

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?

Granting this waiver will not adversely affect adjacent property owners as the required plantings, screening and buffer will still be provided.

2. Will the waiver violate the Comprehensive Plan?

Granting the waiver will not violate the Comprehensive Plan as the required landscaping and screening will still be provided within the landscape buffer area even with the utility easement overlap.

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. All required plantings, screening and buffers will be provided in a way so there is no conflict with the sanitary line and drainage ditch.

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 regulation would require the applicant to redesign the site layout without the use of the 20' of ground this overlap waiver would save meaning the storage building would not be able to be located where proposed.

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JUN 01 2020
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