



Board of Zoning Appeals Meeting
Wednesday, February 25, 2026 at **7:00 PM**

Farragut Town Hall
11408 Municipal Center Drive

AGENDA

- 1) Call to Order
- 2) Approval of Minutes
 - A) December 13, 2023 Minutes
- 3) Meeting Time Change from 7:00 to 6:00
- 4) Public hearing on a request for a variance from the minimum lot size in the General Single-Family Residential (R-2) Zoning District related to a request to subdivide an existing parcel that was sold at an estate sale as two different lots to two different property owners, referenced as Parcel 05501, Tax Map 152 and Parcel 055, Tax Map 152 (12232 Turkey Creek Road), Zoned R-2 (Midtown Legal, LLC., Applicant)
 - A) Public hearing on a request for a variance from the minimum lot size in the General Single-Family Residential (R-2) Zoning District related to a request to subdivide an existing parcel that was sold at an estate sale as two different lots to two different property owners, referenced as Parcel 05501, Tax Map 152 and Parcel 055, Tax Map 152 (12232 Turkey Creek Road), Zoned R-2 (Midtown Legal, LLC., Applicant)

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057 |
WWW.TOWNOFFARRAGUT.ORG

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, natural origin, gender, gender identity, sexual orientation, age, religion, disability or veteran status pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting

Board of Zoning Appeals

2/25/2026

Page 2

**MINUTES
FARRAGUT BOARD OF ZONING APPEALS**

December 13, 2023

Present: Keith Alley, Jim Holladay, Jeff Devlin, and Mike Bellamy
Absent: John Hoffman
Staff: Bart Hose, Assistant Community Development Director

Item 1. Approval of Minutes for the April 27, 2022, meeting

A motion was made by Devlin to approve the minutes as submitted. The motion was seconded by Holladay and the motion passed 3-0.

Ayes: Holladay, Alley, and Devlin
Nays: None
Absent: Hoffman
Abstaining: Bellamy

Item 2. Election of Officers

A motion was made by Devlin to elect all the current officers for another term. The motion was seconded by Bellamy and the motion passed 4-0. The officers are as follows; Chairman – Keith Alley, Vice-Chairman – Jim Holladay, and Secretary – John Hoffman.

Ayes: Holladay, Bellamy, Alley, and Devlin
Nays: None
Absent: Hoffman
Abstaining: None

Item 3. Public hearing on a request for a home occupation permit (interpretation/use-on-review) for a home recording business at 456 Chapel Grove Lane, Chapel Grove Development, Zoned Attached Single-Family Residential District (R-4), Ms. Betty Howard, Applicant.

Staff reviewed the item and noted that it involved a request for a home occupation permit to operate a home recording business for personal and client business purposes at 456 Chapel Grove Lane. The staff explained that the Town’s Zoning Ordinance addressed home occupations in Chapter 4, Section VI, and that the regulations spell out development criteria that must be met by all home occupations. The ordinance also provides a list of occupations that are permitted to operate as home occupations provided the noted criteria are met. The staff then noted that the list includes an additional provision for “other similar occupations as determined by the Board of Zoning Appeals”, and that the applicant is seeking approval under this provision.

FBZA Minutes
December 13, 2023
Page 2

The applicant submitted description of her proposed home occupation stated the following:

“I want to start a small home recording business for personal and limited business purposes. With a max number of 4 or less people to record in a sound proofed room of my home, either using a whisper room. which will prevent noise and disturbance in the neighborhood or have a professional to come in and soundproof the room. These recordings will be scheduled to prevent accumulated traffic and clients will park in our drive way and not on the street, which is not required per HOA management.”

The staff explained that the Board would need to determine if the proposed home occupation was similar enough to the other listed occupations to permit its operation assuming all the standard required development criteria are met. Staff then noted that Subsection C of the Town’s home occupations provisions lists “Artist, photographer, sculptor, graphic artist, woodworker, writer, or author” as specifically permitted uses, and that recording music could be seen as a similar artistic pursuit. Staff also noted that the same section lists “Craftsperson as a permitted occupation, and that “craftsperson” is broadly defined in Merriam-Websters Dictionary as “1) a person who practices a trade or handicraft as a job, or 2) a person who is skilled in a craft.” Again, staff noted that a person engaged in recoding music and musicians could be considered as a similar occupation given the general definition of a craftsperson.

The staff also noted that the applicant’s request and description of the proposed business provided additional information regarding potential traffic generation, parking, and noise. Of particular note was the installation/use of sound proofing, which as explained by the applicant, would be required for the actual recording process, and not just as a means of complying with the Town’s requirements.

Given the stated nature and scope of the proposed home recording studio, and the associated sound proofing, the staff supported a determination that It was is similar to other permitted home occupations and could be permitted provided all associated development criteria are met.

The Board discussed the request, the nature of the proposed use/occupation, and its similar nature to other listed home occupations. The applicant was present and provided additional information and further explanation at the request of the Board.

FBZA Minutes
December 13, 2023
Page 3

Mr. Devlin then made a motion to approve the permitting of the proposed home recording studio as a similar home occupation to that of an artist or craftsperson. Mr. Holladay seconded the motion, which passed 4-0.

Ayes: Devlin, Holladay, Bellamy, and Alley
Nays: None
Absent: Hoffman
Abstaining: None

The meeting was adjourned at 7:22 p.m.
John Hoffman, Secretary _____

REPORT TO THE BOARD OF ZONING APPEALS

Prepared By: Mark Shipley, Community Development Director

Subject: Public hearing on a request for a variance from the minimum lot size in the General Single-Family Residential (R-2) Zoning District related to a request to subdivide an existing parcel that was sold at an estate sale as two different lots to two different property owners, referenced as Parcel 05501, Tax Map 152 and Parcel 055, Tax Map 152 (12232 Turkey Creek Road), Zoned R-2 (Midtown Legal, LLC., Applicant)

Introduction & Background: This item involves a request for a variance from the minimum lot size requirement in the General Single-Family Residential (R-2) Zoning District for a lot referenced as Tract 2 on Exhibit A in the packet.

Discussion & Recommendations: The parcel in question is bisected by Turkey Creek Road with one portion along Fort Loudoun Lake (the portion that is the subject of this variance request) and the other portion on the opposite side of Turkey Creek Road. This arrangement of parcels is common along Turkey Creek Road and, in most cases, the portion that fronts on the lake includes a boat dock. In the case of the parcel in question, the portion abutting the lake has an existing home and the non-lake portion is vacant.

