

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 project currently respects all the adjacent properties, it does not adversely affects to the adjacent property owners. The proposed wall infront of the existing building will be installed and a black aluminum fence wrought iron appearance. Fence will be installed as shown on plans.

2. Will the waiver violate the Comprehensive Plan?

The existing property is not in compliance but the proposal will be an improvement and bring it closer to the regulations requirements.

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

Yes, allowing the applicant to use an aluminum fence instead of a low block wall, will decrease the possibility of tagging on the perimetral wall.

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?

- a) The proposed design of the fence will increase the security of the project. b) Landscaping on Shelby and Burnette will compliment the use of a raw alumimun fence.