

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?

The residential development to the north already abuts this industrial use. Currently the view is an outdoor storage yard with various equipment. The proposal is to provide a building that is 100' wide. The front LBA along Rochester Drive is not provided as the building and some gravel/utility areas encroach. The building has been at this site since long before the code was adopted.

2. Will the waiver violate the Comprehensive Plan?

The Airport Industrial Center and adjacent apartments were developed together as the Naval Ordinance in the 1940's. The Airport Industrial Center now occupies this space in much the same form as it was developed 80 years ago. The tenant BAE now requires an expansion to their facility and logistically, the expansion needs to occur on this side. The LBA on the south contains building and utilities.

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

Without these waivers, part of a building and utilities would need to be removed on the south. If the waiver is not granted on the north, the expansion would not be permitted therefor not allowing the tenant to expand and utilize their space as they need to.

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?

If the tenant can't expand, they will not be able to use their space as needed. If they were to provide the LBA at the south, building and utilities would need to be removed, which is a hardship.

RECEIVED

AUG 10 2020

PLANNING & DESIGN
SERVICES

20 - WAIVER - 0086