Though recognized by the Town as one parcel (since it had not been divided with the approval of the Planning Commission), the parcel was sold, pursuant to an online auction, to two different property owners, and the survey included in the packet (Exhibit A) was used to develop warranty deeds. An issue that was brought to the attention of the property owner that purchased the non-lake portion of the parcel was that the Town's Zoning Ordinance only permits one dwelling unit on a parcel. Since the lake portion of the parcel recognized by the Town already has a dwelling unit, the larger portion of the parcel on the opposite side of the lake was not permitted a dwelling unit.

At the request of the applicant and after consulting with the Town Attorney, this issue was presented to the Planning Commission as a workshop discussion item prior to their July 17, 2025 meeting. The memo and associated exhibits provided to the Planning Commission are included in the packet. Based on the unique circumstances noted under the "Variance Request" portion of the memo, the Planning Commission was receptive to eventually approving a plat that would legally subdivide this parcel into two lots so that the owners of Tract 1 could construct a dwelling unit on that portion of the existing parcel. Since dividing the existing parcel into two smaller lots would exacerbate the parcel's existing nonconforming condition, in terms of lot size and setbacks, which are both governed in the Zoning Ordinance, the Board of Zoning Appeals would ultimately need to consider such variance request before the Planning Commission could approve a subdivision of the parcel.

When this was originally discussed with the Planning Commission, the parcel was zoned Agricultural. The minimum lot size in the Agricultural Zoning District is five acres. This parcel and the others in the immediate area that are zoned Agricultural are well below five acres. After reviewing this with Town staff and the Town Attorney, it was suggested that the parcel should be rezoned to a zoning district more appropriate to the size and function of the parcel in question. This would also lessen the amount of variances that would be needed from the Board of Zoning Appeals. It was recommended that the parcel be rezoned to General Single-Family Residential (R-2) since that is the same district as the abutting Brixworth Subdivision. Should the parcel in question be ultimately approved as two lots, the lot on the non-lake portion, which is 20,521 square feet, would be compliant with the minimum lot size of 15,000 square feet that is associated with the R-2 Zoning District. The lake portion of the parcel, which is 9,403 square feet, would still be noncompliant in terms of lot size but substantially more compliant than its Agricultural zoning at that time.

The Planning Commission encouraged the applicant to pursue the rezoning and, once permission was obtained from both property owners, the rezoning was presented to the Planning Commission for their recommendation at the December 18, 2025 meeting. The Commission unanimously recommended approval of the rezoning, and the rezoning was subsequently unanimously approved at both the first and second readings at the Board of Mayor and Aldermen

meetings on January 22, 2026, and February 12, 2026.

Now that the rezoning is complete, the applicant has applied for a variance (the application for the variance and rationale are included in the packet) from the minimum lot size for the 9,403 square foot portion of the existing parcel, subject to the Planning Commission approving the subdivision of the existing parcel. As with any variance, an important consideration is to avoid any unintended precedent that could be harmful to the Town's application of its zoning and subdivision regulations and to ensure that the parameters for granting a variance are adhered to. In the memorandum included in the packet and that was provided to the Planning Commission for the July workshop, the applicant's attorney has identified some unique circumstances related to this property. Those are listed under the "Variance Request" portion of the memo. The applicant has also included some conditions unique to this property in their rationale for the variance that is part of their application to the Board of Zoning Appeals.

The staff and the Town Attorney are in agreement that this is a unique situation and that a variance in this case would be appropriate for the reasons noted by the applicant's attorney and that are included in the packet.

Recommended By: Mark Shipley, Community Development Director

Proposed Motion: To approve the variance for the reasons noted by the applicant's attorney and that are referenced in the packet and subject to the Planning Commission approving a subdivision plat that would separate the parcel into two lots.

Memorandum

To: Municipal Planning Commission, Town of Farragut, Tennessee

From: Dave Hall, Midtown Legal

Date: June 10, 2025

Subject: Request for Rezoning and Variance for Parcel ID 152 055

Introduction

This memorandum is submitted on behalf of our clients, Dustin and April Anderson, to request two specific actions from the Municipal Planning Commission of the Town of Farragut: (1) the rezoning of the parcel identified as Parcel ID 152 055 from agricultural zoning to R2, and (2) the granting of a variance to divide the parcel into two lots, separated by Turkey Creek Road.

Rezoning Request

Current Zoning Non-Compliance:

The parcel in question is currently zoned for agricultural use, which renders the existing lots out of compliance. We believe that rezoning the parcel to R2 would have two benefits: it would bring the Andersons' lot into full compliance and move the lakefront lot closer to compliance with the town's zoning regulations.

Proximity to Existing R2 Zoning:

The proposed northern lot backs up at its northernmost corner to lot 17, which is already zoned residential. This proximity supports the rezoning request, as it aligns with the existing zoning pattern in the area.

Variance Request

Unique Circumstances:

The Planning Commission can address this request without setting a problematic precedent due to the unique circumstances surrounding the parcel:

- The parcel is potentially the only plot on Turkey Creek Road with a house situated on the lake side. This unique placement has the effect of creating a de facto separated lot on the water side of the parcel. The requested variance would thus not really *create* a new lot as much as it would simply recognize the current disposition of the property.
- The Andersons' intention to build away from the lake is consistent with the development pattern of other houses on the road.
- Although a surveyor prepared a survey that the seller used in the transfer of the property to the Andersons, it does not appear that this survey was ever recorded until it was recorded as part of the deed of sale, a rare and unlikely-to-recur situation.¹
- The unapproved subdivision was initiated by a now-deceased individual, further ensuring that such an occurrence will not happen again.

Hardship for New Owners:

The improper subdivision has created a significant hardship for the Andersons, who purchased the subdivided lot without knowing that it had been divided without approval.² They have made substantial investments in the property and seek to mitigate further risks by obtaining the requested variance. Without the relief requested, they would be unable to make use of the property.

Conclusion

In light of the above considerations, we respectfully request that the Municipal Planning Commission approve the rezoning of Parcel ID 152 055 to R2 and grant the variance to divide the parcel into two lots. These actions will rectify the current zoning non-compliance, align with existing zoning patterns, and address the unique circumstances and hardships faced by the Andersons.

We appreciate your attention to this matter and look forward to your favorable consideration of this request.

