# **CASE SUMMARY**

### APPLICATION TYPE: SUBDIVISION

#### **FINAL PLAT**



Application Filed: 2/1/2022 Date of Revision:

Applicant: JOHN WINTER



#### PROPERTY INFORMATION

**General Location:** Northwest guadrant of S Seventeeth St and White Ave intersection

Other Parcel Info.:

Tax ID Number: 94 N J 01600 Jurisdiction: City

Size of Tract: 25045.62 square feet

Accessibility:

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** 

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: Central City Sector Plan Designation:

Growth Policy Plan: N/A (within City limits)

**Neighborhood Context:** 

### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 1717 White Ave.

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### **ZONING INFORMATION (where applicable)**

Current Zoning: CU-5 (Cumberland Avenue)

Former Zoning:

**Requested Zoning:** 

**Previous Requests:** 

**Extension of Zone:** 

**History of Zoning:** 

## PLAN INFORMATION (where applicable)

**Current Plan Category:** 

**Requested Plan Category:** 

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#### SUBDIVISION INFORMATION (where applicable)

**Subdivision Name:** Final plat of the replat of Lot 1 of Hawkeyes Corner

No. of Lots Proposed: 1 No. of Lots Approved: 1

Variances Requested: 1) Reduce the required utility and drainage easement along all lot lines and road rights-of-way from 10

ft and 5 ft, as applicable, to 0 ft.

S/D Name Change:

#### OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

#### PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve variance 1 because the utility and drainage easement is in conflict with the zoning

requirements of the CU-5 (Cumberland Avenue – Seventeenth Street) District and the utility company

has no comments on the plat.

Staff Recomm. (Full):

**Comments:** 1. The purpose of this plat is to remove the utility and drainage easement along all lot lines.

2. The plat shows the sanitary sewer lines are located in the ROW and utility lines are overhead. Utility providers are required to sign off on plats, and KUB had no issues with the removal of the U&D

easement area.

3. The applicant has stated that the reason the variance is needed is to meet the form base code

requirements of the CU-5 (Cumberland Avenue - Seventeenth Street) District.

4. The CU-5 District has a 5-ft minimum front setback at streets and alleys, and a 5-ft side interior setback. The property is located at the corner of two public rights-of-way and has an alley located along a third lot line, so it has a 5-ft setback along all those three frontages and on the interior side lot

5. Utility and drainage easements (U&D) consist of 10 ft along exterior lot lines and 5 ft along interior lot lines. Therefore, it has a 10-ft easement around its north, south, and west lot lines, and 5 ft along its

eastern (side interior) lot line.

6. The plat is requesting to drop the U&D completely in order to comply with zoning requirements, but the eastern lot line is consistent with the CU-5 zoning. However, since there are no utilities along that lot line and the utilities had no issues with giving up the easement area, staff is recommending

approval of the U&D removal.

Action: Approved Meeting Date: 3/10/2022

**Details of Action:** 

Summary of Action: Approve variance 1 because the utility and drainage easement is in conflict with the zoning

requirements of the CU-5 (Cumberland Avenue – Seventeenth Street) District and the utility company

has no comments on the plat.

Date of Approval: 3/10/2022 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: 

Action Appealed?:

#### LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Chancery Court

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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