

VARIANCE JUSTIFICATION STATEMENT

The Deerfield Company

10201 Brownsboro Road

The proposed variance to allow the proposed grocery to be located more than 80' from Ballardsville Road will not adversely affect the public health, safety, or welfare. The proposed grocery store building will be located at the northern end of the subject property with an outlot located at the southwest corner, at the intersection of Ballardsville and Brownsboro Roads. The proposed site design will allow for adequate parking to be located in the front of the proposed grocery and adequate service access and buffering along the rear of the proposed building.

The proposed variance will not alter the essential character of the area. The most recently approved plan (Case No. 15817) contained a similar configuration for the subject property. The proposed development is also similar to other developments in the area, where buildings are set back behind parkway buffering and parking lots.

The proposed variance will not cause a hazard or nuisance to the public. In fact, the proposed variance will allow for the safe and efficient movement of customers from area roads into the parking area and then into the proposed grocery. The variance will allow for the safe separation of the "back of house" functions like delivery of goods and trash removal from the customer facing portions of the proposed grocery.

Granting the proposed variance will not result in an unreasonable circumvention of the requirements of the Land Development Code ("LDC"). The requirements of the LDC do not contemplate the layered impact of a site affected by the parkway buffer area. Combining the additional screening width requirement and parking lot dimensions would create a situation where the proposed grocery store could only have a single row of parking in front of the main entrance. The proposed design will include the parkway buffer screening width and allow for the proposed grocery to function well for both customers and goods and service providers.

The variance arises from special circumstances that do not apply to land in the general vicinity. Many commercial lots in the general vicinity lack the depth of the subject property. In addition, grocery stores, like the one proposed, require the separation of loading and customer areas because of the volume of goods that are sold.

The failure to grant the requested variance would deprive the applicant of the reasonable use of the land and would deprive this area of our community from having access to another grocery provider. The LDC's setback requirement in the Neighborhood Form makes development of larger format grocery stores, like the one proposed, difficult. Granting the

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requested variance will allow for the development of the proposed grocery store, which will include significant landscaping along Ballardsville Road and within the subject property.

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