

Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following 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. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

The proposed waiver does not conflict with either the intent of the Land Development Code or the comprehensive plan as there are no sidewalks along Greenbelt Highway to tie in to. The closest sidewalk to the North is 1.4 miles away and the closest to the South is 0.6 miles, which only serves a single adjacent warehouse. To our knowledge, there are no plans to build sidewalks along this section of Greenbelt Highway.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

There is only a small portion of the site which actually abuts right-of-way, requiring a 280' walk. The remaining 840' portion shown on the previously approved rezoning plan is adjacent to a parcel owned by Louisville Metro Government. Complying with these regulations, only a small strip of sidewalk would be built with no proposed future connections. By requiring sidewalks along the abutting right-of-way as well as the sidewalk shown on the previously approved plan, the site and surrounding community would be no more accessible as there would be no practical way to walk to the site.

3. What impacts will granting of the waiver have on adjacent property owners?

There will be no impacts, negative or positive, on adjacent property owners by the granting of this waiver. There is a single-family subdivision to the North that would not have access to our site even with the construction of the sidewalk. There is no close development to the South as the majority of adjacent properties are owned by Louisville Metro Government and are within the floodplain, which are unlikely to be developed. The adjacent warehouses of Riverport also do not have sidewalks along their Greenbelt Highway right-of-way, further supporting the lack of pedestrian connectivity along Greenbelt Highway.

4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

Strict application of the regulations would deprive the developer as the sidewalk will not be used as it does not connect two points. The construction of said sidewalk will only incur additional costs on the developer.

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