

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 not adversely affect property owners. The waiver is for 3 inches of street footage. This Minor Plat basically reverts the parcel back to more lots. Originally this area was 8 25 foot lots. It went to one lot. Now it is going back to 4 lots. The original plat is in Plat Book 6 from 1927. Either the original plat had the 3 inch error or it is the result of various different surveys in the area over the years. The missing 3 inches was shown on a survey from 2008. The proposed lot 1 complies with all other dimensional standards and is 7464 square feet which is 1464 square feet above the minimum requirement. The affect is negligible on adjacent landowners.

2. Will the waiver violate the Comprehensive Plan?

No, it will not violate the Comprehensive Plan. It allows for smart infill growth and is simply asking for a waiver for 3 inches to create a buildable lot which otherwise conforms with all standards and is in accordance with the original street design.

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

Yes, the standards require a 50 front yard width. The lot is 49 feet and 9 inches wide.

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 deny the applicant a 4th lot because the lot is 3 inches short of this one requirement. It meets and exceeds other requirements. Currently one house exist on this parcel. The applicant wants 3 more buildable lots.

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