

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?

This is a unique triple lot totaling 90' in width. The typical lot size on this street is 30'. The placement of the garage between the houses would not adversely affect the neighboring properties because the size and placement is not unlike similar adjacent properties on the street. It will also maintain open space in the front and rear yards of both properties.

2. Will the waiver violate the Comprehensive Plan?

No because the lot has plenty of space and the size and placement is similar to the surrounding properties. The project does not require any exceptions from the adjacent property owners.

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

No, an application for variance 5.4.1.E.1 will be required.

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 owner hired a lawyer to combine the three lots so he could build a large garage on his property. To deny the variance would deprive the owner from building a safe place for his valuable equipment used for his businesses and livelihood. It would deprive the owner from taking advantage of the space available on a triple lot.

