

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.

MY CURRENT PROPERTY IS ZONED FOR RESIDENTIAL CONSTRUCTION. I PLAN TO BUILD A SINGLE DWELLING HOME WHICH IS CONSISTANT WITH HOMES IN THE AREA. NO HOMES IN THE AREA HAVE SIDEWALKS.

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

IT WILL NOT AFFECT ANY NEIGHBORS. I OWN THE LOT ADJOINING AND 911, A WOODED ACRE THAT I WILL NOT DEVELOP. THE OTHER TWO ARE ACROSS THE STREET. THEY DO NOT HAVE SIDEWALKS.

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 ARE NO SIDEWALKS IN AREA THAT EXIST AND ARE NOT LIKELY TO BE CONSTRUCTED IN THE FUTURE.

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

THERE ARE NO SIDEWALKS IN THE AREA FOR SEVERAL MILES. IT WOULD REQUIRE UP KEEP AND MAINTENANCE FOR NO REASON WHICH IS PRACTICAL. IT WOULD ONLY SERVE TO HELP PEOPLE WALK ON MY PROPERTY FROM ONE SIDE TO ANOTHER.

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?

AT MY LOCATION IN ALL DIRECTIONS, THERE ARE NO SIDEWALKS IN THIS RURAL AREA. THERE ARE NO NEW AREAS FOR SUBDIVISION DEVELOPMENT. HAVING A SIDEWALK ON MY PROPERTY WOULD CAUSE A HARDSHIP FOR UP KEEP MAINTENANCE IT WOULD BEGIN AT MY DRIVEWAY AND EXTEND AROUND THE CORNER TO A DRAIN BULK HEAD. I JUST CREATED SLOPED DRAINAGE FOR MSD APPROVAL AND THIS WOULD AFFECT THE DISTANCE FROM THE DITCH ON MY PROPERTY FOR SIDEWALKS.

RECEIVED

JAN 14 2011

PLANNING &
DESIGN SERVICES

20 WAIVER 0005