

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 adjacent property owner's property line is well screened with existing vegetation and currently backs up the an existing alley. Further the primary residence is screened by a large garage. Not providnd landscaping will not change the existing character.

2. Will the waiver violate the Comprehensive Plan?

This will not violate the comprehensive plan as this pattern of development is consistent with the form district and neighborhood. This is an area where a vibrant commercial corridor abuts single family residential and these adjacencies occur regularly without buffering along the corridor.

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

If the waiver is not granted, the alley will have to be closed, which will adversely affect the property to the east at 3412 Frankfort Avenue and also the back of subject propertySa. This means they would not be able to access their parking lot.

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 deprive the properties at 3410 and 3412 Frankfort Avenue access to their properties by closing an existing alley that has been in existence for years.

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