



BOZA Appeal Application

Louisville Metro Planning & Design Services

Case No.: 18APPEAL1005 Intake Staff: NH

Date: 12/7/18 Fee: \$ 500

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Primary Project Address: 508 E OAK ST Louisville KY 40203

Additional Address(es): _____

Primary Parcel ID: 023C00210000

Additional Parcel ID(s): _____

Proposed Use: Duplex Existing Use: Duplex

Existing Zoning District: RC6 Existing Form District: Traditional Neighborhood

Deed Book(s) / Page Numbers²: 10981 356

The subject property contains .0427 acres. Number of Adjoining Property Owners: 5

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ ☐ Yes ☐ No

If yes, please list the docket/case numbers:

Docket/Case #: 18 NONCONFORM1036 Docket/Case #: 18 CUP1144

Docket/Case #: _____ Docket/Case #: _____

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18APPEAL1005

Contact Information:

Appellant: ☐ Check if primary contact

Applicant: ☒ Check if primary contact

Name: Luke Neubauer

Name: Luke Neubauer

Company: SO2 Rentals LLC

Company: Same as next to

Address: Wmwyar Po Box 6307

Address: _____

City: Low State: KY Zip: 40206

City: _____ State: _____ Zip: _____

Primary Phone: (502) 296-0599

Primary Phone: _____

Alternate Phone: (502) 354-2044

Alternate Phone: _____

Email: luke.neubauer@gmail.com

Email: _____

Appellant Signature (required): [Signature]

Attorney: ☐ Check if primary contact

Plan prepared by: ☐ Check if primary contact

Name: _____

Name: _____

Company: _____

Company: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: _____

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Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Luke Neubauer, in my capacity as Manager, hereby
representative/authorized agent/other

certify that SO2 Rentals, LLC is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: [Signature] Date: 12/7/2018

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

Please submit the completed application along with the following items:

Project application and description

- ☒ Land Development Report¹
- ☒ A copy of the current recorded deed² (*must show "End of Document" stamp on last page*)
- ☒ Legal description on separate 8.5" x 11" sheet of paper (if not included in deed)
- ☒ Drawing of property, survey, tax map, or LOJIC map
- ☒ A written description of the grounds for the appeal
- ☒ A copy of the action or decision being appealed (e.g. Refusal Form, Cease and Desist Order, Interpretation Letter, etc.)
- ☐ If necessary, notarized affidavits, photographs, and supporting documents – examples may include information from Caron's or the Polk Directory, utility bills, tax records, etc.

Mailing labels to notify Adjoining Property Owners (APOs)³

- ☒ One set of mailing label sheets for: 1st tier APOs and those listed on the application
- ☐ One copy of the APO mailing label sheets

Fee (Cash, charge or check made payable to Planning & Design Services)

- ☐ \$ 500 Application Fee
- ☐ \$1.00 per mailing label Notice Fee

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Resources:

1. Land Development Reports can be obtained online by entering the site address at: <https://www.lojic.org/lojic-online>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: <https://search.jeffersondeeds.com>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search/>
4. View agency comments at: <http://portal.louisvilleky.gov/codesandregs/mainsearch>. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.

12/6/2018

To Whom it May Concern,

We bought a building from the Louisville Metro Housing Authority in good faith that the work they had done to the property which included a 400 square foot addition off the back of the house adding two bedrooms and a bathroom and finishing the attic space into two more bedrooms on the third floor had been done according to housing code. The house was converted by them from a single family house originally with 3 bedrooms to a duplex with 6 bedrooms after they purchased it in 1988. The property is zoned R6 and is on a lot which is 0.0927 acres. We are appealing a non-conforming rights use case because it was a government entity which converted the house almost 30 years ago into a duplex and the house was used as a duplex for that entire time. We have done cosmetic fixes to the property and it is beautiful, and now we have discovered that the property is not zoned appropriately. We have a lot of money invested into this once vacant property, and we are requesting that you allow us to use it the way that it has been used by the government for almost 30 years.

Evidence that it is a duplex is in the two electrical meters, two gas meters, two water heaters, two furnaces, two bills from LGE for utilities for each apartment, phone and address records dating back to the mid 1990's through recent years showing 2 separate apartments, and an appraisal that the Louisville Metro Housing Authority gave us stating that it is a duplex however this was the only document that they were willing to give us regarding the property. They claim to have no knowledge about anything else having to do with the property.

We purchased the property in good faith from a government entity in an online sealed bid with the Louisville Metro Housing Authority in September of 2017. If we would like to use the property or sell the property as the duplex that it is, we will need this to be correct zoning use for the building.

