

SUBDIVISION REPORT -CONCEPT/USE ON REVIEW

► FILE #: 7-SA-21-C	AGENDA ITEM #: 24
7-C-21-UR	AGENDA DATE: 8/12/2021
POSTPONEMENT(S):	7/8/2021
SUBDIVISION:	MISSION HILLS
APPLICANT/DEVELOPER:	SCOTT SMITH, S & E PROPERTIES, LLC
OWNER(S):	Scott Smith / S & E Properties, LLC
TAX IDENTIFICATION:	116 06704 View map on KGIS
JURISDICTION:	County Commission District 6
STREET ADDRESS:	12041 Hardin Valley Rd.
LOCATION:	North side of Hardin Valley Road, west of Mission Hill Lane
SECTOR PLAN:	Northwest County
GROWTH POLICY PLAN:	Rural Area
WATERSHED:	Conner Creek
APPROXIMATE ACREAGE:	6.98 acres
ZONING:	PR (Planned Residential)
EXISTING LAND USE:	Rural residential
PROPOSED USE:	Single-family residential
SURROUNDING LAND USE AND ZONING:	North: Connor Creek, vacant land A (Agricultural) South: Residences, vacant land A (Agricultural) and PR (Planned Residential) East: Vacant land, Mission Hill Lane A (Agricultural) and PR (Planned Residential) West: Vacant land A (Agricultural) and CA (General Business)
► NUMBER OF LOTS:	18
SURVEYOR/ENGINEER:	Scott Smith / S & E Properties, LLC
ACCESSIBILITY:	Access is via Hardin Valley Road, a minor arterial with a pavement width of 20.5-ft within 60-ft of right-of-way.
SUBDIVISION VARIANCES REQUIRED:	 REDUCE THE VERTICAL CURVE (CREST) K VALUE FROM 25 TO 20 AT VPI STA 3+10.00 ON ROAD 'A'. REDUCE THE MINIMUM DISTANCE BETWEEN MISSION HILL LANE AND ROAD 'A' FROM 400-FT to 343-FT. REDUCE THE VERTICAL CURVE (SAG) K VALUE FROM 25 TO 15 FOR THE INTERSECTION OF ROAD 'A' AND HARDIN VALLEY ROAD.

STAFF RECOMMENDATION:

Approve variances 1 and 2 on the recommendations of the Knox County Department of Engineering and Public Works and because the site conditions restrict compliance with the Subdivision

AGENDA ITEM #: 24	FILE #: 7-SA-21-C	8/5/2021 08:52 AM	MIKE REYNOLDS	PAGE #:	24-1

Regulations and the proposed variances will not create a traffic hazard.

Approve variance 3 subject to the existing or dedicated right-of-way for Hardin Valley Road being 40-ft from the road centerline and the peripheral setback for lot 18 being no less than 30-ft along the Hardin Valley Road frontage.

Approve the Concept Plan subject to 12 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.

2. Provision of street names that are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).

3. Providing a 25-ft radius for the property lines and curbs at the intersection of Road 'A' and Hardin Valley Drive per the Subdivision Regulations (section 3.04.J.2) or obtaining approval of a variance by the Planning Commission.

4. If the existing Hardin Valley Road right-of-way is greater than 35-ft along the frontage of the property, the applicant must obtain approval from Knox County Commission to close a portion of the Hardin Valley Road right-of-way so it is 35-ft from the centerline of the road as proposed on the concept plan. If the existing right-of-way is less than 35-ft, then the 35-ft right-of-way must be dedicated as required by the Major Road Plan.
5. Providing a greenway easement on the final plat on south side of Connor Creek per the requirements of the Knox County Parks and Recreation department.

6. Correcting the peripheral setback in general note #3 on the concept plan, as needed.

7. If the Hardin Valley Road access is removed and an alternative access is provided through the adjacent property to the west, extension of the access through the subject property can be approved as part of a concept plan for the adjacent property.

