

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?

Because there is 25 ft of rear yard being provided between the drainage easements and the rear of the residences.

2. Will the waiver violate the Comprehensive Plan?

A 25 ft rear yard is being provided and the intent of the Comprehensive Plan is being met.

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

It is the minimum because 25 ft of yard is being provided between the rear of the residences and easements.

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 requirement would deprive the applicant of the reasonable use of his land because the desired building footprint could not be built.

REC

MAR 10 2020

PLANNING & DESIGN SERVICES

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