



SUBDIVISION REPORT - FINAL PLAT

▶ **FILE #:** 5-SI-26-F

AGENDA ITEM #: 23

AGENDA DATE: 5/14/2026

▶ **SUBDIVISION:** FINAL PLAT OF BEVERLY TURNER & CATHY L BENTLEY PROPERTY

▶ **APPLICANT/DEVELOPER:** CATHY BENTLEY

OWNER(S): Cathy L Bentley

TAX IDENTIFICATION: 42 19576 [View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 1920 WHIRLWIND WAY

▶ **LOCATION:** East side of Whirlwind Way, south of Mascot Rd

GROWTH POLICY PLAN: Planned Growth Area

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Roseberry Creek

▶ **APPROXIMATE ACREAGE:** 5.01 acres

▶ **NUMBER OF LOTS:** 2

▶ **ZONING:** A (Agricultural)

SURVEYOR/ENGINEER: Christian Watts

▶ **VARIANCES REQUIRED:**

1. Variance from Section 3.03.E of the Subdivision Regulations to allow an additional lot to be created without requiring the existing Joint Permanent Easement to be subject to the applicable requirements of Section 3.03.D of the Subdivision Regulations.

2. Variance from Section 3.03.G of the Subdivision Regulations to allow an additional lot to use the existing Joint Permanent Easement without updating the legal documentation.

STAFF RECOMMENDATION:

▶ **Approve the variance from Section 3.03.E of the Subdivision Regulations to allow an additional lot to be created without requiring the existing Joint Permanent Easement to be subject to the applicable requirements of Section 3.03.D of the Subdivision Regulations based on the following evidence of hardship.**

1. The existing Joint Permanent Easement is owned and maintained by ASARCO. ASARCO's assets have been sold and transferred multiple times and it has undergone bankruptcy, making it unclear who is responsible for maintaining the current easement.
2. The property owner did not create the Joint Permanent Easement and does not have the legal right to improve it to meet the current subdivision regulation standards.
3. The Joint Permanent Easement and the two homes are pre-existing and the variance allows the homes to be on separate lots so they can be sold independently of each other. The traffic is established resulting in no additional impact to health and safety.

Approve the variance from Section 3.03.G of the Subdivision Regulations to allow an additional lot to use the existing Joint Permanent Easement without updating the legal documentation based on the following evidence

of hardship.

1. The property is served by a Joint Permanent Easement created by ASARCO in 1987. ASARCO has undergone several reorganizations, sales, and bankruptcies but the ownership information for the easement has not changed. There is no ability to obtain an updated easement agreement.
2. The property owner did not create the easement ownership issue and the resulting impossibility of obtaining an updated easement agreement by ASARCO.
3. The Joint Permanent Easement and the two homes are pre-existing and the variance allows the homes to be on separate lots so they can be sold independently of each other. The traffic is established resulting in no additional impact to health and safety.

Approve the final plat for 2 lots in the A district.

COMMENTS:

There is an existing Joint Permanent Easement agreement recorded in Instrument 198710200027379 by ASARCO that was subsequently platted in Instrument 198710200051316. The property is located along the easement and has two houses as allowed by right in the A zone, and the proposed subdivision would allow each house to be on its own lot. Subdividing a property along the existing Joint Permanent Easement per the requirements of Sections 3.03.E and 3.03.G is not possible due to ASARCO undergoing several sales of assets and bankruptcies resulting in an inability for the property owner to obtain an updated easement agreement.

VARIANCE FROM SUBDIVISION REGULATIONS, ARTICLE 3.03, PREVIOUSLY APPROVED JOINT PERMANENT EASEMENT, SUBSECTION E:

A subdivision may be considered that would create additional lots on a previously approved joint permanent easement, or create additional lots that would require the extension of a previously approved joint permanent easement. Such subdivision of land shall be subject to the applicable requirements of Section 3.03.D.

In this case, improving the Joint Permanent Easement to Private Right-of-Way Standards required by Section 3.03.D is not possible due to the property owner not having the legal right to improve an easement they do not own.

