

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION  
FINAL PLAT



File Number: 9-SD-22-F Related File Number:  
Application Filed: 7/11/2022 Date of Revision:  
Applicant: RYAN LYNCH

## PROPERTY INFORMATION

General Location: West side of Hudson Road, north of Dockery Drive  
Other Parcel Info.:  
Tax ID Number: 33 066, 06607, 06606, 06608 Jurisdiction: County  
Size of Tract: 5.41 acres  
Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential, Rural Residential  
Surrounding Land Use:  
Proposed Use: Density:  
Sector Plan: Northeast County Sector Plan Designation: AG (Agricultural)  
Growth Policy Plan: Rural Growth Area  
Neighborhood Context:

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

Street: 3305 3307, 3309, 3311 HUDSON 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: AG (Agricultural)  
Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Kelly Property Mildred Imogene Hammond Subdivision  
**No. of Lots Proposed:** 4                      **No. of Lots Approved:** 4  
**Variances Requested:** Allow a 25-ft exclusive permanent access easement to serve two lots.  
**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) This is a plat containing four lots on the west side of Hudson Road north of Dockery Drive. The land involved in this request contains four lots that were created via deed. The deeds conveyed a 25-ft access easement that crossed the two properties fronting Hudson Drive with the centerline of the easement running down the shared property line.
- 2) The plat proposes to adjust the lot lines of lot 4, resulting in a smaller lot 4 and a larger lot 3. Lot 3 is nonconforming with regard to the lot size needed for two dwelling units. However, the dwellings have both been in existence since the mid-1990s, so they are legally vested. This plat proposes to lessen the degree of nonconformity.
- 3) This plat also proposes to abandon the access easement created by deed and replace it with a new, longer access easement crossing lots 1 and 2 to serve lots 3 and 4.
- 4) A Permanent Exclusive Access Easement must have a 25-ft easement width and are only allowed to serve one property.
- 5) To serve two 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, the creation of a homeowner’s association, and it must be separate from the lots it serves (essentially carved out of the lots as its own entity).
- 6) The Knox County Engineering and Public Works Department is in support of utilizing the existing access easement to serve the newly created lot.
- 7) Staff finds one additional lot will not over-burden the existing easement.

**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:**

**Date of Legislative Appeal:**

**Amendments:**

**Effective Date of Ordinance:**