8. Meeting all applicable requirements of the Knox County Zoning Ordinance.

9. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

10. Placing a note on the final plat that all lots will have access only to the internal street system.

Submitting to Planning staff prior to final plat review by the Planning Commission or Planning staff, the certification of design plan approval form as required by the Knoxville-Knox County Subdivision Regulations.
 Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for the maintenance of the common areas and drainage system.

Approve the development plan for up to 18 detached dwelling units on individual lots and the peripheral setback reduction from 35-ft to 30-ft for the southern lot line of Lot 18, subject to 2 conditions.

Applicant is requesting a 25-ft peripheral setback for the southern lot line of Lot 18.

1) Meeting all applicable requirements of the Knox County Zoning Ordinance.

2) The peripheral setback for the southern lot line of Lot 18 shall be 35-ft if the Hardin Valley Road right-of-way is less than 40-ft from the road centerline.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a use on review.

COMMENTS:

This proposal is for an 18-lot residential subdivision on approximately 6.98 acres at a density of 2.58 du/ac. The property was recently rezoned from A (Agricultural) to PR (Planned Residential) up to 3 du/ac (1-G-21-RZ). Access to the site is from Hardin Valley Road and will require approval of a variance to reduce the minimum distance between the Mission Hill Land and Road 'A' intersections from 400-ft to 343-ft, which staff is supporting. A greenway easement will be provided along the south side of Connor Creek, with the final location and width of the easement to be determined during the design plan phase. Approximately 3.83 acres of the 6.98-acre site is within the Hillside Protection (HP) area (see the attached slope analysis). The maximum recommended land disturbance within the HP area is 2.6 acres (approximately 68 percent of the HP area). Based on the grading plan, it appears that nearly 100 percent of the HP area on this site will be disturbed (sheet CP2).

The applicant is requesting various reductions in standards to make the proposed road and lot arrangement work for this site. As explained below, the combination of these requests is problematic because of the need to expand Hardin Valley Road in the near future and the probable need for Knox County to purchase and tear down the house on lot 18 if it is built too close to the Hardin Valley Road frontage. For this reason, staff is only recommending approval of the connecting vertical curve reduction at the Hardin Valley Road intersection and a

AGENDA ITEM #: 24	FILE #: 7-SA-21-C	8/5/2021 08:52 AM	MIKE REYNOLDS	PAGE #:	24-2

30-ft peripheral setback for lot 18 if the existing Hardin Valley Road right-of-way is 40-ft as shown on the parcel map. If the Hardin Valley Road right-of-way is less, then staff is recommending denial of both of these reduction requests.

Hardin Valley Road right-of-way:

The Knox County parcel map shows that the Hardin Valley Road right-of-way is 40-ft wide from the centerline of the road and the original concept plan submitted by the applicant also showed a 40-ft right-of-way. The applicant subsequently modified the Hardin Valley Road right-of-way on the concept plan to a "35-ft proposed ROW". If the existing right-of-way is 40-ft from the centerline of Hardin Valley Road, then the applicant cannot plat it as a 35-ft right-of-way unless Knox County Commission approves closure of the other 5-ft of right-of-way. If the existing right-of-way is less than 35-ft, then the 35-ft right-of-way dedication must be provided according to the Major Road Plan.

Reduction of the connecting vertical curve (k value):

The connecting vertical curve ("k value") is the transition of the grade of Road 'A' from 9 percent to 1 percent as it approaches the Hardin Valley Road intersection. The lower the k value, the more abrupt the transition between the two road grades. At intersections with a classified street (collector or arterial), the minimum k value is 25 which allows for a smoother transition from the smaller local road to the larger classified street. This larger k value also allows the classified street to be expanded in the future and to more easily tie in grades of side streets, such as the proposed road. For this request, if the existing Hardin Valley Road right-of-way is 40-ft, the County does not anticipate the need for additional right-of-way acquisition and the k value of 15 should not impact the ability to tie Road 'A' into the new intersection and will not greatly impact lot 18. If the Hardin Valley Road right-of-way is less than 40-ft, the County believes lot 18 could be impacted because of the need to reconstruct more of Road 'A' to tie in the grades properly, as well as needing to grade into the property more along the Hardin Valley Road frontage to accommodate the expanded road.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Northwest County Sector Plan recommends RR (Rural Residential) uses for this site with a maximum of 3 du/ac if a traffic impact letter is submitted along with the rezoning application to demonstrate the adequacy of the road system back to the Planned Growth area on the Growth Policy Plan map. The proposed subdivision has a density of 2.58 du/ac.

