

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 requested waiver will not detrimentally affect adjacent or nearby property owners. The applicant is providing new landscape materials, a new screening fence, and providing some animating features on the building facade observable above the top of the fence. This screening concept has been approved by ARC.

2. Will the waiver violate the Comprehensive Plan?

The applicant is improving the general appearance along this portion of the roadway as well as providing animating features on the building where visible from the roadway. This waiver request and these actions by the applicant is compliant with the Comprehensive Plan.

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

Yes. Providing additional animating features on this facade is a hardship on the applicant creating potential security issues as well as maintenance issues due to vandalism. This is the minimum relief necessary.

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?

Yes, as stated above the applicant is providing new landscape materials, a new screening fence, and providing some animating features on the building facade observable above the top of the fence. This screening concept has been approved by ARC. These design measures will mitigate the waiver.