Dave Hall
119 Hickory Hill Dr.
Tellico Plains, TN 37385
DHall@MidtownLegal.co
(714) 794-2345

¹ See Exhibit A, the Survey

² See Exhibit B, the Warranty Deed and Exhibits C and D,

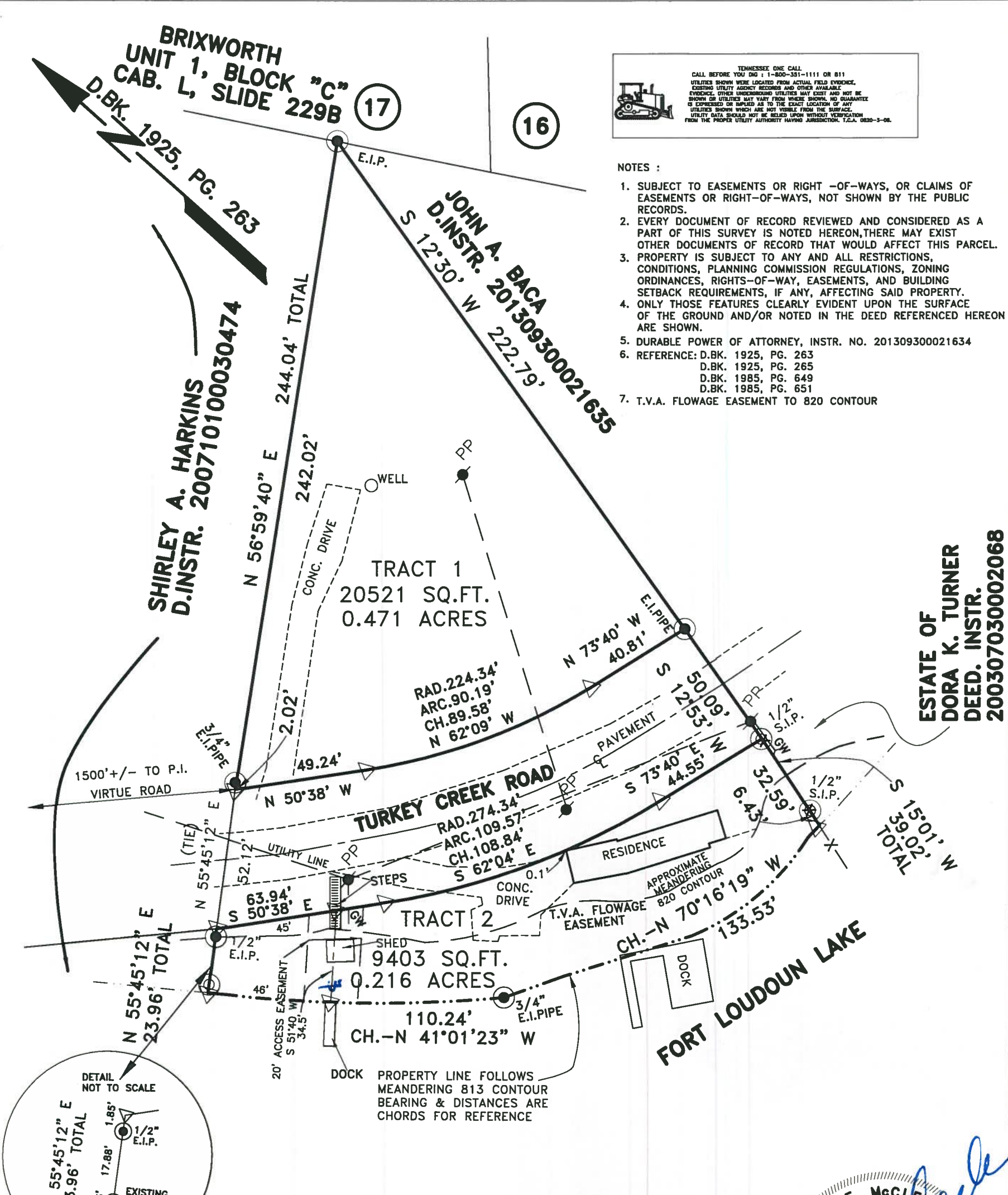
Exhibit A

2 Pages

TENNESSEE ONE CALL
 CALL BEFORE YOU DIG : 1-800-351-1111 OR 811
 UTILITIES SHOWN WERE LOCATED FROM ACTUAL FIELD EVIDENCE,
 EXISTING UTILITY AGENCY RECORDS AND OTHER AVAILABLE
 EVIDENCE. OTHER UNDERGROUND UTILITIES MAY EXIST AND NOT BE
 SHOWN OR UTILITIES MAY VARY FROM THOSE SHOWN. NO GUARANTEE
 IS EXPRESSED OR IMPLIED AS TO THE EXACT LOCATION OF ANY
 UTILITIES SHOWN WHICH ARE NOT VISIBLE FROM THE SURFACE.
 UTILITY DATA SHOULD NOT BE RELIED UPON WITHOUT VERIFICATION
 FROM THE PROPER UTILITY AUTHORITY HAVING JURISDICTION. T.C.A. 68-3-208.

- NOTES :
1. SUBJECT TO EASEMENTS OR RIGHT -OF-WAYS, OR CLAIMS OF EASEMENTS OR RIGHT-OF-WAYS, NOT SHOWN BY THE PUBLIC RECORDS.
 2. EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON, THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.
 3. PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS, PLANNING COMMISSION REGULATIONS, ZONING ORDINANCES, RIGHTS-OF-WAY, EASEMENTS, AND BUILDING SETBACK REQUIREMENTS, IF ANY, AFFECTING SAID PROPERTY.
 4. ONLY THOSE FEATURES CLEARLY EVIDENT UPON THE SURFACE OF THE GROUND AND/OR NOTED IN THE DEED REFERENCED HEREON ARE SHOWN.
 5. DURABLE POWER OF ATTORNEY, INSTR. NO. 201309300021634
 6. REFERENCE: D.BK. 1925, PG. 263
 D.BK. 1925, PG. 265
 D.BK. 1985, PG. 649
 D.BK. 1985, PG. 651
 7. T.V.A. FLOWAGE EASEMENT TO 820 CONTOUR

ESTATE OF
 DORA K. TURNER
 DEED. INSTR.
 200307030002068



GENERAL PROPERTY SURVEY
 I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED AND OTHER INFORMATION FURNISHED BY THE TITLE ATTORNEY. THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE SHOWN; AND THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1 TO 10,000. THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TN MIN. STANDARDS OF PRACTICE