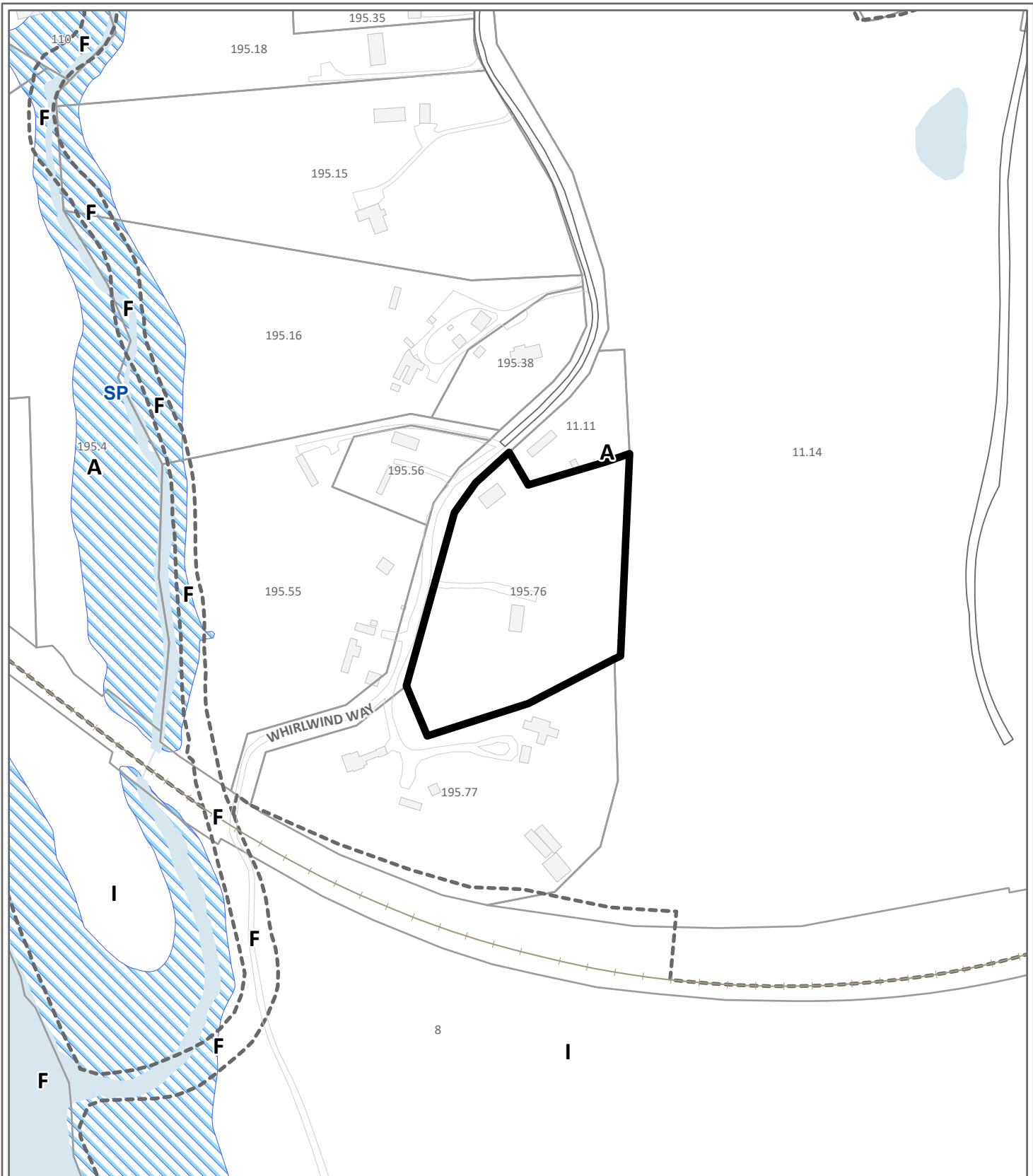
VARIANCE FROM SUBDIVISION REGULATIONS, ARTICLE 3.03, LEGAL DOCUMENTATION, SUBSECTION G:

Where access to a lot is provided by a proposed easement, private right-of-way or other approved means of access in lieu of direct frontage on a public street, such approved access shall be shown on the subdivision plat along with all engineering data, or reference to recorded documents, necessary to locate the approved access on the ground. The deed or other legal document establishing the easement, private right-of way, or other approved means of access, must be approved by the appropriate law department, city or county, as to legality and permanence of access rights, and a written statement of the law department's approval must be submitted prior to certification for recording. The document must also address property ownership and maintenance responsibilities for the approved access. Reference to such deed or other legal document shall also be shown on the plat.