Thank you,



Luke Neubauer
502-296-0599

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OFFICE OF PLANNING & DESIGN SERVICES
DEVELOP LOUISVILLE
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

YU "EMILY" LIU, AICP
DIRECTOR

December 5, 2018

Luke Neubauer
502 Rentals LCC
PO Box 6307
Louisville, KY 40206

Re: 18NONCONFORM1036
508 E. Oak Street
Louisville, Kentucky 40206

This letter will serve notice that nonconforming use rights for a two family dwelling (duplex) have not been established for the property known as 508 E. Oak Street. The subject property lies within the R-6 Residential Multi Family zoning district, which does permit two family dwellings. However, the size of lot in combination with the zoning district's maximum density requirements will not permit a second dwelling unit. This decision is based upon information provided in the application and Develop Louisville files.

Staff's conclusion can be appealed to the Louisville Metro Board of Zoning Adjustment pursuant to Kentucky Revised Statutes, Section 100.257 within 30 days.

Sincerely,

Christopher French
Planning & Design Supervisor

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LOUISVILLE FORWARD

www.louisvilleky.gov

METRO DEVELOPMENT CENTER 444 S. FIFTH STREET, STE 300, LOUISVILLE, KENTUCKY 40202 502.574.6230 FAX 502. 574.8129

18APPAL1005



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Metro Addressing
Beth Allen
572-3494
A GIS Partnership to Meet the
Growing Needs of Louisville, KY



JEFFERSON COUNTY PVA

508 E OAK ST**Mailing Address**

PO BOX 6307,
LOUISVILLE,
KY 40206-
0307

Owner

502RENTALS
LLC

Parcel ID

023C00210000

Land Value

\$14,000

Improvements Value

\$38,230

Assessed Value

\$52,230

Approximate Acreage

0.0927

Property Class

520 RES 2
FAMILY
DWELL
DUPLEX

Deed Book/Page

10981 356

District Number

100023

Old District

09

Fire District

City of
Louisville

School District

Jefferson
County

Neighborhood

208101 /
SHELBY
PARK

Satellite City

Urban Service
District

Sheriff's Tax Info

View Tax
Information

County Clerk

Delinquent
Taxes 



	Gross	Finished
Area Type	Area	Area
Main Unit	-	1,710
Basement	870	0
Attic	NONE	0
Attached Garage	-	n/a
Detached Garage	440	n/a

All measurements in square feet.

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Property Details

Type	1 : SINGLE FAMILY
Year Built	1910
Exterior Wall	W2 WOOD SIDING
Roof	
Basement Foundation	FULL BSMT
Condition	NORMAL FOR AGE
Heating Type	1 CENTRAL WARM AIR
Central Air	Yes
Fireplace	No
Construction Frame	WOOD FRAME NO SHEATH
Stories	2.00
Building Type	22 OLDER CONVENT'L 2/2+ STORY
Full Bathrooms	2
Half Bathrooms	0

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Property Sketch



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Sales History

Deed Book/Page	Price	Date	Previous Owner
10981 356	\$52,231	09/15/2017	LOUISVILLE METRO HOUSING AUTHORITY
5779 0065	\$0	06/14/1988	OWNER UNKNOWN

Assessment History

Record Year	Land	Improvements	Total	Reason
2018	\$14,000	\$38,230	\$52,230	R - Reassessment
1989	\$2,700	\$15,300	\$18,000	SC - Sale Class Change

Legal Lines

LN	Legal Description
1	34 X 120 SS OAK BET JACKSON & HANCOCK

Property is assessed per KRS 132.20 on January 1st of each year. The current year assessments are updated and posted on the website in mid April. Information deemed reliable but not guaranteed. Data last updated: 12/05/2018.



Land Development Report

December 7, 2018 8:36 AM

About LDC

Location

Parcel ID: 023C00210000
Parcel LRSN: 90461
Address: 508 E OAK ST

Zoning

Zoning: R6
Form District: TRADITIONAL NEIGHBORHOOD
Plan Certain #: NONE
Proposed Subdivision Name: NONE
Proposed Subdivision Docket #: NONE
Current Subdivision Name: NONE
Plat Book - Page: NONE
Related Cases: NONE

Special Review Districts

Overlay District: NO
Historic Preservation District: NONE
National Register District: NONE
Urban Renewal: NO
Enterprise Zone: YES
System Development District: NO
Historic Site: YES

Environmental Constraints

Flood Prone Area

FEMA Floodplain Review Zone: NO
FEMA Floodway Review Zone: NO
Local Regulatory Floodplain Zone or
Combined Sewer Floodprone Area: NO
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0042E

Protected Waterways

Potential Wetland (Hydric Soil): NO
Streams (Approximate): NO
Surface Water (Approximate): NO

Slopes & Soils

Potential Steep Slope: NO
Unstable Soil: NO

Geology

Karst Terrain: NO

Sewer & Drainage

MSD Property Service Connection: YES
Sewer Recapture Fee Area: NO
Drainage Credit Program: CSO149 - Project(s) Value between \$.04 - \$1.5

Services

Municipality: LOUISVILLE
Council District: 4
Fire Protection District: LOUISVILLE #2
Urban Service District: YES

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18 APR 2019



Bobbie Holsclaw
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Jefferson County Clerk's Office.



