

## VARIANCE JUSTIFICATION

The proposed height variance will not adversely affect the public health, safety or welfare. The height variance is necessary for a portion of the building, allowing for rooms and multi-purpose space to be located on the top floor of the building. The building has been designed so that the maximum height is observed at the street and the area where the building is taller is pulled back from the street.

The variance will not alter the essential character of the general vicinity. The building proposed has been designed using contextual architectural features, bringing many of the building elements present in surrounding buildings into the design. The additional height will have next to no impact on the character of the surrounding area.

The variance will not cause a hazard or nuisance to the public. The variance will allow for a partial floor to be added above the allowable height. This will not have any impact on surrounding properties or members of the public.

The variance will not cause an unreasonable circumvention of the requirements of the zoning regulations. The building is being designed to minimize the impact of the additional height by stepping the taller portion of the building back from the street along Market St. The building is also incorporating streetscape improvements set out in the E. Market Street plan.

The variance arises from special circumstances, which do not generally apply to land in the general vicinity. The property is one of a handful of lots available for new construction. The proposed hotel will be an amenity to the entire neighborhood and the art, retail and food establishments on E. Market Street. The proposal will also include more parking than is necessary for the hotel to allow for visitor parking for the shops and restaurants in the area.

The strict application of the regulation would cause an unnecessary hardship on the applicant. The additional height will not have any adverse impact on surrounding property owners but would deny the applicant of the ability to have a rooftop venue. This venue will be an amenity unlike any other in the neighborhood, providing views of downtown, the bridges and Old Louisville that will be unmatched.

The circumstances are the result of the immense popularity of the E. Market Street corridor, the lack of large tracts of land to develop and the need to build up instead of out.

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