If a new lot(s) is added to an existing easement, the easement agreement shall be updated to include the new property owners and establish updated maintenance responsibilities. This documentation must be reviewed and approved by the appropriate law department, as provided above.

In this case, there is no ability to contact ASARCO due to reorganizations, sales, and bankruptcies making it impossible for the property owner to obtain updated legal documentation for the additional lot on the Joint Permanent Easement.

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



FINAL SUBDIVISION PLAT

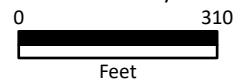
5-SI-26-F

Petitioner: Cathy Bentley



Final Plat For: Final Plat Beverly Turner & Cathy L Bentley Property

Map No: 42
Jurisdiction: County



Original Print Date: 4/14/2026

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. Contextual Images



AERIAL MAP



Case boundary

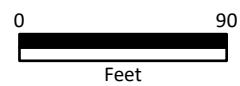
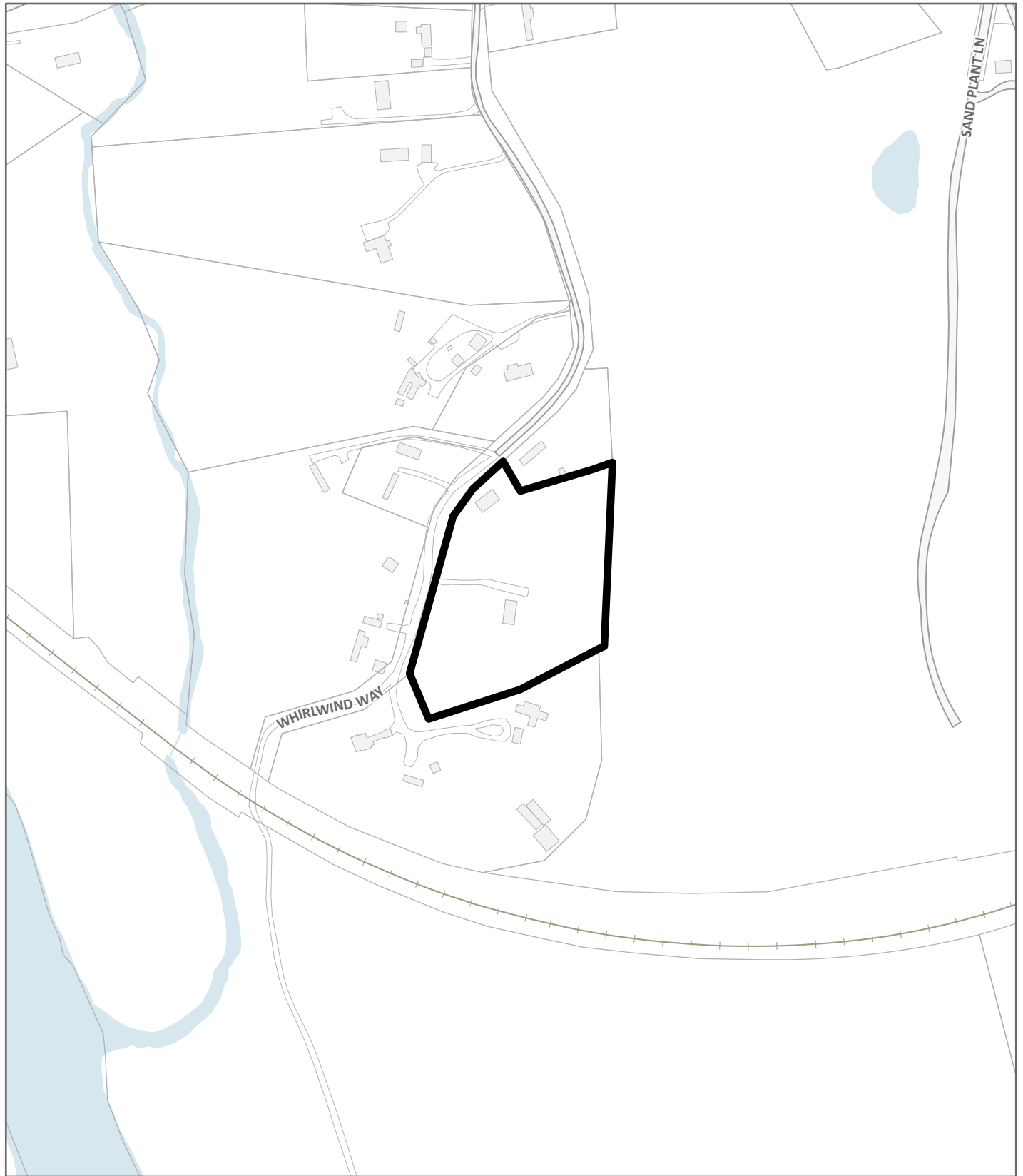


