

Sidewalk Waiver Justification:

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

1. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

There are existing sidewalks along Logistics Drive that end at Cane Run Road, where the Louisville Loop Trail runs along its west side. Pedestrians who would use a 5' wide sidewalk that does not connect to any similar sidewalk, would choose to use the 10-foot wide multi-use trail that connects to a network of trails throughout Jefferson County. The 10-foot wide multi-use trail serves as the intended path connecting properties along Cane Run Road.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

To build a sidewalk along the east side of Cane Run Road would create an additional at-grade pedestrian crossing at a railroad where the sidewalk would not connect to any other walkway. This would create a safety hazard for pedestrians and add more impervious surface in an area near the Ohio River and prone to wet conditions and flooding. The Louisville Loop Trail provides pedestrians with a safe and attractive walkway that fully meets the intent of Guidelines 7 & 9 of the Comprehensive Plan.

3. What impacts will granting of the waiver have on adjacent property owners?

Granting this waiver would have no impact on adjacent property owners since there are no sidewalks along the eastern side of Cane Run Road.

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4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

The strict application of the regulation would require the owner to build over 1,360 linear feet of 5-foot wide sidewalk (6,800 square feet of concrete) that would not connect to any other walkway and only route potential pedestrians to another at-grade railroad crossing that would create a safety hazard. To be required to build this sidewalk in an area where there are no other sidewalks, where a far superior multi-use trail already exists, would create an unnecessary hardship for the applicant and it would be an unreasonable requirement in comparison with the size of the building addition.