Bruce McClellan
 BRUCE McCLELLAN R.L.S. TN. NO. 696



THIS SURVEY IS SUBMITTED FOR THE SOLE AND EXCLUSIVE USE AND BENEFIT OF THE PERSON OR INSTITUTION NAMED ON THIS SURVEY, NO OTHER OR FURTHER USE MAY BE MADE OF THIS SURVEY WITHOUT PRIOR WRITTEN CONSENT OF BRUCE McCLELLAN R.L.S. NO. 696

PROPERTY OF ESTATE OF DORA K. TURNER
 DISTRICT NO. 6 COUNTY KNOX WARD NO. CITY OF FARRAGUT
 ADDRESS 12233 TURKEY CREEK ROAD
 TAX MAP 152 GROUP PARCEL 55 DEED BOOK 1925 PAGE 263
 DATE JUNE 20, 2018 SCALE 1"=40' DEED BOOK 1925 PAGE 265

THIS IS TO CERTIFY THAT THE DESCRIBED PROPERTY IS BELOW 818 CONTOUR LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP.

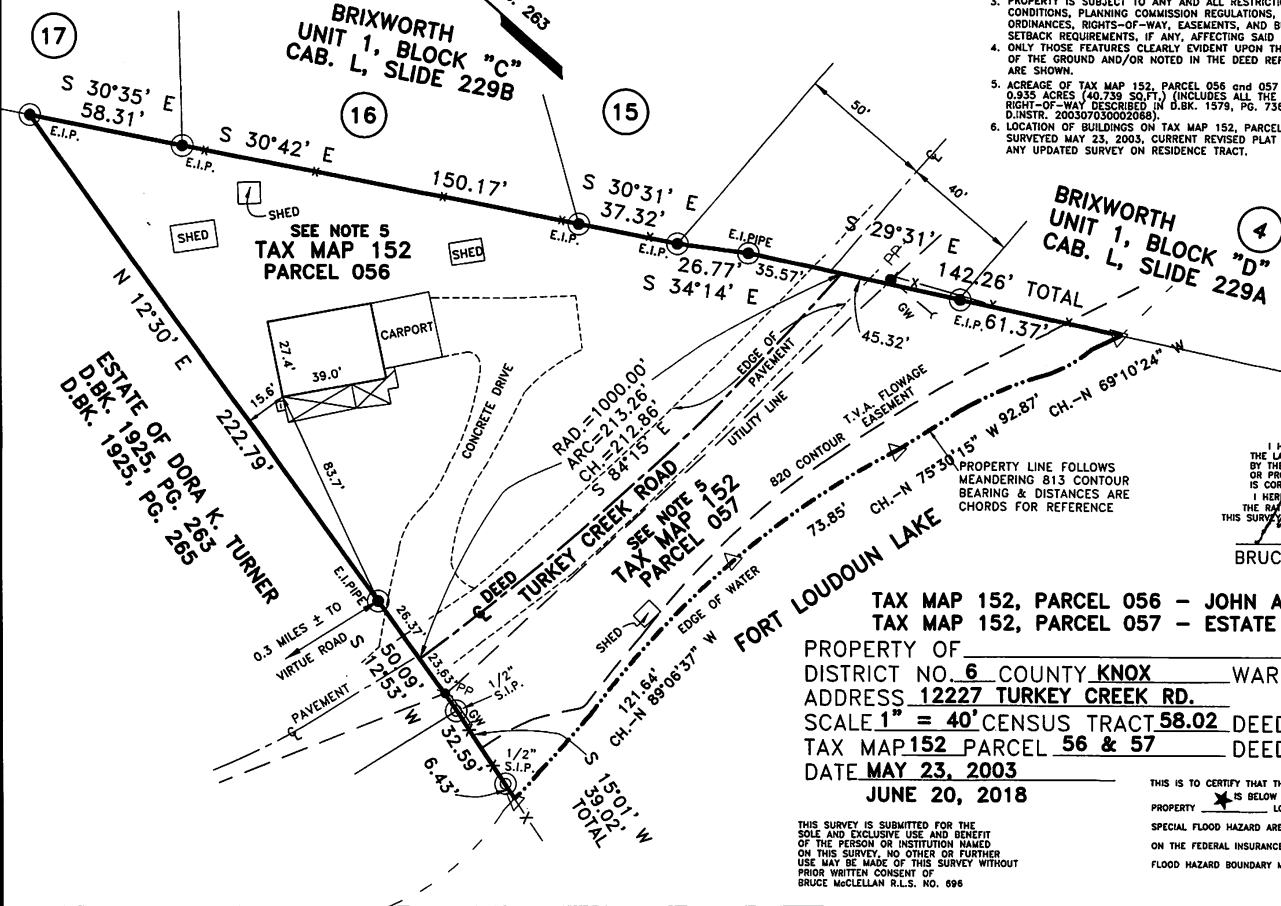


T.M.W. LAND SURVEYING INC.
 P.O. BOX 18358
 KNOXVILLE, TN 37928
 PHONE: 865-689-4303

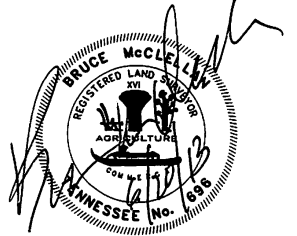
DRAWING NO. 18-044



TENNESSEE ONE CALL
 CALL BEFORE YOU DIG! 1-800-33-1111 OR 811
 PLEASE ALWAYS USE UTILITY MARKERS TO IDENTIFY THE LOCATION OF
 UTILITY LINES AND PIPES BEFORE YOU DIG. NEVER DIG AT THE
 LOCATION OF A UTILITY MARKER. NEVER DIG AT THE LOCATION OF AN
 UTILITY MARKER. NEVER DIG AT THE LOCATION OF AN UTILITY MARKER.
 NEVER DIG AT THE LOCATION OF AN UTILITY MARKER. NEVER DIG AT THE
 LOCATION OF AN UTILITY MARKER. NEVER DIG AT THE LOCATION OF AN
 UTILITY MARKER. NEVER DIG AT THE LOCATION OF AN UTILITY MARKER.
 NEVER DIG AT THE LOCATION OF AN UTILITY MARKER. NEVER DIG AT THE
 LOCATION OF AN UTILITY MARKER. NEVER DIG AT THE LOCATION OF AN
 UTILITY MARKER. NEVER DIG AT THE LOCATION OF AN UTILITY MARKER.



