

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT



File Number: 6-SA-23-F                      Related File Number:  
Application Filed: 4/28/2023              Date of Revision:  
Applicant: DAVID D. MULLINS

## PROPERTY INFORMATION

General Location: Southwest of Maloney Road and Gazebo Point intersection  
Other Parcel Info.:  
Tax ID Number: 135 00601                      Jurisdiction: County  
Size of Tract: 7.5 acres  
Accessibility:

## GENERAL LAND USE INFORMATION

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

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

Street: 3518 Maloney Rd.  
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 INFORMATION (where applicable)**

Subdivision Name: FSP Enterprises, LLC  
No. of Lots Proposed: 3 No. of Lots Approved: 0  
Variances Requested: 1) To reduce the required access easement width from 25 ft to 20 ft on the adjacent property.  
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 access drive is existing and the reduction in width would not be likely to cause adverse impacts on surrounding properties.  
Approve variance 2 because it is otherwise in compliance with the Subdivision Regulations.

Staff Recomm. (Full):

Comments:

b. The existing Joint Permanent Non-Exclusive Easement Agreement currently serves 2 separate parcels of land: 4320, 4322, and 4326 Beechwood Rd. 4322 and 4326 are owned by the same owner (as their lakefront home estate). The existing easement connects these lots to Beechwood Rd, and they would remain unaffected by this request. Thus, this requested new easement serves as access for only the newly subdivided 4320 Beechwood Rd lots. The hardship is the controlling condition regarding the existing current easement’s connection to parcels that are unrelated to this subdivision request, and the existing easement being the only access to Beechwood Rd.

1) The purpose of this plat is to subdivide a larger property into 2 lots. This property is part of a group of 3 properties currently using the same joint permanent non-exclusive easement for access. The access easement crosses through the property to the northwest and was platted in 1994 as a 40-ft right-of-way for ingress & egress. The driveway crosses the property with frontage on Beechwood Rd to serve the three existing lots to the south and southwest. The proposed subdivision would create one additional lot, off of the existing easement.

Action: Approved Meeting Date: 6/8/2023

Details of Action:

Summary of Action: Approve the variance because the access drive is existing and the reduction in width would not be likely to cause adverse impacts on surrounding properties.

Approve the subdivision plat because it is otherwise in compliance with the Subdivision Regulations.

Date of Approval: 6/8/2023 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": If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance: