



**LOWE
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August 10, 2023

Knoxville-Knox County Planning Commission
400 Main St., Ste. 403
Knoxville, TN 37902

Re: Final Plat for Lantern Park Subdivision - 8-SC-23-F

Members of Planning Commission:

I represent the Massey Creek Homeowners Association in opposition to the above final plat. As you may be aware, this subdivision is the subject of two separate lawsuits. The preliminary approval of this subdivision is being litigated in the Knox County Chancery Court in *Massey Creek Homeowners Association v. Knoxville-Knox County Planning Commission, et al.*, No. 204476-1. The patently illegal administration approval of a final plat by your staff on June 13, 2023, is the subject of *Massey Creek Homeowners Association v. Knoxville-Knox County Planning Commission*, No. 207074-1. Approval of the final plat before you now will likely be the subject of a third suit. We ask that you defer consideration of the application for at least 60 days.

You are violating the subdivision regulations and your own administrative rules¹ by considering the plat at your August 10 meeting. Pursuant to your administrative rules, the application deadline for Planning Commission's August 10 meeting was June 26, 2023. I have enclosed Planning Commission's Schedule of Fees and Application Deadlines to this letter.² The Lantern Park final plat application was submitted on July 7, 2023, and accompanied by a filing fee of \$250. The submission was more than one week after the application deadline four days after the extended "double fee" deadline of June 3, 2023.

Furthermore, your records will show that the application was incomplete when it was submitted and remained so after the final plat corrections deadline. At a minimum, the application fee of \$250 was insufficient for a final plat of 28 lots. Additionally, the final plat uploaded to your webpage on August 1, 2023, fails to affix any of the required certifications *with* signatures. There are likely other aspects of the final plat that were incomplete such as to prohibit consideration at your August meeting. While we object to your consideration of the final plat because it violates your own rules, it is your duty as commissioners to ensure that plats under your consideration are in proper form. We request that you defer consideration of the final plat until it meets the requirements of your own administrative rules.

Very truly yours,

Daniel A. Sanders

¹ <https://knoxplanning.org/resources/agency/administrative-rules-and-procedures.pdf>.

² <https://archive.knoxplanning.org/dandf/schedule/commission.pdf>.

2023 Schedule of Fees

Subdivision	
Concept Plan	
New road only	\$400
1-5 lots	\$500
6 or more lots	\$550 + \$25 per lot (\$1600 max)
Resubmittals/Revisions	
Residential	\$200
Nonresidential	\$250
Plats	
1-2 lots	\$250
3-5 lots	\$500
6 or more lots	\$500 + \$20 per lot
Exempt or corrected plat	\$250
County Boundary Closure	
1-2 lots	\$100
3 or more lots	\$150 + \$10 per lot
<i>Common areas included as lots</i>	
Other Plat Fees	
Variance Request (any number)	\$250
<i>Variances require Planning Commission approval</i>	
No subdivision (lot of record, easements, no additional lots)	\$250
Development Plan (Administrative Review Only)	
City Review	
EN Zoning District	
Addition visible from the street	\$100
New structure	\$250
DK-E Zoning Districts	
Renovation and addition	\$750
New construction	\$1,000
Multiple structures	\$2,500
Other	
RN-4 zoning district - Townhouse/multifamily	\$500
Pocket neighborhood	\$500
County Review	
EC and BP zones	\$1,500
Resubmittals/Revisions (applies to 3rd)	
Residential	\$200
Nonresidential	\$250

Use on Review/Special Use/Development Plan		
Nonresidential use		\$1,600
Residential Zone - more than 10 acres		\$1,600
Residential Zone – 5-10 acres		\$1,000
Residential Zone – 1-4 acres		\$500
Residential Zone – Less than 1 acre*		\$450
Setback reduction		\$300
Similar use determination (county only)		\$250
Resubmittals/Revisions		
Residential		\$200
Nonresidential		\$250
Planned Development		
	Preliminary Plan	Final Plan
Less than 1 acre	\$1,500	\$750
1-4 acres	\$2,000	\$1,000
5-10 acres	\$2,500	\$1,250
More than 10 acres	\$2,500 + \$100 per acre	\$1,250 + \$100 per acre
Plan Amendment		
	Less than 5 acres	5 acres or more
One Year Plan	\$650	\$850
Sector Plan	\$650	\$850
<i>Applications requiring both a sector plan and a one year plan amendment will be charged the appropriate sector plan fee plus \$400 for less than 5 acres and \$500 for 5 acres or more.</i>		
Resubmittals/Revisions		
Residential		\$150
Nonresidential		\$200
Streets and Addressing		
Street closure		\$1,000
Alley closure		\$500
Street name change		\$500
Subdivision name change		\$500
Address Assignment		
<i>Fee only applies to subdivision lots and multi-tenant buildings if there are 5 or more addresses.</i>		
Subdivision lots	\$5 per lot	
Multi-tenant	\$10 per unit	

