



SUBDIVISION REPORT - FINAL PLAT

▶ **FILE #:** 3-SC-24-F

AGENDA ITEM #: 30

AGENDA DATE: 3/7/2024

▶ **SUBDIVISION:** RESUBDIVISION OF A PORTION OF LOTS 184A & 185A OF B.H. SPRANKLE'S 2ND ADDITION TO WEST KNOXVILLE

▶ **APPLICANT/DEVELOPER:** ETHAN I. PHILLIPS

OWNER(S): Marble City Investments, LLC

TAX IDENTIFICATION: 107 F B 015

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 0 Sapphire Rd.

▶ **LOCATION:** Northwest quadrant of the intersection of Sapphire Road and Apex Drive

SECTOR PLAN: West City

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

WATERSHED: Third Creek

▶ **APPROXIMATE ACREAGE:** 12103 square feet

▶ **NUMBER OF LOTS:** 2

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

SURVEYOR/ENGINEER: Ethan I. Phillips Benchmark Associates, Inc.

▶ **VARIANCES REQUIRED:** Request for plat approval without the benefit of a survey for the remaining portions of lots 184A and 185 A (variance from Section 2.13 of the Subdivision Regulations).

STAFF RECOMMENDATION:

▶ Approve the variance for plat approval without the benefit of a survey for the remaining portions of lots 184A and 185A, based on the following evidence of hardship.

1. Lots 184A and 185A have been divided into three properties by deed, but never recorded on a plat. This plat is for only one owner of the three properties, where the remaining portions are under different ownership. Requiring these two lots to be platted would require the property owner to plat properties that does not belong them.
2. The variance request is unique to this property. The current property owner gained ownership of this property in 2021 by a deed description dating from 1979; however, part of Lots 184A and 185A was conveyed by deed in 1965. So, a portion of the subject property was conveyed by deed prior to the adoption of the subdivision regulations.
3. This variance request is not intended exclusively for desire of financial gain. It is uncertain if the owners of the other two properties would agree to plat these lots together, as stated by the applicant.
4. Granting this variance is not expected to have any adverse effect on public safety, health, or welfare. Any developments on these lots would be subject to all applicable requirements of the City of Knoxville Zoning Ordinance and the City of Knoxville Engineering department during the permitting phase.

Approve the final plat for two lots in the RN-2 district.

COMMENTS:

BACKGROUND:

Lots 184A and 185A of B.H. Sparankle's 2nd Addition to West Knoxville were platted in 1943 (Instrument 194307150000000). These two lots are located on City Block #50630, as shown on the KGIS ward map. At a later time, these lots were subdivided into three properties by deed, but they were never recorded on a plat. Each of the three parcels (107FB014, 107FB015, and 107FB01601) is under different ownership now.

This final plat proposes to subdivide the vacant subject parcel (107FB015) into two lots, meeting the dimensional standards of the RN-2 district. This requires approval by the Planning Commission since a variance is requested as part of the application.

