

General Waiver Application – Justification “attachment”

Schumacher Homes: Case #18DEVPLAN1172

1. Will the waiver adversely affect the adjacent property owners?

Granting the requested waiver will not adversely affect the adjacent property owners. The applicant is orienting the largest of the proposed buildings, which is the sales / design office towards Huntington Ridge Drive. Further the parking is adjacent to building and the Roadway. The applicant is proposing a landscape buffer between the rear of the other proposed buildings and Huntington Ridge Drive. The placement of this buffer will prevent any negative impacts to nearby properties. The applicant is not requesting any landscape buffer waivers.

2. Will the waiver violate the Comprehensive Plan?

Given the above stated observations regarding nearby properties to be buffered, compliance with the landscape ordinance, the applicants waiver request itself, and the landscape and screening for the proposed buffer, granting the requested waiver will not violate the Comprehensive Plan.

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

The applicant has taken great care to minimize the impact of the proposed development on surrounding properties. The reason the applicant choose the subject site is for its visibility to the general public. Custom Homes is the product they sell. However, the focus of this development from Huntington Ridge Drive will be the sales / design office. As stated above the display homes will be on the other side of a parking area that will be landscaped, and a landscape buffer that will screen the back of the display homes. Clearly the focus for th development will be the sign, parking and sales / design office.

The request is the minimal relief needed.

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?

For the reasons stated above denial of this waiver request will deprive the applicant of reasonable use of his land. Denial of the request simply causes the applicant to orient the display homes towards Huntington Ridge Drive and the rear of the homes facing the Gene Snyder Freeway.

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