

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?

The existing street and drainage system along Old Outer Loop and Lone Oak Avenue will not allow for construction of sidewalks. The existing roadway is drained through roadside ditches which would be negatively impacted by sidewalk construction.

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?

The existing site and roadway constraints prevent the addition of sidewalks. Sidewalks do not exist on adjacent properties.

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

There will be no impact on adjacent property owners. Sidewalks do not currently exist on adjacent properties. Both Old Outer Loop and Lone Oak Avenue are rural road sections that drain to roadside ditches.

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 existing site constraints cannot be resolved to allow for sidewalk construction. Installation of sidewalks in this section of Old Outer Loop and Lone Oak Avenue would require installation of a new drainage system for the roadways due to the ditches being removed.

RECEIVED
JAN 09 2019
DESIGN SERVICES

18 DEVPLAN 1195