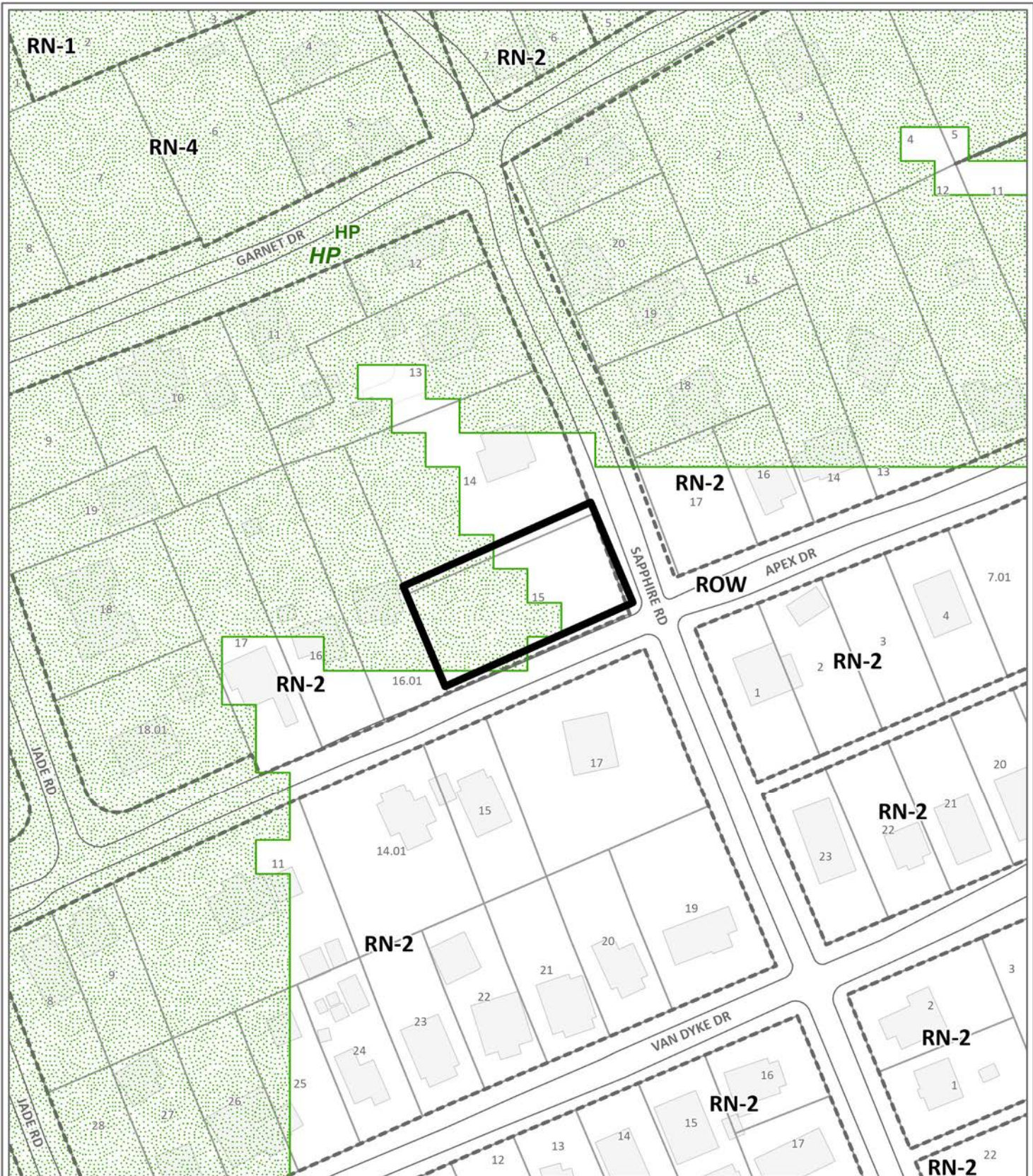
VARIANCE:

Section 2.13 of the Subdivision Regulations (Area to be Surveyed) states that when a tract of land or parcel is subdivided into two or more lots, all resulting lots shall be surveyed and included on the plat except in the following two cases:

- i. When the remaining portion of the property is five acres or greater in area [Section 2.13.A].
- ii. When the submitted plat includes a portion of a lot from a previously recorded plat and the balance of the lot is under separate ownership, and the lot was transferred by deed prior to adoption of the Knoxville-Knox County Minimum Subdivision Regulations (July 8, 1971) [Section 2.13.B].

In this case, the entirety of lots 184A and 185A is less than 1 acre (approximately 38,450 sf) and the deed of the subject parcel was constructed after the adoption date (in 1979, WB1669 PG816). Therefore, a variance is required to accept the plat without surveying the remaining portions of lots 184A and 185A. It is to be noted that part of Lots 184A and 185A was conveyed by deed in 1965 (WB1304 PG507), prior to the adoption of the subdivision regulations. Staff recommends approval of the requested variance, as described above. The City of Knoxville Technical Services has reviewed the plat and is supportive of the variance as well, as indicated on the variance request form.

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

3-SC-24-F

Petitioner: Phillips, Ethan I.



Final Plat For: Resubdivision of a Portion of Lots 184A & 185A of B.H. Sprankle's 2nd Addition to West Knoxville

Map No: 107
Jurisdiction: City

Original Print Date: 2/16/2024

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

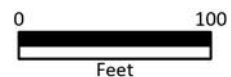
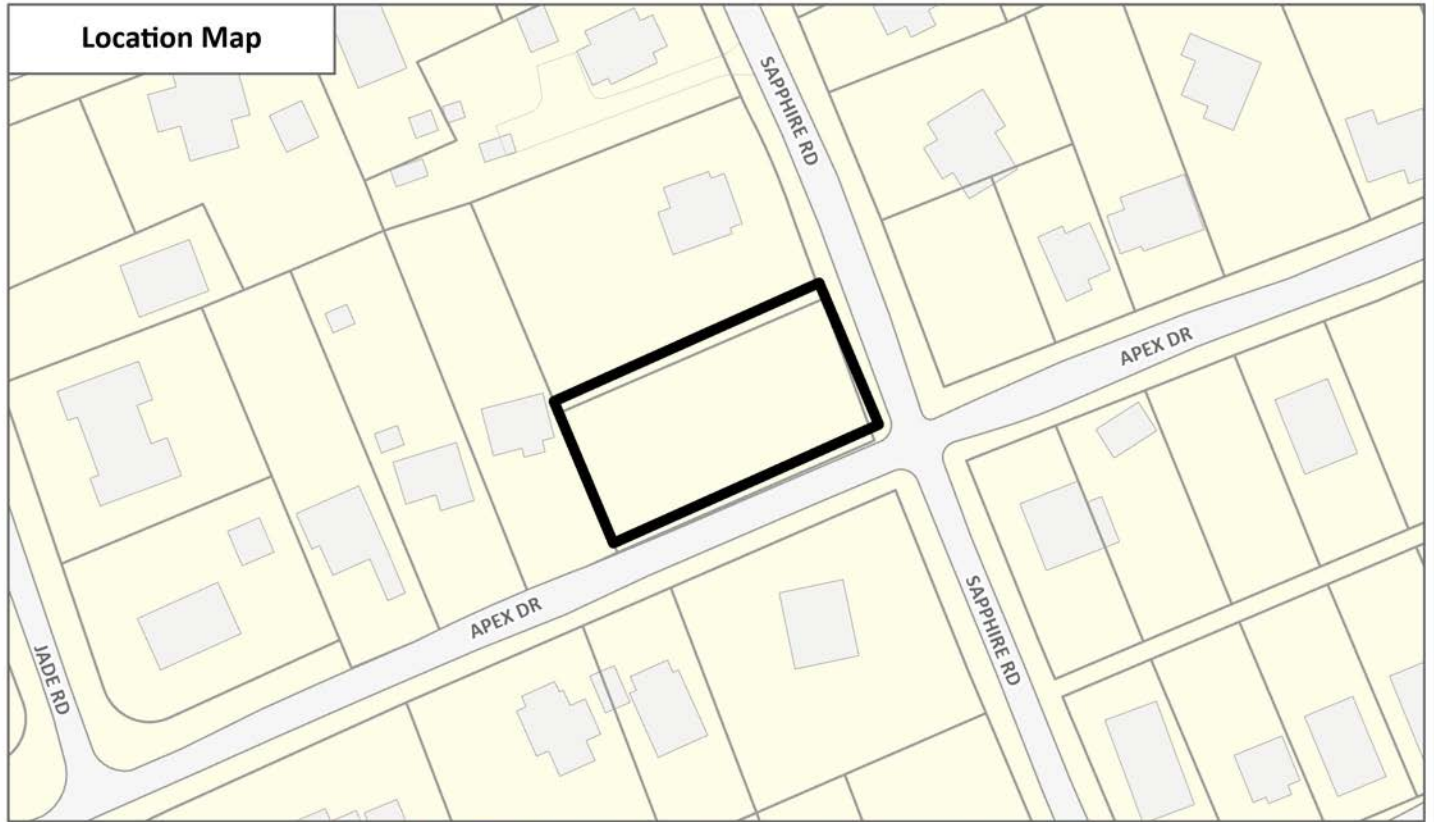


Exhibit A. Contextual Images

Location Map



Aerial Map

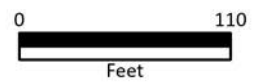


CONTEXTUAL MAPS 1

3-SC-24-F



Case boundary



FINAL PLAT OF RESUBDIVISION OF A PORTION OF LOTS 184A & 185A OF B.H. SPRANKLE'S 2ND ADDITION TO WEST KNOXVILLE

BEING LOCATED ON CLT MAP 107, INSERT F, GROUP B AND BEING REPRESENTED AS PARCEL 015
SITUATED WITHIN THE FIFTH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE
WITHIN THE 50TH WARD OF THE CITY OF KNOXVILLE, TENNESSEE
CITY BLOCK #50630



OWNERS:
MARBLE CITY INVESTMENTS, LLC
3835 KEOWEE AVENUE
KNOXVILLE, TENNESSEE 37919
(865) 544-3833

NOTES:

