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The proposed project is for a new 42 residential lot subdivision with gated access off of Malcolm Dixon Road. A reduced right of way width would better conform to the existing topography and natural features on the site. The larger right of way would increase the potential for wetland impacts and decrease the quality of open spaces created and preserved by the project.

**5.2 Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.**

Wider road rights of way could increase land disturbance, the potential for wetland oak impacts, and decrease the quality of open spaces.

**5.3 The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.**

The proposed roadway width is consistent with County Standard 101C, the only changes would be to easement width. The fire department has approved the use of a roadway constructed Fire Safe Standards. The Transportation Department takes no exception to this design waiver. This waiver is not anticipated to be detrimental to health, safety, convenience, and welfare of the public.

**5.4 The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**

Properties within the project would be provided with safe, adequate access and circulation with or without implementation of the requested Design Waiver. Therefore, the waiver would have the effect of nullifying the objectives of this article or other laws.