

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 waiver would simply allow the continuation of the condition that has existing between the neighboring properties for the past two decades.

2. Will the waiver violate the Comprehensive Plan?

No the waiver was already approved in earlier zoning cases on the property.

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

Yes the waiver will allow the maintenance of site work approved under the previous zoning case.

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?

Strict application of the regulation would require the applicant to undo site improvements made in accordance with the previously approved site plan.

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