

## PL20240057 – Variance Request

We are requesting a variance for 'Criteria 3.20.A.5 - Pedestrian facilities are required in all developments through the provision of sidewalks or trail connections. Separation of pedestrian and bicycling improvements from vehicular traffic, through a landscape buffer or setback, are encouraged to support safe walking and biking opportunities. Trail facilities can be hard- or soft-surface.'

We are requesting that we not be required to provide a sidewalk on the property being developed. There are no sidewalks on the adjacent property to connect to at the current time.

1. The Variance will not injure or adversely impact legal conforming uses of adjacent property, or the applicant has accurately assessed the impacts of the proposed Variance and has agreed to adequately mitigate those impacts.
  - a. We do not believe that removing the requirement to provide a sidewalk will injure or adversely impact the use of the adjacent property as there is no sidewalk to attach to the adjacent property.
2. The Variance furthers the intent of the Master Plan and applicable Sub-Area Plans.
  - a. There are no sidewalks currently in the adjacent property so would not change the intent of the Master Plan or Sub-Area Plans.
3. The Variance application meets the criteria of either special circumstance, or practical difficulty, or the application presents an acceptable alternative, as further defined below.
  - a. Special Circumstances. The special circumstances of the property make the strict application of the standard an unnecessary hardship to the applicant, and the special circumstances are not the result of actions of the property owner or applicant.
    - i. We would be required to spend funds on providing a sidewalk that connects to no other sidewalk, which doesn't make financial sense or sense to the community in Milner. If there was a sidewalk to connect to we would be willing to provide the sidewalk on the property being developed.