

JUSTIFICATION

To justify approval of any waiver, the Board or Commission considers the following criteria.

Please answer ALL of the following items. Use additional sheets if needed. Responses of **Yes**, **No**, or **N/A** will **NOT** be accepted.

1. Will the waiver adversely affect adjacent property owners?

No it will not adversely affect adjacent property owners. Scope includes installing electrical utility equipment and dumpster area within existing 15'-0" LBA to maintain a safe clearance from the loading drive lane. Design includes full screening at all items to block them from view at the property line.

2. Will the waiver violate the Comprehensive Plan?

No, our equipment will be screened, additional trees and greenery planted to maintain the buffer area between properties in the spirit of the plan.

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

Yes, we are maintaining minimum clearances for the equipment and have done multiple traffic studies to select the best location for the dumpster with local sanitation pick up vehicles. Placing the electrical utility equipment in the LBA allows for a safe and clear deliveries lane for deliveries around the site.

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?

a. we have communicated with the City of Jeffersontown staff to include vegetative screening within the LBA, plant additional trees and include fully screened fencing at the utility areas and dumpster to block them from view at the adjacent property line to best enhance the buffer and screen equipment.