

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?

No. The requested Waiver is for Cosmetic Changes that is designed to allow the proposed building to more fully fit into the rural nature of the area and surrounding buildings. Adequate windows are being provided to allow light and views for the people in the space.

2. Will the waiver violate the Comprehensive Plan?

No. We are working with the rural nature of the area and also with the Floyds Fork representatives to provide a more natural building façade in keeping with the desired Village appeal for the surrounding area.

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

Yes. We are only asking for a waiver along the Taylorsville Road side of the proposed building. And, the Cosmetic Changes are designed to allow the proposed building to more fully fit into the rural nature of the area and surrounding buildings. Adequate windows are being provided to allow light and views for the people in the space.

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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 provisions would require far more windows than would fit into the surrounding area. The rural nature of the area makes a 50% windows and doors requirement out of place with the context of the surrounding buildings. 50% windows and doors are also more than are usable for the applicants business purposes. They would conflict with the nature of the building and the functions of the space.

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