



SUBDIVISION REPORT - FINAL PLAT

▶ FILE #: 11-SA-24-F

AGENDA ITEM #: 30

AGENDA DATE: 11/14/2024

▶ SUBDIVISION: RESUBDIVISION OF PART OF THE PLAT OF THE PROPERTY OF JERRY WOOD JR.

▶ APPLICANT/DEVELOPER: THOMAS DAHL

OWNER(S): Thomas Dahl Hannah Dahl

TAX IDENTIFICATION: 51 017

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 8011 MILLERTOWN PIKE

▶ LOCATION: Northwest side of Millertown Pike, west of Legg Lane

GROWTH POLICY PLAN: Rural Area

FIRE DISTRICT: Rural Metro Fire

▶ APPROXIMATE ACREAGE: 10.83 acres

▶ NUMBER OF LOTS: 2

▶ ZONING: A (Agricultural)

SURVEYOR/ENGINEER: Scott Stanley True Meridian Land Surveying

▶ VARIANCES REQUIRED: 1. A variance requesting a reduction of the required access easement width from 25 ft to 10 ft.

STAFF RECOMMENDATION:

▶ Approve the request to reduce the required access easement width from 25 ft. to 10 ft. due to surrounding conditions and because the plat does not add additional dwellings to utilize the easement..

1. There is an existing structure located 14 ft from the property line, which keeps the applicant from widening the easement, since access easements are to be kept clear and traversable.
2. The existing 10 ft. right-of-way was established in 1969; requiring it to be widened would impact owners not associated with this subdivision plat.
3. Approval of this variance will not be detrimental to public safety, health, or welfare because no new dwellings will be added to the proposed lot. The easement already serves the existing residences.

Deny the final plat to create one additional lot and an exempt tract in the A district because sufficient evidence of the hardship for the variance was not provided.

COMMENTS:

BACKGROUND:

The subject property is accessed via an existing, paved, 10-ft right-of-way (Instrument#196912050020633) that currently serves four lots containing four existing dwellings and a cemetery. The purpose of the final plat is to subdivide one of these parcels, which currently contains two houses, so that each house would be on its own lot. The remainder of the parcel is over 5 acres and is shown as an exempt tract consistent with Section 2.11 of the Subdivision Regulations.

The Subdivision Regulations require an easement to be improved to current standards when a new lot is created off an existing easement. Section 3.03.C.4 of the Subdivision Regulations requires access easements to have a minimum width of 25 ft. Additionally, access easements should be kept clear and traversable. In this case, there is an existing carport located 14.3 ft from the property line, so expanding the width of the easement width would require removal of the carport. The applicant has requested a variance to leave the existing right-of-way easement at its 10-ft width while creating a new parcel off the easement.

VARIANCES:

Section 1.05.A of the Subdivision Regulations states that the Planning Commission may reduce or otherwise vary the requirements of the Regulations when a hardship would occur as a result of strict enforcement of the Regulations.

The Knox County Department of Engineering and Public Works has requested a note on the plat stating that prior to the construction of any additional dwellings on Lot 1 or the Exempt Tract, the existing 10 ft right-of-way surface must be to 18 ft. With the placement of this note on the plat, the Knox County Department of Engineering and Public Works supports the variance request.

Planning finds the property meets the hardship criteria and recommends approval of the variance.

Knoxville-Knox County Planning Commission's approval or denial of this request is final, unless the action is appealed to Court of Competent Jurisdiction. The date of the Court of Competent Jurisdiction appeal hearing will depend on when the appeal application is filed.