CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

CONCEPT PLAN

File Number: 6-SP-01-C Related File Number:

Application Filed: 5/24/2001 Date of Revision:

Applicant: COVE CREEK, LLC

Owner: COVE CREEK, LLC



Suite 403 \bullet City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 \bullet 2 1 5 \bullet 2 5 0 0 F A X \bullet 2 1 5 \bullet 2 0 6 8 w w w \bullet k n o x m p c \bullet o r g

PROPERTY INFORMATION

General Location: Southeast side of George Williams Dr., east of Pellissippi Parkway.

Other Parcel Info.:

Tax ID Number: 144 H B 001-064 Jurisdiction: County

Size of Tract: 24 acres

Accessibility: Access is via George Williams Rd., a major collector street with a 19' pavement width within a 60' right-

of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached single-family subdivision

Surrounding Land Use: The property in the area is zoned A (Agricultural) and consists of low density residential development.

Proposed Use: Detached single-family subdivision Density:

Sector Plan: Southwest County Sector Plan Designation:

Growth Policy Plan: Planned Growth 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: 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:

1/31/2007 01:51 PM Page 1 of 3

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Hidden Glen

No. of Lots Proposed: 0 No. of Lots Approved: 0

Sullivan

Variances Requested: None

S/D Name Change:

Survevor:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): DENY the applicant's request to remove the concept plan condition (#5) that requires that prior to final

plat approval, the applicant provide documentation that verifies that the adjoining lots will not be

landlocked by the proposed subdivision

Staff Recomm. (Full): Staff is recommending denial of the request at this time, since the Joint Permanent Easement (JPE)

documents are presently being routed for signatures that will allow the recording of the easement for

providing legal access to the adjoining lots.

Comments: The Concept Plan for this subdivision was approved by the Planning Commission on January 13, 2000,

for a total of 67 detached single-family lots. A condition of the Concept Plan approval requires that prior to final plat approval, the applicant provide documentation that verifies that the adjoining lots will not be landlocked by the proposed subdivision. The documentation can be in the form of access easements or recombination of lots that would provide access to existing roads or easements (See attached Staff Report for 1/13/2000 meeting). When the final plat for the first unit of the subdivision

was submitted, Staff pointed out to the applicant that this

condition had not been fully met for the lots located east of the subdivision. The tax records identified an easement crossing their property to serve 4 lots. Staff processed the final plat with the removal of the proposed lots in the area of the easement. The final plat was recorded with a total of 62 lots. Since that time, the applicant has constructed a new access drive to serve the adjoining lots (as part of a consent agreement with those property owners), and through a court action, has had the JPE across their property released. The applicant is now requesting that a final plat for the last five lots be approved. It is Staff's position that the road that was built to the adjoining lots does not provide them with legal access to their property. The applicant is taking the position that those lots never had a legal means of access. Staff requested that the applicant provide the attorney for the adjoining property owners with the Joint Permanent Easement documents (including a maintenance agreement), that once recorded, would provide the legal access. These documents have been prepared and are presently being routed for all of the required signatures. Staff cannot support a request to remove a condition, that was placed on the approval of the subdivision, to guarantee that the adjoining properties would not

become landlocked.

MPC Action: Approved MPC Meeting Date: 6/14/2001

Details of MPC action:

Summary of MPC action: Approved the applicant's request to remove condition #5 from the Concept Plan approval for case # 1-

SE-00-C.

Date of MPC Approval: 6/14/2001 Date of Denial: Postponements:

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: Disposition of Case, Second Reading:

If "Other":

1/31/2007 01:51 PM Page 2 of 3

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

1/31/2007 01:51 PM Page 3 of 3