- RECORD INFORMATION AS FOLLOWS:
PARCEL 015-MARBLE CITY INVESTMENTS, INC.
DEED-INSTRUMENT #202108000878
PLAT CABINET B, SLIDE 77-A, SEE ALSO PLAT CABINET A, SLIDE 313B.
ALL OF RECORD IN THE REGISTER'S OFFICE OF KNOX COUNTY, TENNESSEE.
- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE ONE PARCEL INTO TWO NEW LOTS.
- "KNOXVILLE CITY GRID" NORTH BASED ON A BEARING OF N 61°08'48" E FROM CITY CONTROL MONUMENT "1617" MAINTAINING COORDINATES OF N 594,018.889, E 2,567,475.281 TO CITY CONTROL MONUMENT "1617" MAINTAINING COORDINATES OF N 595,059.524, E 2,569,352.724. DISTANCES HAVE NOT BEEN REDUCED TO GRID DISTANCES. HORIZONTAL DATUM BEING NAD 83 (2011)/NAD 11/NA 11.
- GNSS INFORMATION
TODD REFERENCE STATION: TN17 (E:2,559,999.01' N:544,772.91')
RTK GNSS EQUIPMENT: CARLSON BR77 & LEICA G518
COORDINATES SHOWN HEREON: U.S. SURVEY FEET
DATE(S) OF OBSERVATION: 17 JULY 2023, 29 SEPTEMBER 2023 & 20 DECEMBER 2023
EPOCH: 2010. VERTICAL DATUM (GEOID): NAD 83 (GEOID 2011)
COMBINED SCALE FACTOR AT SITE: 0.99997951479
GNSS POSITION QUALITY: H(0.08) V(0.16)
- SURVEY WAS PREPARED UTILIZING THE MOST RECENT RECORD DOCUMENTS FOR THE SUBJECT AND SURROUNDING PROPERTIES. SURVEY IS SUBJECT TO ANY FINDINGS REVEALED BY AN ACCURATE TITLE SEARCH, NO TITLE SEARCH WAS PROVIDED TO THIS SURVEYOR FOR THE COMPLIANCE OF THIS SURVEY.
- THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DETERMINATION OR LOCATION OF ANY UNDERGROUND CONDITIONS NOT VISIBLE AND INCLUDING BUT NOT LIMITED TO, SOILS, OCCULT CONDITIONS, PHYSICAL DEVICES AND PIPES OR BURIED CABLES AND SHALL NOT BE RESPONSIBLE FOR ANY LABELS THAT RAISE THE QUESTION OF THE MAKING OF OR FAILURE TO MAKE SUCH DETERMINATION OR LOCATION OF ANY SUBSURFACE CONDITION FOR UNDERGROUND UTILITY LOCATION CALL #11 (IN ONE CALL).
- IRON PIN CORNER MARKERS AT ALL LOT CORNERS, UNLESS DESIGNATED OTHERWISE.
- FEMA ZONE DESIGNATION: ZONE "X" (OTHER AREAS OUTSIDE OF THE 0.2% ANNUAL CHANCE OF EXCEEDING FLOOD DEPTH).
- FEMA FIRM: 470302780
EFFECTIVE DATE: 05 AUGUST 2013
- PROPERTY IS ZONED "RH-2" (SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD) REQUIRING THE FOLLOWING SETBACKS FOR RESIDENTIAL USES:
FRONT-TWENTY (20) FEET
SIDE-FIVE (5) FEET OR 15% OF LOT WIDTH, WHICHEVER IS LESS (15) FEET COMBINED REAR-TWENTY-FIVE (25) FEET
CORNER SIDE-TWELVE (12) FEET
SUBJECT PROPERTY IS SITUATED PARTIALLY WITHIN THE HILLSIDE PROTECTION OVERLAY AREA.
- A STANDARD UTILITY AND DRAINAGE EASEMENT SITUATED ALONG LOT LINES IN A SUBDIVISION SHALL BE DEDICATED TO THE PUBLIC AND TO THE APPROPRIATE UTILITY AGENCIES AS FOLLOWS:
THESE REQUIRED EASEMENTS SHALL BE TEN (10) FEET IN WIDTH INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY (INCLUDING JOINT PERMANENT EASEMENTS), 5 FEET WIDE UTILITY AND DRAINAGE EASEMENTS SHALL BE RESERVED ALONG ALL INTERIOR LOT LINES EXCEPT UNDER BUILDINGS.
- THE WELDED WIRE FENCE ALONG THE COMMON LINE OF THE SUBJECT PROPERTY AND HERNANDEZ CONSULTING FIRM, INC. PROPERTY LIES ENTIRELY ON THE SUBJECT PROPERTY.
- THE CHAIN LINK FENCE ALONG THE COMMON LINE OF THE SUBJECT PROPERTY AND HERNANDEZ CONSULTING FIRM, INC. PROPERTY LIES ENTIRELY ON THE SUBJECT PROPERTY.
- THE CHAIN LINK FENCE ALONG THE COMMON LINE OF THE SUBJECT PROPERTY AND JAMES & MARY FRITTS PROPERTY LIES ENTIRELY ON THE SUBJECT PROPERTY.
- THE CHAIN LINK FENCE ALONG THE COMMON LINE OF THE SUBJECT PROPERTY AND SAPPHIRE ROAD MEANSIES ALONG THE COMMON LINE A MAXIMUM DISTANCE OF 0.4' FOR A LENGTH OF 28.8', BUT OTHERWISE EXISTS WHOLLY ON THE SUBJECT PROPERTY.
- THIS SURVEY INDICATES ONE OR MORE PROPERTY BOUNDARY ENCROACHMENTS. IT HAS NOT BEEN ADDRESSED BY PLAT REVIEWING AGENCIES. OWNERS ARE RESPONSIBLE FOR RESOLVING PROPERTY BOUNDARY CONFLICTS.

