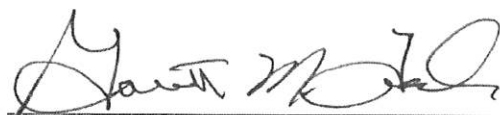


The Planning Commission may reduce or otherwise vary the requirements of the Subdivision Regulations when it finds the hardship criteria are met. In granting such variances, the Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variance granted by the Planning Commission shall be noted in its official minutes along with the justification for granting the variance (Subdivision Regulations, Section 1.05).

HARDSHIP CONDITIONS TO BE MET:

- 1 Conditions Required:** Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, they may grant, by way of application, variations to the Subdivision Regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variations shall not have the effect of nullifying the intent and purpose of these regulations or the comprehensive plan.
- 2 Evidence of Hardship Required:** The Planning Commission shall not grant variations to the Subdivision Regulations unless they make findings based upon the evidence presented to them in each specific case that:
 - a. Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.
 - b. The conditions upon which the request for a variation is based is unique to the property for which the variation is sought and is not applicable, generally, to other property, and has not been created by any person having an interest in the property.
 - c. The purpose of the variation is not based exclusively upon a desire for financial gain.
 - d. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision 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 requested.



Signature

Garrett M. Tucker

Printed Name

1-27-2024

Date

It is the applicant's responsibility to identify the hardship that would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to. Each of the variance criteria must be addressed in the comments below with specific facts regarding the unique details of the property and/or project, as applicable.

1. VARIANCE REQUESTED:

REDUCTION OF INTERSECTION SPACING ALONG TWIN OAK LANE FROM STA 22+30.41 TO STA 23+12.37 BETWEEN ROADS "V" & "W" FROM 125' TO 81.96'

Specify the hardship that would result for each of the variance criteria:

- A. Pertaining to the particular surroundings, shape, or topographical conditions of the subject property:

WITH THE THE IRREGULAR SHAPE AND REDUCED WIDTH OF THE PROPERTY IN THIS AREA THE SPACING CANNOT EFFECTIVELY BE INCREASED, AND THE INTERSECTING ROADS CANNOT BE ALIGNED WITHOUT NEGATIVELY IMPACTING THE SITE LAYOUT.

- B. Pertaining to conditions unique to the property that are not applicable to other property and has not been created by any person having an interest in the property.

THESE CONDITIONS ARE UNIQUE TO THIS SITE WHICH IS MADE UP OF TWO PARCELS EACH HAVING IRREGULAR SHAPES AND NARROW WIDTHS

- C. Pertaining to the purpose of the variation is not based exclusively upon a desire for financial gain.

THIS REQUEST IS NOT BASED EXCLUSIVELY UPON A DESIRE FOR FINANCIAL GAIN, BUT IS NEEDED TO PROVIDE AN IMPROVED LAYOUT OVER PREVIOUSLY APPROVED PLANS

- D. Pertaining to the granting of a variance will not be detrimental to public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

GRANTING OF THIS VARIANCE WILL NOT BE DETRIMENTAL TO PUBLIC SAFETY, HEALTH, OR WELFARE. ADEQUATE SIGHT DISTANCE WILL BE AVAILABLE IN EACH DIRECTION FROM THE INTERSECTIONS AND STOP SIGNS AND OTHER SIGNAGE WILL BE PROVIDED AS NEEDED.

To be completed by the City or County Department of Engineering, as applicable:

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments:

Approve based on applicant justification.

Alternative Design Standards

The minimum design and performance standards shall apply to all subdivisions unless an alternative design standard is permitted within Article 3 Section 3.01.D, Application of Alternative Design Standards, or Article 4.01.C, Street Standards (within Hillside and Ridgetop Areas).

There are some alternative design standards that require Planning Commission approval, and some that can be approved by the Engineering Departments of the City or County. However, the City or County Engineering Departments, as applicable, will provide review comments on any alternative design proposed. These comments will be provided during the review process.

