

# Landscape Waiver Application – Justification “attachment”

## Logistics Airpark RDDDP

- The applicant is requesting a landscape waiver to omit the required 15’ LBA and plant material on the South property line of Lot 1 adjoining lot 6.
- The applicant is requesting a landscape waiver to omit the required 15’ LBA and plant material on the North property line of Lot 1 adjoining lot 6.
- The applicant is requesting a landscape waiver to omit the required 15’ LBA and plant material on the West property line of Lot 1 adjoining lot 6.
- The applicant is requesting a landscape waiver to omit the required plant material on the south property line of Lot 6 due to sanitary sewer easement overlap.

### **1. Will the waiver adversely affect the adjacent property owners?**

The overall plan for the site provides a minimum of a 20’ landscape buffer between the development and the Outer Loop, I-65 and Minor Lane. The requested waivers are internal to the overall development and will not be visible to nearby residential properties. Granting the requested waivers will not adversely affect the adjacent property owners.

### **2. Will the waiver violate the Comprehensive Plan?**

Given the above stated observations regarding land uses to be buffered, the apparent compliance with the landscape ordinance, the applicants waiver request itself, and the required landscape and screening for the buffer, granting the requested waiver will not violate the Comprehensive Plan.

### **3. Is the extent of the waiver of the regulation the minimum necessary to afford relief to the applicant?**

The applicant has taken great care to minimize the impact of the proposed development on surrounding properties. The subject property is constrained by existing utilities and their related easements, an archaeological site to be preserved, floodplain, wetlands, obligations made through prior zoning cases

RECEIVED

MAR 02 2020

PLANNING & DESIGN  
SERVICES

20 - . WAIVER - 0021

and the current Land Development Code and Comprehensive Plan. As stated above the requested waiver is the minimal necessary relief.

- 4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

For the reasons stated above denial of these waivers will deprive the applicant of reasonable use of his land. Denial of the request simply causes the applicant to reduce the size of the proposed building and in so doing has a significant economic impact on the project.

**RECEIVED**

MAR 02 2020

PLANNING & DESIGN  
SERVICES

2\_0 - . WAIVER . - 0 0 2 1-