

WAIVER JUSTIFICATION

MIKE'S CAR WASH, INC.

**2962 Breckinridge Lane
20ZONE0007**

The proposed waiver of the landscape buffer area requirements along Hikes Lane, Breckinridge Lane, and the north property line will not adversely affect the adjacent property owners as adequate buffering will be provided. The applicant proposes a 10 foot buffer, leaving in place an 8 foot privacy fence, and adding a partial 5 foot retaining wall along the north and west property lines adjacent to residential properties. An existing partial 2 foot retaining wall along the north property line will also remain. The proposed landscape buffer areas are similar to the existing landscape buffers and the proposed retaining wall will improve upon the screening provided by the existing wooden fence along the north and west property lines, which will remain.

The proposed waiver will not violate the Comprehensive Plan. The applicant proposes to provide a 10 foot landscape buffer consistent with the current use of the property, retain the 8 foot privacy fence, and add a five foot retaining wall along the north and west property lines, that will adequately screen the proposed development from adjacent property owners. The waiver will permit the applicant to construct a new neighborhood-serving car wash use.

The extent of the proposed waiver of the regulation is the minimum necessary to afford relief to the applicant. The proposed waiver will permit the applicant to develop the site consistent with the Comprehensive Plan while still providing adequate screening to adjacent property owners by retaining existing buffering areas and retaining an 8 foot privacy fence and by constructing a five foot retaining wall along the north and west property lines.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant as the waiver will simply permit the applicant to provide landscape buffers consistent with the currently existing buffer areas. The applicant is also proposing to improve upon the screening provided by the existing wooden fence (which will remain) along the north and west property lines by constructing a five foot retaining wall.

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