

## Waiver Justification

To justify approval of any waiver, the Planning Commission considers the four criteria. Please answer **all** the following items. Use additional sheets if needed. Responses of **yes, no, or N/A** will **not** be accepted.

1. Will the waiver adversely affect adjacent property owners?

**This waiver will not affect the adjacent property owners because the Owner/Developer will properly screen the materials being stored with the installation of a fence along West Kentucky Street and the applicant will supplement the fence screen with plantings that will add buffering and beautification for pedestrians on the sidewalk. The proposed screening and buffering will protect adjacent property owners to the property, all of which are industrial users like the applicant.**

2. Will the waiver violate the Comprehensive Plan?

**Plan 2040, The Comprehensive Plan for Jefferson County encourages appropriate screening and buffering of land uses to protect neighboring property owners. Here, the waiver will not violate any of Plan 2040's plan elements, or their goals, objectives and policies, because the applicant is requesting to store materials outdoors in an area that is assigned industrial zoning designations to property and within a large, well-established Traditional Workplace Form, where other land users similarly store materials outdoor and because the applicant will mitigate the waiver via appropriate screening via fence and plantings.**

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

**Yes, because the storage of materials within the space as denoted in the plan allows for an ease of access for the work flow and operation of the facility as far as the process of producing the concrete is at the plant and the proposed storage area on the subject property will be sufficiently screened from the public right-of-way.**

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 taken the additional measure of planning to create a wall along Kentucky Street to screen and prevent bystanders and those who are driving by the site from consistently seeing material storage on the developed site. The applicant is also planning on adding additional plantings to the property for beautification and shading of the area.**

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**APR 24 2023**

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