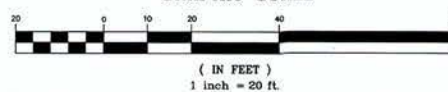
VARIANCES:

- A VARIANCE WAS APPROVED BY THE KNOXVILLE/KNOX COUNTY PLANNING COMMISSION ON 07 MARCH 2024 TO ALLOW APPROVAL OF THIS PLAT WITHOUT THE BENEFIT OF SURVEY FOR THE REMAINING PORTION OF THE REMAINING PORTIONS OF LOTS 184A AND 185A THAT ARE TITLED TO OTHER ENTITIES.

	AREA BEFORE:	AREA AFTER:
PARCEL 015	12,103± SQ. FT. 0.28± ACRES	LOT 184A-1 6,051± SQ. FT. 0.14± ACRES
		LOT 185A-1 6,052± SQ. FT. 0.14± ACRES
TOTAL	12,103± SQ. FT. 0.28± ACRES	TOTAL 12,103± SQ. FT. 0.28± ACRES

PLANNING FILE #3-SC-24-F

GRAPHIC SCALE



LEGEND

- 3/4" IRON PIN FOUND
- 5/8" IRON PIN W/CAP SET
- IRON PIPE FOUND (SIZE NOTE)
- LOT NUMBERS
- FOUND CALLS
- RECORD CALLS
- SANITARY SEWER MANHOLE
- WATER VALVE
- OVERHEAD UTILITY LINE
- SANITARY SEWER LINE
- CHAIN LINK FENCE
- WELDED WIRE FENCE
- ASPHALT

Certification of No Recorded Easements

This is to certify that there are no recorded drainage or utility easements on lot line(s) being eliminated on this subdivision plot.

Registered Land Surveyor:

Tennessee License No. _____ Date: _____

Planning Commission Certification of Approval for Recording-Final Plat

This is to certify that the subdivision plot 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 _____, 2024, 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 plot.

Signature _____ Date _____

©2024 BENCHMARK ASSOCIATES, INC. THIS DOCUMENT SHALL NOT BE LOANED, COPIED, REPRODUCED, TRANSFERRED TO MAGNETIC MEDIA OR SOLD AND IS MAINTAINED AS AN INSTRUMENT OF SERVICE AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT.

Certificate of Ownership and General Dedication

(I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my/our) plan of subdivision and dedicate the streets as shown to the public use forever and hereby certify that (I, am, we are) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.

MARBLE CITY INVESTMENTS, LLC
Owner(s) Printed Name

Signature(s) _____ Date _____

State of _____ County of _____
On this _____ day of _____, 2024.

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"

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 amended, described and justified in a report filed with the Planning Commission, or for variances and waivers which have been approved as identified on the final plat. The indicated permanent reference markers and monuments, benchmarks and property monuments were in place on the _____ day of _____, 2024.

Registered Land Surveyor _____
Tennessee License No. _____ Date: _____

Certification of Category and Accuracy

I hereby certify that this is an accuracy of _____ of the precision of the unadjusted survey is not less than 1:10,000 as shown herein and that said survey was prepared in accordance with current edition of the Rules of Tennessee State Board of Standards 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. 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.

