

**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?**

Approval of this waiver application will not adversely affect adjacent property owners as the total size of the LED portion of the sign is only 26.36 sq ft. This is less than the 60 sq ft that would be allowed to be LED if they maxed out the available 100 sq ft for total signage for sites with this zoning. Instead, they are proposing to have a smaller ID cabinet and smaller LED sign for a total signage of only 62.36 sq ft. They are also staying below the normal the height allowance and only requesting 10' where they would normally be allowed 24' for a property with this zoning. Over the years this area has become a heavily trafficked area with a 5 lane major arterial road separating the residences & the sign.

**2. Will the waiver violate the Comprehensive Plan?**

The Waiver will not violate the Comprehensive plan because, from a Guideline 3 "Compatability" standpoint, this sign is related to a use that is in keeping with any residential properties in the area, and it is of an aesthetically attractive design. As respects to Guidelines 7 and 8 pertaining to "Traffic" and "Transportation:", the changing image is recognized as not presenting a traffic or road safety hazard as long as the image does not change too frequently; and

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

The Waiver of the regulation is the minimum necessary to afford relief to the applicant because although they are requesting a sign to be closer than 300' to a residentially zoned property, they are requesting that the sign not be forced to be larger than absolutely necessary to effectively advertise to traffic traveling at 45 miles per hour. It also has set the signback at an large distance from the residences (179' at closest the closest residence from the front of the building to the sign) and in an area that does not interfere with other important uses of the property that need to be preserved; and

**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?**

Strict application of the provisions of the regulation would deprive the applicant of a reasonable use of their sign and cause an unnecessary hardship on the applicant because if the waiver is not granted, they would have to rely on temporary signs and banners to advertise specials and events. This will degrade the appears and cleanliness of the area. Additionally, locating the sign elsewhere on the site to be further than 300' from the residences would interfere with structures and uses that need to be protected.

RECEIVED  
APR 22 2019  
DESIGN SERVICES