

WAIVER JUSTIFICATION STATEMENT

Thorntons

4900 Brownsboro Road

4902 Brownsboro Road

4904 Brownsboro Road

The requested waiver of Section 5.5.1.A.3.A of the Land Development Code, to allow parking between the principal structure and US HWY 42, KY-22, and the I-264 East exit ramp, will not adversely affect the adjacent property owners. The requested waiver will allow the applicant to provide convenience to customers and maximize the functionality of the proposed development.

The requested waiver will not violate the Comprehensive Plan. The subject property is in the Town Center Form District. The Comprehensive Plan recognizes “more intense uses in the Town Center are located in close proximity to the major thoroughfare.” The subject property is located at the corner of KY-22 and US Highway 42, next to the I-264 ramps. The waiver will allow the proposed development to maximize the functionality of the proposed development by utilizing parking and access points from the major thoroughfares.

The waiver of the regulation is the minimum necessary to afford relief to the applicant. The waiver will permit the applicant to redevelop the property fully and adaptively while also maintaining the essential character of the general vicinity. Given the intensity of the use, the parking area between the principal structure and US HWY 42, KY-22, and the I-264 East exit ramp allows traffic to efficiently move throughout the subject site and avoid congestion.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant, as it would require the applicant to operate with limited parking not suited for the intensity of the proposed use.