

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 adjacent properties include development that do not rely on clear glazing on the frontage of the buildings. There is a Publix in development to the north, UofL Health medical center across Terra Crossing BLVD and a parking lot to the east, and a gas station to the south. The rear of the property is to the east. These commercial properties are not characteristic of glazing requirements and do not benefit from views into the buildings. The waiver to provide less than 50% clear glazing on the front façade is not necessary to keep the image of the adjacent properties.

2. Will the waiver violate the Comprehensive Plan?

The comprehensive plan emphasises the compatibility of adjacent uses in terms of building design. Adjacent buildings do not rely on clear glazing on the frontage of the buildings. Providing less than 50% clear glazing on the front façade would be consistent with majority of the area.

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

The maximum amount of clear glazing has been provided along the frontage of Terra Crossing Blvd to meet the needs of the bank and serve the Terra Crossing Blvd. Additional clear glazing would not serve users of the indoor areas of the bank as cars will queue along the frontage of the building to access the drive-through ATM.

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?

Strict application of the regulations would interfere with the operation of the drive-through ATM and indoor business of the bank. Clear glazing has been provided in locations that would allow adequate view along the frontage while also shielding indoor users from queue lines. The east corner of the bank is absent of clear glazing to shield backroom services from users of the bank and Terra Crossing Blvd.