

## Waiver Justification Narrative

**Applicant:** Joey Manning, Manning Master Builds LLC

**Parcel IDs:** 243013293166000102 and 243013293166000103

**Record:** LDWA-2025-49

### **1. Whether application of the Code would cause unnecessary and undue hardship on the use of the property:**

Strict application of the Land Development Code would impose an unnecessary and undue hardship on the reasonable use of the subject properties. The parcels were lawfully created through a lot split, and neither parcel has direct road frontage. Both parcels are accessed by means of an existing, legally established easement that provides continuous, functional, and reliable access. Requiring additional frontage or a reconfiguration of access would impose significant cost and practical burden without providing any corresponding public benefit. The properties remain fully accessible, usable, and appropriate for their intended purposes under the existing conditions.

### **2. Whether the waiver requested is the minimum adjustment necessary to allow reasonable use**

The waiver requested represents the minimum adjustment necessary to allow reasonable and permitted use of the properties. The existing easement is already in place, legally established, and functional. Both parcels exceed one (1) acre in size and are consistent with surrounding development patterns. No additional deviation from the Land Development Code is being requested beyond recognition of the current access configuration.

### **3. Whether granting the waiver is consistent with the intent of the Code and does not harm public health, safety, or welfare:**

Granting this waiver is consistent with the intent of the Land Development Code and will not be injurious to public health, safety, or welfare. The existing easement provides safe and reliable access for residents, emergency services, and service vehicles. Approval of this waiver will not create unsafe traffic conditions, increase demand on public infrastructure, or create additional maintenance obligations for Polk County.

### **4. Whether granting the waiver would set an adverse precedent:**

Approval of this waiver will not establish an adverse precedent. The request is based on the unique, site-specific conditions of these parcels, including the existing easement, lot configuration, and lot size. Waiver requests are evaluated on a case-by-case basis, and

approval in this instance would not obligate the County to approve similar requests under different circumstances.

**5. Whether all other avenues of relief have been exhausted:**

The applicant has evaluated other potential options for compliance and determined that strict adherence to frontage requirements would require unnecessary modification to the properties without improving access, safety, or functionality. Given the existing legal access and the lack of adverse impacts, the waiver represents the most reasonable and appropriate avenue of relief.

**Conclusion:**

For the reasons stated above, the requested waiver is justified, represents the minimum necessary relief, and allows reasonable use of the property without adverse impact to surrounding properties or the public. Approval of this waiver would be consistent with the intent of the Polk County Land Development Code while avoiding unnecessary hardship.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "Joey Manning". The signature is fluid and cursive, with a long horizontal stroke at the end.

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