

WAIVER JUSTIFICATION

Matt Linville

530 Atwood St.

The proposed waiver to allow a small encroachment into the required 5' VUA LBA will not adversely affect adjacent properties. The proposal is to allow needed off-street parking off the existing alley. The proposed LBA width remaining will allow for area that is sufficient to screen the VUA.

The proposed waiver will not violate the Comprehensive Plan. The waiver will permit the applicant to continue to provide adequate screening between the VUA and Bradley Avenue to ensure adequate screening in that area while also addressing an expressing neighborhood concern about off-street parking.

The extent of the proposed waiver is the minimum necessary to afford relief to the Applicant. The proposed waiver will permit the applicant to fully utilize this property, as it is already being utilized as a residential space within one of the city's fastest growing and redeveloping neighborhoods. The Applicant will provide, at the request of an adjoining landowner, off-street parking to allow for the mitigation of on-street parking congestion in the neighborhood.

The strict application of the provisions of the regulation would deprive the Applicant of the reasonable use of the land and would create an unnecessary hardship on the Applicant as the full width of the required landscape buffer area would prevent the Applicant from providing one of the proposed off-street parking spaces in a configuration that will also allow the Applicant to provide the required screening material.