSTRUCTION ACTIVITIES SHALL BE DONE AT THE CONTRACTOR'S CONVENIENCE AND RISK. DAMAGE TO PAVEMENT RESULTING FROM THESE ACTIVITIES SHALL BE REPAIRED IN CONFORMANCE WITH THE INITIAL PAVEMENT SPECIFICATIONS.  
 2. ASPHALTIC CONCRETE SURFACE COURSE SHALL BE GRADE "E" MIX FOR ROADS WITH A SLOPE LESS THAN OR EQUAL TO 10%; FOR SLOPES GREATER, USE GRADE "D" MIX.



HUBER PROPERTIES, LLC  
 P.O. BOX 22314  
 KNOXVILLE, TN 37933  
 JOHN HUBER  
 jhuber@huberproperties.net  
 865-978-6600

NO.	DATE	REVISION

MIDDLEBROOK GROVE SUBDIVISION  
 DETAILS

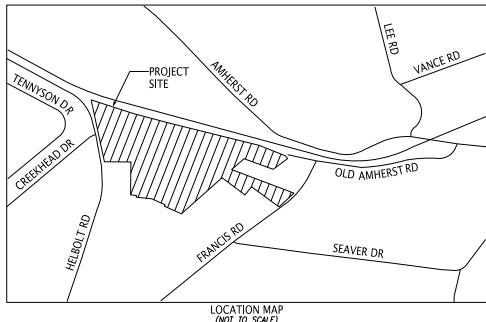
PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

JOB NO: 290211  
 DATE: 08/21/2023

**C4**  
 CONCEPT PLAN  
 08/21/2023

10-SA-23-C  
 Revised: 10/24/2023

File Name: 10-SA-23-C (1) (MDS) 2001.rvt.dwg  
 Plot Date: 10/24/2023



**UTILITY OWNERS:**

**WATER & SEWER**  
 KNOXVILLE UTILITIES BOARD (KUB)  
 4505 MIDDLEBROOK PIKE  
 KNOXVILLE, TN 37921  
 CONTACT: TIM BRANSON  
 OFFICE PHONE: 865.558.2552

**GAS**  
 KNOXVILLE UTILITIES BOARD (KUB)  
 4505 MIDDLEBROOK PIKE  
 KNOXVILLE, TN 37921  
 CONTACT: TIM BRANSON  
 OFFICE PHONE: 865.558.2552

**ELECTRIC**  
 KNOXVILLE UTILITIES BOARD (KUB)  
 4505 MIDDLEBROOK PIKE  
 KNOXVILLE, TN 37921  
 CONTACT: TIM BRANSON  
 OFFICE PHONE: 865.558.2552

- NOTES:**
1. THE BOUNDARY AND TOPOGRAPHIC DATA WAS TAKEN FROM ABBOTT LAND SURVEYING THAT WAS OBTAINED JANUARY 5, 2023.
  2. PROPERTY CONCERNED REFLECTS PARCELS 106CA02201, 106CA0001, 106CA0401, AND 106CA004 AS SHOWN IN KNOX COUNTY CLT MAP 106. ZONING FOR THE PROPERTY IS RM-2. SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD ZONING DISTRICT, CITY BLOCK NO. 45510, WARD NO. 45. TOTAL AREA = 16.824 AC.
- OWNER:** HUBER PROPERTIES, LLC  
 P.O. BOX 23038  
 KNOXVILLE, TN 37933
3. BUILDING SETBACKS ARE 20'-FT. IN FRONT, MIN. 5'-FT. ON SIDE AND 25'-FT. IN REAR.
  4. ACCESS TO LOTS IS RESTRICTED TO INTERNAL STREETS.
  5. 10' UTILITY & DRAINAGE EASEMENT INSIDE ROAD FRONTAGE AND S/D PERMETER LOT LINES; 5' EACH SIDE OF ALL INTERIOR LOT LINES.
  6. PROPOSED IMPROVEMENTS INCLUDE: 140' WIDE PUBLIC ROAD, EXHAUSTED CURB, STORM SEWER, SANITARY SEWER, WATER, ELECTRIC, TELEPHONE, AND CABLE TV.



