

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. This waiver will allow the future homeowner to use their proposed 3-car garage. Multiple-car garages are typical throughout the Shakes Run community. Many of these garages in earlier sections were on larger lots and have larger setbacks or side entry garages. With the reduction in lot size on this cul-de-sac, side entry garages and larger building setbacks are not possible. Since multi-car garages are typical of other homes in this neighborhood and the proposed driveway will not encroach on any adjoining properties, this waiver will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

No. This waiver will allow the homeowner to have all required parking within their garage and will still have a narrower width at the street. Therefore, this waiver will not violate the Comprehensive plan.

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

Yes. The applicant has made adjustments to the plan to reduce the width of pavement as much as possible without restricting the use of the entire garage area. If this waiver is not granted, the applicant would be limited to a 1 car garage and that is atypical of current trends in residential development...especially in this neighborhood.

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?

As stated above, the applicant has made adjustments to the plan to reduce the width of pavement as much as possible without restricting the use of the entire garage area. The strict application of the provisions of this regulation would require the home to have a one car garage which would be atypical of current trends in residential development...especially in this neighborhood and would, therefore, be an unnecessary hardship on the applicant.