

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 adjacent property owners. The amount of provided landscaping will be at a higher intensity than the required landscape material, 1.5 times the required trees.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver will not violate the Comprehensive Plan, the area is zoned M-2 in the Suburban Workplace form district. The proposed development meets the requirements per the Land Development Code.

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

The waiver requested is the minimum necessary to give relief to the applicant due to the width of the lot and the needed building expansion for the applicant. The previously approved Development Plan had a similar waiver of the required landscape buffer area.

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 strict application of the code would deprive the applicant of applicable use of the land. The required landscape buffer width restricts the applicant from constructing the building expansion at the required size needed for their business.