

General Waiver Justification: 3703 Hopewell Road

The Applicant, John Thornton, hereby requests a waiver of LDC Section 10.2.4.B.3 to allow a greater than 50% overlap of the perimeter property buffer with an existing utility easement along the west property line.

Explanation of Waiver:

1. The waiver will not adversely affect adjacent property owners because this particular Waiver is along the Snyder Freeway where no other residential, commercial or industrial users exist that might conceivably be adversely impacted. Furthermore, the design of the site and aesthetic protective screening provided in this area should be sufficient to mitigate any other possible impacts.
2. The waiver will not violate the Comprehensive Plan because the site is properly zoned for the use and the conditions requiring the waiver are existing.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because the Applicant is seeking to fit this on the site without having to change the configuration/location of the main internal collector road to the east of this site.
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, as stated above, it would likely otherwise have to change or adjust the location of the referenced interior collector road to the east of this site at an enormous expense which cannot be justified for lack of this commonly granted waiver request.