B. A greenway easement will be provided on the south side of Conner Creek to accommodate the proposed greenway in the Knox County Greenway Corridor Study (adopted January 2020).

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

B. The proposed subdivision will have detached residential lot sizes that are comparable to those in existing and recently developed subdivisions in the area.

C. The property was rezoned to PR up to 3 du/ac and the proposed subdivision has a density of 2.58 du/ac.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed single-family detached subdivision has a similar character as other residential subdivisions in this area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY. A. The use of the property for single-family residential should not significantly injure the value of the adjacent properties. 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development will have direct access to Hardin Valley Road which is a minor arterial street.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

ESTIMATED TRAFFIC IMPACT: 215 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 7 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

Knoxville-Knox County Planning Commission's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

Knoxville-Knox County Planning Commission's approval or denial of this use on review request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



✓ Postpone

Table

September 9, 2021

Request to Postpone • Table • Withdraw

Name of Applicant: Scott Smith, S & E Properties, LLC

Original File Number(s): 7-SA-21-C & 7-C-21-UR

Date Scheduled for Planning Review: August 12, 2021

Date Request Filed: August 11, 2021 Request Accepted by:

PLEASE NOTE

Consistent with the guidelines set forth in Planning's Administrative Rules and Procedures:

POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

WITHDRAWALS

Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager, Applications may be withdrawn after this time, but without fee refund.

🗌 Withdraw	
Please withdraw the	above application(s).

Please table the above application(s).

State reason for request:

Continued conversation with Codes and Planning regarding right-of-way acquisition and peripheral setbacks.

REQUEST

DATE OF FUTURE PUBLIC MEETING

Please postpone the above application(s) until:

Eligible Amount:	for Fee	Refund?	🗌 Yes	🗌 No
Approved	by:			

Date:

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature:

PLEASE PRINT Name: Benjamin C. Mullins

Address: 550 W. Main Street, Suite 500

Zip: 37902 City: Knoxville State: TN

Telephone: (865) 546-9321

Fax: (865) 546-9321

E-mail: bmullins@fmsllp.com

ROBERT L. KAHN **REGGIE E. KEATON** DONALD D. HOWELL DEBRA L. FULTON MICHAEL W. EWELL JOHN M. LAWHORN JAMES E. WAGNER BEVERLY D. NELMS MARY ELIZABETH MADDOX **BENJAMIN C. MULLINS** RICHARD T. SCRUGHAM, JR. MATTHEW A. GROSSMAN KEVIN Å. DEAN DANIEL P. ZYDEL Sharon H. Kim RICHARD E. GRAVES REBEKAH P. HARBIN



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client-centric & committed to success

Email: bmullins@fmsllp.com Direct Fax: 865-541-4609

August 11, 2021

550 W. Main Street Suite 500 Knoxville, Tennessee 37902

phone 865.546.9321 fax 865.637.5249 web fmsllp.com

ARTHUR G. SEYMOUR, JR. (1945 - 2019)

of counsel Jason T. Murphy

Knoxville-Knox County Planning City-County Building 400 Main Street, Suite 403 Knoxville, TN 37902

Attn: Dori Caron

Re: August 11, 2021 Planning Commission Meeting - Agenda Item No. 14 File No. 8-H-21-RZ

August 11, 2021 Planning Commission Meeting - Agenda Item No. 26 24 lc File No. 7-SA-21-C & 7-C-21-UR

Via e-mail only:

dori.caron@knoxplanning.org

Dear Dori:

Please allow this letter to confirm that I have been retained to speak on behalf of the Applicant (Scott Smith, S&E Properties, LLC) for the above-referenced agenda items at the August 12, 2021 Knoxville-Knox County Planning Commission meeting.

Thank you for your assistance in this matter.

