



# General Waiver Application

Louisville Metro Planning & Design Services

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Case No.: 17DEVPLAN1199

Intake Staff: HP

Date: 11/13/17

Fee: \$215<sup>00</sup>

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 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

☒ Landscape Waiver of Chapter 10, Part 2

☐ Other: Waiver of Section \_\_\_\_\_

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: To not provide the 5' VUA LBA and required plantings along the rear of the EZ-1 zoned parcel abutting the rear alley.

Primary Project Address: 938 E. Kentucky Street

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 022H00680000

Additional Parcel ID(s): \_\_\_\_\_

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Proposed Use: Multi-family

Existing Use: Vacant warehouse

Existing Zoning District: EZ1

Existing Form District: TNFD

Deed Book(s) / Page Numbers<sup>2</sup>: D.B. 6769, Pg. 204

The subject property contains 0.299 acres. Number of Adjoining Property Owners: 9

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)*<sup>1</sup> ☐ Yes ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

## **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 waiver will not adversely affect the adjacent property owners, there currently is no landscaping at the rear of the property, the applicant is proposing to plant 4 trees around the 2 parking spaces. The adjacent property to the south is used for access and does not have a building, the property to the west is railroad.

### **2. Will the waiver violate the Comprehensive Plan?**

The waiver will not violate the Comprehensive Plan as the Traditional Neighborhood Form District encourages the revitalization of neighborhoods to include higher density residential uses. The parking from the rear of the site is keeping with the regulations for the Traditional Neighborhood Form District.

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

The rear of the property will be the access to the below level parking and also 2 surface parking spots on the lot the waiver is the minimum necessary to afford relief to the applicant to allow parking for the residents.

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### **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?**

The applicant has added 4 trees around the 2 proposed parking spaces which are 3 more trees than required in the LBA. The applicant is also proposing to plant 6 additional trees on the adjacent R-6 property that is the ingress/egress for the site to improve the overall site conditions from and to the proposed multi family residential building.

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**Contact Information:**

Owner: ☐ Check if primary contact

Applicant: ☐ Check if primary contact

Name: Ryan Lykins

Name: \_\_\_\_\_

Company: Bargain supply Company, Inc.

Company: \_\_\_\_\_

Address: 844 E. Jefferson St.

Address: \_\_\_\_\_

City: Louisville State: KY Zip: 40206

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: 502-562-5000

Primary Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: rlykins@humana.com

Email: \_\_\_\_\_

Owner Signature (required): *Ryan Lykins, LLC member*

Attorney: ☐ Check if primary contact

Plan prepared by: ☒ Check if primary contact

Name: \_\_\_\_\_

Name: Missy LeGee

Company: \_\_\_\_\_

Company: Civil Design, Inc.

Address: \_\_\_\_\_

Address: 3404 STONY SPRING CIRCLE

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: Louisville State: KY Zip: 40220

Primary Phone: \_\_\_\_\_

Primary Phone: 502-671-0060

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: MLEGEE@CIVILDESIGN.INC.COM

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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, Ryany Lykins, in my capacity as Member, hereby  
representative/authorized agent/other

certify that Bargain Supply Company, Inc. 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: *Ryan Lykins, LLC member* Date: 11/13/17

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.

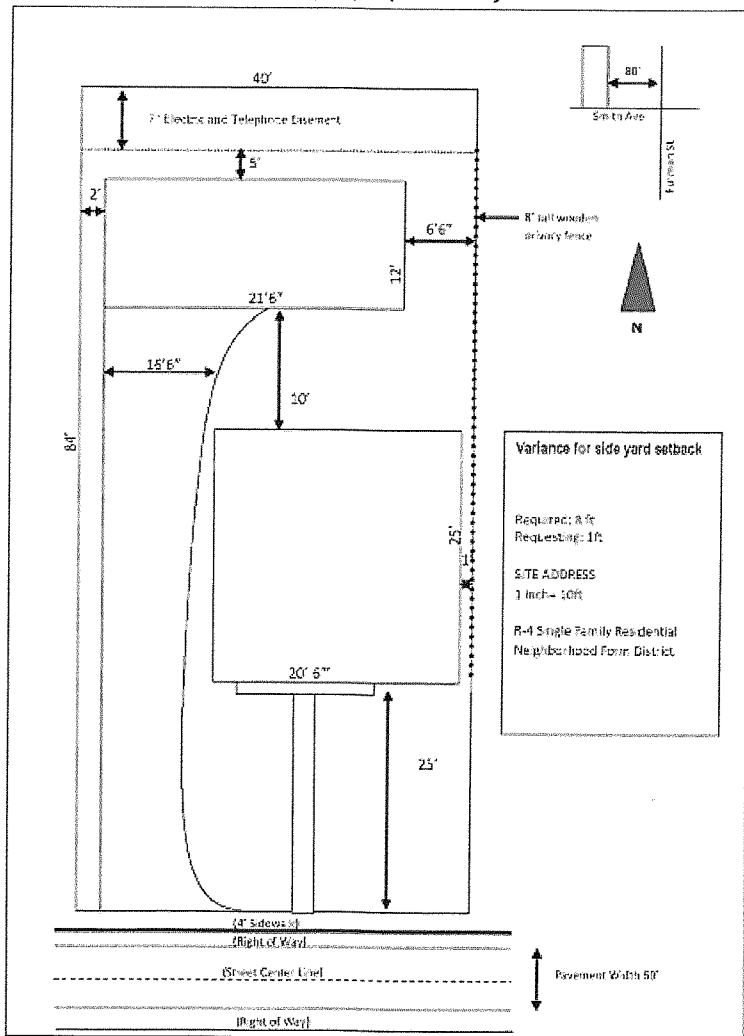
**Please submit the completed application along with the following items:**

- ☒ Land Development Report<sup>1</sup>
  - ☒ Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
    - ☒ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
    - ☒ Vicinity map that shows the distance from the property to the nearest intersecting street
    - ☒ North arrow
    - ☒ Street name(s) abutting the site
    - ☒ Property dimensions
    - ☒ Building limit lines
    - ☒ Electric, telephone, drainage easements with dimensions
    - ☒ Existing and proposed structures with dimensions and distance from property lines
    - ☒ Highlight (in yellow) the location of the waivers
  - ☐ One set of mailing label sheets for: 1<sup>st</sup> tier Adjoining Property Owners (APOs)<sup>3</sup>; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
  - ☐ One copy of the APO mailing label sheets
  - ☒ \$215 Application Fee + \$1 per mailing label (*Cash, charge or check made payable to Planning & Design Services*)

### Resources:

1. Land Development Reports can be obtained online by entering the site address at:  
<http://ags2.lojic.org/lojiconline/>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2<sup>nd</sup> floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at:  
<http://www.landrecords.jcc.ky.gov/records/S0Search.html>
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/>
4. View Application 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.

*Sample site plan is for example purposes only and not drawn to scale*



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