- NOTES:**
1. SUBJECT TO EASEMENTS OR RIGHT-OF-WAYS, OR CLAIMS OF EASEMENTS OR RIGHT-OF-WAYS, NOT SHOWN BY THE PUBLIC RECORDS.
 2. EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON, THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.
 3. PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS, PLANNING COMMISSION REGULATIONS, ZONING ORDINANCES, RIGHTS-OF-WAY, EASEMENTS, AND BUILDING SETBACK REQUIREMENTS, IF ANY, AFFECTING SAID PROPERTY.
 4. ONLY THOSE FEATURES CLEARLY EVIDENT UPON THE SURFACE OF THE GROUND AND/OR NOTED IN THE DEED REFERENCED HEREON ARE SHOWN.
 5. ACREAGE OF TAX MAP 152, PARCEL 056 and 057 0.935 ACRES (40,739 SQ.FT.) (INCLUDES ALL THE LAND AND RIGHT-OF-WAY DESCRIBED IN D.B.K. 1925, PG. 736 AND D.INSTR. 200307030002068).
 6. LOCATION OF BUILDINGS ON TAX MAP 152, PARCEL 056 SHOWN AS SURVEYED MAY 23, 2003, CURRENT REVISED PLAT DOES NOT INCLUDE ANY UPDATED SURVEY ON RESIDENCE TRACT.



GENERAL PROPERTY SURVEY
 I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED AND OTHER INFORMATION FURNISHED BY THE TITLE ATTORNEY, THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE SHOWN; AND THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATE OF PRECISION OF THE HORIZONTAL SURVEY IS 1:10,000.
 THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TN SURVEYING STANDARDS OF PRACTICE
 BRUCE McClellan
 BRUCE McCLELLAN R.L.S. TN. NO. 696

TAX MAP 152, PARCEL 056 - JOHN A. BACA and wife MELISSA J. ROSS
 TAX MAP 152, PARCEL 057 - ESTATE OF DORA K. TURNER

PROPERTY OF _____
 DISTRICT NO. 6 COUNTY KNOX WARD NO. _____ CITY OF FARRAGUT
 ADDRESS 12227 TURKEY CREEK RD.
 SCALE 1" = 40' CENSUS TRACT 58.02 DEED INSTR. 201309300021635
 TAX MAP 152 PARCEL 56 & 57 DEED INSTR. 200307030002068
 DATE MAY 23, 2003
 JUNE 20, 2018

THIS IS TO CERTIFY THAT THE DESCRIBED PROPERTY IS BELOW 813 CONTOUR AND LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP.

T.M.W. LAND SURVEYING INC.
 P.O. BOX 18358
 KNOXVILLE, TN 37928
 PHONE: 865-689-4303

DRAWING NO. 03-270-1

THIS SURVEY IS SUBMITTED FOR THE SOLE AND EXCLUSIVE USE AND BENEFIT OF THE PERSON OR INSTITUTION NAMED ON THIS SURVEY. NO OTHER OR FURTHER USE MAY BE MADE OF THIS SURVEY WITHOUT PRIOR WRITTEN CONSENT OF BRUCE McCLELLAN R.L.S. NO. 696

Exhibit B

4 Pages

Nick McBride
Register of Deeds
Knox County

THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:
Tallent Title Group, Inc.
3248 Tazewell Pike
Knoxville, TN 37918
File No. & Name: 23-17533
Anderson, April


Knox County, TN Page: 1 of 4
REC'D FOR REC 7/19/2023 11:23 AM
RECORD FEE: \$23.00 T20230026762
M. TAX: \$0.00 T. TAX: \$712.25
202307190003228

WARRANTY DEED

THIS INDENTURE, made this 14th day of July, 2023, between

Carolyn Shope, Personal Representative of the Estate of Dora Knipp Turner (aka Dora K. Turner); and Carolyn Shope, Devisee of the Estate of Dora Knipp Turner (aka Dora K. Turner); and Jack Randall Cunningham, Devisee of the Estate of Dora Knipp Turner (aka Dora K. Turner),

parties of the first part, and

April Anderson and Dustin Anderson, wife and husband,

parties of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, to them paid by the said parties of the second part, the receipt of which is hereby acknowledged, has bargained, sold and conveyed and does hereby bargain, sell, and convey unto the said parties of the second part, the following described premises, to-wit:

SITUATED in the Sixth Civil District of Knox County, Tennessee, within the limits of the Town of Farragut, Tennessee and being part of the Estate of Dora Knipp Turner in the Chancery Court for Knox County, Tennessee, Docket No. 79733-1 and of record in in Instrument No. 202206300097815 in the Register's Office for Knox County, Tennessee, and being all of Tract 1 on the attached Exhibit "A" Survey by Bruce McClellan, dated June 18, 2018, bearing Drawing No. 18-044, and more fully described as follows,:

BEGINNING at a point in the northerly right-of-way of Turkey Creek Road, said point being a common corner of Tract One and the property of Shirley A. Harkins of record in Instrument No. 200710100030474 in the Register's Office for Knox County, Tn., and being located easterly 1,500 feet, more or less, from the point of intersection with Virtue Road; THENCE with the common line of Tract One and said property of Shirley A. Harkins, North 56 deg. 59 mins. 40 secs. East 244.04 feet (passing a 3/4 inch iron pipe at 2.02 feet) to an iron pin the southwesterly line of Lot 17 of Unit 1, Block C of Brixworth Subdivision, of record in Map Cabinet L, Slide 229B in the Register's Office with Knox County, TN said iron pin being a common corner of Tract One, said property of Shirley A. Harkins and the property of John A. Baca of record in Instrument No. 201309300021635 in the Register's Office for Knox County, TN; THENCE with the common line of Tract One and said property of John A. Baca, South 12 deg. 30 mins. West 222.79 feet to an iron pipe in the northerly right-of-way of Turkey Creek Road; THENCE with the northerly right-of-way of Turkey Creek Road (for the following three calls), North 73 deg. 40 mins. West 40.81 feet to a point; THENCE along the arc of a curve to the right having a radius of 224.34 feet, an arc of 90.19 feet, a chord of North 62 deg. 09 mins. West 89.58 feet to a point; THENCE North 50 deg. 38 mins. West 49.24 feet to the POINT OF BEGINNING. CONTAINING 20,521 Square Feet (0.471 Acres).

