

**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.**

**1. Will the waiver adversely affect adjacent property owners?**

The waiver will not affect APO because the landscaping and buffer area required by the Louisville Metro Land Development Code will be provided

**2. Will the waiver violate the Comprehensive Plan?**

The intent of the Comp Plan will be met

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

It is the minimum necessary because the required landscaping and buffer area will be provided while satisfactorily managing storm water runoff per MSD's best management practices of

**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?**

The required landscaping and buffer area will be provided and there will be no loss in net benefit incurred. The lot is a corner lot and is subject to not one as is typical 50 ft parkway Buffer Area but two 50 ft Parkway Buffer Areas. This is an unusual situation that results in an unusual hardship on the applicant.

**RECEIVED**

AUG 23 2021

PLANNING & DESIGN SERVICES

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