Sincerely, Benjamin C. Mullins Benjamin C. Mullins FRANTZ, McCONNELL & SEYMOUR, LLP

BCM:erl



Request to Postpone • Table • Withdraw

Name of Applicant: Scott Smith, S & E Properties, LLC

Original File Number(s): 7-SA-21-C / 7-C-21-UR

Date Scheduled for Planning Review: July 8, 2021

Date Request Filed: 7/7/2021

_____Request Accepted by: __Mike Reynolds

🛛 Postpone

Please postpone the above application(s) until:

August 12, 2021

DATE OF FUTURE PUBLIC MEETING

REQUEST

Table

Please table the above application(s).

Withdraw Please withdraw the above application(s).

State reason for request:

revision

Eligible for Fee Refund? Amount:	🗌 Yes	🗌 No
Approved by:		
Date:		

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

in the second	1
Signature:	
PLEASE PRINT	1
Name: Scoll SI	
Address: 405 Months	ook h
City: Knox State: Th	_Zip: 37919
Telephone: 865-567-	5111
Fax: 670-0154	
E-mail: SSW174 @ Volrea	alty com

PLEASE NOTE

Consistent with the guidelines set forth in Planning's Administrative Rules and Procedures:

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TABLINGS

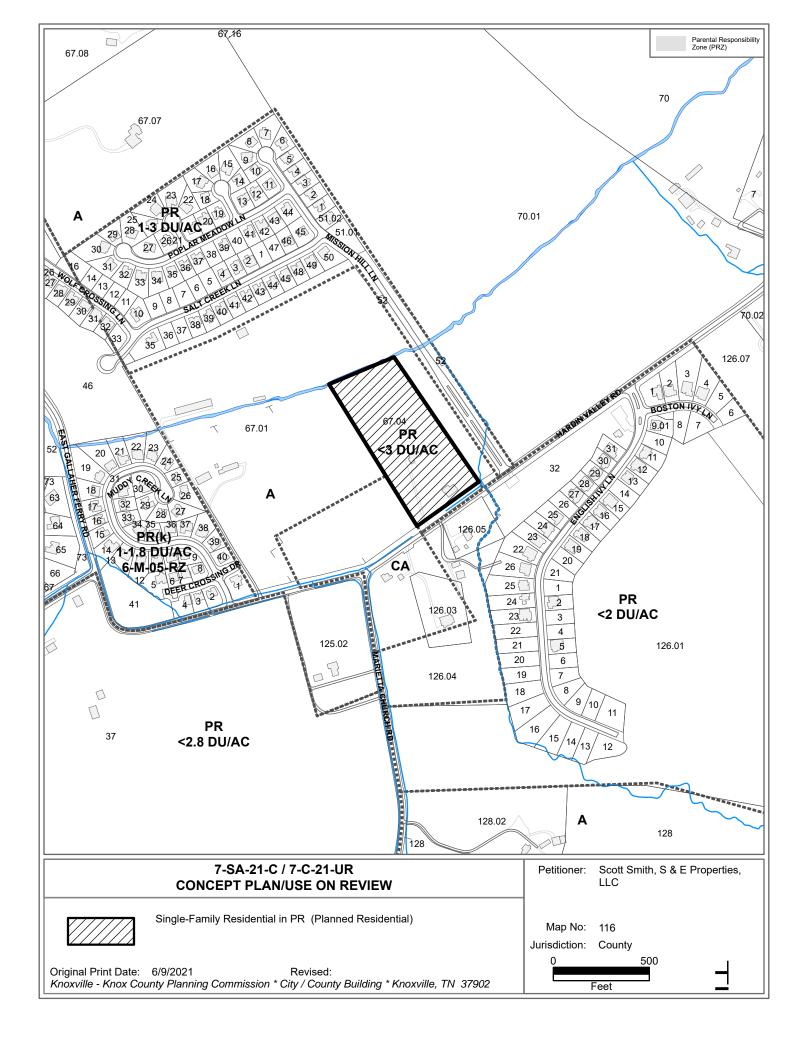
Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

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Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