NOTE: Any acreage mentioned in the legal description is only for the convenience in identifying the tract conveyed herein; neither the grantor nor the preparer of this deed make any representations as to the acreage conveyed.

THIS CONVEYANCE IS MADE TOGETHER WITH A 20-foot easement for the benefit of the owners of subject property to access, and maintain steps, shed and dock located on western portion of Tract 2, both Tracts being shown on attached Exhibit A Survey. This is an easement running with the land and transferring with title to subsequent property owners.

BEING PART of the same property conveyed to Dora K. Turner by Deed dated August 25, 1987, from Patricia Morton, single (surviving tenant by the entirety of Gaines Morton), filed for record August 25, 1987, in Book 1925, Page 263, Register's Office, Knox County, Tennessee. See also, Affidavit of Kenneth W. Holbert dated June 30, 2022, of record in Instrument No. 202206300097815, said Register's Office. The First Parties herein, by the execution of this

instrument, make oath the following is true and correct to the best of their personal knowledge and belief: Dora K. Turner is deceased, having died testate in Knox County on October 25, 2017, with the Last Will and Testament of Dora Knipp Turner being admitted to Probate under Docket No. P-17-797331, and recorded in Will Book 114, Page 459, in the Probate Division of Chancery Court for Knox County, Tennessee. An Agreed Order of Settlement of all Claim was entered into said Probate Court as well as filed for record in Instrument No. 202206300097814 in the Register's Office for Knox County, Tennessee. See also, Affidavit of Kenneth W. Holbert of record in Instrument No. 202206300097815, said Register's Office.

See Exhibit "A" attached hereto and made a part hereof;

THIS CONVEYANCE is made subject to any and all applicable restrictions, easements, and building setback lines, as shown in said Register's Office.

THE above description is the same as the previous deed of record, no boundary survey having been made at the time of this conveyance.

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF THE TITLE TO THE PROPERTY DESCRIBED HEREIN.

WITH THE HEREDITAMENTS AND APPURTENANCES THERETO APPERTAINING, hereby releasing all claim to homestead and dower therein:

TO HAVE AND TO HOLD the said premises to the said parties of the second part, their heirs and assigns, forever.

And the parties of the first part, for themselves and for their heirs, executors, and assigns, do hereby covenant with the said parties of the second part, their heirs, executors, and assigns, that the parties of the first part are lawfully seized in fee simple of the premises above conveyed, and that they have full power, authority, and right to convey the same; that said premises are free from all encumbrances, and that they will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

The Estate of Dora Knipp Turner

Carolyn Shope
By: Carolyn Shope, Personal Representative

Carolyn Shope
By: Carolyn Shope, Devisee

Jack Randall Cunningham
By: Jack Randall Cunningham, Devisee

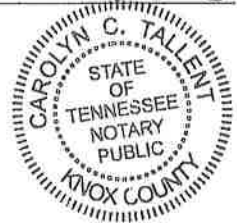
STATE OF TENNESSEE
COUNTY OF KNOX

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named, **Carolyn Shope Personal Representative and Devisee of the Estate of Dora Knipp Turner**, the bargainor(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 14th day of July, 2023.

Carolyn C. Talley
Notary Public

My Commission Expires: 11/23/2025



STATE OF TENNESSEE
COUNTY OF KNOX

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named **Jack Randall Cunningham, Devisee of the Estate of Dora Knipp Turner**, the bargainer(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 14th day of July, 2023.

Carolyn C. Talent
Notary Public

My Commission Expires: 11/23/2025



PROPERTY OWNER and RESPONSIBLE TAXPAYER:

April Anderson and Dustin Anderson

739 LAKE VISTA DR.

FRIENDSVILLE, TN 37137
(Mailing Address)

CLT NO # 152-055 (Part of)

I hereby swear or affirm that the actual consideration of this transfer is **\$192,500.00**.

Affiant: *[Signature]*

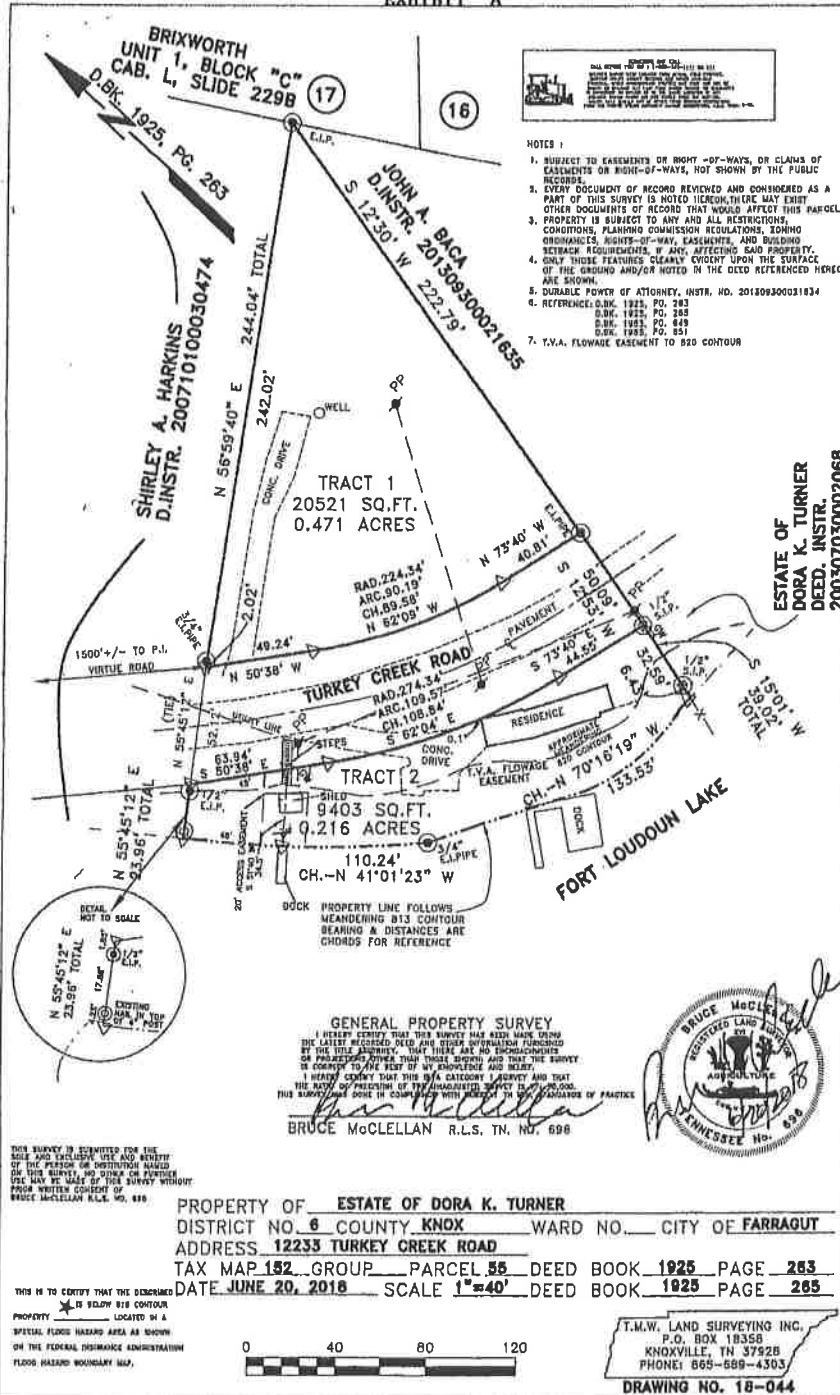
Subscribed and sworn before me this the 14th day of July, 2023.

