

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?

Currently, no sidewalk exists along Melton and Knopp Avenue. Other developments in the area have not provided the required pedestrian connection, therefore, adjoining property owners are not affected.

2. Will the waiver violate the Comprehensive Plan?

The existing industrial site is located in an existing EZ-1 zoned area, surrounded by other industrial uses. The existing industrial area lacks public sidewalks to connect to, with neighboring properties to the east and west without existing sidewalks. The Comprehensive Plan allows for waivers in difficult or inappropriate conditions.

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

Since there are no sidewalks to connect a pedestrian access to, a waiver of the requirement is the only relief option available.

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?

Strict application of the regulation would create an hardship on the applicant as the site is already developed and installing pedestrian connections to Melton and Knopp where no sidewalk exists is unnecessary and provides no benefit.