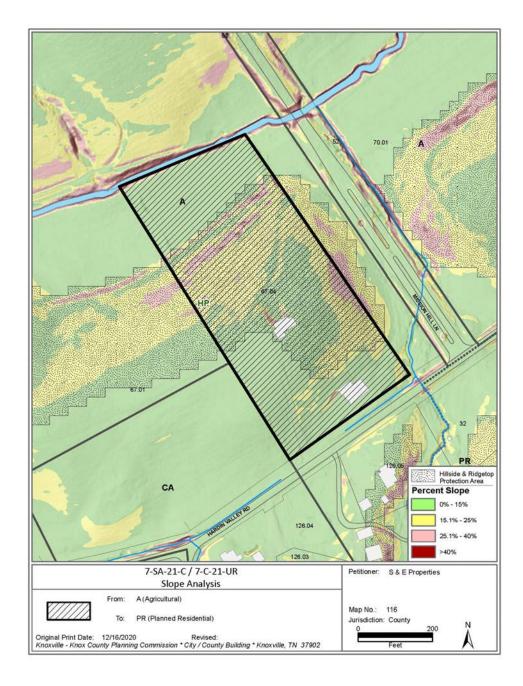
Any new item withdrawn may be eligible for a fee refund according to the following:

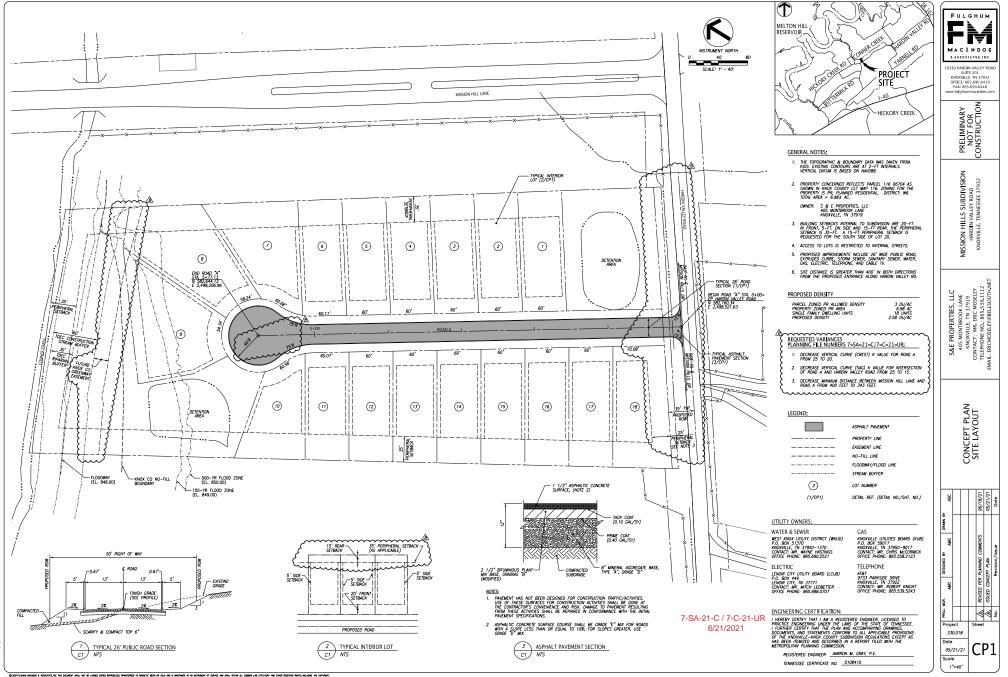
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Slope Analysis Case: 7-SA-21-C / 7-C-21-UR