Alternative Design Standards Requiring Planning Commission Approval

Section 3.03.B.2 - Street frontage in the PR (Planned Residential) zone, Knox County

Section 3.03.E.1.e – Maximum grade of private right-of-way

Section 3.03.E.3.a – Pavement width reduction, private rights-of-way serving 6 or more lots

Section 3.04.H.2 – Maximum grade, public streets

Section 3.04.I.1.b.1 – Horizontal curves, local streets in Knox County

Alternative Design Standards Approved by the Engineering Departments of the City of Knoxville or Knox County

Section 3.03.E.3.a – Right-of-way width reduction, private rights-of-way serving 6 or more lots

Section 3.04.A.3.c – Right-of-way dedication, new subdivisions

Section 3.04.F.1 – Right-of-way reduction, local streets

Section 3.04.G.1 – Pavement width reduction, local streets

Section 3.04.H.3 – Intersection grade, all streets

Section 3.04.J.2 – Corner radius reduction in agricultural, residential, and office zones

Section 3.04.J.3 – Corner radius reduction in commercial and industrial zones

Section 3.11.A.2 – Standard utility and drainage easement

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision 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 requested.

Garrett M. Tucker

1-27-2024

Signature

Printed Name

Date

For each alternative design standard requested, identify how the proposed alternative design either meets the intent of the standard in the Subdivision Regulations or meets an alternative, nationally recognized engineering standard such as The American Association of State Highway and Transportation Officials (AASHTO) or Public Right-of-Way Accessibility Guidelines (PROWAG).

1. ALTERNATIVE DESIGN STANDARD REQUESTED:

REDUCTION OF OF MINIMUM CURVE RADIUS ON TWIN OAK LN
AT STATION 11+86 FROM 250' TO 175'

Approval required by: Planning Commission Engineering

Engineering supports the alternative design standard requested

(to be completed during review process): YES NO

Engineering Comments:

2. ALTERNATIVE DESIGN STANDARD REQUESTED:

REDUCTION OF OF MINIMUM CURVE RADIUS ON TWIN OAK LN
AT STATION 34+37 FROM 250' TO 125'

Approval required by: Planning Commission Engineering

Engineering supports the alternative design standard requested

(to be completed during review process): YES NO

Engineering Comments:

3. ALTERNATIVE DESIGN STANDARD REQUESTED:

REDUCTION OF OF MINIMUM CURVE RADIUS ON TWIN OAK LN
AT STATION 37+96 FROM 250' TO 100'

Approval required by: Planning Commission Engineering

Engineering supports the alternative design standard requested

(to be completed during review process): YES NO

Engineering Comments:

4. ALTERNATIVE DESIGN STANDARD REQUESTED:

REDUCE CURVE RADIUS ON TWIN OAK LANE AT STATION 41+85 FROM 250' TO 100'

Approval required by: Planning Commission Engineering

Engineering supports the alternative design standard requested

(to be completed during review process): YES NO

Engineering Comments:

5. ALTERNATIVE DESIGN STANDARD REQUESTED:

REDUCE CURVE RADIUS ON ROAD "V" AT STATION 73+68 FROM 250' TO 175'

Approval required by: Planning Commission Engineering

Engineering supports the alternative design standard requested

(to be completed during review process): YES NO

Engineering Comments:

*These requests create no unsafe conditions so
EPW supports.*

6. Alternative design standard requested: REDUCTION OF MINIMUM CURVE RADIUS ON ROAD "V"
AT STATION 77+82 FROM 250' TO 100'

Approval required by: Planning Commission Engineering

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

7. Alternative design standard requested: REDUCTION OF MINIMUM CURVE RADIUS ON ROAD "V"
AT STATION 80+63 FROM 250' TO 150'

Approval required by: Planning Commission Engineering

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

8. Alternative design standard requested: REDUCTION OF MINIMUM CURVE RADIUS ON ROAD "W"
AT STATION 92+76 FROM 100' to 75'

Approval required by: Planning Commission Engineering

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

9. Alternative design standard requested: INCREASE INTERSECTION GRADE ON TWIN OAK LANE FROM 1.00% TO 1.50% AT INTERSECTION WITH TAZEWELL PIKE

Approval required by: Planning Commission Engineering

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