Exhibit A. Contextual Images



LOCATION MAP

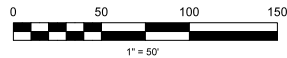
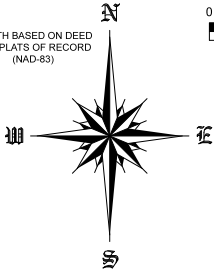
5-SI-26-F



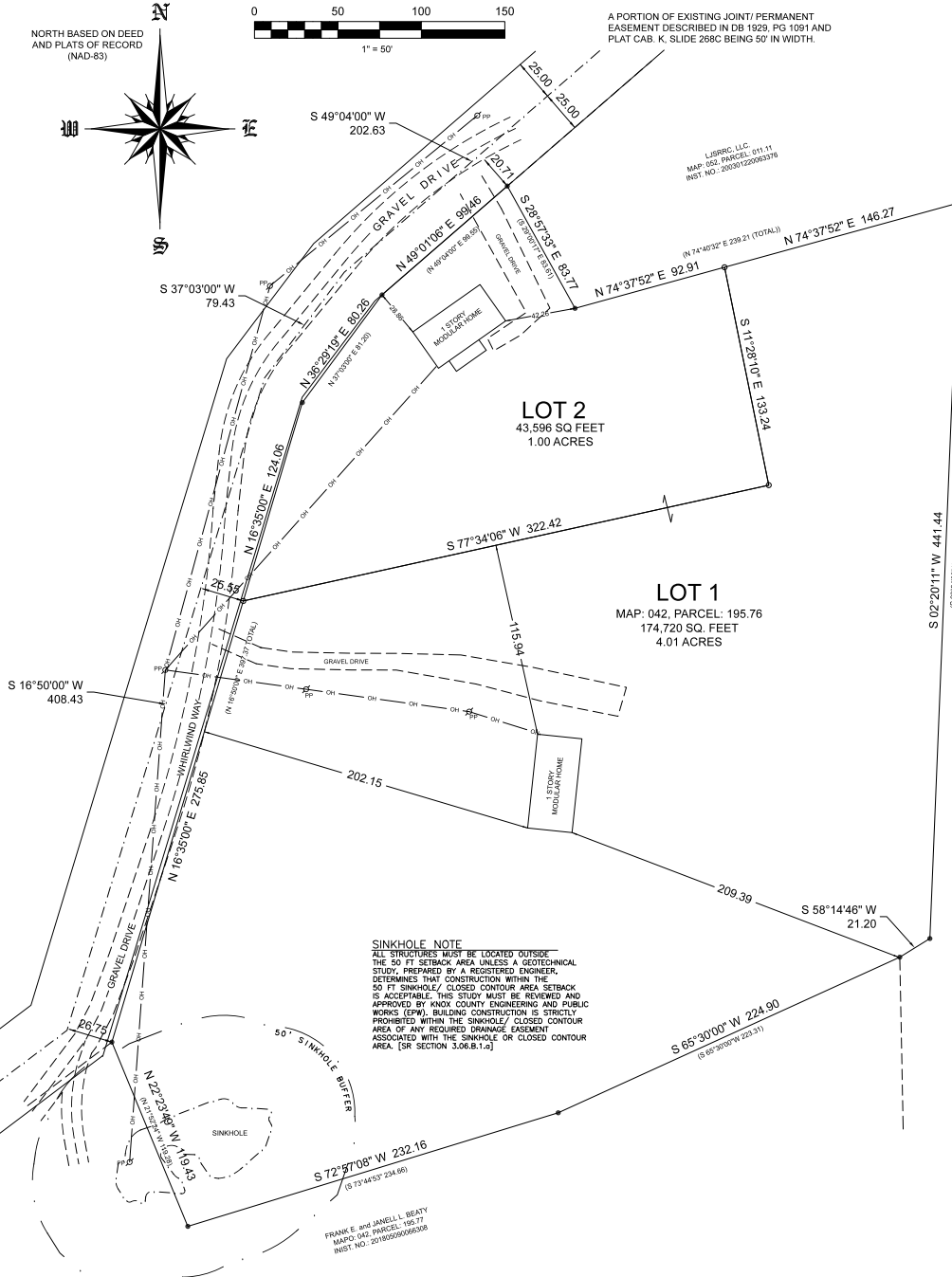
Case boundary



NORTH BASED ON DEED AND PLATS OF RECORD (NAD-83)



A PORTION OF EXISTING JOINT/ PERMANENT EASEMENT DESCRIBED IN DB 1929, PG 1091 AND PLAT CAB. K, SLIDE 268C BEING 50' IN WIDTH.



SINKHOLE NOTE
ALL STRUCTURES MUST BE LOCATED OUTSIDE THE 50 FT SETBACK AREA UNLESS A GEOTECHNICAL STUDY, PREPARED BY A REGISTERED ENGINEER, DETERMINES THAT CONSTRUCTION WITHIN THE 50 FT SINKHOLE/ CLOSED CONTOUR AREA SETBACK IS ACCEPTABLE. THIS STUDY MUST BE REVIEWED AND APPROVED BY KNOX COUNTY ENGINEERING AND PUBLIC WORKS (EPW). BUILDING CONSTRUCTION IS STRICTLY PROHIBITED WITHIN THE SINKHOLE/ CLOSED CONTOUR AREA OF ANY REQUIRED DRAINAGE EASEMENT ASSOCIATED WITH THE SINKHOLE OR CLOSED CONTOUR AREA. [SR SECTION 3.06.B.1.-a]

FRANK E. and JANELLE L. BEATY
MAP# 042, PARCEL: 195.76
INST. NO.: 2019050510068646

- LEGEND**
- 1/2" IRON ROD FOUND (IRO)
 - 1/2" IRON WITH CAP NEW (IRC-N)
 - POWER POLE (PP)
 - OVERHEAD UTILITIES

NOTE:
THE FOLLOWING VARIANCES FROM THE SUBDIVISION REGULATIONS WERE APPROVED BY THE KNOXVILLE - KNOX COUNTY PLANNING COMMISSION ON MAY 14th, 2026:
1. VARIANCE FROM SECTION 3.03.E TO ALLOW AN ADDITIONAL LOT TO BE CREATED WITHOUT REQUIRING THE EXISTING JOINT PERMANENT EASEMENT TO BE SUBJECT TO THE APPLICABLE REQUIREMENTS OF SECTION 3.03.G.
2. VARIANCE FROM SECTION 3.03.G TO ALLOW AN ADDITIONAL LOT TO USE THE EXISTING JOINT PERMANENT EASEMENT WITHOUT UPDATING THE LEGAL DOCUMENTATION.