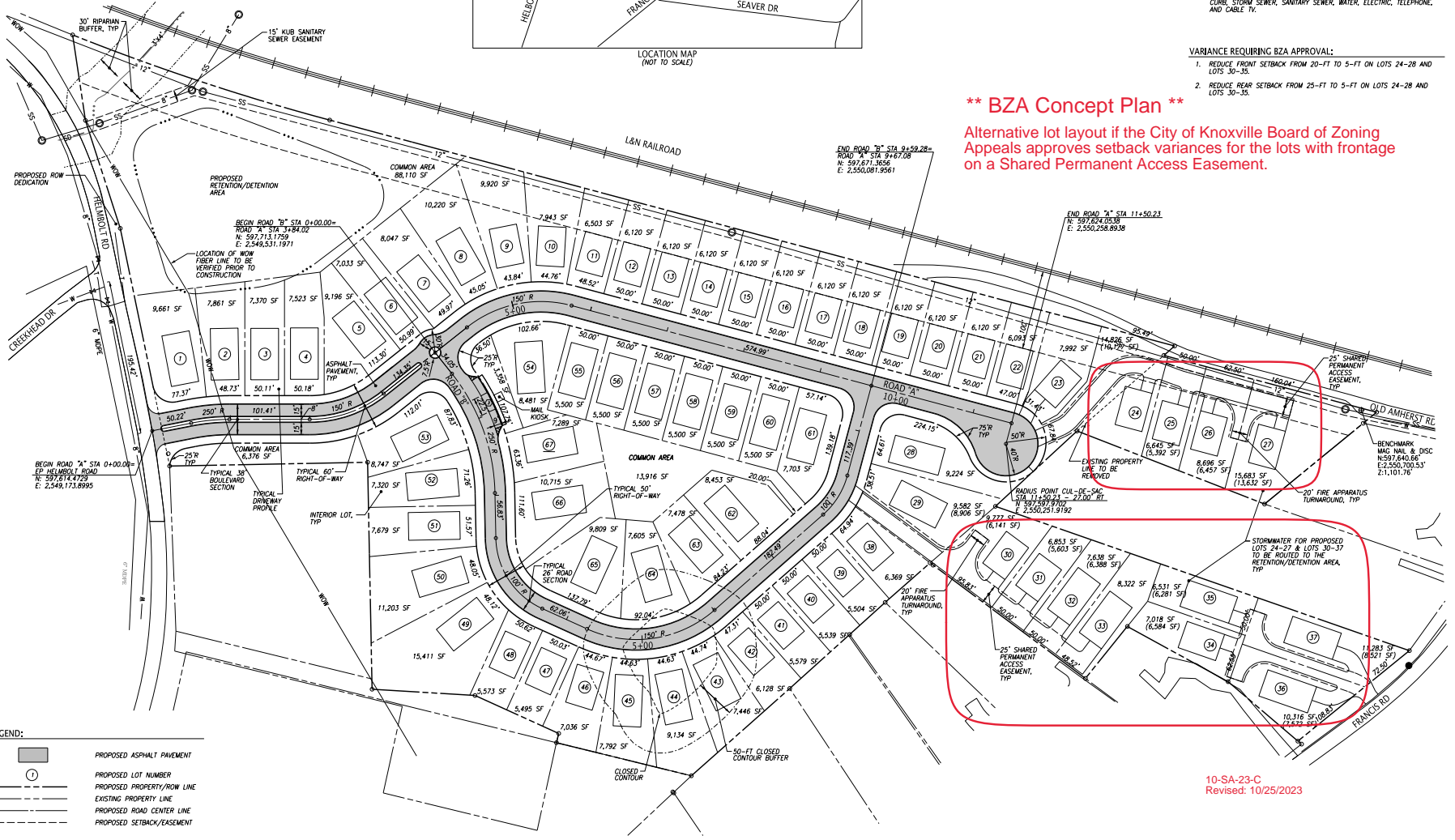
**HUBER PROPERTIES, LLC**  
 P.O. BOX 232314  
 KNOXVILLE, TN 37933

**JOHN HUBER**  
 jhuber@huberproperties.net  
 865.978.6600

- VARIANCE REQUIRING BZA APPROVAL:**
1. REDUCE FRONT SETBACK FROM 20'-FT TO 5'-FT ON LOTS 24-28 AND LOTS 30-35.
  2. REDUCE REAR SETBACK FROM 25'-FT TO 5'-FT ON LOTS 24-28 AND LOTS 30-35.

**\*\* BZA Concept Plan \*\***

Alternative lot layout if the City of Knoxville Board of Zoning Appeals approves setback variances for the lots with frontage on a Shared Permanent Access Easement.



