

Variance Justification:

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

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

The plan protects surrounding properties by minimizing disturbances.

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

The plan will add essential character to the vicinity by making an unused outdoor area to a garden.

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

In no way is the project a hazard or a nuisance

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

It is no unreasonable because of the Bardstown Rd corridor character. It will enhance the area.

Additional consideration:

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

The special circumstance is the use of all three properties, the nature of the adjacent properties & Bardstown Rd

2. 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 space is small. A setback would make the space too small to use. The tall fence will protect APO.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

yes