

**FINAL SUBDIVISION PLAT**

**5-SC-24-F**

**Petitioner:** David Harbin



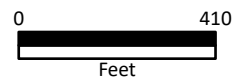
Final Plat For: Resubdivision of Lot 414 Arcadia Peninsula, Phase 3C

**Map No:** 163

**Jurisdiction:** County

**Original Print Date:** 4/2/2024

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 Harbin**

Applicant Name

Affiliation

**3/26/2024**

Date Filed

**5/9/2024**

Meeting Date (if applicable)

**5-SC-24-F**

File Number(s)

## CORRESPONDENCE

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

**David Harbin Batson Himes Norvell & Poe**

Name / Company

**4334 Papermill Dr Knoxville TN 37909**

Address

**865-588-6472 / harbin@bhn-p.com**

Phone / Email

## CURRENT PROPERTY INFO

**Beacon Park LLC**

Owner Name (if different)

**5820 Walden Drive Knoxville TN 37919**

Owner Address

Owner Phone / Email

**2313 Arcadia Peninsula Way / 0 Arcadia Peninsula Way, 0 Artemis Place Way**

Property Address

**163 02874, 02877 po, 02871 po**

Parcel ID

Part of Parcel (Y/N)?

**9.323 acres**

Tract Size

**First Knox Utility District**

Sewer Provider

**First Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**W of Arcadia Peninsula Way, south of Rogers Island Rd**

General Location

City **Commission District 5 PR (Planned Residential) 1-3 du/ac**

County District

Zoning District

Existing Land Use

**Southwest County**

Planning Sector

Sector Plan Land Use Classification

**Rural 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

<b>Resubdivision of Lot 414 Arcadia Peninsula, Phase 3C</b>	Related Rezoning File Number
Proposed Subdivision Name	
_____ Unit / Phase Number <input checked="" type="checkbox"/> Split Parcels	<b>1</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
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>David Harbin</b> Please Print	<b>3/26/2024</b> Date
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Phone / Email		
Property Owner Signature	<b>Beacon Park LLC</b> Please Print	<b>3/26/2024</b> 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 Harbin  
Applicant Name

5/9/2024

Surveyor  
Affiliation

10/23/23  
Date Filed

~~12/14/23~~  
Meeting Date (if applicable)

5-SC-24-F  
~~10 JJ 23~~  
File Number(s)

### 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 Harbin  
Name

Batsort, Himes  
Company

4334 Papermill Dr  
Address

Knoxville  
City

TN  
State

37909  
ZIP

588-6472  
Phone

harbin@ohn-ps.com  
Email

### CURRENT PROPERTY INFO

Beacon Park LLC; Michael Stephens, Jr  
Property Owner Name (if different) Property Owner Address

Property Owner Phone

2313 Arcadia Peninsula Way  
0 - Arcadia Peninsula Way & 0 Artemis Place Way  
Property Address

163 / ~~28.74~~ 28.77 (p/o), 28.71 (p/o)  
Parcel ID

FUD  
Sewer Provider

FUD  
Water Provider

N  
Septic (Y/N)

### STAFF USE ONLY

W of Arcadia Pensula Way, S of Rogers Island Rd  
General Location

9.323 acres  
Tract Size

City  County  
District

5

PR 1-3 DU/AC & F  
Zoning District

AgForVac & H2O  
Existing Land Use

Southwest County  
Planning Sector

RR & W  
Sector Plan Land Use Classification

Rural Area  
Growth Policy Plan Designation

**DEVELOPMENT REQUEST**

- Development Plan    Use on Review / Special Use    Hillside Protection COA  
 Residential    Non-Residential

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

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

**SUBDIVISION REQUEST**

*Arcadia Peninsula - Phase 3C-Resub Lot #419*

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number    Combine Parcels    Divide Parcel   1 Total Number of Lots Created

- Other (specify) \_\_\_\_\_  
 Attachments / Additional Requirements

**ZONING REQUEST**

Zoning Change   Proposed Zoning \_\_\_\_\_

Pending Plat File Number

Plan Amendment Change   Proposed Plan Designation(s) \_\_\_\_\_

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	
0207	\$100.00	<b>\$350.00</b>
0205	\$250	<b>\$600</b>

**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

*David Harkin*

David Harkin

*10/23/23*

Applicant Signature

Please Print

Date

*588-6472*

*harkin@kln-p.com*

Phone Number

Email

*[Signature]*

Rodney Phillips

**3/25/2024 FR**

**10/24/2023**

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

DAYID HARBIN  
Printed Name

3.20.24  
Date

It is the applicant's responsibility to identify the hardship that would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to. Each of the variance criteria must be addressed in the comments below with specific facts regarding the unique details of the property and/or project, as applicable.

**1. VARIANCE REQUESTED:**

3.04 Streets - I1 - ~~request a~~ increase the deflection angle from 10° to 20° without providing a horizontal curve

Specify the hardship that would result for each of the variance criteria:

- A. Pertaining to the particular surroundings, shape, or topographical conditions of the subject property:

not feasible due to topographic constraints & extensive earthwork moving

- B. Pertaining to conditions unique to the property that are not applicable to other property and has not been created by any person having an interest in the property.

no parties involved in the selling of the property were involved in the road construction

- C. Pertaining to the purpose of the variation is not based exclusively upon a desire for financial gain.

same as B

- D. Pertaining to the granting of a variance 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.

the difference in deflection angle is not great enough to cause detriment to public health & safety. road is a private road w/ low volumes of traffic

To be completed by the City or County Department of Engineering, as applicable:

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

Engineering Comments: