

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 request will not adversely impact the church as there is no parking or outside activities occurring on the site between the building and the shared north property line and only a small increase in pavement along the east property line where the existing trees will continue to be preserved. It will not adversely impact the industrially zoned property to the south as the adjacent use is a storage garage and surface parking a use similar in intensity to the site.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive Plan since the uses as constructed and utilized are compatible and there is no obvious need for the added buffering that is required by the Code.

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

The waiver is the minimum necessary to afford relief to the applicant due to the existing location of the leach field for the septic system along the north property line. This area cannot be planted and therefore shall remain in a natural state. The existing building and trees along the E property line provide a visual buffer for the church from the sites parking area. On the south side the developer is widening the entrance drive toward the property line to preserve an existing large hickory tree, is not otherwise significantly expanding the pavement/parking closer to the property line and since both this and the area on both sides of the property line are primarily used for parking the request is needed.

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 regulation would deprive the applicant of the reasonable use of the land since the location of the existing leachfield does not allow the applicant to provide the plantings required on the north side, the ex. trees on the E. property line shall be preserve and the existing location of the pavement on the south side already encroaches the required buffer. The applicant is providing other improvements that will enhance the site. The use of the existing building for a salon and office is one that is a relatively low intensity and is compatible with the adjacent uses. The applicant is simply expanding the pavement to provide safe access and the Code required parking.