

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.**

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.

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

Granting of the waiver would have no impact on adjacent property owners, since there are no existing sidewalks and all surrounding properties are of an industrial nature. Additionally, there are no transit stops near the site. The site is located between two dead end streets, terminating east of the subject site.

- 3. Explain how you are unable to reasonably comply with one of the listed methods of compliance in LDC section 6.2.6.C.**

The Comprehensive Plan allows for waivers in difficult or inappropriate conditions. Per LDC 5.8.1.B, sidewalks shall be provide along all road frontages in accordance with 6.2.6. Within 6.2.6.D, the applicant is afforded the option of a waiver.

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

Strict application of the regulations would create an unnecessary hardship on the applicant due to construction of approximately 300 lineal feet of isolated concrete sidewalk along the roadway frontage, as well as reconstruction of the MSD drainage improvements that have been constructed along the frontages. The existing conditions and limitation created by these drainage improvements are not conducive to construction of a sidewalk along the street frontages.

- 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?**

An existing MSD drainage improvement occupies the space which would need to be utilized to construct the sidewalk. Additionally, there are no existing sidewalks along Melton Avenue and Knopp Avenue to connect to.