

**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.**

**1. Will the waiver adversely affect adjacent property owners?**

Granting of this waiver will not adversely affect adjacent property owners because the buffer, berm and screen would be adjacent to a large R-4 zoned tract which is not residentially used but rather is a 234 space parking lot servicing a large office building zoned PEC.

**2. Will the waiver violate the Comprehensive Plan?**

Granting of this waiver will not violate the Comprehensive Plan because, as explained in #1 the buffer, berm and screen would not enhance compatibility.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

The waiver is the minimum necessary to afford relief to the applicant as the vehicle use area that encroaches into the required buffer area is essential for the proposed warehouse operations and other landscape requirements are being met.

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**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

The Applicant has incorporated other design measures to compensate for non-compliance by additional landscaping at the south border to enhance its appearance along Blankenbaker Parkway.

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**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. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?**

Granting of this waiver will not adversely affect adjacent property owners because sidewalks do not exist in the area and there is not a likelihood for sidewalks to be constructed in the future.

**2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?**

Granting of this waiver will not violate the Comprehensive Plan because, as explained in #1 the sidewalk would not enhance compatibility.

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**3. What impacts will granting of the waiver have on adjacent property owners?**

The waiver is the minimum necessary to afford relief to the applicant because connectivity to adjacent lots is being provided within the site development.

**4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?**

The Applicant has incorporated other design measures to compensate for non-compliance by providing pedestrian connectivity throughout the interior site design.

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