

## **Waiver Justification: 22-DDP-056; 3703 Hopewell Road**

The Applicant, John Thornton, hereby requests a waiver of Section 5.9.2.A.1.a.ii of the Land Development Code to not provide a roadway connection across the vacant adjoining property to property to the north of the site.

### Explanation of Waiver:

1. The waiver will not adversely affect adjacent property owners because the only property that the connection to the north would potentially serve is the small vacant tract next to a small retail development. However, a stub to the adjacent site will be provided in the event that it is ever developed. Further, provision of this roadway would not reduce the curb cuts on Hopewell Road.
2. The waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Comp Plan 2040. and because there are no new potential impacts to be mitigated by this request to not provide a connection. A stub will be provided in the event the tract to the north is developed in compliance with Mobility Goal 2, Policy 3 and requiring a roadway to be built across property the Applicant does not own also will not serve to mitigate the impacts of that development (Mobility Goal 3. Policy 11).
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because building a roadway connection to the property to the north would not be feasible due to the high cost and lack of benefit in mitigating the proposed autobody shop. A connection to this property would be a tremendous expense to burden the small subject site with little or no benefit. If and when the site to the north is developed, the stub will be there to make a connection if warranted at that time.
4. Strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because it would serve no useful purpose and add an tremendous expense to a relatively small auto body shop.