Rezoning		
	Less than 5 acres	5 acres or more
Residential*	\$650	\$650 + \$50 per acre (\$5,000 max)
Nonresidential	\$1,000	\$1,000 + \$100 per acre (\$7,500 max)
Resubmittals/Revisions		
Residential		\$150
Nonresidential		\$200
Wireless Communication Facilities		
	Level I Review	Level II Review
Collocation	\$50	N/A
Small cell	\$250	\$750
New tower	\$600	\$1,500
Other Requests		
Appeal of commission decision		\$500
Appeal of staff decision		\$250
Ordinance amendment**		\$1,000
Zoning certification letter (county only)		\$60
Concept plan/tailed item extension		\$200
Postponement request (each)		\$75
HP overlay COA (city)		\$500
HP overlay slope analysis		\$75
Alternative compliance (form districts)		\$500
Master sign plan		\$1,150
Consultant review		\$1,500
Mapping and Printing		
Custom GIS map production		\$75 per hour of labor + \$20 per print
Subdivision plats (paper)		\$2
<i>No charge if printing total is less than \$5</i>		
Map Copies		
36" x 48"		\$20
36" x 36"		\$15
24" x 36"		\$10
Other Copies		
Letter and legal sized, black/white		\$0.15 per page
Letter and legal sized, color		\$0.50 per page
<i>No charge if printing total is less than \$5</i>		

*For fee purposes, the following zones are also considered "residential":

County – Agriculture, Open Space, Estate Zones, and Rural Preservation | City – General Agricultural, Open Space, Natural Areas

**Fee applies to each requested text change to ordinance articles, sections, or sub-sections.

Updated: June 29, 2023

2023 Application Deadlines

MEETING INFO

Second Thursday of each month (except October) | 1:30 p.m. | Main Assembly Room | City County Building

Prior to placing your item on the meeting agenda, you must submit a completed application, and pay the specified fee. The Planning Commission may approve or deny an application, or take other appropriate action. Prior to submission of an application, a pre-submittal consultation with Planning staff is encouraged.

PLANNING COMMISSION		
Deadline Monday <i>by 4 p.m.</i>	Final Plat Corrections	Meeting Date 2nd Thursday of month
November 28, 2022	January 3, 2023*	January 12, 2023**
December 27, 2022*	January 27, 2023	February 9, 2023
January 23, 2023	February 24, 2023	March 9, 2023
February 27, 2023	March 31, 2023	April 13, 2023**
March 27, 2023	April 28, 2023	May 11, 2023
April 24, 2023	May 26, 2023	June 8, 2023
May 30, 2023*	June 30, 2023	July 13, 2023**
June 26, 2023	July 28, 2023	August 10, 2023
July 31, 2023	September 1, 2023	September 14, 2023
August 21, 2023	September 22, 2023	October 5, 2023**
September 25, 2023	October 27, 2023	November 9, 2023
October 30, 2023	December 1, 2023*	December 14, 2023
November 27, 2023	December 29, 2023	January 11, 2024**

* PLEASE NOTE: Because the application deadline date is on a holiday, the deadline has been extended to the next business day.

** One Year Plan amendments will be heard in January, April, July, and October.

IMPORTANT NOTICES

Pre-application consultation

- A pre-application consultation with Planning staff is encouraged for all applications to be heard by the Commission, prior to filing an application. Staff will provide feedback on your proposal, advise you on application submittal items, and provide a projected review and schedule.
- The pre-application consultation should take place at least five business days prior to the deadline day for application submittal. To schedule your meeting, please call (865) 215-3193 or email applications@knoxplanning.org. Consultations can take place in person, over the phone, or virtually.

Complete Applications Required

- Complete applications must be received no later than 4 p.m. on the deadline day for submittals each month. We cannot accept incomplete applications. We recommend submitting electronic applications at least 24 hours prior to the filing deadline. This will allow ample time for staff to review your submittal and contact you for payment prior to the filing deadline.

APPLICATION WITHDRAWAL WITH FEE REFUND

Application withdrawal with fee refund may be permitted only if a written request is received no later than two days after the Planning Commission's deadline day. This request must be approved by the Executive Director. Applications may be withdrawn after this time, but without fee refund.