

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT



File Number: 4-SC-24-F Related File Number:
Application Filed: 2/27/2024 Date of Revision:
Applicant: SCOTT WILLIAMS

PROPERTY INFORMATION

General Location: At the northern terminus of Sparks Scenic Way
Other Parcel Info.:
Tax ID Number: 91 G B 023, 024, 025, 026 Jurisdiction: County
Size of Tract: 12.7244 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: Density:
Sector Plan: Northwest County Sector Plan Designation:
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 3525 Sparks Scenic Way
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Resubdivision of Lots 23-26 Sparks Meadow Subdivision
No. of Lots Proposed: 4 **No. of Lots Approved:** 4
Variances Requested: Allowing a shared permanent access easement to connect to a private right-of-way instead of a public street.
S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Whitney Warner

Staff Recomm. (Abbr.): Approve the variance for plat approval to have a shared permanent access easement connect to a private right-of-way, based on the following evidence of hardship.

1. Lots 23R, 24R, 25R and 26R abut the cul-de-sac at the rear of the subdivision on Sparks Scenic Way. All four lots have road frontage along the private right-of-way, but due to the steep hillside, they do not have traversable pedestrian and vehicular access. To access the private right-of-way, lots 23R, 24R, 25R and 26R will need to share a driveway.
2. The slopes in the hillside at the rear of Sparks Meadow subdivision pose a challenge in creating individual access to the private right-of-way. A shared permanent access easement would allow these 4 lots safe access to the private right-of-way via a singular driveway.
3. It is not for financial reasons that the variance is being requested. There is a ridge at the rear of this development. Because of the steep slopes Lots 23R, 24R, 25R, and 26R have access challenges that other lots within the development do not have.
4. Granting of the variance would not be detrimental to the public safety, health, or welfare of the public, nor would it be injurious to other properties in the neighborhood. All lots have at least 25 feet of road frontage on the private right-of-way, but due to topographical challenges, a shared permanent access easement must be created for Lots 23R, 24R, and 25R and 26R.

Approve the final plat for the resubdivision of four lots in the PR (Planned Residential) zone.

Staff Recomm. (Full):

Comments: The Final Plat of the Sparks Meadow S/D (10-SB-24-F), a 39-lot development, was recorded in February of 2024 (202402220040513). This plat is for the resubdivision of 4 lots at the rear of the development (Lots 23R, 24R, 25R, and 26R). Lots 23, 24, and 25 have been reconfigured to exclude the wetland areas. The conservation easement at the rear will be common area and no longer a part of Lot 24 or 25. After this plat was recorded, it became apparent that even though all lots have at least 25 ft of road frontage along Sparks Scenic Way, they do not have traversable access due to the steep slopes along these lots.

VARIANCE FROM SUBDIVISION REGULATIONS, ARTICLE 3.03, ACCESS STANDARDS, SUBSECTION A:

All lots shall have either frontage on a public street in accordance with Article 3.03.B of these Regulations or approved access to a public street by ONE of the following:

1. Access to a public street by an approved exclusive permanent access easement;
2. Access to a public street by an approved shared permanent access easement;
3. Access to a public street by an approved private right-of-way;
4. Access to a public street by a previously approved joint permanent easement;
5. Access to a public street by an approved permanent cross access easement;
6. Access provided to a public street through some other legally binding document approved by the Planning Commission.

Such access shall provide a readily apparent physical means of traversable pedestrian and vehicular access from the lot(s) onto the street and shall meet the standards in Article 3.03, Sub Sections B-G.

In this case, Lots 23R, 24R, 25R, and 26R will have access to a public street by combining 2 of the options: a shared permanent access easement and the private right-of-way, Sparks Scenic Way. Because of the steep slopes in the rear of this development, a shared driveway will be necessary for these 4 lots to access the private right-of-way.

Action: Approved

Meeting Date: 4/11/2024

Details of Action:

Summary of Action:

Approve the variance for plat approval to have a shared permanent access easement connect to a private right-of-way, based on the following evidence of hardship.

1. Lots 23R, 24R, 25R and 26R abut the cul-de-sac at the rear of the subdivision on Sparks Scenic Way. All four lots have road frontage along the private right-of-way, but due to the steep hillside, they do not have traversable pedestrian and vehicular access. To access the private right-of-way, lots 23R, 24R, 25R and 26R will need to share a driveway.
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3. It is not for financial reasons that the variance is being requested. There is a ridge at the rear of this development. Because of the steep slopes Lots 23R, 24R, 25R, and 26R have access challenges that other lots within the development do not have.
4. Granting of the variance would not be detrimental to the public safety, health, or welfare of the public, nor would it be injurious to other properties in the neighborhood. All lots have at least 25 feet of road frontage on the private right-of-way, but due to topographical challenges, a shared permanent access easement must be created for Lots 23R, 24R, and 25R and 26R.

Approve the final plat for the resubdivision of four lots in the PR (Planned Residential) zone.

Date of Approval:

4/11/2024

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knoxville-Knox County Planning Commission

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":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: