

**WAIVER OF A MAJOR DEVELOPMENT PLAN REVIEW STANDARD APPLICATION**

**Part 1. Application Notes**

An application for a waiver is a request for relief from the development standards as part of a Major Development Plan Review application.

1. The Planning Board reviews the application at a public workshop and public meeting and makes its decision based on the standards in Section 375-5(E)(14)(b) of the USDO.
2. A waiver application asks the Planning Board to change the standard code requirements because of a unique situation. The burden of proof lies with the Applicant and requested waivers will only be granted if an application and supporting materials meet the necessary criteria.
3. The Planning Board is required to grant only the minimum waiver that it deems necessary and adequate to address the hardship while preserving and protecting the character of the neighborhood and health, safety and welfare of the community.
4. Use one form per requested waiver.

Note: A pre-application meeting is available upon request prior to submitting this application.

**Part 2. General Information**

Project Address: 42 & 47 Besch Ave	Tax ID Number(s): 76.46
Zoning District: R-M	Current Principal Use(s): vacant (r-m)

**Part 3. Project Description**

*(Describe the request and identify the standard of requirement of the USDO proposed to be waived)*

Select the type of standard or requirement being varied:

- Non-dimensional Form-Based Zoning Standards       Access, Circulation, and Connectivity Standards  
 Subdivision of Land Standards       Parking and Loading       Landscaping, Screening and Buffering  
 Building and Streetscape Design       Exterior lighting standard       Other (*Specify; must reference a specific standard in the USDO*): \_\_\_\_\_

Section number of USDO from which the waiver is being requested:

375-405 (5)

Current USDO requirement or standard:

9' x 20' parking spaces with 24' access aisle

Proposed requirement or standard:

9' x 18' parking spaces with minimum dimension of 18' for one way access aisle

#### Part 4. Character of the Neighborhood

Explain why the waiver being proposed will not result in a structure or a configuration that will be out of place in the neighborhood or zone district:

This is located in a private parking garage for the tenants of the proposed apartment building.

#### Part 5. Alternatives Considered

Describe the benefit to be achieved by the granting of the waiver and why such benefit cannot otherwise be reasonably achieved. As part of the description, list all alternatives that were considered and rejected, and include evidence where necessary to support your conclusions:

The proposed parking space dimension of 9' x 18' provides the room to provide 1 parking spot per unit for off street parking for the building. Providing 18' and 22' aisle ways at the one-way aisles is sufficient for vehicular traffic.

Previous projects at The Reserve at Park South I & II provide precedent of having 9' x 18' parking spots in the private garage of the apartment building.

### Part 6. Substantiality

Indicate why the requested waiver is not a substantial or contextually significant deviation from the prevailing regulation:

The waiver request is not substantial as the number of parking spaces provided complies with the number required.

### Part 7. Impact on Environment

Describe any potential impact on such factors as drainage, traffic circulation, dust, noise, odor, public services, among others (e.g., compliance with the USDO requirement to be waived would result in the removal of three mature trees and a natural berm):

n/a

### Part 8. Self-Created Difficulty

Explain why the need for the waiver is not self-created (e.g., the lot was created in 1954 and does not comply with the minimum lot area requirements of the USDO):

There is a city easement that cuts diagonally into the property which limits building setback from property line which narrowed the depth of the building to achieve the 1 per unit requirement.