

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?

No- The entrance to the property is oriented to the primary street, into the private yard, thence into the principal structure. This is no different than entering the residence directly from the sidewalk on Campbell. There are numerous examples of this approach in the neighborhood. Many such entrances off of the private yard can be found throughout the neighborhood, and is a common feature in the classic shotgun home.

2. Will the waiver violate the Comprehensive Plan?

No- the proposed approach is consistent with the Comprehensive Plan, and with the features of the traditional neighborhood fabric throughout the area. The character of the general neighborhood is preserved. Providing the property entrance from the frontage street into the private yard , thence to the principal structure serves to make the residence more secure and more livable, increasing the quality of life of the applicant. There are many similar courtyard entrances in homes throughout the existing neighborhood; allowing the development to maintain the existing character.

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

Yes- a waiver of this requirement would remove the burden of providing multiple entrances to the residence, with the main entrance to the property on the Campbell St. side. The existing lot has the unique configuration of having its long dimension parallel with the frontage street. This lot configuration requires the design approach indicated to be consistent with neighborhood fabric.

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 applicant has provided the net beneficial effect of designing other features that exceed the minimums required., ie. the private yard, exceeds the minimum of 20%, as well as other features. The strict application of the provisions would deprive the applicant from the use of the land and create hardship on the owner by forcing a non-conventional design form into a non-conforming existing lot. The proposed design provides greater privacy, security and efficient use of the existing lot, and is consistent with the general features of the existing traditional neighborhood fabric.

Contact Information:

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