

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 waiver will not because the adj. properties to the east or west are exist. operations with est. curb cuts & would not benefit from an additional curb cut. The adj properties are zoned C-1 & should either be redev in the future they would most likely remain commercial uses which would not want their primary entrance to be thru an industrial land use. Should the west properties be redev they most likely will be consolidated and the exist. curb cuts will be consolidated achieving one of the goals. The prop. dev. is providing walk connections to the Durrett Lane walk & due to the connection's locations they will provide as efficient of a ped connection as ones going directly into the neighbors' properties.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not because pedestrian connectivity is being provided. Given the existing conditions vehicular connectivity would be of no great benefit to either of the adjacent C-1 operations.

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

It is the minimum because the walk connectivity is being provided and the vehicular connectivity connecting an industrial operation to commercial operations would be a conflict.

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 is providing sidewalks to the public right-of-way to serve the desired purpose of the regulations. The strict application of regulation would create a conflict of land uses—industrial vehicles vs commercial vehicles. The strict application prevents the possibility of an office/warehouse securing the site should they had a need to do so.

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