

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

Waiver of Section 5.9.2.A.1.b to omit the sidewalk requirement from the ROW to the building

Explanation of Waiver:

1. The waiver will not adversely affect adjacent property owners because pedestrians will not be walking along the highly traveled Bardstown Road to access Bardstown Bluff Road to visit the site for this proposed wedding and event venue, which will have limited number of events per a proposed condition of approval. All parking for the property will be internal to the site and not on Bardstown Bluff Road or Bardstown Road such that guests and attendees/invitees will not be walking from Bardstown Bluff Road to the site. Adjacent property owners will not be adversely effected as the number of properties around this one that would have to redevelop such that there is a sidewalk network in the area are so great this practically will never occur.

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2. The waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2040 Comprehensive Plan filed with the original conditional use application.

3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because providing Bardstown Road is a major arterial and not conducive to pedestrian traffic. The types of weddings and events held at this development are not ones that people will be likely walking to nor coming from Bardstown Bluff Road, but from the internal parking lot area.

4. Strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because providing sidewalks in this area would create a costly burden on the applicant when the sidewalks will not be used for this site.

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