

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT



**File Number:** 9-SA-22-F                      **Related File Number:**  
**Application Filed:** 7/1/2022              **Date of Revision:**  
**Applicant:** SMOKY MOUNTAIN LAND SURVEYING CO INC

## PROPERTY INFORMATION

**General Location:** Southside of Ousley Lane, east of Shipe Road  
**Other Parcel Info.:**  
**Tax ID Number:** 41 066 (PART OF)                      **Jurisdiction:** County  
**Size of Tract:** 32.23 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**                      **Density:**  
**Sector Plan:** Northeast County      **Sector Plan Designation:** AG (Agricultural), HP (Hillside and Ridgetop Protec  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

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

**Street:** 8020 OUSLEY LN  
**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:** AG (Agricultural), HP (Hillside and Ridgetop Protection)  
**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Final plat of Carina E. and Joseph Valesquez Property  
**No. of Lots Proposed:** 1                      **No. of Lots Approved:** 1  
**Variances Requested:** To allow a 25-ft exclusive permanent access easement to serve 2 parcels.  
**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 the variance to allow a Permanent Exclusive Access Easement to serve two properties since the additional lot will not overburden the easement and it is supported by the Knox County Department of Engineering and Public Works.

Approve the subdivision plat because the plat is otherwise in compliance with the subdivision regulations.

**Staff Recomm. (Full):**

**Comments:**

- 1) The purpose of this plat is to subdivide a smaller lot off of a larger, 32-acre parcel.
- 2) An existing 25-ft access easement currently provides access to a Knox Utility District structure that sits on a lot abutting the larger parent subject property. The applicant is proposing for the existing 25-ft access easement to be converted to a Permanent Exclusive Access Easement.
- 3) The Subdivision Regulations currently allow a Permanent Exclusive Access Easement to serve only one property (in addition to the property it crosses), and the easement must have a minimum width of 25 ft.
- 4) To serve 2 or more lots, a private right-of-way must be created, and private rights-of-way have additional criteria that must be met. These include a 40-ft right-of-way, 12% maximum grade, a turnaround space meeting AASHTO Guidelines, a homeowner’s association, and it must be separate from the lots it serves (essentially carved out of the lots as its own entity).
- 5) The Knox County Engineering and Public Works Department is in support of utilizing the existing access easement to serve the newly created lot.
- 6) Since the easement meets the width requirement, and the other lot utilizing the easement is a utility structure that does not generate daily traffic, staff supports the variance request to allow the easement to serve both lots.

**Action:** Approved

**Meeting Date:** 9/8/2022

**Details of Action:**

**Summary of Action:** Approve the variance to allow a Permanent Exclusive Access Easement to serve two properties since the additional lot will not overburden the easement and it is supported by the Knox County Department of Engineering and Public Works.

Approve the subdivision plat because the plat is otherwise in compliance with the subdivision regulations.

**Date of Approval:** 9/8/2022

**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:**