

RECEIVED
JUSTIFICATION
APR 10 2015
PLANNING &
DESIGN SERVICES

For justly approval of any variance, the Planning Commission considers the following criteria. Please answer all the following items. Use additional sheets if needed. Responses of **yes, no, or n/a** will not be accepted.

Explain how the variance will not adversely affect the public health, safety, or welfare.

This variance will not adversely affect the public health, safety & welfare since much of the existing building is already in a zero lot line. The safety issues will be addressed with the fire rated construction materials and building assemblies with the building ????? as ????? to meet the current building and fire codes. a previous variance was granted for this site for a similar request and there is no public access to the rear of the property.

Explain how the variance will not alter the essential character of the general vicinity.

There is no public access to the rear of this property with the essential character of this general vicinity will be maintained since most of the construction building addition will take place behind the existing building and will not be seen from Bardstown Road. There are many zero lot line buildings in this vicinity of Bardstown Road.

Explain how the variance will not cause a hazard or a nuisance to the public.

The building addition will be completely enclosed for customers of the existing facilities, so all activities of customers & Staff will not be seen or heard by neighbors in this building addition.

Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

This is a very limited size site ad a corner lot. So far the property owners to expand their business with this addition to provide additional much needed accessible restroom space, small office & small storage room for the existing facility this is the most cost effective & logical solution for the owners. Also a similar variance was previously granted for this site for a similar request.

Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

This variance arises from the very limited size site and lot as much smaller than the majority of the surrounding lots on Bardstown Road.

Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The limited site restraints creates a hardship to add this needed accessible restroom facilities and maintain the required side yard set back requirements for the occupancy loads of the building. This is a hardship the property owner is overcoming for the customers of the business with this building addition.

Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

No the applicant is applying for this variance before any building addition has been approved, building permits obtained and construction started. Although the owner is very anxious to begin construction as soon as possible.

23- VARIANCE-0051