**LEGEND:**

	PROPOSED ASPHALT PAVEMENT
	PROPOSED LOT NUMBER
	PROPOSED PROPERTY/ROW LINE
	EXISTING PROPERTY LINE
	PROPOSED ROAD CENTER LINE
	PROPOSED SETBACK/EASEMENT

10-SA-23-C  
 Revised: 10/25/2023

NO.	DATE	REVISION

MIDDLEBROOK GROVE SUBDIVISION  
 BZA CONCEPT PLAN

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

JOB NO: 190011  
 DATE: 10/24/2023

**C1A**  
 CONCEPT PLAN  
 10/24/2023

File Name: 10-SA-23-C11 (10/25/2023) 10/24/2023 10:05:16 AM  
 Plot Date: 10/24/2023





# 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

### Huber Properties LLC

Applicant Name Affiliation

**8/22/2023**

Date Filed

**10/5/2023**

Meeting Date (if applicable)

**10-SA-23-C**

File Number(s)

### CORRESPONDENCE

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

### Aarron Gray Ardurra

Name / Company

### 2160 Lakeside Centre Way Ste. 201 Knoxville TN 37922

Address

### 865-251-5071 / agray@ardurra.com

Phone / Email

### CURRENT PROPERTY INFO

### Schubert Family Limited Partnership

Owner Name (if different)

### 1601 Third Creek Rd Knoxville TN 37921

Owner Address

### 865-690-9558

Owner Phone / Email

### 0 & 1817 FRANCIS RD 0 Hembolt Rd., 0 old Amherst Rd.

Property Address

### 106 C A 02301, 00401, 004, 001

Parcel ID

Part of Parcel (Y/N)?

### 0.69 acres

Tract Size

### Knoxville Utilities Board

Sewer Provider

### Knoxville Utilities Board

Water Provider

Septic (Y/N)

### STAFF USE ONLY

### East side of Helmbolt Rd, north side of Francis Rd, west of Old Amherst Rd

General Location

City

**Council District 3**

**RN-2 (Single-Family Residential Neighborhood)**

**Single Family Residential**

County District

Zoning District

Existing Land Use

### Northwest County

Planning Sector

### LDR (Low Density Residential)

Sector Plan Land Use Classification

### N/A (Within City Limits)

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

<input checked="" 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 checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) <u>Single Family Residential</u>	
Other (specify) _____	

## SUBDIVISION REQUEST

<b>Middlebrook Grove</b>	Related Rezoning File Number
Proposed Subdivision Name	
Unit / Phase Number <input checked="" type="checkbox"/> Split Parcels	<b>67</b> 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
<b>\$1,600.00</b>	
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	<b>Huber Properties LLC</b> Please Print	<b>8/22/2023</b> Date
---------------------	---	--------------------------

Phone / Email

Property Owner Signature	<b>Schubert Family Limited Partnership</b> Please Print	<b>8/22/2023</b> Date
--------------------------	--	--------------------------



# 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

Huber Properties, LLC

Option Owner

Affiliation

8/21/2023

October 5, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

### 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

Aarron Gray

Ardurra

Name

Company

2160 Lakeside Centre Way, Suite 201

Knoxville

TN

37922

Address

City

State

ZIP

865-251-5071

agray@ardurra.com

Phone

Email

### CURRENT PROPERTY INFO

Schubert Family Limited Partnership

1601 Third Creek, Knoxville, TN 37921

865-690-9558

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1817 & 0 Francis Road, 0 Old Amherst Road, & 0 Helmbolt Road 106 C A 02301, 00401, 004, & 001

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

### STAFF USE ONLY

General Location

Tract Size

City  County

District

Zoning District

Existing Land Use

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) Single Family Residential

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

## SUBDIVISION REQUEST

**Middlebrook Grove (applied for)**

Proposed Subdivision Name

Unit / Phase Number    Combine Parcels    Divide Parcel

67  
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)

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	Total
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



Huber Properties, LLC

7/31/23

Applicant Signature

Please Print

Date

865-966-1600

office@HuberProp.com

Phone Number

Email



M A Schubert

7/31/23

Property Owner Signature

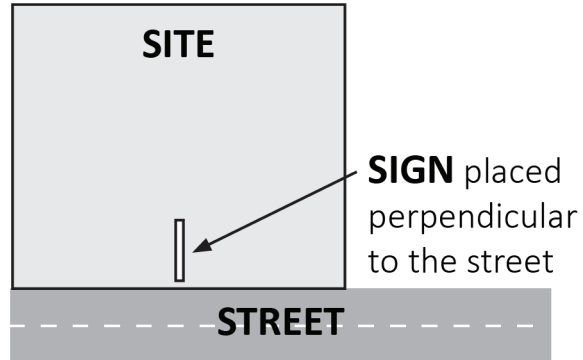
Please Print

Date Paid





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:*

\_\_\_\_\_ and \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Huber Properties LLC

Date: 8/22/2023

File Number: 10-SA-23-C

- Sign posted by Staff
- Sign posted by Applicant