

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

This waiver will have no adverse affects on adjacent property owners as it controls storm water from flowing in excess to the adjoining parcels

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive Plan as it is a stormwater control issue

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The extent of the waiver is the minimum necessary to afford relief to the applicant.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The strict application of the provision would create an unnecessary hardship on the applicant as the encroachment is necessary to provide adequate stormwater controls within the proposed development.

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