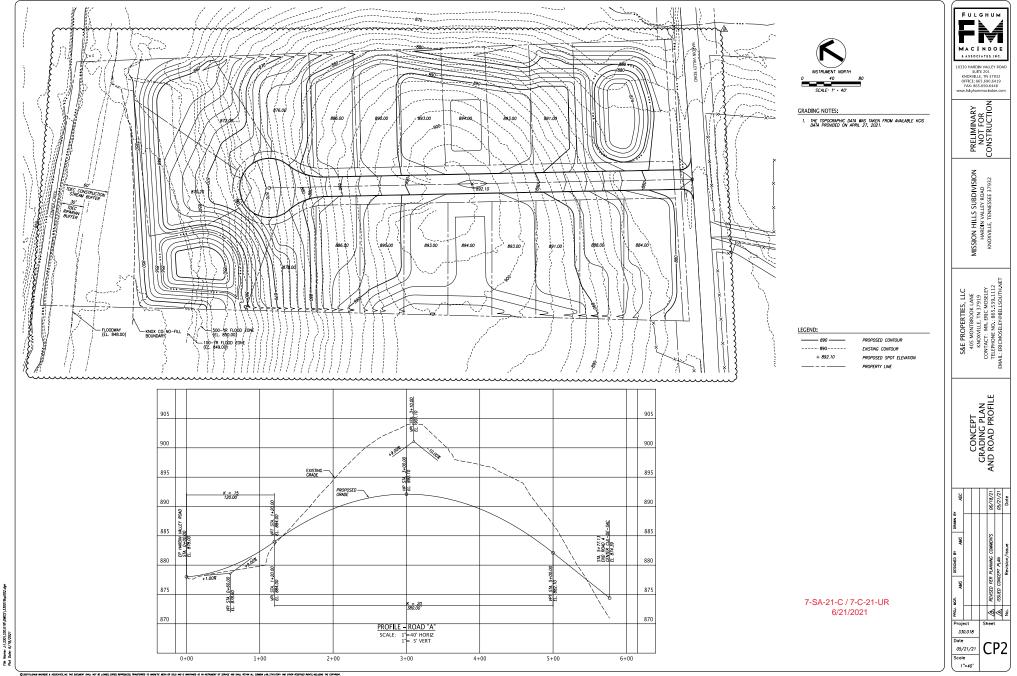
CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	3.37	100%	3.4
0-15% Slope	1.55	100%	1.6
15-25% Slope	1.88	50%	0.9
25-40% Slope	0.38	20%	0.1
Greater than 40% Slope	0.02	10%	0.0
Ridgetops	0		
Subtotal: Sloped Land	3.83	Recommended disturbant Hillside Protect	ce budget within 2.6
Total Acreage	7.2		5.9





1,330,0181,04051,3300180,001.45m

File Name: Jr\.130\.130.0. Piot Date: 6/18/2021



Nesserver Beaver Creek West and the second Greenway Corridor Millstream Greenway Features Preferred Route Alternate Route Connector Route Mill Cove Ln Yroposed Trailhead Con Con Proposed Access Point Proposed Bridge Crossing B Martin B Biyantun Roposed Street Crossing 23 - - Proposed Cross Section Swanse Other Features Existing Greenway - - Planned Greenway ++Semisered Highon Faims ----- Rail Line **AATCH LINI** Hewitt Ln --- County Boundary Stream Water Body City Limit Hardin BIN Park or Open Space Valley Valley View Parcels Middle Hardin Valley auch Mill Rd Landing Ln Williams Cashian Dr 8 School 8 Steele Roll Valley Elemen ALLA Ra Hardin Valley Rd 4 Valley Elementary 9 A B B Oak Hollow Rd Daisywood Dr. ----Joneva Rd R 4 Hardin Valley Rd E Gallaher Ferny Rd W Gallaher Ferry Rd \$ cannal sales 2 Chapes In 8 Fallen Oaks Dr 20 Varnell HickoryCreekBd Surder School Rd Feet 0 1,500 3,000

7-SA-21-C / 7-C-21-UR Exhibit A. Knox County Greenway Corridor Study (Adopted by Knox County Commission - January 21, 2020)

