

Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

The requested waiver complies with the Cornerstone 2020 Comprehensive Plan because the proposed development of the subject property will be consistent and compatible with the industrial character of the area. The subject property is appropriately located in the Suburban Workplace form district, with adequate transportation infrastructure existing to accommodate the proposed use. The proposal will encourage redevelopment, rehabilitation and reinvestment opportunities in an older industrial area consistent with the Suburban Workplace pattern of re-development.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

The requested waiver complies with the Cornerstone 2020 Comprehensive Plan because the proposed development of the subject property will be consistent and compatible with the industrial character of the area. The subject property is appropriately located in the Suburban Workplace, adequate transportation infrastructure exists to accommodate the proposed use. The proposal will encourage redevelopment, rehabilitation and reinvestment opportunities in an older industrial area consistent with the Suburban Workplace pattern of development.

3. What impacts will granting of the waiver have on adjacent property owners?

The requested waiver will not adversely affect adjacent property owners because site mixing is not appropriate. The majority of the site is secured as well as the adjacent properties operate secured facilities. In accordance with the industrial character of the area and the Suburban Workplace form district, there are no other existing sidewalks in the area in which to connect. Therefore, to provide pedestrian access to the ROW would only create an unsafe condition for pedestrians.

4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

The requested waiver is the minimum necessary to afford relief to the applicant because they do not want to encourage pedestrian access to their secured property. Therefore, the strict application of the regulations would deprive the application of the reasonable use of the and create unnecessary hardship.

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