## CASE SUMMARY

## APPLICATION TYPE: SUBDIVISION

FINAL PLAT
File Number: $\quad$ 5-SQ-02-F
Application Filed: 4/15/2002
Applicant: ELBERT L. MAYES
Owner:
ELBERT L. MAYES

## PROPERTY INFORMATION

General Location: North side of W. Emory Rd, northeast of Oak Ridge Hwy.
Other Parcel Info.:
Tax ID Number: 7610710.02 Jurisdiction: County
Size of Tract: $\quad 6.371$ acre
Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use:
Sector Plan: Northwest County Sector Plan Designation:

Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning:
A (Agricultural)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:
PLAN INFORMATION (where applicable)
Current Plan Category:
Requested Plan Category:

Subdivision Name:
Surveyor:
No. of Lots Proposed:
Variances Requested:

Elbert L. Mayes, Resub of Lots 1-3
Trotter-McClellan, Inc.
3 No. of Lots Approved: 3

1. Waive the JPE construction and design requirements of Sections 64-24.4 and 64-24.5.
2. Reduce the required width of JPE from $40^{\prime}$ to 25 ', Sect. 64-24.44
3. Reduce intersection radius of JPE at W. Emory Rd., from $25^{\prime}$ to 0 ', Sect. 62-84.

S/D Name Change:

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

## MPC ACTION AND DISPOSITION

Planner In Charge:
Staff Recomm. (Abbr.):

## Bonnie Curtiss

Deny Variance 1, because of public safety concerns and erosion control measures.
Approve Variances $2 \& 3$, because adjoining property is not under control of applicant, and approval of the variances will not create a traffic hazard.

DENY FINAL PLAT
Staff Recomm. (Full): Staff recommendation for denial of plat is based on the recommended denial of variance 1. These sections of the Minimum Subdivision Regulations cover minimum construction and design requirements for joint permanent easements.

Staff would not recommend approval of this variance for reasons of public safety and the need for erosion control.
Comments:

MPC Action:
A three-lot subdivision was approved by MPC in May, 1993, with a variance to allow a 25 ' joint permanent easement (JPE). In 1999, MPC approved a resubdivision to combine the three lots into two lots. The current plan of subdivision is to go back to three lots, adding a lot to the existing JPE. Any addition of lots to existing joint permanent easements requires review as a final plat, so that the existing condtions of the JPE can be reviewed against the requirements of the Minimum Subdivision Regulations.

The existing JPE does not meet the following construction and design standards: a) minimum sight distance at the intersection with Emory Rd (Sect. 64-24.43), b) pavement for the first 200' of JPE as required by Knox Co. Engineering (Sect. 64-24.51), c) a turnaround at the end of the JPE (Sect. 6424.45), and d) a maintenance agreement (Sect. 64-24.46).

Denied
MPC Meeting Date: 7/11/2002
Details of MPC action:
Summary of MPC action: Deny Variance 1, because of public safety concerns and erosion control measures.
Approve Variances 2 \& 3, because adjoining property is not under control of applicant, and approval of the variances will not create a traffic hazard. DENY FINAL PLAT

Date of MPC Approval:
Date of Withdrawal:

Date of Denial: 7/11/2002
Withdrawn prior to publication?:

Postponements: 5/9/02-6/13/02
Action Appealed?:

## LEGISLATIVE ACTION AND DISPOSITION

## Legislative Body:

Date of Legislative Action:
Ordinance Number:
Disposition of Case:
If "Other":
Amendments:

## Date of Legislative Action, Second Reading:

Other Ordinance Number References:
Disposition of Case, Second Reading:
If "Other":
Amendments:

