

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?

No, approval of the waiver will not affect adjacent property owners because the abutting property owner is a 175' wide LG&E overhead tower line easement.

2. Will the waiver violate the Comprehensive Plan?

No, approval of the waiver will not violate the Comprehensive plan because the landscape buffer will still be planted and the adjacent owner is an electric easement.

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

Yes, the extent of the waiver is the minimum necessary to allow for enough parking to meet the land development code requirement on site.

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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 strict application of the provisions of the regulation would create an unnecessary hardship because the project could not meet the minimum parking requirement. The site is limited due to floodplain area in front and floodplain compensation that is being provided on site.