

**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 impact any adjacent property owners since there is adequate screening provided with a masonry screen wall (that matches the building) and additional landscape plantings proposed also. Beyond the proposed screening is a 50-foot gas easement that functions as green space.

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

The waiver will not violate the Comprehensive Plan since adequate screening is provided and a 35-foot LBA will be landscaped, including an 8-foot solid privacy fence, for the remaining west boundary of the property.

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

The extent of waiver is the minimum necessary to afford relief to the applicant, since there is an existing private roadway that leaves no other option for the location of the dumpster without encroaching further into the LBA. This is also the case for the property directly to the north, where their dumpster is located in a similar arrangement.

**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?**

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