

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, the waiver will not adversely affect the adjacent property owners. It will actually give more distance between this home and the home next to it, thus improving aesthetics. The plantings for the scenic corridor buffer will still be provided. The reduced setback will not be noticeable from the roadway because of the elevation difference.

2. Will the waiver violate the Comprehensive Plan?

No, the plantings for the scenic coordior buffer will still be provided. The reduced setback will not be noticeable because of the elevation difference.

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

Yes. The applicant is still providing the required plantings. They just want to be able to center the home in the lot instead of having 5' on one side and 20' to the scenic corridor planings.

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 has maintained the subdivision to strict standards in terms of aesthetics. Without this waiver, the client could not be able to center the home in the lot in order to maintain those strict aesthetics. The applicant will still provide all required scenic coordior and landscape requirements.

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