

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 affect adjacent property owners. The owner will still have to provide the required plantings and screenings as required by the landscape requirements. If any work is done in the easement, the owner will have to re-plant the landscape buffer area to satisfy the Chapter 10 requirements.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive plan. All Landscape buffers and plantings will be provided as required by Chapter 10 of the LDC

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

The waiver is the minimum necessary to construct the parking lot in such a way to allow safe delivery and maneuvering of the required sized trucks for fuel delivery without impeding the vehicular and pedestrian traffic at this intersection.

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 provision would require the applicant to provide an area of maneuvering that would be difficult for larger trucks to exit off of St Andrews Church or Blanton Lane, make deliveries, and rejoin traffic in a safe manor.

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