Carolyn C. Talent
Notary Public

My Commission Expires: 11/23/2025



EXHIBIT "A"



**Farragut
Municipal Code Variance Request**

Submitted by:
Dave Hall
dhall@midtownlegal.co

Online Request #: PZ13104

Project #: 2026-450-BZA

Location: **12233 TURKEY CREEK RD**

City: **FARRAGUT** State: **TN** Zip: **37934**

Contact Information

Applicant's Contact Information

Title: First Name: **Dave** Last Name: **Hall** Suffix:

Business Name: **Midtown Legal, LLC**

Mailing Address: **2042 Town Center Blvd #334**

City: **Knoxville** State: **TN** Zip: **37922**

Email Address: **dhall@midtownlegal.co**

Cell Phone: **(714) 794-2345** Work Phone: Home Phone:

Owner's Contact Information

Title: First Name: **_** Last Name: Suffix:

Business Name: **Dustin and April Anderson**

Mailing Address: **739 Lake Vista Drive**

City: **Friendsville** State: **TN** Zip: **37737**

Email Address: **adanderson6@aol.com**

Cell Phone: Work Phone: Home Phone: **(865) 599-0201**

Application Questionnaire (* denotes required question)

Municipal Code Variance Request

Please specify the nature or type of variance request. *

We request a variance from the minimum lot



You can complete this application and view updates online at [MGO Connect](#)

size requirement applicable to the R-2 zoning district in order to permit the subdivision of the existing parcel into two tracts, as shown on the submitted survey. Under the proposed subdivision, the lakefront portion of the property would be created as a separate lot (designated as Tract 2), with the remaining portion of the property designated as Tract 1.

Please provide location of property involved in the variance request *

12233 TURKEY CREEK ROAD, KNOXVILLE, TN 37934

Please identify the ordinance requirement that the variance request is associated with. *

Minimum Lot Size for R-2 Zoning District



You can complete this application and view updates online at [MGO Connect](#)

Please provide a summary outlining rationale for the variance. *

The requested variance is necessary to allow reasonable use of the property and is based on the unique physical characteristics of the site. The parcel has an irregular configuration and significant lake frontage, which limits its ability to be subdivided in strict compliance with minimum lot size requirements while still maintaining practical buildable area on the non-lakefront portion of the property. The proposed subdivision will not increase density beyond what is otherwise permitted in the zoning district, will not create additional dwelling units, and will not alter the essential character of the surrounding neighborhood. Tract 2 will consist primarily of lakefront and associated setback areas and is not intended for development, while the subdivision is required so that a single-family residence may be constructed on Tract 1 in a manner consistent with applicable zoning, setback, and environmental regulations. Strict enforcement of the minimum lot size requirement would result in an unnecessary hardship by preventing reasonable residential use of the property, whereas granting the variance will allow orderly subdivision, preserve the lakefront portion of the parcel, and remain consistent with the intent of the zoning ordinance and the public interest.

Acknowledgement (Enter your full name to acknowledge) *

Dave Hall

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE AND COMPLETE AND I AM THE APPLICANT OR THE LEGAL REPRESENTATIVE OF THE APPLICANT FOR THIS PROJECT.



You can complete this application and view updates online at [MGO Connect](#)

Documents Uploaded

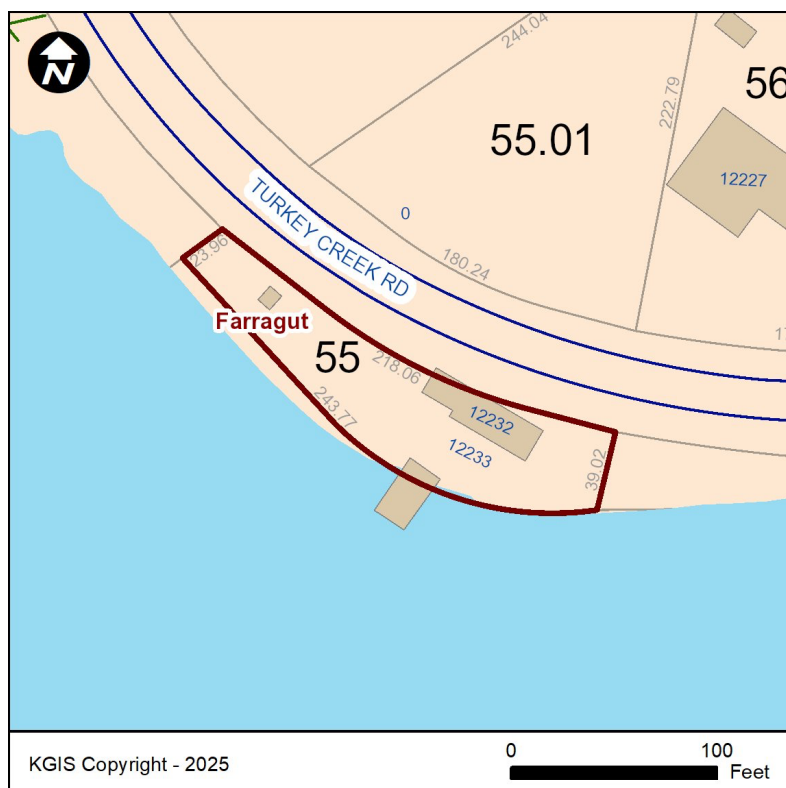
The following documents are attached to the Application.

