

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?**

We are seeking a partial sidewalk waiver to match the 5% expansion of the building.

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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?**

We are seeking a partial sidewalk waiver to match the 5% expansion of the building. There is currently a sidewalk across the street that pedestrians would be able to utilize for normal pedestrian traffic by the residential community. There is currently no adjoining properties on same side of the street with sidewalks in place and are all industrial properties. There is Semi-truck traffic entering the site, which does not exist across the street.

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

There is no impact to adjacent property owners. There is no sidewalks to adjacent properties on the same side of street. There is an existing sidewalk across the street, which would have no impact.

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?**

We have applied for the sidewalk waiver application due to the fact of the small 5% addition to the building, which is located in the back of the building and will have no additional pedestrian traffic. Due to the Tree canopy, which may be affected, elevations and drainage by Westport Road, there would be required additional surveys and construction plans to meet this provision. There was no initial funding for the sidewalk / survey / earthwork and may require additional corporate approval of funds. The complete side walk required based on frontage would be more than half of the square footage of the building expansion.