

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. Explain how the proposed waiver conforms to the Comprehensive Plan and the intent of the Land Development Code.

Granger Road Land Development is Zoned R-4 and Form District is a Village. It is not a subdivision. It is NOT the following: Overlay District, Historical Preservation District, National Register District, Urban Renewal, Enterprise Zone, System Development District or a Historical Site. It does not Protected Waterways. It does not have Karst Terrain therefore will never be a water supplier.

2. Explain how the waiver will not adversely affect adjacent property owners.

Sidewalks do not currently exist anywhere on Granger Road. Many property lines are lined with fences and concrete walls that run to the road or to the existing drainage system. Putting in a sidewalk that goes "no where" would only cause a safety hazard for the property owner and adjacent property owners.

3. Explain how you are unable to reasonably comply with one of the listed methods of compliance in LDC section 6.2.6.C.

There is not an existing sidewalk network. LDC states specifically that the sidewalk "shall maintain an unobstructed passage way (clear of fire hydrants, street trees, utility poles, other obstructions)". This is not possible. There is a fire hydrant, 2 water meters, 2 utility poles located in designated area. The previous owners were told to put in a bridge with a certain diameter culvert pipe. When MSD inspected, they were told that it was an "over kill". I am requesting a meeting at site location.

4. Explain how strict application of the provision of the regulations deprives you of reasonable use of the land or creates an unnecessary hardship.

A sidewalk placed on 2605 Granger Road would not be related to the topography and to existing streets and promote public convenience and safety for the adjacent property owners. A sidewalk would not facilitate the proper use of the land that it was constructed to serve, in particular, it would not facilitate the drainage and storm runoff objectectives set forth in Eroison Prevention Sediment Control. I am requesting that someone meet me at the designated area for review.

5. What site constraints make sidewalk construction impracticable? Or, are there no existing sidewalks in the area and no likelihood for sidewalks to be constructed in the future?

There are no existing sidewalks & no likelihood for sidewalks in the future due to existing residential boundaries, i.e. concrete walls/fortresses built to the street, fencing that runs to street, utilies run to street, etc. Lots over 5 acreas of land owned by a single family residential, sidewalks are not required unless they connect with existing sidewalks on both sides of the property. A sidewalk placed in the middle of no where only creates a safety hazard for all residents in the area.

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