

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.

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

The additional height variance requested has no correlation with the public health, safety, or welfare and therefore will not adversely affect public health, safety, or welfare.

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

The applicant has designed the proposed project / variance with the intent to enhance the general vicinity's essential character. The height variance requested will not alter the overall essential character.

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

This height variance is adding on the minimum necessary height to the proposed project, the height does not cause the public any hazard or nuisances.

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

The additional height request is minimal, less than 5' and occurs at the middle of the site not adversely affecting neighbors or visual streetscape.

Additional consideration:

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

By sitting the hotel side to side like other structures along Bards Town Road and additional 1/2 floor was needed to achieve enough rooms to be economically feasible.

- **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.**

This strict application of provisions of the regulation would deprive the applicant the reasonable use of the land and create unnecessary hardship because not allowing this height variance would force the applicant to remove a substantial amount of rooms from the proposed hotel portion of their project.

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

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