Figure 3-1. Beaver Creek West: Melton Hill Park to Brighton Farms Boulevard

10 | Knox County, TN

Planning KNOXVILLE I KNOX COUNTY	Development Development Plan Planned Development Use on Review / Special Hillside Protection COA 	SUBDI Con Fina	VISION Icept Plan	St ZONING Plan Amendment SP OYP Rezoning
Scott Smith, S&E Propertie	s, LLC		Own	er
Applicant Name			Affiliat	ion
5/21/2021	07/08/2021			File Number(s)
Date Filed	Meeting Date (if applicable)			-21-C 21-UR
CORRESPONDENCE	All correspondence related to this appl	lication should be di	rected to the ap	oproved contact listed below.
Applicant Owner Scott Smith	Option Holder 🛛 🗌 Project Surveyor	Engineer S&E Properties		lscape Architect
Name		Company		
405 Montbrook Lane		Knoxville	TN	37919
Address		City	State	ZIP
(865) 567-5111	ssmith@volrealty.com	m		
Phone CURRENT PROPERTY INFO	Email			
Owner Name (if different)	Owner Address			Owner Phone
12041 Hardin Valley Road		116 067	04	
Property Address		Parcel ID		
WKUD	WKUD			Ν
Sewer Provider	Water Pr	ovider		Septic (Y/N)
	alley Rd, due West of Missio	n Hill Ln	6.98 a	
General Location			Tract S	ze
City X County	PR<3du/ac	RR		
District	Zoning District	Existing	Land Use	
Northwest County	RR (hp) & SP		Rura	l Area
Planning Sector	Sector Plan Land Use Class	ification	Growth	Policy Plan Designation

December 2020

	ecial Use 🔲 Hillside Pi	rotection COA	Related C	City Permit Number(s)
Residential Non-Residential		otection con		
Home Occupation (specify) Single Family Re	esidential			
Other (specify)				
SUBDIVISION REQUEST				
Mission Hills			Related F	Rezoning File Number
Proposed Subdivision Name		10		
NA Combine Parcels	Divide Parcel	18		
Unit / Phase Number		al Number of Lots Cr	eated	
Other (specify)				
Attachments / Additional Requirements				
ZONING REQUEST				
			Pendin	g Plat File Number
Proposed Zoning				
Plan Amendment Change Proposed Plan D				
rioposed Hair E	vesignation(s)			
Proposed Density (units/acre) F	Previous Rezoning Reques	sts		
Other (specify)				
STAFF USE ONLY				
SHAIT USE UNLE				
PLAT TYPE		Fee 1		Total
PLAT TYPE				Total
PLAT TYPE		0406	1,300.00	Total
PLAT TYPE Staff Review I Planning Commission ATTACHMENTS	iance Request		1,300.00	Total
PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Vari	iance Request	0406	1,300.00	Total
PLAT TYPE Staff Review Planning Commission TTACHMENTS Property Owners / Option Holders Vari DDITIONAL REQUIREMENTS Design Plan Certification (Final Plat)	iance Request	0406 Fee 2	1,300.00	Total
PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Vari ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat) Use on Review / Special Use (Concept Plan)	iance Request	0406	1,300.00	Total
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PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Vari ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat) Use on Review / Special Use (Concept Plan) Traffic Impact Study COA Checklist (Hillside Protection) AUTHORIZATION By signing below, I Applicant Signature (865) 567-5111	certify I am the property Scott Smith, S& Please Print	0406 Fee 2 Fee 3 owner, applicant or t	he owners authorize	1,300.00 ad representative.
PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Vari ADDITIONAL REQUIREMENTS Design Plan Certification (<i>Final Plat</i>) Use on Review / Special Use (<i>Concept Plan</i>) Traffic Impact Study COA Checklist (<i>Hillside Protection</i>)	Scott Smith, S& Please Print Ssmith@volrea	0406 Fee 2 Fee 3 owner, applicant or t	he owners authorize 5-2 Date 5-24	1,300.00 ad representative.

VARIANCES REQUESTED



Justify variance by indicating hardship: Site topography, No-Fi	ll boundary
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3	
A result of the second s	
4	
5	
and the second	
6	
Justify variance by indicating hardship:	
7	
Justify variance by indicating hardship:	
certify that any and all variances needed to meet regulations are requested	
above, or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be	Signature
requested. I hereby waive the requirement for approval or disapproval of the olat within sixty (60) days after its submission, in accordance with the	
provisions of Tennessee Code Annotated 13-3-404.	Date