

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 requested variance will not adversely affect the public health, safety or welfare as the structure will be constructed to comply with all building codes, including fire codes. Garage will be 77' from the street and attached to an existing garage.

2. Will the waiver violate the Comprehensive Plan?

There are other similar garage situations on adjacent property of this street. Large areas of greenspace remain and the garage is designed to be cut into the grade to limit its visibility. The requested variance will not alter the essential character of the general vicinity as the garage design has been approved by the Landmarks Commission.

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

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the property has no other area that is suitable for any structure. Most of the rear yard has a very steep slope.

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?

We have tried many different designs to meet the requirements of the zoning regulations and public works/transportation. The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the property does not have any other area that is suitable for any structure.

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