KUB Authorized Signature _____ 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.

KUB Authorized Signature _____ Date _____

Owner Certification for Public Sewer and Water Service - Minor Subdivisions

(I, We) the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.

MARBLE CITY INVESTMENTS, LLC
Owner(s) Printed Name

Signature(s) _____ Date _____

Zoning _____
Zoning Shown on Official Map _____

Signature(s) _____ Date _____

City of Knoxville Department of Engineering

The Knoxville Department of Engineering hereby approves this plat on this the _____ day of _____, 2024.

Engineering Director _____ 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 _____

Addressing Department Certification

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

BENCHMARK ASSOCIATES, INC.

Land Planners • Land Surveyors

10308 Hardin Valley Road
Knoxville, Tennessee 37932

Phone (865) 692-4090
Facsimile (865) 692-4091

**FINAL PLAT OF RESUBDIVISION OF
A PORTION OF LOTS 184A & 185A OF
B.H. SPRANKLE'S 2ND ADDITION TO WEST KNOXVILLE**

SITE ADDRESS:
SAPPHIRE ROAD
KNOXVILLE, TENNESSEE 37919

FINAL PLAT

DATE 2 FEBRUARY 2024
SCALE 1" = 20'
DRAWN BY LGAS
FILE NAME 23066-RESUB
BM PROJECT NO. 23066

1 of 1



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

Ethan I. Phillips

Applicant Name

Affiliation

2/16/2024

Date Filed

3/7/2024

Meeting Date (if applicable)

3-SC-24-F

File Number(s)

CORRESPONDENCE

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

Ethan I. Phillips Benchmark Associates, Inc.

Name / Company

10308 Hardin Valley Rd Knoxville TN 37932

Address

865-692-4090 / EPhillips@BMA-LS.com

Phone / Email

CURRENT PROPERTY INFO

Marble City Investments, LLC

Owner Name (if different)

3835 Keowee Avenue Knoxville TN 37919

Owner Address

Owner Phone / Email

0 Sapphire Rd.

Property Address

107 F B 015

Parcel ID

Part of Parcel (Y/N)?

12103 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

No

Septic (Y/N)

STAFF USE ONLY

Northwest of the Intersection of Sapphire Road and Apex Drive

General Location

City

Council District 6

RN-2 (Single-Family Residential Neighborhood), HP

County District

Zoning District

Existing Land Use

West 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 a Portion of Lots 184A & 185A of B.H. Sprankle's 2nd Addition to West Knoxville	Related Rezoning File Number
Proposed Subdivision Name	
Unit / Phase Number _____ <input checked="" type="checkbox"/> Resub Parcels	Total Number of Lots Created 2
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
\$500.00	
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	Ethan I. Phillips Please Print	2/16/2024 Date
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Property Owner Signature	Marble City Investments, LLC Please Print	2/16/2024 Date
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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

Ethan I. Phillips

Land Surveyor

Applicant Name

Affiliation

22 January 2024

~~N/A~~ March 7, 2024

Date Filed

Meeting Date (if applicable)

3-SC-24-F

File Number(s)

~~1-AA-24~~

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

Ethan I. Phillips

Benchmark Associates, Inc.

Name

Company

10308 Hardin Valley Rd.

Knoxville

Tn

37932

Address

City

State

ZIP

865-692-4090

ephillips@bma-ls.com

Phone

Email

CURRENT PROPERTY INFO

Marble City Investments LLC.

3835 Keowee Ave Knoxville, TN 37919

865-544-3833

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Sapphire Rd. Knoxville, TN 37919

107FB015

Property Address

Parcel ID

KUB

KUB

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

NW of intersection of Sapphire Rd & Apex Dr

12,103 sq. ft.

General Location

Tract Size

City County

6

RN-2/HP

AgForVac

District

Zoning District

Existing Land Use

West City

TDR/HP

N/A

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

Final Plat of Resubdivision of a Portion of Lots 184A & 185A of B.H. Sprankle's 2nd

Proposed Subdivision Name

Combine Parcels
 Divide Parcel

Unit / Phase Number

2

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
0201	\$250.00	\$500.00
0205	\$250.00	\$250.00
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



Ethan I. Phillips

22 January 2024

Applicant Signature

Please Print

Date

865-692-4090

ephillips@bma-ls.com

Phone Number

Email

Pd., 02/15/2024, SG

01/24/2024, SG

Property Owner Signature

Please Print

Date Paid

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.

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  Printed Name _____ Date _____