12233 turkey creek rd. survey.pdf



You can complete this application and view updates online at [MGO Connect](#)

12233 TURKEY CREEK RD - Property Map and Details Report



Property Information

Parcel ID:	152 055
Location Address:	12232 TURKEY CREEK RD
CLT Map:	152
Insert:	
Group:	
Condo Letter:	
Parcel:	55
Parcel Type:	NORMAL
District:	FW
Ward:	
City Block:	
Subdivision:	DORA K TURNER ESTATE
Rec. Acreage:	0
Calc. Acreage:	0
Recorded Plat:	N/R - N/R
Recorded Deed:	20230703 - 0000280
Deed Type:	WD:Warranty Deed
Deed Date:	7/3/2023

Address Information

Site Address: 12233 TURKEY CREEK RD
FARRAGUT - 37934

Address Type: DWELLING, SINGLE-FAMILY

Site Name:

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Owner Information

ELITE CONSTRUCTION LLC
4317 BALLCAMP PIKE
KNOXVILLE, TN 37921

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Jurisdiction Information

County: KNOX COUNTY

City / Township: Farragut

Fire Response: RURAL METRO FIRE DEPARTMENT

Please contact the Knox County Fire Prevention Bureau at (865) 215-4660 if you have questions.

Other Information

Census Tract: 58.13

Planning Sector: Southwest County

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 66SE

Voting Location: Farragut High School
11237 KINGSTON PIKE

TN State House: 14

TN State Senate: 7

County Commission: 5 Angela Russell
(at large seat 10) Larsen Jay
(at large seat 11) Kim Frazier

Farragut Aldermen: 2 David White
Drew Burnette

School Board: 5 Lauren Morgan

Please contact Knox County Election Commission at (865) 215-2480 if you have questions. For questions regarding Farragut districts please call the

School Zones

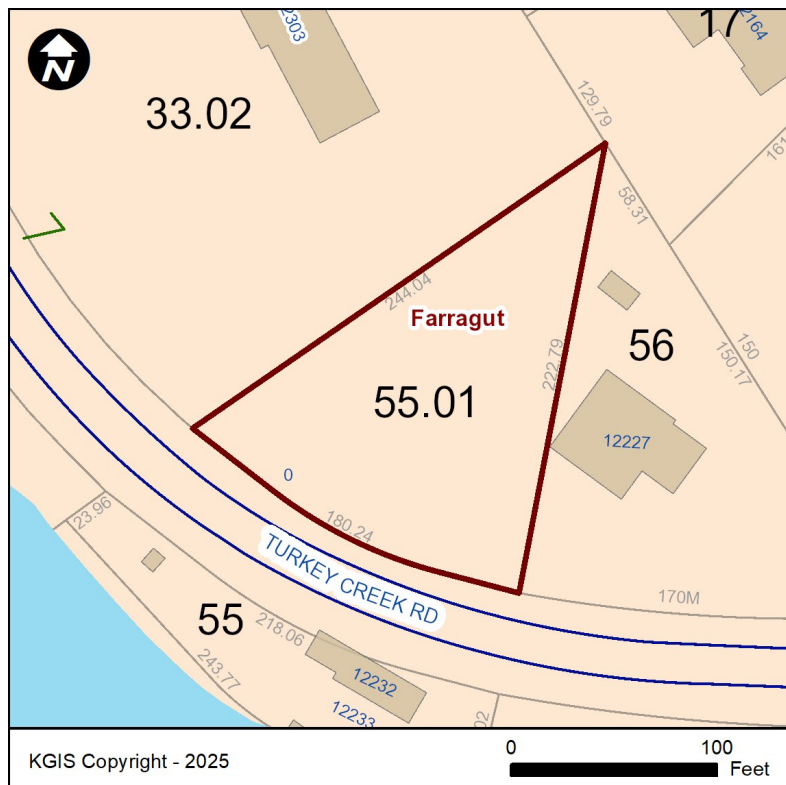
Elementary: FARRAGUT
PRIMARY

Intermediate: FARRAGUT
INTERMEDIATE

Middle: FARRAGUT
MIDDLE

High: FARRAGUT
HIGH

Parcel 152 05501 - Property Map and Details Report



Property Information

Parcel ID:	152 05501
Location Address:	0 TURKEY CREEK RD
CLT Map:	152
Insert:	
Group:	
Condo Letter:	
Parcel:	55.01
Parcel Type:	NORMAL
District:	FW
Ward:	
City Block:	
Subdivision:	DORA K TURNER ESTATE
Rec. Acreage:	0
Calc. Acreage:	
Recorded Plat:	N/R - N/R
Recorded Deed:	20230719 - 0003228
Deed Type:	WD:Warranty Dee
Deed Date:	7/19/2023

Address Information

Site Address: 0 TURKEY CREEK RD
 FARRAGUT - 37934

Address Type: UNUSED LAND

Site Name:

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Owner Information

ANDERSON APRIL & DUSTIN
 739 LAKE VISTA DR
 FRIENDSVILLE, TN 37737

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Jurisdiction Information

County: KNOX COUNTY

City / Township: Farragut

Fire Response: RURAL METRO FIRE DEPARTMENT

Please contact the Knox County Fire Prevention Bureau at (865) 215-4660 if you have questions.

Other Information

Census Tract: 58.13

Planning Sector: Southwest County

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 66SE

Voting Location: Farragut High School
 11237 KINGSTON PIKE

TN State House: 14

TN State Senate: 7

County Commission: 5 Angela Russell
 (at large seat 10) Larsen Jay
 (at large seat 11) Kim Frazier

Farragut Aldermen: 2 David White
 Drew Burnette

School Board: 5 Lauren Morgan

Please contact Knox County Election Commission at (865) 215-2480 if you have questions. For questions regarding Farragut districts please call the

School Zones

Elementary: FARRAGUT
 PRIMARY

Intermediate: FARRAGUT
 INTERMEDIATE

Middle: FARRAGUT
 MIDDLE

High: FARRAGUT
 HIGH