CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT

File Number: 5-SQ-02-F Related File Number:

Application Filed: 4/15/2002 Date of Revision:

Applicant: ELBERT L. MAYES

Owner: ELBERT L. MAYES



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PROPERTY INFORMATION

General Location: North side of W. Emory Rd, northeast of Oak Ridge Hwy.

Other Parcel Info.:

Tax ID Number: 76 10 7 10.02 Jurisdiction: County

Size of Tract: 6.371 acre

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use: Density:

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:

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SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Elbert L. Mayes, Resub of Lots 1 - 3

Surveyor: Trotter-McClellan, Inc.

No. of Lots Proposed: 3 No. of Lots Approved: 3

Variances Requested: 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' to 25', Sect. 64-24.44

3. Reduce intersection radius of JPE at W. Emory Rd., from 25' to 0', Sect. 62-84.

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Bonnie Curtiss

Staff Recomm. (Abbr.): 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: 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. 64-

24.45), and d) a maintenance agreement (Sect. 64-24.46).

MPC Action: 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 Denial: 7/11/2002 Postponements: 5/9/02-6/13/02

Date of Withdrawal: Withdrawn prior to publication?:

Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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

Ordinance Number: Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

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Effective Date of Ordinance:

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