

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 b/c the applicant will still plant the required planting is the reduced VUA LBA.

2. Will the waiver violate the Comprehensive Plan?

No b/c the applicant will still plant the required planting is the reduced VUA LBA.

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

Yes b/c the ROW required dedication along with existing improvements conflicts.

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?

Yes the applicant will still plant the required planting is the reduced VUA LBA.

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JAN 03 2023

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