

General Waiver Justification:

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

Waiver of: Section 5.12.2 to waive the amenity space

Explanation of Waiver: Because this is not your typical workplace environment, but rather a mini-storage facility where, when there are employees on-site, there's just likely to be one, amenity space serves no purpose. However, to the extent that there is a resident manager, that residents will include an outdoor patio.

1. The waiver will not adversely affect adjacent property owners because this requirement has to do with what is needed for the benefit of employees working on site, with no impact on adjoining or nearby property owners.
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 Cornerstone 2020 Comprehensive Plan filed with the original rezoning application.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because the amount of amenity space necessary for one employee, who has access to the entire property, including the obvious existing greenspace, is really zero.
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 be constructing amenity space that will serve no purpose at all given all of the foregoing.

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Waiver of: Section 10.2.4.B to allow an encroachment into the north property line 25 ft landscape buffer

Explanation of Waiver: This is for the existing building, originally constructed as a residential patio home when this development was under construction as a patio home community. This building is in serious disrepair, but should be salvageable for possible use of a resident manager.

1. The waiver will not adversely affect adjacent property owners because this building is expected to be a residential one for a project manager, not an industrial type use.
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 Cornerstone 2020 Comprehensive Plan filed with the original rezoning application.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because it only relates to this one building for the purpose set forth herein.
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, for the extent of the required buffer to be provided, the building encroaching into it would have to be removed or eliminated.

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