

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 because the sign will still be keeping with all the other signs on Hurstbourne Lane and Bardstown Road

2. Will the waiver violate the Comprehensive Plan?

No because the sign will still be in accordance with comprehensive Plan. An example would be the changeable digital sign across Bardstown Rd at Hurstbourne Lane.

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

Yes it will afford the owner the right to advertise their business successfully.

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?

Yes it would create a hardship on the applicant because they would be unable to use existing sign space to their benefit.

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