

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?

Adjacent property owners have direct access to the road the same as is proposed for this waiver. The proposed new access will be constructed to meet or exceed the requirements of the Metro Government and requirements of the Fire Department.

2. Will the waiver violate the Comprehensive Plan?

The proposed access is compatible with the pattern of the existing adjacent properties. The existing area has large lots of 5 acres or more with access drives of the same type proposed for this waiver.

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

The proposed waiver will allow the lot owner to construct an access that meets the requirements for emergency vehicles to be able to safely respond to emergencies. The requested waiver is the minimum necessary to afford relief to the applicant.

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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 considered a shared access with an existing driveway. The existing driveway does not meet the requirements of the Metro Works Department or the Fire Department. Major improvements would be required to bring the existing access to the condition to be approved. The construction of the proposed access will meet the requirements of the agencies.