



PROPER WAIVER REQUEST FORMAT

CITY OF HENDERSON COMMUNITY DEVELOPMENT & SERVICES

Waivers from the Development Code may be requested through a Waiver of Standards application or through a Zone Change application with a Master Plan or Planned Unit Development overlay.

To help expedite your waiver requests, the following guide should be used in formatting your waiver requests. Your planner needs the information below to conduct a thorough review of your proposal and write an accurate recommendation to the Planning Commission:

- Development Code section being waived
- Waiver requested
- Justification for your request, including addressing criteria found in Section 19.23.5
- A compensating benefit, as described in Section 19.23.6

Only Development Code sections listed in Section 19.23.2 may be waived.

You may use this sample waiver request for reference:

Code Section to be Waived:	19.2.2 – Development Standards in Residential Districts (RS-8)
Waiver Requested:	Reduce the required rear-yard setback from 15 feet to 10 feet.
Justification:	In order to enhance the visual character and increase pedestrian safety, detached sidewalks are proposed for all interior streets. This increases the width of each street section, which then reduces the amount of land available for each residential lot.
Compensating Benefit:	To compensate for the smaller rear yards, we have provided 30,000 square feet more open space in the subdivision than the Development Code requires for RS-8 developments.

A compensating benefit is required for each waiver requested, and is typically a design element that is provided in excess of what is required by code (e.g. amount of open space, setbacks, quantity or size of landscaping, etc.). If the benefit is substantial, it may be used, in some cases, for more than one waiver request.

If you have any questions about requesting waivers, please feel free to call your planner at 702-267-1500. If you are drafting your request prior to having been assigned a project planner, you may speak to any planner for assistance.