

## **WAIVER JUSTIFICATION STATEMENT**

**4700 Westport Road, LLC**

**4700 Westport Road and 919 & 917 Fountain Avenue**

The proposed waiver to reduce the perimeter buffer required along the south property line from 35' to 20' will not adversely affect the adjacent property owner as the property owner to the south will be adequately screened from the proposed parking area by either fencing or a landscaped berm. Existing tree canopy between the subject property and the adjacent property to the south will remain.

The proposed waiver will not violate the Comprehensive Plan. The proposed development provides adequate buffering to the south. The residence of the adjacent property owner to the south sits approximately 50 feet from the proposed parking area, which will be adequately screened by either a fence or landscaped berm. The waiver will permit the applicant to construct a 6,642 square foot single story retail building.

The extent of the proposed waiver of the regulation is the minimum necessary to afford relief to the applicant. The applicant is proposing to construct the retail building on the north side of the property fronting on Westport Road, which requires the parking area to be located on the south side of the site. The parking area will be adequately screened by either a fence or landscaped berm.

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 the waiver is the result of the incorrect application of the buffering requirements to the subject property. The applicant is proposing to provide adequate buffering to the adjacent property to the south.

02/28/2017

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PLAT 18991

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