

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?

The waiver will not affect the adjacent property owners because the required landscaping will be provided. The subject site is located in an existing office complex and the adjacent properties have the same overlap. The adjacent sites were developed prior to the adoption of the current Land Development Code.

2. Will the waiver violate the Comprehensive Plan?

It will not because the intent of the Land Development Code will be complied with the provision of the required landscape material.

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

Yes it is the minimum necessary because the required landscape material will be provided and the 10 Landscape Buffer Area will be provided.

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 would deprive the applicant the reasonable use of the land because the land was platted and developed prior to the adoption of the current Land Development Code.

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