

### **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.