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION
I, (WE), THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREIN, HEREBY ADOPT THIS AS (MY, OUR) PLAN OF SUBDIVISION AND DEDICATE THE STREETS AS SHOWN TO THE PUBLIC USE FOREVER AND HEREBY CERTIFY THAT I, (AM, WE ARE), THE OWNER(S) IN FEE SIMPLE OF THE PROPERTY, AND AS PROPERTY OWNER(S) HAVE AN UNRESTRICTED RIGHT TO DEDICATE RIGHT-OF-WAY AND/OR GRANT EASEMENT AS SHOWN ON THIS PLAT.

Cathy Lee Bentley
OWNER SIGNATURE DATE

OWNER SIGNATURE DATE

OWNER CERTIFICATION FOR PUBLIC SEWER AND WATER SERVICE - MINOR SUBDIVISIONS
I, (WE), THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREON UNDERSTAND THAT IT IS OUR RESPONSIBILITY TO VERIFY WITH THE UTILITY PROVIDER THE AVAILABILITY OF PUBLIC SEWER AND WATER SYSTEMS IN THE VICINITY OF THE LOT(S) AND TO PAY FOR THE INSTALLATION OF THE REQUIRED CONNECTIONS.

Cathy Lee Bentley
OWNER SIGNATURE DATE

OWNER SIGNATURE DATE

TAXES AND ASSESSMENTS
THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.

KNOX COUNTY TRUSTEE SIGNATURE DATE

ADDRESSING DEPARTMENT CERTIFICATION
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE SUBDIVISION NAME AND ALL STREET NAMES CONFORM TO THE KNOXVILLE OR KNOX COUNTY STREET NAMING AND ADDRESSING ORDINANCE, THE ADDRESSING GUIDELINES AND PROCEDURES, AND THESE REGULATIONS.

SIGNED SIGNATURE DATE

ZONING
ZONING SHOWN ON OFFICIAL MAP:
DATE:
BY:

PLANNING COMMISSION CERTIFICATION OF APPROVAL FOR RECORDING - FINAL PLAT

THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH THE EXISTING OPTICAL PLANS, WITH THE EXCEPTION OF ANY VARIANCES AND WAIVERS NOTED ON THIS PLAT, AND IN THE MINUTES OF THE KNOXVILLE - KNOX COUNTY PLANNING COMMISSION, ON THIS THE _____ DAY OF _____, 2026, AND THAT THE RECORD PLAT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS, PURSUANT TO SECTIONS 13-3-405 OF TENNESSEE CODE ANNOTATED, THE APPROVAL OF THIS PLAT BY THE PLANNING COMMISSION SHALL NOT BE DEEMED TO CONSTITUTE OR EFFECT AN ACCEPTANCE BY THE CITY OF KNOXVILLE OR KNOX COUNTY OF THE DEDICATION OF ANY STREET OR OTHER GROUND UPON THE PLAT.

SIGNED SIGNATURE DATE

CERTIFICATION OF APPROVAL OF SUBSURFACE SEWER DISPOSAL SYSTEMS

THIS IS TO CERTIFY THAT THIS SUBDIVISION IS GENERALLY SUITABLE FOR SUBSURFACE SEWAGE DISPOSAL SYSTEMS; AND THIS IS TO NOTIFY THAT ALL LOTS ARE SUBJECT TO SECTIONS 69-13-401 THRU 69-13-413 OF THE TENNESSEE CODE, ANNOTATED, AND THE REGULATIONS PROMULGATED THEREON.

KNOX COUNTY HEALTH DEPARTMENT SIGNATURE DATE

KNOX COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS SIGNATURE DATE

THE KNOX COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS HEREBY APPROVES THIS PLAN ON THIS THE _____ DAY OF _____, 2024.

ENGINEERING DIRECTOR SIGNATURE DATE

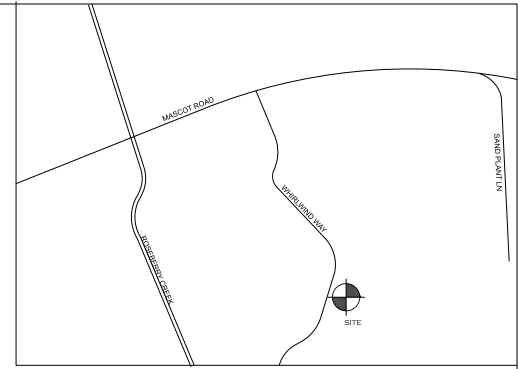
CERTIFICATION OF APPROVAL OF PUBLIC WATER SYSTEM - MINOR SUBDIVISIONS

THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO THE INSTALLATION OF A PUBLIC WATER SYSTEM, AND THAT SUCH INSTALLATION SHALL BE IN ACCORDANCE WITH THE STATE AND LOCAL REGULATIONS.

IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO VERIFY WITH THE UTILITY PROVIDER THE AVAILABILITY OF WATER SYSTEM IN THE VICINITY OF THE LOT(S) AND TO PAY FOR THE INSTALLATION OF THE REQUIRED CONNECTIONS.

UTILITY PROVIDER SIGNATURE DATE

AUTHORIZED SIGNATURE FOR UTILITY SIGNATURE DATE



VICINITY MAP (N.T.S.)

- NOTES**
1. IRON PINS AT ALL CORNERS UNLESS OTHERWISE NOTED HEREON.
 2. PROPERTY IS SUBJECT TO ANY RESTRICTIONS, COVENANTS AGREEMENTS AND/OR EASEMENTS RECORDED BUT NOT SHOWN ON THIS PLAT. A FULL TITLE SEARCH WAS NOT PROVIDED FOR THIS SURVEY.
 3. THE PURPOSE OF THIS PLAT IS FOR A TWO LOT SUBDIVISION OF PARCEL 195.76, TOTAL: 218,316 SQ. FEET/ 5.01 ACRES
LOT 1: 174,720 SQ. FEET/ 4.01 ACRES
LOT 2: 43,596 SQ. FEET/ 1.00 ACRES
 4. PROPERTY IS ZONED A - AGRICULTURAL ZONE. SETBACKS PER KNOX COUNTY ZONING REQUIREMENTS.
 5. THE REQUIRED UTILITY AND DRAINAGE EASEMENTS SHALL BE TEN (10) FEET IN WIDTH INSIDE ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY (INCLUDING JOINT PERMANENT EASEMENTS). EASEMENTS OF FIVE (5) FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LINES.
 6. SUBJECT PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD ZONE PER FEMA FIRM PANEL 470820170F, EFFECTIVE 05/02/2005.
 7. WHIRLWIND WAY IS A PRIVATE ROAD AND DESCRIBED AS AN EXISTING JOINT, PERMANENT NON-EXCLUSIVE EASEMENT (JPE) AS DESCRIBED IN DEED BOOK 1929, PAGE 1091 AND PLAT CAB. K, SLIDE 268C.
RIGHT OF WAY IS DESCRIBED AS 50 FEET IN WIDTH AND IS TO BE USED FOR INGRESS/ EGRESS AND ANY UTILITY INSTALLATION OR MAINTENANCE. THIS EASEMENT IS NOT A PUBLIC STREET AND WILL NOT BE MAINTAINED BY KNOX COUNTY. THIS JPE WILL ALSO FUNCTION AS A UTILITY EASEMENT.
 8. THE APPROVAL OF THIS PLAT DOES NOT INCREASE ANY ZONING NON-CONFORMITIES OF THE EXISTING STRUCTURES ON THE PROPERTY NOR DOES IT CHANGE THE NON-CONFORMING STATUS OF OTHER EXISTING STRUCTURES. DOCUMENTATION AS TO THE LEGAL STATUS OF THE STRUCTURES OR VARIANCES FROM THE BOARD OF ZONING APPEALS MAY BE REQUIRED AT SOME TIME LATER FOR PERIT APPLICATIONS OR OTHER DEVELOPMENT APPROVALS.
 9. NO FURTHER SUBDIVIDING UNTIL PRIVATE ROAD IS IMPROVED.
 10. PROPERTY OWNER: BEVERLY TURNER (DECEASED) AND CATHY LEE BENTLEY
PLAT - INST. NO.: 201905160067565
MASCOT, TN 37806
MAP# 042, PARCEL: 195.76
INST. NO.: 201905160067565
DEED - INST. NO.: 20190510068646

