

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 waiver will not adversely affect adjacent property owners as there are many existing accessory structures along Ransdell Ave. that do not meet this requirement - it is the unique feature of this street.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the comprehensive plan. The proposed design is per Historic Landmarks guidelines and supports maintaining the historic character of the site. The proposed design is congruent with the subdivision plan drawn by Frederick Law Olmsted in 1906 - this plan considers Longest Ave. as the front of the property and Ransdell Ave. (alley at the time) as the rear of the property. Carriage House structures were placed behind primary structures (the side facing Ransdell Ave.)

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

Since this property has 2 fronting streets, according to the LDC, a waiver must be requested to provide any accessory structures to the Ransdell Ave. side (historically considered the rear of the property).

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 applicant has proposed numerous garden & vegetated areas, as well as, low walls to screen the home and parking areas from neighboring homes. b) The strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land. Two fronting streets, a very unique occurrence, limits constructable options (according to the LDC). The applicant is following the Historic Landmarks guidelines for design of the property & structures.

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