

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 adversely affect the adjacent property owners because the 15' landscape screen and plantings will provide adequate buffering.

2. Will the waiver violate the Comprehensive Plan?

Granting of the waiver does not violate the comprehensive plan because the adjacent properties are zoned PEC.

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

In providing the required 50' buffer the existing garage and out building now would encroach into the buffer area. Providing the waiver is the minimum necessary to allow the existing buidlings and surrounding area to be useable.

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 is providing landscaping that is normally required within a PEC perimeter 15' buffer. Strict application would deprive the applicant of reasonable use of the property as the owner would be unable to utilize a large portion of this property until such time as the adjacent properties uses transition away from residential use.

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