CERTIFICATION OF FINAL PLAT - ALL INDICATED MARKERS, MONUMENTS AND BENCHMARKS SET
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR LICENSED TO PRACTICE SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THIS PLAT AND ACCOMPANYING DRAWINGS, DOCUMENTS AND STATEMENTS CONFORM, TO THE BEST OF MY KNOWLEDGE, TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE - KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN ITEMIZED, DESCRIBED AND JUSTIFIED IN A REPORT FILED WITH THE PLANNING COMMISSION, OR FOR VARIANCES AND WAIVERS WHICH HAVE BEEN APPROVED AS IDENTIFIED ON THE FINAL PLAT. THE INDICATED PERMANENT MONUMENTS WERE IN PLACE ON THE 30TH DAY OF MAY, 2026.

G. CHRISTIAN WATTS SIGNATURE DATE
TN RLS #2768

CERTIFICATE OF CATEGORY AND ACCURACY OF SURVEY
I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF THE PRECISION OF THE UNADJUSTED SURVEY IS NOT LESS THAN 1:10,000 AS SHOWN HEREON. THIS SURVEY HAS BEEN PREPARED IN COMPLIANCE WITH THE CURRENT EDITION OF THE RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS - MINIMUM STANDARDS OF PRACTICE.

G. CHRISTIAN WATTS SIGNATURE DATE
TN RLS #2768
SURVEYOR:
CHRISTIAN WATTS, RLS# 2768
6625 RUBY JUNE LANE
CORTICOR, TN
865-250-8438

FINAL PLAT OF: BEVERLY TURNER & CATHY L. BENTLEY PROPERTY FORMERLY PLATTED AS: LOT 2, LJSRRC, LLC PROPERTY

CLT MAP: 042, PARCEL 195.76
PLAT-INST. NO.: 201905160067565
DEED-INST. NO.: 20190510068646
LYING IN THE 8TH CIVIL DISTRICT OF
KNOX COUNTY, TENNESSEE
FILE NO.: 5-SI-26-F

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, after written application, grant variations to the 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 these regulations if the purpose of the variation is solely for financial gain. 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 the following hardships are met:
 - 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 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.

Christian Watts Digitally signed by Christian Watts
Date: 2026.04.02 15:30:35 -04'00'

Christian Watts TN RLS 2768

4/02/2026

Signature

Printed Name

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:

3.03.G--Legal Documentation

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:

The property is served by a ROW easement to serve this property by ASARCO in 1987. ASARCO owns this property outright. ASARCO has undergone several reorganizations, sales, and bankruptcy's but the ownership information for this Property has not changed. There is no ability to obtain an updated easment.

- 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.

The owner did not create the issue with ownership and the impossibility of obtaining a revised easement by ASARCO.

- C. 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.

The easement exists. This property already has 2 home on it. The variance allows the homes to be subdivided so they can be sold independently of one another. There is no impact to health and safety.

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:

APPROVED

By Steve Elliott at 7:37 am, May 08, 2026

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.

2. VARIANCE REQUESTED:

3.03.E. Previously approved Joint Permanent Easement

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:

This JPE is 50 feet wide, but on a 10-foot gravel surface. Per tax records, its owned and should be maintained by ASARCO. Although ASARCO still exists, its assets have been sold and transferred multiple times and it has undergone bankruptcy. Its unclear who owns the JPE and who responsible to maintain it. Not the applicant.

- 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.

The property is served by a JPE. The Property owner did not create the JPE and does not have the legal right to improve the JPE to the current subdivision regulation standards.

- C. 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.

The second home is established as is the traffic. The variance allows the homes to be subdivided so they can be sold independently of one another. There is no additional impact to health and safety by granting the variance.

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:

APPROVED

By Steve Elliott at 1:43 pm, May 08, 2026

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.

3. VARIANCE REQUESTED:

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:

- 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.

- C. 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.

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:

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.

4. VARIANCE REQUESTED:

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:

- 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.

- C. 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.

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:

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.

5. VARIANCE REQUESTED:

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:

- 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.

- C. 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.

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: