

WAIVER JUSTIFICATION

Matt Ellis & Daughters, LLC

718-722 E. Chestnut St.

The proposed waiver of a portion of Land Development Code Section 10.2.4.A to allow a portion of the west side of the proposed building and parking area to encroach approximately 5 feet into the required 10 foot property perimeter landscape buffer area, will not adversely affect the adjacent property owners. The waiver will permit the applicant to provide sufficient off-street parking for customers in the rear of the property and an innovative drive-through loading and vehicle storage space on the ground floor.

The proposed waiver will not violate the Comprehensive Plan. The waiver will permit the applicant to encroach only approximately 5 feet into one side of the required 10 foot perimeter landscape buffer area while providing adequate off-street parking for customers and a drive-through loading and storage area on the ground floor. The proposed commercial use is consistent with the current use (vacant/small office) and the pattern of development in the area, which includes a number of small commercial uses.

The extent of the proposed waiver is the minimum necessary to afford relief to the applicant. The proposed waiver will permit the applicant to provide all but approximately 5 feet of the required perimeter landscape buffer area on the west side of the site while providing sufficient off-street parking for customers and an innovative drive-through loading and vehicle storage space on the ground floor.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant as it would require the applicant to provide fewer off-street parking spaces or to reduce the size of the proposed storage building.

RECEIVED

APR 13 2020

PLANNING & DESIGN
SERVICES

20 - WAIVER - 0038