

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?

The proposed use is situated on a minor plat that had previously delineated a cross access drive isle and parking to exist in front of future proposed uses.

2. Will the waiver violate the Comprehensive Plan?

The proposed use is consistent with the comprehensive plan as it is a zone compliant use in an area that would be considered commercial along Bardstown Road.

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

The extent of the waiver is the minimum necessary to accommodate the cross access drive lane and parking across the drive isle.

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?

Strict application of the regulation would require all uses in this development to be redesigned and the approved minor plat to be reconfigured. The existing curb cuts would also have to be removed and reconfigured as well.

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