INST # 2017203949

BATCH # 94550

JEFFERSON CO, KY FEE \$20.00

PRESENTED ON: 09-15-2017 7 10:19:03 AM

LODGED BY: BORDERS & BORDERS

RECORDED: 09-15-2017 10:19:03 AM

BOBBIE HOLSCLOW

CLERK

BY: EVELYN MAYES

RECORDING CLERK

BK: D 10981

PG: 356-360

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527 W Jefferson St ~ Louisville, KY 40202 (502) 574-5700

Website: www.jeffersoncountyclerk.org | Email: countyclerk@jeffersoncountyclerk.org

16 APPENDICES

4m
CML

20173347

AFTER RECORDING RETURN TO
BORDERS & BORDERS, ATTORNEYS
920 DUPONT ROAD
LOUISVILLE, KY 40207

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SPECIAL WARRANTY DEED

THIS DEED, made this the 14th day of September, 2017, by and between Louisville Metro Housing Authority formerly known as Housing Authority of Louisville, Party of the First Part whose mailing address is 420 South 8th Street, Louisville, KY 40203 and 502Rentals, LLC, a Kentucky Limited Liability Company, Party of the Second Part, whose mailing address and in-care-of address, for tax purposes,

6307 DO BOX Louisville, Ky 40260;

WITNESSETH: That, for a valuable consideration in the amount of \$52,231.00, the receipt of which is hereby acknowledged, the Party of the First Part hereby convey unto the Party of the Second Part, in fee simple with covenant of SPECIAL WARRANTY, the following described property located in Jefferson County, Kentucky, to-wit:

See Attached Exhibit "A" which is incorporated herein and made a part hereof by reference.

NO TRANSFER TAX pursuant to KRS 142.050 (7)(B)

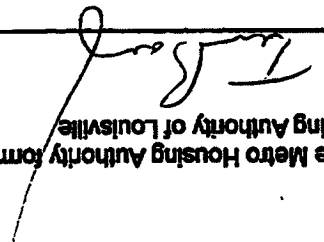
The Party of the First Part further covenant lawful seizin of the estate hereby conveyed, with full power to convey the same, and that said estate is free of encumbrances exception easements, restrictive covenants, and other matters of record, zoning and land use regulations and restrictions, including any binding elements or conditions of approval, and matters that a survey or inspection of the Property may disclose, and State, County and School taxes due and payable in 2017, and all subsequent taxes which Party of the Second Part do hereby assume and agree to pay.

The Parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Party of the Second Part join in this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

1EAPPEAL1005

20173347

Louisville Metro Housing Authority formerly known
as Housing Authority of Louisville

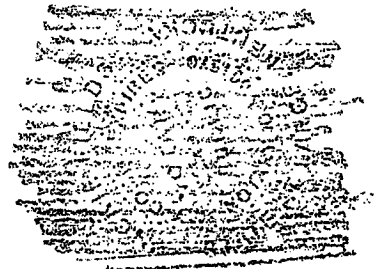


By: Executive Director
As:

State of Kentucky
County of Jefferson

I hereby certify that the foregoing deed and consideration certificate were acknowledged and sworn to
before me this the 14th day of September, 2017 by Tim Barry as
Executive Director of Louisville Metro Housing Authority formerly known as Housing Authority of
Louisville Party thereto to be ~~the~~ act and deed.

Richard J. Field
Notary Public Kentucky State at Large
Print Name Vickie J. Fields
My Commission Expires: 8/29/2021



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1/27/2018

20173347

502Rentals, LLC

By: Christina Neubauer
As: member

State of Kentucky
County of Jefferson

I hereby certify that the foregoing deed and consideration certificate were acknowledged and sworn to before me this 14th day of September, 2017, by Christina Neubauer as member of 502Rentals, LLC, a Kentucky Limited Liability Company, Parties thereto to be their act and deed.

[Signature]

Notary Public Kentucky State at Large
Print Name Marine Mitchell
My Commission Expires: 1-8-2017

[Signature]

This Instrument Prepared By:
Borders & Borders, PLLC
820 Dupont Road
Louisville, KY 40207
(502) 894-8200

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164 PPH/MS

18 APR 1965

Michael + Shanaka Winters
504 E OAK ST
Louisville, KY 40203

Sarah Stein
509 E OAK ST
Louisville, KY 40203

Rochell Goff
510 E OAK ST
Louisville, KY 40203

Louisville Rental Houses LLC
313 W Woodlawn Ave
Louisville, KY 40214

Louisville Metro Parks
1297 Trevilian Way
Louisville, KY 40213

Vint Properties
2308 Cross Hill Rd
Louisville KY 40206

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16 APPENDIX