

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT



File Number: 8-SE-26-F

Related File Number: 2-MM-26

Application Filed: 7/8/2026

Date of Revision:

Applicant: CODY VITKUS

PROPERTY INFORMATION

General Location: West of Weaver Rd, north of Oak Ridge Hwy

Other Parcel Info.:

Tax ID Number: 78 132

Jurisdiction: County

Size of Tract: 1.67 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential, Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density:

Planning Sector: Northwest County

Plan Designation: RC (Rural Conservation), SP (Stream Protection)

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 6909 WEAVER 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: Resubdivision of Part of Lot 1, Hammond and Okain Property

No. of Lots Proposed: 2 **No. of Lots Approved:** 2

Variances Requested: Allow the subdivision plat to be accepted without surveying the remainder of Lot 1 the Final Plat of The Subdivision of the Hammond and Okain Property.

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Frankie Ramos

Staff Recomm. (Abbr.): Approve the variance for the subdivision plat to be accepted without surveying the remainder of Lot 1 of the Final Plat of The Subdivision of the Hammond and Okain Property based on the following evidence hardship.

1. Lot 1 was created by plat from part of parcel 078 136.04 and all of parcel 078 132 in 2016 (Instrument # 201611290034352), but this combination was never captured on a warranty deed. Since parcel 078 136.04 is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved.
2. A warranty deed to combine part of parcel 078 136.04 and parcel 078 132, as reflected by Lot 1, was never recorded. Since the remainder of lot 1 (Part of Parcel 078 136.04) is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved.
3. Granting this variance will not be detrimental to the public safety, health, or welfare or injurious to other property as two homes exist and the function of the property will remain the same.

Approve the final plat for 2 lots in the A (Agricultural) zone.

Staff Recomm. (Full):

1. Lot 1 was created by plat from part of parcel 078 136.04 and all of parcel 078 132 in 2016 (Instrument # 201611290034352), but this combination was never captured on a warranty deed. Since parcel 078 136.04 is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved.
2. A warranty deed to combine part of parcel 078 136.04 and parcel 078 132, as reflected by Lot 1, was never recorded. Since the remainder of lot 1 (Part of Parcel 078 136.04) is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved.
3. Granting this variance will not be detrimental to the public safety, health, or welfare or injurious to other property as two homes exist and the function of the property will remain the same.

Approve the final plat for 2 lots in the A (Agricultural) zone.

Comments:

BACKGROUND:

In 2016, the property at 6909 Weaver Rd (Parcel 078 132) and part of 0 Oak Ridge Hwy (Parcel 078 136.04) were subdivided to create Lot 1 by the Final Plat of The Subdivision of the Hammond and Okain Property (Instrument # 201611290034352). A single warranty deed was never created to establish the single ownership of Lot 1 and the remainder of Lot 1 is under separate ownership.

VARIANCE:

The purpose of the final plat is to create two lots of record by dividing Lot 1 into two lots that meet the dimensional standards of the A district. This requires approval by the Planning commission since a variance is requested as part of the application. Section 2.13 of the Subdivision Regulations (Area to be Surveyed) states that when a tract of land or parcel is subdivided into two or more lots, all resulting lots shall be surveyed and included on the plat except in the following two cases:

- i. When the remaining portion of the property is five acres or greater in area [Section 2.13.A].
- ii. When the submitted plat includes a portion of a lot from a previously recorded plat and the balance of the lot is under separate ownership, and the lot was transferred by deed prior to adoption of the Knoxville-Knox County Minimum Subdivision Regulations (July 8, 1971) [Section 2.13.B].

In this case, the remaining portion of the Lot 1 (Part of Parcel 078 136.04) is less than five acres and was created after the adoption date of the Knoxville-Knox County Minimum Subdivision Regulations. Therefore, a variance is required to accept the plat without surveying the remaining portions.

Action:	Approved	Meeting Date:	8/13/2026
Details of Action:	Approve the variance for the subdivision plat to be accepted without surveying the remainder of Lot 1 of the Final Plat of The Subdivision of the Hammond and Okain Property based on the following evidence hardship. 1. Lot 1 was created by plat from part of parcel 078 136.04 and all of parcel 078 132 in 2016 (Instrument # 201611290034352), but this combination was never captured on a warranty deed. Since parcel 078 136.04 is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved. 2. A warranty deed to combine part of parcel 078 136.04 and parcel 078 132, as reflected by Lot 1, was never recorded. Since the remainder of lot 1 (Part of Parcel 078 136.04) is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved. 3. Granting this variance will not be detrimental to the public safety, health, or welfare or injurious to other property as two homes exist and the function of the property will remain the same. Approve the final plat for 2 lots in the A (Agricultural) zone.		
Summary of Action:	Approve the variance for the subdivision plat to be accepted without surveying the remainder of Lot 1 of the Final Plat of The Subdivision of the Hammond and Okain Property based on the following evidence hardship. 1. Lot 1 was created by plat from part of parcel 078 136.04 and all of parcel 078 132 in 2016 (Instrument # 201611290034352), but this combination was never captured on a warranty deed. Since parcel 078 136.04 is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved. 2. A warranty deed to combine part of parcel 078 136.04 and parcel 078 132, as reflected by Lot 1, was never recorded. Since the remainder of lot 1 (Part of Parcel 078 136.04) is under separate ownership, the property owner would have to survey property that does not belong to them should the variance not be approved. 3. Granting this variance will not be detrimental to the public safety, health, or welfare or injurious to other property as two homes exist and the function of the property will remain the same. Approve the final plat for 2 lots in the A (Agricultural) zone.		
Date of Approval:	8/13/2026	Date of Denial:	Postponements:
Date of Withdrawal:	Withdrawn prior to publication?: ☐ Action Appealed?:		

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Court of Competent Jurisdiction
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: