

Kathleen Serey Snyder

2810 Kosmar Court • Louisville, Kentucky 40242 • (502) 640-3996

September 21, 2020

Dante St. Germain, AICP
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202

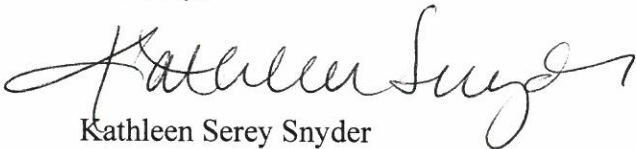
RE: Case numbers 19ZONE1016 and 19ZONE1017

Dear Ms. St. Germain,

Please find enclosed the hard copies of the petition for public hearing at 6pm at a convenient location for the above reference case numbers. These documents were sent to you electronically earlier today; I received your response confirming same.

Thank you and I look forward to hearing from you soon.

Sincerely,


Kathleen Serey Snyder

Enclosures

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**PLANNING & DESIGN
SERVICES**

Petition for Evening Public Hearing at Convenient Location

Published by Kathleen Snyder on 11th Sep 2020

A formal application for rezoning has been filed for three lots in Langdon Place. Proposed changes are for two lots to be rezoned from R-4 Single Family Residential to R-5B Two-Family Residential and for one lot to be rezoned from R=4 Single Family Residential to R-5A Multi-Family Residential.

A public hearing is currently scheduled for October 1, 2020, at 1pm and will be held virtually.

This petition is solely to request the public hearing to be held at 6:00PM or later at a convenient location.

Please scroll down to view the petition language.

Please see the links below for specific details on the proposed changes:

[https://aca-louisville.accela.com/LJCMG/Cap/CapDetail.aspx?](https://aca-louisville.accela.com/LJCMG/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=19HSF&capID2=00000&capID3=06NPX&agencyCode=LJCMG&IsToShowInspection=)

[Module=Planning&TabName=Planning&capID1=19HSF&capID2=00000&capID3=06NPX&agencyCode=LJCMG&IsToShowInspection=](https://aca-louisville.accela.com/LJCMG/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=19HSF&capID2=00000&capID3=06NPV&agencyCode=LJCMG)

[https://aca-louisville.accela.com/Ljcmg/Cap/CapDetail.aspx?](https://aca-louisville.accela.com/Ljcmg/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=19HSF&capID2=00000&capID3=06NPV&agencyCode=LJCMG)

[Module=Planning&TabName=Planning&capID1=19HSF&capID2=00000&capID3=06NPV&agencyCode=LJCMG](https://aca-louisville.accela.com/Ljcmg/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=19HSF&capID2=00000&capID3=06NPV&agencyCode=LJCMG)

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PLANNING & DESIGN SERVICES

PETITION FOR A PUBLIC HEARING AT 6:00PM OR LATER AT A CONVENIENT LOCATION

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19ZONE1016, a rezoning to R-5B to allow two family residential at 2813 Langdon Drive, 2816 Weissinger Road, Louisville, KY 40241.

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19ZONE1017, a rezoning to R-5A to allow multi family residential at 9121 Blossom Lane, Louisville, KY 40241.

#	Title	First name	Last name	Email	Address	City	State	Postcode	Region	Date
1	Ms.	Cathy	Colliver	cathycolliver@gmail.com	2810 Weissinger Road	Louisville	Kentucky	40241	USA	Sep 11, 2020
2	Mrs.	Kathleen	Gilman	kathleenlauren22@gmail.com	2822 Langdon Drive	Louisville	KY	40241	USA	Sep 11, 2020
3	Mr.	Kevin	Gilman	ktgilman@gmail.com	2822 Langdon Drive	Louisville	KY	40241	USA	Sep 11, 2020
4	Mr	Alex	Hoback	hobackster81@gmail.com	2820 Langdon Dr	Louisville	KY	40241	USA	Sep 11, 2020
5	Mrs	Vicki	Cherry	vcherry481@bellsouth.net	2805 Weissinger Road	Louisville	Ky	40241		Sep 11, 2020
6	Ms	Nancy	Trafton	njtrafton@gmail.com	10925 Fairway Pointe Dr	Louisville	Kentucky	40241	USA	Sep 11, 2020
7	Mr	Marvin	Weathers	marvelous1120@aol.com	2621 Titleist Rd	Louisville	KY	40242	USA	Sep 11, 2020
8		Katie	Danner	katedanner@live.com	8501 Brownsboro Road	Louisville	Kentucky	40241		Sep 11, 2020
9	Ms	Katharine	Faris	athkat@yahoo.com	1307 Falconwood Rd	Louisville	Kentucky	40222		Sep 11, 2020
10		Kathleen	Snyder	kssnyder@hotmail.com	2810 Kosmar Court	Louisville	KY	40242	USA	Sep 11, 2020
11	Mrs.	Delma	Cottoner	dcottoner1944@gmail.com	2903 Swipe Road	Louisville	Kentucky	40241	USA	Sep 11, 2020
12	Mrs.	Abbey	Hardy	abbeyhardy18@gmail.com	2806 Kosmar Ct	Louisville	Kentucky	40242	USA	Sep 11, 2020
13	Mr	Harry	Hagan	hagan@twc.com	8900 Duxbury Rd.	Louisville	KY	40242		Sep 11, 2020
14	Mr	Aaron	Hardy	aahardy@langdonplace.com	2806 Kosmar Ct	Louisville	KY	40242		Sep 11, 2020
15		Mark	DeOrio	redstradic@rwc.com	2902 Weissinger Rd	Louisville	KY	40241		Sep 11, 2020
16		Jolene	Yates	joleneyates@gmail.com	2608 Titleist Rd	Langdon Place	Kentucky	40252		Sep 11, 2020
17	Ms	Randi	Means	randimeans@semonin.com	270 Kennersley Dr.	Louisville	Ky	40242		Sep 11, 2020
18	Mr	John	Frank	johnfrank5446@att.net	2808 Kosmar Court	Louisville	KY	40242	USA	Sep 11, 2020
19		Megan	Koerberlein	merobe06@gmail.com	2805 Valhalla	Louisville	Kentucky	40242		Sep 11, 2020
20	Mr	Eric	Koerberlein	eric.koerberlein@gmail.com	2805 Valhalla Ct	Louisville	KY	40242		Sep 11, 2020
21	Mr.&Mrs.	Jim	Connors	jim.connors@geappliances.com	2807 Kosmar Ct	LOUISVILLE	Kentucky	40242	USA	Sep 11, 2020
22	Mr	Don	Liles	donliles@earthlink.net	2606 Kennersley Drive	Louisville	KY	40242	USA	Sep 11, 2020
23	Ms	Sandra	Liles	tarlheel99@icloud.com	2606 Kennersley Drive	Louisville	KY	40242	USA	Sep 11, 2020
24	Mr	Steven	Reeves	steve.reeves177@gmail.com	9007 Sandwich Pl	Louisville	Jefferson Co.	40242		Sep 11, 2020
25		Andrea	Hoback	andrea.w.hoback@gmail.com	2820 Langdon Dr	Louisville	KY	40241	USA	Sep 11, 2020
26	Mrs.	Jacqueline	Clark	jackieclark01@gmail.com	5118 Wolfpen Woods Drive	Prospect	KY	40059	USA	Sep 11, 2020
27	Mr.	Darrell	Covington	dcovington2@gmail.com	2912 koster place	Louisville	KY	40241	USA	Sep 11, 2020
28	Ms	Mary	Pace	pacemaryj@gmail.com	2610 Titleist Rd	Louisville	Kentucky	40242	USA	Sep 12, 2020
29	Ms.	Carey	Arnold	cma1950@bellsouth.net	225 Norbourne Blvd	Louisville	Kentucky	40207	USA	Sep 12, 2020
30	Mr	Robert	Boden	bobtboden@gmail.com	3103 Denbeigh Ct	Louisville	Ky	40242	USA	Sep 12, 2020
31	Ms.	Joy	Gregg	jgsing3310@bellsouth.net	3310 Broeck Pointe Circle	Louisville	Kentucky	40241		Sep 12, 2020

PETITION FOR A PUBLIC HEARING AT 6:00PM OR LATER AT A CONVENIENT LOCATION

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19ZONE1016, a rezoning to R-5B to allow two family residential at 2813 Langdon Drive, 2816 Weissinger Road, Louisville, KY 40241.

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19ZONE1017, a rezoning to R-5A to allow multi family residential at 9121 Blossom Lane, Louisville, KY 40241

#	Title	First name	Last name	Email	Address	City	State	Postcode	Region	Date
Please change the proposed zoning meeting from 10/1/2020 @ 1 p.m. to an evening meeting, when more residents can "attend" and give their input to the proposed zoning changes in Langdon Place.										
32		Kandi	Walker	kandiwalker@gmail.com	7310 Grand Isle Way	Prospect	KY	40059	USA	Sep 12, 2020
33		Heather	Calamita	tbrnita@yahoo.com	10810 Kings Crown Dr.	Louisville	Kentucky	40059	USA	Sep 12, 2020
34	Ms.	Diane	Knego	rodi@twc.com	2911 , Weissinger Road	Louisville	KY	40241	USA	Sep 12, 2020
35		Ben	Schecter	schecter@twc.com	7709 Greenlawn Rd	Louisville	KY	40242	USA	Sep 12, 2020
36	Mr	Charles	O'Bryan	charlieobryan01@gmail.com	2611 Kennersley Drive	Louisville	KY	40242		Sep 12, 2020
Please reschedule to allow maximum opportunity for residents to participate										
37	Mrs.	Kathy	Schafer	krshafer45@gmail.com	2907 Swope Road	Louisville	Ky	40241		Sep 12, 2020
38		therese	connors	thereseconnors@hotmail.com	2807 Kosmar Ct	Louisville	Ky	40242	USA	Sep 12, 2020
39	Mrs.	Kristen	Jones	kmj072410@gmail.com	3518 Breeland Avenue	Louisville	KY	40241	USA	Sep 12, 2020
40		Gerri	Willis	willis.gerri@gmail.com	3211 Haddon Rd	Spring Valley	KY	40241	USA	Sep 12, 2020
41	Mrs.	Sarah	Metzmeier	sarahmetz@gmail.com	7110 Wesboro Road	Louisville	KY	40222	USA	Sep 12, 2020
42		William	Willis	billwillis@gmail.com	3211 Haddon Rd	LOUISVILLE	KY	40241	USA	Sep 12, 2020
43	Mr.	Jess	Metzmeier	jtmetz@gmail.com	7110 Wesboro Road	Louisville	Kentucky	40222	USA	Sep 12, 2020
44	Mrs	Katic	ODea	Katiesodea@gmail.com	7527 lanfair dr	Louisville	KY	40241	USA	Sep 12, 2020
45		Elizabeth	Matly	lizabth384@yahoo.com	8109 Old Gate Road	Louisville	KY	40241	USA	Sep 12, 2020
46	Ms	martha	stahr	marthastahr@hotmail.com	2821 Langdon Drive	louisville	ky	40241	USA	Sep 12, 2020
47	Mrs.	Holly	Allen	holly.neal@yahoo.com	1406 community way	Louisville	Kentucky	40222	USA	Sep 12, 2020
48		Elizabeth	Frymire	beth_frymire@twc.com	2719 Langdon Drive	Louisville (City of Langdon Place)	Jefferson	40241		Sep 12, 2020
I live in Savannah Row Townhomes which is between the two tracts that will be re-zoned. This is already a congested area. A house has already been built on one of the tracts. The house does not conform to the neighborhood standards. It is not the quality or value of this neighborhood. If the other homes/condos look like this house they will definitely decrease the value of the surrounding homes.										
49		Craig	Sommer	craigsummer@att.net	9308 Tiverton way	Louisville	Kentucky	40242	USA	Sep 12, 2020
50	Mrs.	Leslie	Broecker	lbroecker@att.net	4001 Running Water Lane	Louisville	KY	40241	USA	Sep 12, 2020
51		Anne	Holmes	anneholmes502@gmail.com	7615 Tallwood Rd	Prospect	Kentucky	40059	USA	Sep 12, 2020
52	Mrs.	Rachel	Carr	rachelcolliercarr@gmail.com	2610 kennersley dr	Louisville	Kentucky	40242	USA	Sep 12, 2020
53		Leigh	Crittendon	Leigh.Hotchiss@gmail.com	2514 Titleist Rd	Louisville	Kentucky	40242	USA	Sep 12, 2020
54		Sue	Vierling	sue.vier.4@gmail.com	14900 Tradition Drive	Louisville	Ky	40245		Sep 12, 2020
55	Ms	Judy	Nielsen	j_nielsen54@hotmail.com	2507 Titleist Rd	Langdon Place	KY	40242		Sep 12, 2020
56	Mr	Marc	Barlow	marcwbarlow@gmail.com	3911 Therina Way	Louisville	Jefferson	40241		Sep 12, 2020
57	Ms	Ashley	Goff	huffy935@hotmail.com	2700 Colonel Drive	Louisville	Kentucky	40242	USA	Sep 12, 2020
58		Arthur	Riddle	Bpriddle2611@gmail.com	2611 Titleist Rd	Louisville	Kentucky	40242-6908	USA	Sep 12, 2020
59	Mr	Nicholas	Holmes	nanoholmes@gmail.com	7615 Tallwood Road	Prospect	KY	40059	USA	Sep 12, 2020
60	Mrs.	Katie	Meurer	katieaerberli@gmail.com	214 Club Oak Court	Louisville	KY	40223	USA	Sep 12, 2020
61		Katie	Kelty	katie.b.kelty@gmail.com	7406 Maria Ave	Louisville	Kentucky	40222	USA	Sep 12, 2020
62	Ms	Susan	Ribar	susanribar@gmail.com	9006 WESTRIDGE CT	LOUISVILLE	KY	40242-3349	USA	Sep 12, 2020
63	Ms	Kristen	Thompson	kristen.thompson.1529@gmail.com	2309 Tavener Dr	Louisville	KY	40242	USA	Sep 12, 2020
64	Mr	Kevin	Thompson	drizz32@yahoo.com	2309 Tavener Dr	Louisville	KY	40242	USA	Sep 12, 2020
65	Mrs.	Barbara	Casebeer	barbloucase@gmail.com	2607 Titleist Road	Louisville	KY	40242	USA	Sep 12, 2020
66	Mr.	Steve	Casebeer	Casebeeral@aol.com	2607 Titleist Road	Louisville	KY	40242	USA	Sep 12, 2020
67		Jennifer	Rutherford	jfruth@aol.com	7404 Wilcotte Court	Prospect	Kentucky	40059		Sep 12, 2020
68		DAVID	Moose	dnmoose777@gmail.com	2605 Kennersley Dr	Louisville	KY	40242	USA	Sep 12, 2020
6:00 pm will allow greater participation. And I think the site should be a Langdon Place public park.										
69	Mrs	Melissa	Mattingly	melissamattingly@gmail.com	2819 Murray Hill Pike	Louisville	Kentucky	40242		Sep 12, 2020
70	Ms	Elizabeth	Reeves	betsyreeves123@gmail.com	9007 Sandwich Pl	Louisville	KY	40242	USA	Sep 12, 2020
71	Ms.	Katie	Duvall	duvall.katie@gmail.com	2019 Cedarcrest Dr.	Louisville	KY	40242		Sep 12, 2020
72		Phillip	Means	meansphillip@gmail.com	2700 Kennersley Drive	Louisville	Kentucky	40242	USA	Sep 12, 2020
73	Mr.	Kenneth	Bauer	kenbauer61@gmail.com	2808 Kennersley Drive	Louisville	KY	40242	USA	Sep 12, 2020
74	Mrs	Deborah K	Bauer	dkbauer02@gmail.com	2808 Kennersley drive	Louisville	USA	40242		Sep 13, 2020
75	Mr	Joshua	Gordon	kyleesolman@yahoo.com	9506 Tiverton Way	Louisville	Kentucky	40242	USA	Sep 13, 2020
76	Mr and Mrs.	Kenneth	Chesser	vic.chesser@gmail.com	8908 Acushnet Road	Louisville	KY	40242	USA	Sep 13, 2020
77	Mr	John	Lubay	jlubay@twc.com	8902 Blossom Lane	Louisville	KY	40242	USA	Sep 13, 2020
78	Mr	Jack	Schroder	jsschrod@gmail.com	2605 Hyannis Pl 3211	Louisville	KY	40242	USA	Sep 13, 2020
79	Dr	Thomas	Cleaver	systemx@hotmail.com	2824 Langdon Dr	Langdon place	KY	40241		Sep 13, 2020
80		Nathan	Bellows	nbellows@semonin.com	8909 Duxbury Rd	Louisville	KY	40242		Sep 13, 2020
81	Mr.	James	Connors	jimconnors71@hotmail.com	2807 Kosmar CT	LOUISVILLE	Kentucky	40242	USA	Sep 13, 2020
82	Mrs	Charlotte	Fletcher	cdfletcher47@bellsouth.net	8902 Provincetown Pl	Lyndon	Jefferson	40242		Sep 13, 2020
1pm is not conducive to anyone that works. Also, many parents are homeschooling at this time.										
83	Ms	Tammy	Weathers	tweathers2205@gmail.com	2621 Titleist Rd	Louisville	KY	40242	USA	Sep 13, 2020
84		Shirley	Moore	smpmoore@att.net	2607 Kennersley Dr.	Langdon Place	KY	40242	USA	Sep 13, 2020
85	Mrs	Lindsay	Mathes	lindsaymathes@yahoo.com	7407 Wesboro Rd	Louisville	KY	40242		Sep 13, 2020
We request an evening meeting time. Thank you.										
86	Mrs	Theresa	O'Bryan	theresaobryan@gmail.com	2611 Kennersley	Louisville	Ky	40242		Sep 13, 2020
87	Mr	David	Zeilmann	d_zeilmann@gmail.com	2702 Kennersley Drive	Louisville	KY	40242	USA	Sep 13, 2020
88	dr	patrick	serey	jserey2002@yahoo.com	6002 timber ridge pl	Prospect	KY	40059	USA	Sep 13, 2020
89	Mrs	Jill	Vanderwerp	vanderwerp@aol.com	1812 Buttonwood Road	Louisville	KY	40222	USA	Sep 13, 2020
90	Mrs	Shaneh	Raymer	smraymer21@yahoo.com	2809 Kosmar ct	Louisville	Kentucky	40242		Sep 14, 2020
91	Mrs	Yulia	Lusardo	drop_elka@yahoo.com	8508 Saberdee Drive	Louisville	KY	40242	USA	Sep 14, 2020
92	Mr.	Andrew	Carter	andrewcarter@outlook.com	8915 Blossom Ln	Louisville	KY	40242	USA	Sep 14, 2020
93		Bob	Roos	bullies@twc.com	3704 , Ten Broeck Way	Louisvill	KY	40241		Sep 14, 2020
Section 8 or equivalent										
94		Sandy	Compton	comptonsk@yahoo.com	9714 Lanesboro Way	Louisville	KY	40242		Sep 14, 2020
95		Sotra	Thompson	sthompson@gmail.com	9204 Weissinger Ct	Louisville	Ky	40241	USA	Sep 14, 2020
96		Robin	Schmalz	unsure@gmail.com	8913 Westport Road	Louisville	Ky	40242		Sep 14, 2020
97	Mrs and Mr.	Ben	Reif	tamarareif56@gmail.com	7324 Keisler Way	Louisville	Kentucky	40222	USA	Sep 14, 2020
98	Ms	Melissa	Meiners	melissa.meiners@yahoo.com	9103 Blossom Ln	Louisville	Kentucky	40241	USA	Sep 14, 2020

PETITION FOR A PUBLIC HEARING AT 6:00PM OR LATER AT A CONVENIENT LOCATION

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19ZONE1016, a rezoning to R-5B to allow two family residential at 2813 Langdon Drive, 2816 Weissinger Road, Louisville, KY 40241.

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19ZONE1017, a rezoning to R-5A to allow multi family residential at 9121 Blossom Lane, Louisville, KY 40241

#	Title	First name	Last name	Email	Address	City	State	Postcode	Region	Date
99	Mr.	Howard	Kearschner	h.kearschner@twc.com	2619 Titleist Rd	Louisville	Kentucky	40242	USA	Sep 14, 2020
100		Kathy	Thelen	kst8907@gmail.com	8907 Duxbury Road	Louisville	Kentucky	40242	USA	Sep 14, 2020
101	Ms.	Sherry	Marshall	sherry.marshall@twc.com	9009 BILLINGSGATE PL	LOUISVILLE	Kentucky	40242	USA	Sep 14, 2020
102		Jeanne	Fass	mejmh@aol.com	9214 Springbrooke Circle Suite / Apt #	Louisville	Kentucky	40241	USA	Sep 14, 2020
103	Mr	Bob	Cherry	bob.cherry@necchurch.org	2805 Weissinger Rd	Louisville	Kentucky	40241	USA	Sep 14, 2020
104	Ms	Jasmine	Herren	jasmine.haboubi@gmail.com	8901 Acushnet Rd	Louisville	Ky	40242		Sep 14, 2020
105		Melissa	Overton	mnoverton01@gmail.com	9008 Sandwich Place	Langdon Place	KY	40242	USA	Sep 14, 2020
106	Ms	Margaret	Gibbs	mgbirdog@aol.com	2802 Valhalla Ct	Louisville	Ky	40242	USA	Sep 14, 2020
107	Mr	John	Kitson	jk2theforest@gmail.com	7504 SPRINGVALE dr	Louisville	KY	40241	USA	Sep 14, 2020
108	Mr	Steven	Vierling	steve.v.usa@gmail.com	14900 Tradition Dr	Louisville	Kentucky	40245	USA	Sep 15, 2020
109	Mr	John	Young	johnyoung1975@gmail.com	3501 Rems Rd	Louisville	KY	40241	USA	Sep 15, 2020
110		Dennis	Barnett	dkbbarnett@gmail.com	10410 Morat Avenue	Louisville	KY	40223	USA	Sep 15, 2020
111	Mrs	Michelle	Wagoner	mmcawagoner@yahoo.com	2603 Titleist rd	Louisville	Ky	40242		Sep 15, 2020
112		Jerad	Millay	millayfamily2010@gmail.com	2630 Titleist Rd	Louisville	KY	40242		Sep 15, 2020
113	Mrs.	Melissa	Bellows	Bellowsml@gmail.com	8909 Duxbury Rd	Louisville	Kentucky	40242	USA	Sep 15, 2020
114	Ms.	Gina	Williams	ginainow@aol.com	10303 Parkstone Dr.	Louisville	KY	40241		Sep 15, 2020
115		Mary ann	Hoback	mahoback61@gmail.com	8905 middle pointe road	Louisville	Kentucky	40241	USA	Sep 15, 2020
116	Mr.	Travis	Tiller	travtiller@aol.com	2809 Wareham Road	Louisville	Kentucky	40242	USA	Sep 16, 2020
117	Ms	Veletta	Taylor	velettat@gmail.com	9004 Fawn Ct	Louisville	KY	40242	USA	Sep 16, 2020
		No to apartments or multi family housing.								
118	Ms.	Kourtney	Stewart	okkoko15@aol.com	9009 Duxbury Road	Louisville	Kentucky	40242	USA	Sep 16, 2020
119	Dr.	Michael	Urbancic	mau2016@twc.com	3228 Broeck Pointe Cir.	Louisville	KY	40241	USA	Sep 16, 2020
120		Mary	Watts	mp895@aol.com	9709 Boxford Way	Louisville	Ky	40242		Sep 17, 2020
121		Andi	McLeroy	andimcleroy@yahoo.com	3906 Therina Way	Louisville	Kentucky	40241	USA	Sep 17, 2020
122	MR	NOLAN	SMITH	derbycitymates@yahoo.com	KY	LOUISVILLE	USA	40242		Sep 18, 2020
123	Mrs.	Carmen	Bellefant	carmenshaniece@gmail.com	2802 Wareham Rd.	Louisville	Kentucky	40242	USA	Sep 18, 2020
124	Mr	Carlos	Bellefant	cbellefant@gmail.com	2802 Wareham Road	Langdon	KY	40242	USA	Sep 18, 2020
125		Jason	Snyder	jsnyder0051@hotmail.com	2810 Kosmar Court	Louisville	Kentucky	40242	USA	Sep 20, 2020
126		David	Rosa	davidjrosa77@gmail.com	2506 Titleist Road	Louisville	KY	40242	USA	Sep 21, 2020
127		Tina	Covington	Tcov@twc.com	2912 Koster place	Louisville	Ky	40241	USA	Sep 21, 2020
128		Andrea	DeOrio	andreadeorio@gmail.com	2902 Weissinger Rd	Louisville	KY	40241	USA	Sep 21, 2020

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SEP 29 2020

PLANNING & DESIGN
SERVICES

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # R Zone 10160. R Zone 1017, a rezoning to R-5A & 5B to allow a

Multi family housing
(Proposed Use)

at 912 Blossom Ln, 2813 Linden Dr, 2816 Weddinger Rd
(Address)

	Print Name	Signature	Address w/ Zip Code
1.	CARRIE RITSERT		719 INSPIRATION WAY 40245
2.	Jean Harrell		9711 BOKFORD WAY 40242
3.	Nathan Bellows		8909 Duxbury Rd 40242
4.	BERNARD SHULER		9817 BOXFORD WY 40242
5.	MIKE JONES		2610 HANZ LANE 40223
6.	Melissa Bellows		8909 Duxbury Rd. 40242
7.	Karen Wilson		8903 Duxbury Rd 40242
8.	Colbert White Sr.		8903 Duxbury Rd. 40242
9.	LINDA PROFFIT		8901 DUXBURY RD 40242
10.	Anne Proffitt		8900 Duxbury Rd 40242
11.	Kristina Potter		8902 Duxbury Rd 40242
12.	David E. Lowe		8910 Duxbury rd. 40242
13.	JIM PARR		2602 KENNERSLEY DR 40242
14.	Johnetta Welch		2600 Kennerley DR 40242
15.	Maurice Welch		2600 Kennerley DR. 40242
16.	Bianca Norman		8903 Westport Rd 40242
17.	Deborah Ewing		8905 Westport Rd 40242
18.	Mark Ewing		8905 Westport Rd. 40242
19.	Kirk Spears		8907 Westport Rd 40242
20.	Marisa Tribble		8909 Westport Rd 40242

SHEET TOTAL: 20

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19200 1014, 19200 1017, a rezoning to R-5A-5TB to allow a

Multi fam. housing
(Proposed Use)

at 9121 Blossom Ln, 2813 Langdon Dr,
2814 Weissinger Rd
(Address)

	Print Name	Signature	Address w/ Zip Code
1.	AARON HARDY	<i>A Hardy</i>	2806 KOSMAR CT 40242
2.	Scott Scinta	<i>Scott Scinta</i>	2802 Kennersley Dr. 40242
3.	Annette Harper	<i>Annette Harper</i>	9105 Blossom Ln 40241
4.	Theresa OBryan	<i>Theresa OBryan</i>	2611 Kennersley 40242
5.	CHARLENE OBRYAN	<i>Charlene OBryan</i>	2611 Kennersley DR 40242
6.	Beth Frymire	<i>Beth Frymire</i>	2719 Langdon Dr 40241
7.	Wava Oser	<i>Wava Oser</i>	2811 Weissinger Rd 40241
8.	CARLEEN JAGGERS	<i>Carleen Jagers</i>	2911 KOSTER PL 40241
9.	John JAGGERS	<i>John Jagers</i>	2911 KOSTER PL 40241
10.	Kathleen Gilman	<i>Kathleen Gilman</i>	2822 Langdon Dr. 40241
11.	Kenneth A. Bauer	<i>Kenneth A. Bauer</i>	2808 Kennersley Dr 40242
12.	Harry Haggan	<i>Harry Haggan</i>	8900 Duxbury Rd 40242
13.	Darrell W. Lovigton	<i>Darrell W. Lovigton</i>	2912 Koster Place Louky 40241
14.	Phillip Means	<i>Phillip Means</i>	2700 Kennersley Dr 40242
15.	DAVE ZEILLMANN	<i>David L Zeilman</i>	2702 KENNERSLEY DR 40242
16.	SHARON ZEILLMANN	<i>Sharon Zeilman</i>	" " "
17.	Mary Horrel	<i>Mary Horrel</i>	9403 Blossom Lane Suite A 40241
18.	JANE FROELKE	<i>Jane C Froelke</i>	2606 ACUSHNET CT 40242
19.	Cathy Colliver	<i>Cathy Colliver</i>	2810 Weissinger Rd 40241
20.	Todd Colliver	<i>Todd Colliver</i>	2810 Weissinger Rd 40241

SHEET TOTAL: 20

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19201016, a rezoning to R-5A & SB to allow a Multi fam. house at 921 Blossom Ln, 2813 Langdon Dr, 2816 Weissinger Rd.

(Case #) (Proposed Zoning District) (Address)

	Print Name	Signature	Address w/ Zip Code
1.	JULIE CRATER	<i>[Signature]</i>	9570 Agulabum Dr. 40242
2.	Carolyn Weber	<i>[Signature]</i>	2823 Langdon Dr 40241
3.	Avis Irwin	<i>[Signature]</i>	2827 Langdon Dr. 40241
4.	William IRVIN	<i>[Signature]</i>	2827 Langdon Dr. 40241
5.	Jan Cleaver	JAN CLEAVER	2824 Langdon 40241
6.	Karen Bathe	<i>[Signature]</i>	2902 Swope Rd 40241
7.	Carla Fendress	<i>[Signature]</i>	2905 Swope Rd 40241
8.	Mike Williams	<i>[Signature]</i>	2909 Swope Rd 40241
9.	Grace Engenat	<i>[Signature]</i>	2910 Swope Rd 40241
10.	Delma Cottonier	<i>[Signature]</i>	2903 Swope Rd 40241
11.	MICHAEL SCHAEFER	<i>[Signature]</i>	2907 SWOPE RD 40241
12.	Kathy Schaefer	<i>[Signature]</i>	2907 Swope Rd. 40241
13.	Andrea Deorio	<i>[Signature]</i>	2902 Weissinger Rd 40241
14.	Amy Metz	<i>[Signature]</i>	8605 Broecker Blvd 40241
15.	Kathleen Gilman	<i>[Signature]</i>	2926 Langdon Dr 40241
16.	Kevin Gilman	<i>[Signature]</i>	2926 Langdon Dr 40241
17.	YU KING ZHENG	<i>[Signature]</i>	2822 Langdon Dr 40241
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SHEET TOTAL: 17

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19200162 ¹⁹²⁰⁰¹⁰¹⁷, a rezoning to R-54-5B to allow a Multi Family housing at 9121 Plosson Ln, 28 Blanton Dr, 28116 Weissburg Rd

(Case #) (Proposed Zoning District) (Address)

	Print Name	Signature	Address w/ Zip Code
1.	Abbey Hardy	<i>Abbey Hardy</i>	2806 Kosmar Ct, Langdon Place, KY 40242
2.	Eric Koerberlein	<i>Eric Koerberlein</i>	2805 Valhalla Ct. Louisville, KY 40242
3.	Megan Koerberlein	<i>Megan Koerberlein</i>	2805 Valhalla Ct. Louisville, KY 40242
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SHEET TOTAL: 3

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 1920010161 ¹⁹²⁰⁰¹⁰¹⁷ a rezoning to RZ-SA-8B to allow a

Multi-Fam Housing (Proposed Use) at 9121 Blossom Ln, 2813 Langdon Dr (Address)
2816 Weissinger Rd

	Print Name	Signature	Address w/ Zip Code
1.	Elizabeth Metz	<i>E Metz</i>	2825 Langdon Dr 40241
2.	John Metz	<i>John Metz</i>	2825 Langdon Dr 40241
3.	Margaret Gibbs	<i>M Gibbs</i>	2802 Valhalla Ct 40242
4.	Thomas G. Clem	<i>Tom Clem</i>	2824 Langdon 40241
5.	Kevin Duffy	<i>Kevin Duffy</i>	2606 Titleist Rd. 40242
6.	Barbara Casabeer	<i>Barbara Casabeer</i>	2607 Titleist Rd 40242
7.	ROTH OSBORNE	<i>Ruth Osborne</i>	2711 Langdon
8.	Tina Covington	<i>Tina Covington</i>	2912 Koster Place 40242
9.	Jan Frank	<i>Jan Frank</i>	2808 Kosman Ct 40242
10.	MIKE FRANK	<i>Mike Frank</i>	2808 Kosman Ct. 40242
11.	Bely McGill	<i>Bely McGill</i>	209 woodcleft Rd 40222
12.	Zachary McGill	<i>Z McGill</i>	209 Woodcleft Rd 40222
13.	Mary Barlow	<i>M Barlow</i>	3911 Thelma Way 40241
14.	Sandy Compton	<i>S. Compton</i>	9714 Lonestar Way 40242
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SHEET TOTAL: 14

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 19 Zon 016 & 19 Zon 107, a rezoning to R-SA-SB to allow a Multi Fam homes at 912 Blossom Ln, 283 Langdon Dr, 2816 Weddinger Rd (Proposed Use) (Address)

	Print Name	Signature	Address w/ Zip Code
1.	KEN WILSON	<i>K. Wilson</i>	9507 Aylesbury Dr. 40242
2.	ANNA WILSON	<i>Anna Wilson</i>	9507 Aylesbury Dr. 40242
3.	Michele Fawver	<i>M. Fawver</i>	9215 Aylesbury Dr. 40242
4.	David Metz	<i>David Metz</i>	9510 Aylesbury Dr 40242
5.	Judith Crowe	<i>Judith Crowe</i>	9612 TIVERTON WAY 40242
6.	Elissa Gustafson	<i>Elissa Gustafson</i>	9300 Walhampton Dr 40242
7.	Chris Wilmes	<i>Chris Wilmes</i>	9312 Trentham Lane 40242
8.	James Monroe	<i>J. Brent Monroe</i>	9207 Aylesbury Dr. 40202
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SHEET TOTAL: 8

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 192001062192001017, a rezoning to R-5A-5B to allow a

Multi family housing
(Proposed Use)

at 912 Blossom Ln, 2813 Langdon Dr, 2816 Weissinger Rd
(Address)

	Print Name	Signature	Address w/ Zip Code
1.	MARY DIANE ROBERTS	Mary Diane Roberts	9601 SOMERFORD CT 40242
2.	Matthew Hammel	[Signature]	9818 Grenfell Way 40242
3.	Catherine Morrow	Catherine Morrow	9802 Boxford Ct 40242
4.	BETSY SMITH	Betsy Smith	9100 MEADOW VALE DR 40242
5.	Mary Hornek	Mary Hornek	9711 Boxford Way 40242
6.	ROBIN SCHMALZ	Robin Schmalz	8913 Westport Rd 40242
7.	Ben Smith	[Signature]	8411 Dunbury Rd 40242
8.	Michael Strawser	[Signature]	2826 Langdon Dr. Louisville KY 40241
9.	Elizabeth Strawser	[Signature]	2820 LANGDON DR. LOUISVILLE KY 40241
10.	Betty McKinley	Betty McKinley	2903 Weissinger Rd. Louisville, KY 40241
11.	Brittany Durbin	Brittany Durbin	2910 Weissinger Rd 40241
12.	JANE KUEHL	Jane Kuehl	2911 Weissinger Rd 40241
13.	Linda Melzer	Linda Melzer	2906 Weissinger Rd 40241
14.	Dawn McCarty	Dawn McCarty	2908 Weissinger Rd 40241
15.	SIEH HO	[Signature]	2904 Weissinger Rd 40241
16.	Mark Deorio	[Signature]	2902 Weissinger Rd 40241
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SHEET TOTAL: 16

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 1970 Middlebrook Zone 107, a rezoning to R-SA-SB to allow a

Multi family housing
(Proposed Use)

at 9121 Blossom Ln #2813 Langdon Dr, 2814
(Address)

Winston Rd

	Print Name	Signature	Address w/ Zip Code
1.	SUZANNE S. DUGAN	<i>Suzanne S. Dugan</i>	6894 Green Meadows Ct., Lou. Ky 40207
2.	Anne Dugan	<i>Anne Dugan</i>	1411 Autumn Ridge Rd 40242
3.	Craig Graham	<i>Craig Graham</i>	4403 Holly Tree Dr. 40241
4.	J. CANCASTLE	<i>J. Cancastle</i>	12104 Bay Run Dr. 40245
5.	L. COVERSTONE	<i>L. Coverstone</i>	10017 Brownsboro Cir. Lou 40241
6.	T. Guilford	<i>T. Guilford</i>	10017 Brownsboro Bug Cir
7.	G. Dean	<i>G. Dean</i>	4403 Windy Oaks Rd Lou. 40241
8.	Mark Petruska	<i>Mark Petruska</i>	3231 Broeck Pointe Cir, Lou. 40241
9.	ED HANDLEY	<i>Ed Handley</i>	10403 TOLL HOUSE COURT, Lou 40241
10.	LEE WEESE	<i>Lee Weese</i>	9103 Glover Ln 40242
11.	SUSAN WEESE	<i>Susan Weese</i>	9103 Glover Ln 40242
12.	George Perkins	<i>George Perkins</i>	3411 Goose CK Rd 40241
13.	Pat ZIMMERMAN	<i>Pat Zimmerman</i>	3014 Freys Hill Rd 40241
14.	Skip ZIMMERMAN	<i>Skip Zimmerman</i>	" "
15.	Phillip Kash	<i>Phillip Kash</i>	11106 Owl Creek Ln. 40223
16.	Roberta Stanon	<i>Roberta Stanon</i>	4518 Pulaski Pl of Lou Ky 40241
17.	Hunt Butler	<i>Hunt Butler</i>	11009 Fairway Pointe Dr. Louisville 40241
18.	CAROLYN DOWNS	<i>Carolyn Downs</i>	110 Holley Rd. Louisville, Ky, 40222
19.	MARTHA TICHENOR	<i>Martha Tichenor</i>	511 Wood Rd. Louisville, Ky 40222
20.	BETTE ZELLER	<i>Bette Zeller</i>	1116 Carden Ln 40222

SHEET TOTAL: 20

ed

Petition for a Public Hearing at 6:00 PM or later at convenient location

We, the undersigned, hereby petition the Planning Commission to hold a public hearing at 6:00 PM or later at a convenient location for Case # 192021066 - 19 zone 1017, a rezoning to R2-SA & SB to allow a

Multi family home at 9121 Blossom Ln & 2813 Langdon Dr, 2816 Weissinger Rd

(Proposed Use) (Address)

	Print Name	Signature	Address w/ Zip Code
1.	Robert Roos	<i>Robert Roos</i>	3704 Ted Brockway 40241
2.	ANN BURGE	<i>Ann M Burge</i>	7418 Greenlawn Rd 40222
3.	TERESA SPELLMAN	<i>T Spellman</i>	303 Bromwich Ct 40243
4.	Wava Oser	<i>Wava Oser</i>	2811 Weissinger Rd Louisville 40241
5.	Carolyn Weber	<i>Carolyn Weber</i>	2823 Langdon Dr. Lou KY 40241
6.	Joe Weber	<i>Joe Weber</i>	2823 Langdon Dr. Lou KY 40241
7.	Christy Medina	<i>Christy Medina</i>	3506 Brecon Circle Louisville KY 40241
8.	Nicholas Jones	<i>Nicholas Jones</i>	3518 Breeland Ave Louisville KY 40241
9.	Jamie Sturgeon	<i>Jamie Sturgeon</i>	1502 Helmridge Ct. Lou KY 40222
10.	Mark (Andrew) Sturgeon	<i>Mark Sturgeon</i>	1502 Helmridge Ct Lou KY 40222
11.	Betsy McMill	<i>Betsy McMill</i>	209 Woodcleft Rd Lou KY 40222
12.	Mary Barlow	<i>M. Barlow</i>	3911 Therna Way Louisville KY 40241
13.	Zach McMill	<i>Zach McMill</i>	209 Woodcleft Rd 40222
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SHEET TOTAL: 13

June 1, 2020

VIA CERTIFIED MAIL

Louisville Metro Planning Commissioners
Attn: Mr. Vince Jarboe, Chairman
444 S. 5th Street
Louisville, Kentucky 40202

Attn: Mr. Dante St. Germain
Staff Case Manager
444 S. 5th Street
Louisville, Kentucky 40202

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RE: Objection to Rezoning Case No. 19ZONE1017

Dear Louisville Metro Planning Commissioners and Mr. Germain:

Our Firm represents Todd Colliver, the owner (together with his wife, Catherine Colliver) of the real property located at 2810 Weissinger Road in Louisville, having Parcel ID #W001-0110-0000 (the "2810 Property"). In June 2019, we wrote you the letter attached hereto as **Schedule 1** informing you, to the extent you were not aware, of a quiet title action we filed in Jefferson Circuit Court against Leigh Ann Properties, LLC ("Applicant") that pertains to the 2810 Property and to property that Applicant is pursuing to have be rezoned at the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000 (the "Proposed 6-Plex Property"). We understand that Applicant recently submitted a modified site layout for the Proposed 6-Plex Property dated September 19, 2019, which was received by the Planning Commission on May 18, 2020.

We write this letter to inform you that the quiet title action remains ongoing and unresolved in Jefferson Circuit Court. Our position continues to be that our client owns a portion of the Proposed 6-Plex Property pursuant to adverse possession under Kentucky law.

As the proposed rezoning process progresses, we want to make sure that agencies of Louisville/Jefferson County Metro Government and the Land Development and Transportation Committee of the Planning Commission continue to be aware of this matter.

If you have any questions or comments regarding this letter, please do not hesitate to contact me.



Sincerely,

Wyatt, Tarrant & Combs, LLP

A handwritten signature in blue ink that reads 'R. Benjamin Straus'. The signature is written in a cursive style.

R. Benjamin Straus

cc: Mr. Todd Colliver
cc: Cornelius E. Coryell II, Esq.

Attachments:

Schedule 1 - Letter dated June 6, 2019 with exhibits

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SCHEDULE 1

Letter dated June 6, 2019 with exhibits

[attached hereto]

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June 6, 2019

VIA HAND-DELIVERY

Louisville Metro Planning Commissioners
Attn: Mr. Vince Jarboe, Chairman
444 S. 5th Street
Louisville, Kentucky 40202

Attn: Mr. Dante St. Germain
Staff Case Manager
444 S. 5th Street
Louisville, Kentucky 40202

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**PLANNING & DESIGN
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RE: Objection to Rezoning Case No. 19ZONE1017

Dear Louisville Metro Planning Commissioners and Mr. Germain:

Our Firm represents Todd Colliver, the owner (together with his wife, Catherine Colliver) of the real property located at 2810 Weissinger Road in Louisville, having Parcel ID #W001-0110-0000 (the "2810 Property"). We write this letter to inform you, to the extent you are not aware, of a quiet title action we filed in Jefferson Circuit Court, against Leigh Ann Properties, LLC ("Applicant") that pertains to the 2810 Property and to property that Applicant is pursuing to have be rezoned at the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000 (the "Proposed 6-Plex Property").

On February 25, 2019, Applicant submitted a pre-application to Louisville Metro Planning & Design Services seeking a zone change of the Proposed 6-Plex Property from R-4 to R-5A to allow a 2-story, 6-unit condominium complex.

On March 8, 2019, our firm sent Applicant's counsel the letter attached hereto as Exhibit A. In the letter, we described a portion of real property located within our client's fence that we believe our client owns pursuant to adverse possession under Kentucky law, and which is depicted in Applicant's site layout drawings as being owed by Applicant. In addition, we stated that if Applicant moves forward with the proposed rezoning process and proposed development affecting our client's fence and fenced-in land, our client will consider all available remedies at law and in equity, including a quiet title action.

On April 29, 2019, Applicant submitted its rezoning application, without having responded to our letter. On May 14, 2019, we filed the quiet title action. A copy of the Verified Compliant for Declaratory Relief is attached hereto as Exhibit B. As the



proposed rezoning process progresses, we want to make sure that agencies of Louisville/Jefferson County Metro Government and the Land Development and Transportation Committee of the Planning Commission are aware of this matter.

If you have any questions or comments regarding this letter, please do not hesitate to contact me.

Sincerely,

Wyatt, Tarrant & Combs, LLP

A handwritten signature in black ink that reads "R. Benjamin Straus". The signature is written in a cursive style.

R. Benjamin Straus

cc: Mr. Todd Colliver
cc: Cornelius E. Coryell II, Esq.

Attachments:

Exhibit A - Letter dated March 8, 2019 to Applicant's counsel

Exhibit B - Verified Complaint for Declaratory Relief

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EXHIBIT A

Letter dated March 8, 2019 to Applicant's counsel

[attached hereto]

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19ZONE/017



500 West Jefferson Street, Suite 2800
Louisville, Kentucky 40202-2898
502.589.5235
Fax: 502.589.0309

March 8, 2019

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VIA CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Attn: Nicholas R. Pregliasco, Esq.
Bardenwerper, Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223

RE: Property lines of the real properties located at (i) 2810 Weissinger Road, having Parcel ID #W001-0110-0000 and (ii) the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000

Dear Mr. Pregliasco:

Our Firm represents Todd Colliver, the owner (together with his wife, Catherine Colliver) of the real property located at 2810 Weissinger Road in Louisville (the "2810 Property"). I write this letter to you in response to your letter dated February 25, 2019 to our client and his neighbors, regarding the proposed zoning change, on behalf of the applicant Leigh Ann Properties, LLC ("Applicant"), from R-4 to R-5A in order to allow a 2-story, 6-plex condominium development on the real property located at the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000 (the "Proposed 6-Plex Property").

Our client owns a fence that is located in part on Lot B shown on the minor subdivision plat attached to and made part of the Deed dated August 26, 1988, of record in Deed Book 6062, Page 359, in the Office of the Clerk of Jefferson County, Kentucky ("Lot B"). The Proposed 6-Plex Property, for the most part, is the same real property as Lot B, except we believe our client has obtained title of the portion of the real property on Lot B that is located within our client's fence pursuant to adverse possession under Kentucky law (the "Fenced-In Land"). Our client noticed that the Site Layout plans for the proposed 6-plex condominium development that were provided to our client with your letter dated February 25, 2019, depict a new 8' solid wood fence to run alongside the boundaries of Lot B and the 2810 Property, without accounting for our client's fence or the Fenced-In Land.

If Applicant moves forward with the rezoning process and proposed development affecting our client's fence and the Fenced-In Land, our client will consider all available remedies at law and in equity, including a quiet title action. We hope such remedies are not necessary. As an alternative, our client is interested in potentially purchasing the Proposed 6-Plex Property from Leigh Ann Properties, LLC.

19 ZONE 1017



If you have any questions or comments regarding this letter, please do not hesitate to contact me.

Sincerely,

Wyatt, Tarrant & Combs, LLP

A handwritten signature in black ink that reads "R. Benjamin Straus". The signature is written in a cursive style.

R. Benjamin Straus

cc: Mr. Todd Colliver

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EXHIBIT B

Verified Complaint for Declaratory Relief

[attached hereto]

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NO. _____

JEFFERSON CIRCUIT COURT
DIVISION _____

JUDGE _____
Electronically Filed

TODD COLLIVER and CATHERINE
COLLIVER
2810 Weissinger Road
Louisville, KY 40241

PLAINTIFFS

v.

LEIGH ANN PROPERTIES, LLC
7819 Pine Ridge Road
Louisville, KY 40241

DEFENDANT

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Serve: Leigh Ann Likins
7819 Pine Ridge Road
Louisville, KY 40241

VERIFIED COMPLAINT FOR DECLARATORY RELIEF

Plaintiffs Todd Colliver and Catherine Colliver, by and through counsel, for their Verified Complaint for Declaratory Relief against the Defendant Leigh Ann Properties, LLC, hereby state as follows:

PARTIES

1. Plaintiffs Todd Colliver and Catherine Colliver (hereinafter the "Collivers") are citizens of the Commonwealth of Kentucky and residents of Louisville, Jefferson County, Kentucky.

2. Defendant Leigh Ann Properties, LLC (hereinafter "LAP") is a for profit limited liability company organized and existing under the laws of the Commonwealth of Kentucky with its principal office at 7819 Pine Ridge Road,

19Z0NE1017

Louisville, Kentucky 40241. The agent for service of process for LAP is Leigh Ann Likens, 7819 Pine Ridge Road, Louisville, Kentucky 40241.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action pursuant to KRS 23A.010, KRS 418.040, and KRS 411.120. The Collivers bring this action pursuant to the Kentucky Declaratory Judgment Act, KRS 418.010, et seq. seeking a declaratory judgment regarding their rights and the rights of the Defendant LAP with regard to certain real property and to quiet title to said real property.

4. The Court has personal jurisdiction over the Defendant LAP inasmuch as LAP's principal office is located in Jefferson County, Kentucky and this action concerns real property in which LAP claims an interest situated in Jefferson County, Kentucky.

5. Venue is proper in this Court because the parties are residents of Jefferson County, Kentucky and this action concerns real property situated in Jefferson County, Kentucky.

FACTS

6. The Collivers are the owners of real property located at 2810 Weissinger Road in Louisville, Jefferson County, Kentucky which was conveyed to them by Deed dated December 18, 2009 and recorded in the office of the Clerk of Jefferson County, Kentucky in Deed Book 09506, page 0602, a copy of which is attached hereto as Exhibit A.

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7. Prior to the conveyance of the above described property to the Collivers, a fence was erected delineating the property boundaries. Since the time that fence was erected, the Collivers and their predecessors have occupied, possessed, and claimed all of the property with the confines of the fence (hereinafter the "Colliver Property") as their own.

8. LAP is the record owner of property located at the northwest corner of Weissinger Road and Blossom Lane having Parcel ID #W001-0111-0000 (the "LAP Property"), which is directly adjacent and contiguous to the Colliver Property. The LAP Property and the Colliver Property are separated by the fence described in paragraph 7 above.

9. By letter dated February 25, 2019, a copy of which is attached as Exhibit B, LAP advised the Collivers of its intent to pursue a zoning change for the LAP Property from R-4 to R-5A in order to allow construction of a condominium development on the LAP Property. LAP further advised that it claimed ownership of a portion of the Colliver Property, namely, a strip of property on the Colliver Property side of the fence between the Colliver Property and the LAP Property. Finally, LAP advised that LAP's proposed development of the LAP Property would encroach upon a portion of the Colliver Property previously maintained, occupied, possessed, and claimed by the Collivers and their predecessors.

10. Upon information and belief, LAP claims that it owns a portion of the Colliver Property previously maintained occupied, possessed, and claimed by the Collivers and their predecessors.

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19ZONE 1017

COUNT I - DECLARATION OF RIGHTS

11. The Collivers hereby allege and incorporate by reference each and every previous allegation of this Verified Complaint as though set forth here in full.

12. Because LAP has claimed rights in and to a portion of the Colliver Property previously maintained, occupied, possessed, and claimed by the Collivers and their predecessors, a real and justiciable controversy exists and this Court may, pursuant to KRS 418.040, declare and adjudge the rights of the parties to the subject property.

13. This Court should enter a judgment declaring that the Collivers are the rightful owners of the entirety of the Colliver Property and that LAP has no rights, title, or interest in any portion of the Colliver Property including, but not limited to, that strip of property on the Colliver Property side of the fence in which LAP purports to claim an interest.

COUNT II - ACTION TO QUIET TITLE

14. The Collivers hereby allege and incorporate by reference each and every previous allegation of this Verified Complaint as though set forth here in full.

15. KRS 411.120 provides that this Court may enter an order quieting title to real property upon the application of one claiming both legal and physical possession of the real property.

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JUN 03 2020

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16. The Collivers claim both legal title and physical possession of the entirety of the Colliver Property including, but not limited to, that strip of property on the Colliver Property side of the fence in which LAP purports to claim an interest.

17. The Collivers and/or their predecessors in title have occupied the entirety of the Colliver Property openly and notoriously and claimed the entirety of the Colliver Property as their own for more than fifteen (15) years.

18. This Court should enter an order quieting title to that portion of the Colliver Property in which LAP claims an interest, adjudging that the Collivers are the owners of said property through adverse possession of said property.

WHEREFORE, the Collivers respectfully request that this Court:

A. Enter a declaration of rights as set forth in Count I of this Verified Complaint;

B. Enter an order quieting title to that portion of the Colliver Property in which LAP claims an interest as set forth in Count II of this Verified Complaint;

C. Award the Collivers their costs and attorney's fees herein expended; and

D. Grant the Collivers such further legal and equitable relief to which they may appear entitled.

Respectfully submitted,

/s/ Cornelius E. Coryell II

Cornelius E. Coryell II

ccoryell@wyattfirm.com

WYATT, TARRANT & COMBS, LLP

500 West Jefferson Street

Suite 2800

Louisville, KY 40202-2898

502.562.7376

Counsel for Todd and Catherine Colliver

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JUN 03 2020

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19 ZONE 1017

EXHIBIT A TO VERIFIED COMPLAINT FOR DECLARATORY RELIEF

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JUN 03 2020

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SERVICES

19 ZONE 1017

Please Return To:
Heritage Title LLC
1717 Alliant Ave. Ste 5.
Louisville, KY 40209

08 09506 PG 0602

2

LV187001314

**Deed-Warranty
(Joint Tenants With Rights of Survivorship)**

THIS DEED, made this **December 18, 2009**, by and between **John H. Colliver and Ellen Collier Colliver, husband and wife**, of PO Box 436745, Louisville, KY 40253, party of the first part; and **Todd Colliver and Catherine Colliver, husband and wife**, of 2810 Weissinger Road, Louisville, KY 40241, parties of the second part.

WITNESSETH: That, for a valuable consideration in the amount of **THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00)**, the receipt of which is hereby acknowledged, the party of the first part hereby convey unto the parties of the second part, for their joint lives with remainder in fee simple to the survivor of them, with covenant of General Warranty, the following described property in Jefferson County, Kentucky, to wit:

Property Address: 2810 Weissinger Road Louisville, KY 40241

Tax/Parcel ID: 21-W001-0110-0000

Being Lot A on the minor subdivision plat attached to and made a part of deed recorded in Deed Book 6062, Page 359, in the Office of the County Clerk of Jefferson County, Kentucky.

Being the same property conveyed to John H. Colliver and Lois R. Colliver, husband and wife, from Dwight A. Paul, Jr. and Jennifer G. Paul, husband and wife, by General Warranty Deed, with Right of Survivorship, dated June 30, 1995, of record in Deed Book 6615, Page 859, in the records for Jefferson County, KY. Per Probate Number 08P002651, the said Lois R. Colliver, died April 9, 2008, vesting the subject property to her husband, John H. Colliver.

The party of the first part further covenants lawful seizin of the estate hereby conveyed, with full power to convey the same, and that said estate is free of encumbrances except restrictions and easements of record, the 2009 State, County, School taxes and all taxes thereafter, which second party hereby assume and agree to pay.

The parties hereto state the consideration reflected in this deed is the full consideration paid for the property. The grantees join this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

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19ZONE1017

DB 09506PG0603

IN TESTIMONY WHEREOF, WITNESS the signature of the parties of the first part and second part.

John H. Colliver
John H. Colliver

Todd Colliver
Todd Colliver

Ellen Collier Colliver
Ellen Collier Colliver

Catherine Colliver
Catherine Colliver

STATE OF KENTUCKY)

COUNTY OF Jefferson)

I hereby certify that the foregoing deed and consideration statement was acknowledged and sworn to before me this **December 18, 2009**, by **John H. Colliver and Ellen Collier Colliver, husband and wife**, party of the first part **Todd Colliver and Catherine Colliver, husband and wife**, parties of the second part.

[Signature]
Notary Public

State at Large, Kentucky

My Commission Expires: 12/16/2010

The in-care-of address to which the property tax bill may be sent to:
Todd Colliver and Catherine Colliver
2810 Weissenger Road, Louisville, KY 40241

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JUN 03 2020
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This instrument was prepared by:
Jason A. Kron, Esq.
Heritage Title Services
1717 Alliant Ave, Ste 5
Louisville, KY 40299

This instrument prepared by
Jason A. Kron, Esq.
Jason A. Kron ESQ
HERITAGE TITLE SERVICES, LLC
1717 ALLIANT AVE. SUITE 5 LOUISVILLE, KY 40299

Document No.: DN2010001668
Lodged By: HERITAGE TITLE SERVICES
Recorded On: 01/06/2010 09:40:52
Total Fees: 317.00
Transfer Tax: 300.00
County Clerk: BOBBIE HOLSCLAW-JEFF CO KY
Deputy Clerk: EVENAY

END OF DOCUMENT

19ZONE1017

EXHIBIT B TO VERIFIED COMPLAINT FOR DECLARATORY RELIEF

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19ZONE1017

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

February 25, 2019

Re: Proposed zone change from R-4 to R-5A to allow a 2-story, 6-plex condominium community on approximately 0.52 acres on property located at the northwest corner of the Weissinger Road and Blossom Lane intersection; and a zone change from R-4 to R-5B to allow two duplex condominium buildings on approximately 0.3 acres on property located at 2813 and 2816 Weissinger Road

Dear Neighbor,

We are writing to invite you to a meeting we have scheduled to present neighbors with two different rezoning plans as referenced above.

Accordingly, we have filed both plans for pre-application review with the Division of Planning and Design Services (DPDS) that have been assigned case numbers 19ZONE1016 and 19ZONE1017. We will have the name of the case managers assigned to each rezoning case at the neighbor meeting. These are the same properties previously proposed for duplexes at the beginning of 2017 in case number 16ZONE1088, excluding 2814 Weissinger Road which has been removed. However, the 2813 and 2816 Weissinger Road portion of the prior proposal has been changed to two duplexes from the previously proposed 10 condominium units, thereby reducing the potential impacts.

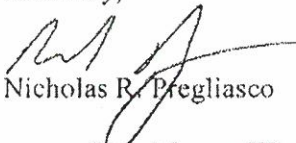
We would like to show and explain to neighbors these plans so that we might hear what thoughts, issues and concerns that you may have.

In that regard, a meeting to discuss both plans will be held on **March 11th at 7:00 p.m. at John Knox Presbyterian Church**, located at **9104 Westport Road**, in the **Fellowship Hall**.

If you cannot attend the meeting but have questions or concerns, please contact me at 426-6688.

We look forward to seeing you.

Sincerely,


Nicholas R. Pregliasco

- c: Hon Marcus Winkler, Councilman, District 17
- Hon. Mike Frank, Mayor, City of Langdon Place
- Brian Davis, Planning Supervisor with the Division of Planning & Design Services
- Brent Likins, Applicant with Leigh Ann Properties, LLC

EA\CLIENT FOLDER\Likins, Brent\Langdon Place\neighbor mtg\02 25 19 neighbor ltr.doc

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JUN 03 2020

PLANNING & DESIGN SERVICES

19ZONE1017



Change in Zoning / Form District Pre-Application

Louisville Metro Planning & Design Services

Case No.: 19Zone1017 Intake Staff: KP
Date: 2/25/19 Fee: \$ 130

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

Checklist:

- Completed pre-application form
- Land Development Report¹
- One detailed letter of explanation outlining the proposal
- Fifteen copies of a Site Plan for the property drawn to scale (refer to the Site Plan Elements section on page 3 for additional information)
- \$130 pre-application fee (cash, charge or check made payable to Planning & Design Services)

Project Information:

Change in Zoning / Form District from R-4 to R-5A

Project Name: _____

Primary Project Address: No address per PVA

Additional Address(es): _____

Primary Parcel ID: Block W001, Lot 111

Additional Parcel ID(s): _____

Proposed Use: Multi-Family Residential Existing Use: Vacant

Existing Zoning District: R-4 Existing Form District: Neighborhood

Deed Book(s) / Page Numbers²: Deed Book 10605, Page 931

The subject property contains 0.52 acres. The area to be rezoned contains 0.52 acres.

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 #: 16ZONE1088 Docket/Case #: _____

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

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FEB 23 2019
DESIGN SERVICES

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JUN 03 2020
PLANNING & DESIGN SERVICES

19ZONE1017

CONTACT INFORMATION:

Owner Information:

Entity or Individual Name: Leigh Ann Properties, LLC

By: Brent Likins

Address 7819 Pine Ridge Road

City Louisville State KY Zip Code 40241

Phone: _____

E-mail: _____

Signature *Brent Likins* **SIGN HERE**

Name & Title 2-22-19

Applicant Information:

Entity or Individual Name: same as owner

By: _____

Address _____

City _____ State _____ Zip Code _____

Phone: _____

E-mail: _____

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FEB 25 2019
PLANNING & DESIGN SERVICES

Plan Prepared by: Primary Contact _____

Print Name _____

Company Name: _____

Address _____

City _____ State _____ Zip Code _____

Phone: _____

E-mail: _____

Attorney: Primary Contact _____

Print Name Nick Pregliasco

Company Name: Bardenwerper Talbott & Roberts, PLLC

Address 1000 N. Hurstbourne Parkway 2nd floor

City Louisville State KY Zip Code 40223

Phone: 502-426-6688

E-mail: wbb@bardlaw.net

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, _____ in my capacity as _____ Representative/authorized agent/other

hereby certify that Leigh Ann Properties, LLC is/are the owner(s) of the property which is the

name of LLC/corporation/partnership/association/etc.

subject of this application, and that I am authorized to sign this application on behalf of the owner.

Signature: *Brent Likins* **SIGN HERE**

Date: 2-22-19

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 duty is punishable as a Class B misdemeanor.

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JUN 03 2020
PLANNING & DESIGN SERVICES

1920NE1017

1920NE1017

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

February 25, 2019

Case Manager
Louisville Metro Planning & Design Services
Metro Development Center
444 S. 5th Street, 3rd Floor
Louisville, KY 40202

Re: Pre-App application for zone change from R-4 to R-5A on properties located on Blossom Lane, in the City of Langdon Place

Dear Case Manager:

We are herewith filing a zone change pre-app application for the above referenced property. The applicant is proposing to build a 6-plex condominium community.

A pre-app application was originally filed on December 30, 2016 for a zone change from R-4 to R-5A and R-6, in Docket No. 16ZONE1088. Since that time, the applicant has revised the plan and reduced the number of units and the layout of the development.

The neighborhood meeting has been scheduled for March 11th at 7:00 p.m. at John Knox Presbyterian Church, located at 9104 Westport Road, in the Fellowship Hall. After which, we look forward to discussing this project with you in further detail at the Pre-App conference.

Many thanks.

Sincerely,

Nicholas R. Pregliasco

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FEB 25 2019

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PLANNING & DESIGN SERVICES

19ZONE1017

19ZONE1017



Land Development Report

February 25, 2019 11:18 AM

About LDC

Location

Parcel ID: W00101110000
Parcel LRSN: 15376
Address: NONE

Zoning

Zoning: R4
Form District: 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: NO
System Development District: NO
Historic Site: NO

Environmental Constraints

Flood Prone Area
FEMA Floodplain Review Zone: YES
FEMA Floodway Review Zone: NO
Local Regulatory Floodplain Zone or Combined Sewer Floodprone Area: YES
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0018E

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: YES

Sewer & Drainage

MSD Property Service Connection: NO
Sewer Recapture Fee Area: YES
Drainage Credit Program: MS4 (outside of incentive area)

Services

Municipality: LANGDON PLACE
Council District: 17
Fire Protection District: ST MATTHEWS
Urban Service District: NO

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FEB 25 2019

PLANNING & DESIGN SERVICES

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JUN 03 2020

PLANNING & DESIGN SERVICES

19 Zone 1017

19 ZONE 1017

AOC-E-105 Sum Code: CI
Rev. 9-14

Commonwealth of Kentucky
Court of Justice Courts.ky.gov

CR 4.02; Cr Official Form 1



CIVIL SUMMONS

Case #: **19-CI-002955**

Court: **CIRCUIT**

County: **JEFFERSON Circuit**

Plaintiff, COLLIVER, TODD, ET AL VS. LEIGH ANN PROPERTIES LLC, Defendant

**TO: LEIGH ANN PROPERTIES LLC
7819 PINE RIDGE ROAD
LOUISVILLE, KY 40241**

Memo: Registered Agent of Service exists.

The Commonwealth of Kentucky to Defendant:

You are hereby notified that a **legal action has been filed against you** in this Court demanding relief as shown on the document delivered to you with this Summons. **Unless a written defense is made by you or by an attorney on your behalf within twenty (20) days** following the day this paper is delivered to you, judgment by default may be taken against you for the relief demanded in the attached complaint.

The name(s) and address(es) of the party or parties demanding relief against you or his/her (their) attorney(s) are shown on the document delivered to you with this Summons.

Davis L. Nicholas
Jefferson Circuit Clerk
Date: 5/14/2019

RECEIVED

Proof of Service

This Summons was:

Served by delivering a true copy and the Complaint (or other initiating document)

To: _____

Not Served because: _____

Date: _____, 20____

Served By

Title

JUN 03 2020

PLANNING & DESIGN
SERVICES

Summons ID: @00000909736
CIRCUIT: 19-CI-002955 Certified Mail
COLLIVER, TODD, ET AL VS. LEIGH ANN PROPERTIES LLC

eFiled

1920NE1017





CIVIL SUMMONS

Case #: **19-CI-002955**

Court: **CIRCUIT**

County: **JEFFERSON Circuit**

Plaintiff, COLLIVER, TODD, ET AL VS. LEIGH ANN PROPERTIES LLC, Defendant

**TO: LEIGH ANN LIKINS
7819 PINE RIDGE ROAD
LOUISVILLE, KY 40241**

Memo: Related party is LEIGH ANN PROPERTIES LLC

The Commonwealth of Kentucky to Defendant:
LEIGH ANN PROPERTIES LLC

You are hereby notified that a **legal action has been filed against you** in this Court demanding relief as shown on the document delivered to you with this Summons. **Unless a written defense is made by you or by an attorney on your behalf within twenty (20) days** following the day this paper is delivered to you, judgment by default may be taken against you for the relief demanded in the attached complaint.

The name(s) and address(es) of the party or parties demanding relief against you or his/her (their) attorney(s) are shown on the document delivered to you with this Summons.

Jefferson Circuit Clerk
Date: 5/14/2019

RECEIVED

Proof of Service

JUN 03 2020

PLANNING & DESIGN SERVICES

This Summons was:

Served by delivering a true copy and the Complaint (or other initiating document)

To: _____

Not Served because: _____

Date: _____, 20 _____

Served By

Title





Commonwealth of Kentucky
David L. Nicholson, Jefferson Circuit Clerk

Case #: 19-CI-002955	Envelope #: 1641271
Received From: CORNELIUS CORYELL	Account Of: CORNELIUS CORYELL
Case Title: COLLIVER, TODD, ET AL VS. LEIGH ANN	Confirmation Number: 91255117
PROPERTIES LLC Filed On 5/14/2019 9:53:33AM	

#	Item Description	Amount
1	Access To Justice Fee	\$20.00
2	Civil Filing Fee	\$150.00
3	Money Collected For Others(Court Tech. Fee)	\$20.00
4	Library Fee	\$3.00
5	Money Collected For Others(Attorney Tax Fee)	\$5.00
6	Money Collected For Others(Postage)	\$25.10
7	Charges For Services(Copy - Photocopy)	\$3.80
TOTAL:		<u>\$226.90</u>

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JUN 03 2020

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1920NE1017

June 6, 2019

VIA HAND-DELIVERY

Louisville Metro Planning Commissioners
Attn: Mr. Vince Jarboe, Chairman
444 S. 5th Street
Louisville, Kentucky 40202

Attn: Mr. Dante St. Germain
Staff Case Manager
444 S. 5th Street
Louisville, Kentucky 40202

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JUN 06 2019
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RE: Objection to Rezoning Case No. 19ZONE1017

Dear Louisville Metro Planning Commissioners and Mr. Germain:

Our Firm represents Todd Colliver, the owner (together with his wife, Catherine Colliver) of the real property located at 2810 Weissinger Road in Louisville, having Parcel ID #W001-0110-0000 (the "2810 Property"). We write this letter to inform you, to the extent you are not aware, of a quiet title action we filed in Jefferson Circuit Court, against Leigh Ann Properties, LLC ("Applicant") that pertains to the 2810 Property and to property that Applicant is pursuing to have be rezoned at the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000 (the "Proposed 6-Plex Property").

On February 25, 2019, Applicant submitted a pre-application to Louisville Metro Planning & Design Services seeking a zone change of the Proposed 6-Plex Property from R-4 to R-5A to allow a 2-story, 6-unit condominium complex.

On March 8, 2019, our firm sent Applicant's counsel the letter attached hereto as Exhibit A. In the letter, we described a portion of real property located within our client's fence that we believe our client owns pursuant to adverse possession under Kentucky law, and which is depicted in Applicant's site layout drawings as being owed by Applicant. In addition, we stated that if Applicant moves forward with the proposed rezoning process and proposed development affecting our client's fence and fenced-in land, our client will consider all available remedies at law and in equity, including a quiet title action.

On April 29, 2019, Applicant submitted its rezoning application, without having responded to our letter. On May 14, 2019, we filed the quiet title action. A copy of the Verified Complaint for Declaratory Relief is attached hereto as Exhibit B. As the

proposed rezoning process progresses, we want to make sure that agencies of Louisville/Jefferson County Metro Government and the Land Development and Transportation Committee of the Planning Commission are aware of this matter.

If you have any questions or comments regarding this letter, please do not hesitate to contact me.

Sincerely,

Wyatt, Tarrant & Combs, LLP

R. Benjamin Straus

R. Benjamin Straus

cc: Mr. Todd Colliver
cc: Cornelius E. Coryell II, Esq.

Attachments:

Exhibit A - Letter dated March 8, 2019 to Applicant's counsel

Exhibit B - Verified Complaint for Declaratory Relief

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EXHIBIT A

Letter dated March 8, 2019 to Applicant's counsel

[attached hereto]

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March 8, 2019

VIA CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Attn: Nicholas R. Pregliasco, Esq.
Bardenwerper, Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223

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RE: Property lines of the real properties located at (i) 2810 Weissinger Road, having Parcel ID #W001-0110-0000 and (ii) the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000

Dear Mr. Pregliasco:

Our Firm represents Todd Colliver, the owner (together with his wife, Catherine Colliver) of the real property located at 2810 Weissinger Road in Louisville (the "2810 Property"). I write this letter to you in response to your letter dated February 25, 2019 to our client and his neighbors, regarding the proposed zoning change, on behalf of the applicant Leigh Ann Properties, LLC ("Applicant"), from R-4 to R-5A in order to allow a 2-story, 6-plex condominium development on the real property located at the northwest corner of the Weissinger Road and Blossom Lane intersection, having Parcel ID #W001-0111-0000 (the "Proposed 6-Plex Property").

Our client owns a fence that is located in part on Lot B shown on the minor subdivision plat attached to and made part of the Deed dated August 26, 1988, of record in Deed Book 6062, Page 359, in the Office of the Clerk of Jefferson County, Kentucky ("Lot B"). The Proposed 6-Plex Property, for the most part, is the same real property as Lot B, except we believe our client has obtained title of the portion of the real property on Lot B that is located within our client's fence pursuant to adverse possession under Kentucky law (the "Fenced-In Land"). Our client noticed that the Site Layout plans for the proposed 6-plex condominium development that were provided to our client with your letter dated February 25, 2019, depict a new 8' solid wood fence to run alongside the boundaries of Lot B and the 2810 Property, without accounting for our client's fence or the Fenced-In Land.

If Applicant moves forward with the rezoning process and proposed development affecting our client's fence and the Fenced-In Land, our client will consider all available remedies at law and in equity, including a quiet title action. We hope such remedies are not necessary. As an alternative, our client is interested in potentially purchasing the Proposed 6-Plex Property from Leigh Ann Properties, LLC.



If you have any questions or comments regarding this letter, please do not hesitate to contact me.

Sincerely,

Wyatt, Tarrant & Combs, LLP

A handwritten signature in black ink that reads "R. Benjamin Straus". The signature is written in a cursive style.

R. Benjamin Straus

cc: Mr. Todd Colliver

61817981.4

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19 JUNE 10 17

EXHIBIT B

Verified Complaint for Declaratory Relief

[attached hereto]

61844285.2

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JUN 06 2019

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NO. _____

JEFFERSON CIRCUIT COURT
DIVISION _____

JUDGE _____
Electronically Filed

TODD COLLIVER and CATHERINE
COLLIVER

2810 Weissinger Road
Louisville, KY 40241

PLAINTIFFS

v.

LEIGH ANN PROPERTIES, LLC

7819 Pine Ridge Road
Louisville, KY 40241

DEFENDANT

Serve: Leigh Ann Likins
7819 Pine Ridge Road
Louisville, KY 40241

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VERIFIED COMPLAINT FOR DECLARATORY RELIEF

Plaintiffs Todd Colliver and Catherine Colliver, by and through counsel, for their Verified Complaint for Declaratory Relief against the Defendant Leigh Ann Properties, LLC, hereby state as follows:

PARTIES

1. Plaintiffs Todd Colliver and Catherine Colliver (hereinafter the "Collivers") are citizens of the Commonwealth of Kentucky and residents of Louisville, Jefferson County, Kentucky.

2. Defendant Leigh Ann Properties, LLC (hereinafter "LAP") is a for profit limited liability company organized and existing under the laws of the Commonwealth of Kentucky with its principal office at 7819 Pine Ridge Road,

Louisville, Kentucky 40241. The agent for service of process for LAP is Leigh Ann Likens, 7819 Pine Ridge Road, Louisville, Kentucky 40241.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action pursuant to KRS 23A.010, KRS 418.040, and KRS 411.120. The Collivers bring this action pursuant to the Kentucky Declaratory Judgment Act, KRS 418.010, et seq. seeking a declaratory judgment regarding their rights and the rights of the Defendant LAP with regard to certain real property and to quiet title to said real property.

4. The Court has personal jurisdiction over the Defendant LAP inasmuch as LAP's principal office is located in Jefferson County, Kentucky and this action concerns real property in which LAP claims an interest situated in Jefferson County, Kentucky.

5. Venue is proper in this Court because the parties are residents of Jefferson County, Kentucky and this action concerns real property situated in Jefferson County, Kentucky.

FACTS

6. The Collivers are the owners of real property located at 2810 Weissinger Road in Louisville, Jefferson County, Kentucky which was conveyed to them by Deed dated December 18, 2009 and recorded in the office of the Clerk of Jefferson County, Kentucky in Deed Book 09506, page 0602, a copy of which is attached hereto as Exhibit A.

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7. Prior to the conveyance of the above described property to the Collivers, a fence was erected delineating the property boundaries. Since the time that fence was erected, the Collivers and their predecessors have occupied, possessed, and claimed all of the property with the confines of the fence (hereinafter the "Colliver Property") as their own.

8. LAP is the record owner of property located at the northwest corner of Weissinger Road and Blossom Lane having Parcel ID #W001-0111-0000 (the "LAP Property"), which is directly adjacent and contiguous to the Colliver Property. The LAP Property and the Colliver Property are separated by the fence described in paragraph 7 above.

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9. By letter dated February 25, 2019, a copy of which is attached as Exhibit B, LAP advised the Collivers of its intent to pursue a zoning change for the LAP Property from R-4 to R-5A in order to allow construction of a condominium development on the LAP Property. LAP further advised that it claimed ownership of a portion of the Colliver Property, namely, a strip of property on the Colliver Property side of the fence between the Colliver Property and the LAP Property. Finally, LAP advised that LAP's proposed development of the LAP Property would encroach upon a portion of the Colliver Property previously maintained, occupied, possessed, and claimed by the Collivers and their predecessors.

10. Upon information and belief, LAP claims that it owns a portion of the Colliver Property previously maintained occupied, possessed, and claimed by the Collivers and their predecessors.

19 ZONE 1017

COUNT I - DECLARATION OF RIGHTS

11. The Collivers hereby allege and incorporate by reference each and every previous allegation of this Verified Complaint as though set forth here in full.

12. Because LAP has claimed rights in and to a portion of the Colliver Property previously maintained, occupied, possessed, and claimed by the Collivers and their predecessors, a real and justiciable controversy exists and this Court may, pursuant to KRS 418.040, declare and adjudge the rights of the parties to the subject property.

13. This Court should enter a judgment declaring that the Collivers are the rightful owners of the entirety of the Colliver Property and that LAP has no rights, title, or interest in any portion of the Colliver Property including, but not limited to, that strip of property on the Colliver Property side of the fence in which LAP purports to claim an interest.

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COUNT II - ACTION TO QUIET TITLE

14. The Collivers hereby allege and incorporate by reference each and every previous allegation of this Verified Complaint as though set forth here in full.

15. KRS 411.120 provides that this Court may enter an order quieting title to real property upon the application of one claiming both legal and physical possession of the real property.

19 ZONE 1017

16. The Collivers claim both legal title and physical possession of the entirety of the Colliver Property including, but not limited to, that strip of property on the Colliver Property side of the fence in which LAP purports to claim an interest.

17. The Collivers and/or their predecessors in title have occupied the entirety of the Colliver Property openly and notoriously and claimed the entirety of the Colliver Property as their own for more than fifteen (15) years.

18. This Court should enter an order quieting title to that portion of the Colliver Property in which LAP claims an interest, adjudging that the Collivers are the owners of said property through adverse possession of said property.

WHEREFORE, the Collivers respectfully request that this Court:

A. Enter a declaration of rights as set forth in Count I of this Verified Complaint;

B. Enter an order quieting title to that portion of the Colliver Property in which LAP claims an interest as set forth in Count II of this Verified Complaint;

C. Award the Collivers their costs and attorney's fees herein expended; and

D. Grant the Collivers such further legal and equitable relief to which they may appear entitled.

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JUN 06 2019
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DESIGN SERVICES

Respectfully submitted,

/s/ Cornelius E. Coryell II
Cornelius E. Coryell II
ccoryell@wyattfirm.com
WYATT, TARRANT & COMBS, LLP
500 West Jefferson Street
Suite 2800
Louisville, KY 40202-2898
502.562.7376

Counsel for Todd and Catherine Colliver

61835165.1

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EXHIBIT A TO VERIFIED COMPLAINT FOR DECLARATORY RELIEF

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Please Return To:
Heritage Title LLC
1717 Alliant Ave. Ste 5.
Louisville, KY 40299

08 09 50 6 PG 06 02

2

LV187001314

**Deed-Warranty
(Joint Tenants With Rights of Survivorship)**

THIS DEED, made this **December 18, 2009**, by and between **John H. Colliver and Ellen Collier Colliver, husband and wife**, of PO Box 436745, Louisville, KY 40253, party of the first part; and **Todd Colliver and Catherine Colliver, husband and wife**, of 2810 Weissinger Road, Louisville, KY 40241, parties of the second part.

WITNESSETH: That, for a valuable consideration in the amount of **THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00)**, the receipt of which is hereby acknowledged, the party of the first part hereby convey unto the parties of the second part, for their joint lives with remainder in fee simple to the survivor of them, with covenant of General Warranty, the following described property in Jefferson County, Kentucky, to wit:

Property Address: 2810 Weissinger Road Louisville, KY 40241

Tax/Parcel ID: 21-W001-0110-0000

Being Lot A on the minor subdivision plat attached to and made a part of deed recorded in Deed Book 6062, Page 359, in the Office of the County Clerk of Jefferson County, Kentucky.

Being the same property conveyed to John H. Colliver and Lois R. Colliver, husband and wife, from Dwight A. Paul, Jr. and Jennifer G. Paul, husband and wife, by General Warranty Deed, with Right of Survivorship, dated June 30, 1995, of record in Deed Book 6615, Page 859, in the records for Jefferson County, KY. Per Probate Number 08P002651, the said Lois R. Colliver, died April 9, 2008, vesting the subject property to her husband, John H. Colliver.

The party of the first part further covenants lawful seizin of the estate hereby conveyed, with full power to convey the same, and that said estate is free of encumbrances except restrictions and easements of record, the 2009 State, County, School taxes and all taxes thereafter, which second party hereby assume and agree to pay.

The parties hereto state the consideration reflected in this deed is the full consideration paid for the property. The grantees join this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

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DB 09506PG0603

IN TESTIMONY WHEREOF, WITNESS the signature of the parties of the first part and second part.

John H. Colliver
John H. Colliver

Todd Colliver
Todd Colliver

Ellen Collier Colliver
Ellen Collier Colliver

Catherine Colliver
Catherine Colliver

STATE OF KENTUCKY)
)
COUNTY OF Jefferson)

I hereby certify that the foregoing deed and consideration statement was acknowledged and sworn to before me this **December 18, 2009**, by **John H. Colliver and Ellen Collier Colliver, husband and wife**, party of the first part **Todd Colliver and Catherine Colliver, husband and wife**, parties of the second part.

Notary Public
Maureen Cummings
State at Large, Kentucky
My Commission Expires: 12/16/2010

The in-care-of address to which the property tax bill may be sent to:
Todd Colliver and Catherine Colliver
2810 Weissenger Road, Louisville, KY 40241

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This instrument was prepared by:
Jason A. Kron, Esq.
Heritage Title Services
1717 Alliant Ave, Ste 5
Louisville, KY 40299

This instrument prepared by
Jason A. Kron, Esq.
Jason A. Kron ESQ
HERITAGE TITLE SERVICES, LLC
1717 ALLIANT AVE. SUITE 5 LOUISVILLE, KY 40299

Document No.: DN2010001668
Lodged By: HERITAGE TITLE SERVICES
Recorded On: 01/06/2010 09:40:52
Total Fees: 317.00
Transfer Tax: 300.00
County Clerk: BOBBIE HOLSCLAW-JEFF CO KY
Deputy Clerk: EVMAY

END OF DOCUMENT

79 JUNE 10 17

EXHIBIT B TO VERIFIED COMPLAINT FOR DECLARATORY RELIEF

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BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

February 25, 2019

Re: Proposed zone change from R-4 to R-5A to allow a 2-story, 6-plex condominium community on approximately 0.52 acres on property located at the northwest corner of the Weissinger Road and Blossom Lane intersection; and a zone change from R-4 to R-5B to allow two duplex condominium buildings on approximately 0.3 acres on property located at 2813 and 2816 Weissinger Road

Dear Neighbor,

We are writing to invite you to a meeting we have scheduled to present neighbors with two different rezoning plans as referenced above.

Accordingly, we have filed both plans for pre-application review with the Division of Planning and Design Services (DPDS) that have been assigned case numbers 19ZONE1016 and 19ZONE1017. We will have the name of the case managers assigned to each rezoning case at the neighbor meeting. These are the same properties previously proposed for duplexes at the beginning of 2017 in case number 16ZONE1088, excluding 2814 Weissinger Road which has been removed. However, the 2813 and 2816 Weissinger Road portion of the prior proposal has been changed to two duplexes from the previously proposed 10 condominium units, thereby reducing the potential impacts.

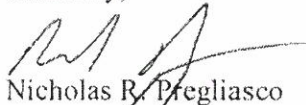
We would like to show and explain to neighbors these plans so that we might hear what thoughts, issues and concerns that you may have.

In that regard, a meeting to discuss both plans will be held on **March 11th at 7:00 p.m.** at **John Knox Presbyterian Church**, located at **9104 Westport Road**, in the **Fellowship Hall**.

If you cannot attend the meeting but have questions or concerns, please contact me at 426-6688.

We look forward to seeing you.

Sincerely,


Nicholas R. Pregliasco

c: Hon Marcus Winkler, Councilman, District 17
Hon. Mike Frank, Mayor, City of Langdon Place
Brian Davis, Planning Supervisor with the Division of Planning & Design Services
Brent Likins, Applicant with Leigh Ann Properties, LLC

E:\CLIENT FOLDER\Likins, Brent\Langdon Place\neighbor mtg\02 25 19 neighbor ltr.doc

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Change in Zoning / Form District Pre-Application

Louisville Metro Planning & Design Services

Case No.: 19Zone 1017 Intake Staff: KP

Date: 2/25/19 Fee: \$ 130

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

Checklist:

- Completed pre-application form
- Land Development Report¹
- One detailed letter of explanation outlining the proposal
- Fifteen copies of a Site Plan for the property drawn to scale (refer to the Site Plan Elements section on page 3 for additional information)
- \$130 pre-application fee (cash, charge or check made payable to Planning & Design Services)

Project Information:

Change in Zoning / Form District from R-4 to R-5A

Project Name: _____

Primary Project Address: No address per PVA

Additional Address(es): _____

Primary Parcel ID: Block W001, Lot 111

Additional Parcel ID(s): _____

Proposed Use: Multi-Family Residential Existing Use: Vacant

Existing Zoning District: R-4 Existing Form District: Neighborhood

Deed Book(s) / Page Numbers²: Deed Book 10605, Page 931

The subject property contains 0.52 acres. The area to be rezoned contains 0.52 acres.

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 #: 16ZONE1088 Docket/Case #: _____

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

19Zone 1017

19 ZONE 1017

CONTACT INFORMATION:

Owner Information:

Entity or Individual Name: Leigh Ann Properties, LLC

By: Brent Likins

Address 7819 Pine Ridge Road

City Louisville State KY Zip Code 40241

Phone: _____

E-mail: _____

Signature *Brent Likins* **SIGN HERE**

Name & Title 2-22-19

Applicant Information:

Entity or Individual Name: same as owner **RECEIVED**

By: _____ **JUN 06 2019**

Address _____ **PLANNING & DESIGN SERVICES**

City _____ State _____ Zip Code _____

Phone: _____

E-mail: _____

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FEB 25 2019

PLANNING & DESIGN SERVICES

Plan Prepared by: Primary Contact _____

Print Name _____

Company Name: _____

Address _____

City _____ State _____ Zip Code _____

Phone: _____

E-mail: _____

Attorney: Primary Contact _____

Print Name Nick Pregliasco

Company Name: Bardenwerper Talbott & Roberts, PLLC

Address 1000 N. Hurstbourne Parkway 2nd floor

City Louisville State KY Zip Code 40223

Phone: 502-426-6688

E-mail: wbb@bardlaw.net

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, _____ in my capacity as _____ Representative/authorized agent/other

hereby certify that Leigh Ann Properties, LLC is/are the owner(s) of the property which is the _____ name of LLC / corporation / partnership / association / etc.

subject of this application, and that I am authorized to sign this application on behalf of the owner.

Signature: *Brent Likins* **SIGN HERE** Date: 2-22-19

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 duty is punishable as a Class B misdemeanor.

19 ZONE 1017

19 Zone 1017

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

February 25, 2019

Case Manager
Louisville Metro Planning & Design Services
Metro Development Center
444 S. 5th Street, 3rd Floor
Louisville, KY 40202

Re: Pre-App application for zone change from R-4 to R-5A on properties located on Blossom Lane, in the City of Langdon Place

Dear Case Manager:

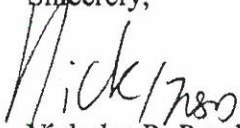
We are herewith filing a zone change pre-app application for the above referenced property. The applicant is proposing to build a 6-plex condominium community.

A pre-app application was originally filed on December 30, 2016 for a zone change from R-4 to R-5A and R-6, in Docket No. 16ZONE1088. Since that time, the applicant has revised the plan and reduced the number of units and the layout of the development.

The neighborhood meeting has been scheduled for March 11th at 7:00 p.m. at John Knox Presbyterian Church, located at 9104 Westport Road, in the Fellowship Hall. After which, we look forward to discussing this project with you in further detail at the Pre-App conference.

Many thanks.

Sincerely,



Nicholas R. Pregliasco

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19 Zone 1017

19 ZONE 1017



Land Development Report

February 25, 2019 11:18 AM

About LDC

Location

Parcel ID: W00101110000
 Parcel LRSN: 15376
 Address: NONE

Zoning

Zoning: R4
 Form District: 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: NO
 System Development District: NO
 Historic Site: NO

Environmental Constraints

Flood Prone Area
 FEMA Floodplain Review Zone: YES
 FEMA Floodway Review Zone: NO
 Local Regulatory Floodplain Zone or
 Combined Sewer Floodprone Area: YES
 Local Regulatory Conveyance Zone: NO
 FEMA FIRM Panel: 21111C0018E

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: YES

Sewer & Drainage

MSD Property Service Connection: NO
 Sewer Recapture Fee Area: YES
 Drainage Credit Program: MS4 (outside of incentive area)

Services

Municipality: LANGDON PLACE
 Council District: 17
 Fire Protection District: ST MATTHEWS
 Urban Service District: NO

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 JUN 11 2019
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RECEIVED
 FEB 25 2019
 PLANNING &
 DESIGN SERVICES

19 Zone 1017



CIVIL SUMMONS

Plaintiff, COLLIVER, TODD, ET AL VS. LEIGH ANN PROPERTIES LLC, Defendant

TO: LEIGH ANN PROPERTIES LLC
7819 PINE RIDGE ROAD
LOUISVILLE, KY 40241

Memo: Registered Agent of Service exists.

The Commonwealth of Kentucky to Defendant:

You are hereby notified that a **legal action has been filed against you** in this Court demanding relief as shown on the document delivered to you with this Summons. **Unless a written defense is made by you or by an attorney on your behalf within twenty (20) days** following the day this paper is delivered to you, judgment by default may be taken against you for the relief demanded in the attached complaint.

The name(s) and address(es) of the party or parties demanding relief against you or his/her (their) attorney(s) are shown on the document delivered to you with this Summons.

Jefferson Circuit Clerk
Date: 5/14/2019

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JUN 06 2019
PLANNING &
DESIGN SERVICES

Proof of Service

This Summons was:

Served by delivering a true copy and the Complaint (or other initiating document)

To: _____

Not Served because: _____

Date: _____, 20____

_____ Served By

_____ Title





CIVIL SUMMONS

Plaintiff, COLLIVER, TODD, ET AL VS. LEIGH ANN PROPERTIES LLC, Defendant

TO: LEIGH ANN LIKINS
7819 PINE RIDGE ROAD
LOUISVILLE, KY 40241

Memo: Related party is LEIGH ANN PROPERTIES LLC

The Commonwealth of Kentucky to Defendant:
LEIGH ANN PROPERTIES LLC

You are hereby notified that a **legal action has been filed against you** in this Court demanding relief as shown on the document delivered to you with this Summons. **Unless a written defense is made by you or by an attorney on your behalf within twenty (20) days** following the day this paper is delivered to you, judgment by default may be taken against you for the relief demanded in the attached complaint.

The name(s) and address(es) of the party or parties demanding relief against you or his/her (their) attorney(s) are shown on the document delivered to you with this Summons.

Davis L. Nichols
Jefferson Circuit Clerk
Date: 5/14/2019

RECEIVED
JUN 06 2019
PLANNING &
DESIGN SERVICES

Proof of Service

This Summons was:

Served by delivering a true copy and the Complaint (or other initiating document)

To: _____

Not Served because: _____

Date: _____, 20____

Served By

Title





Commonwealth of Kentucky
 David L. Nicholson, Jefferson Circuit Clerk

Case #: 19-CI-002955	Envelope #: 1641271
Received From: CORNELIUS CORYELL	Account Of: CORNELIUS CORYELL
Case Title: COLLIVER, TODD, ET AL VS. LEIGH ANN PROPERTIES LLC Filed On 5/14/2019 9:53:33AM	Confirmation Number: 91255117

#	<u>Item Description</u>	<u>Amount</u>
1	Access To Justice Fee	\$20.00
2	Civil Filing Fee	\$150.00
3	Money Collected For Others(Court Tech. Fee)	\$20.00
4	Library Fee	\$3.00
5	Money Collected For Others(Attorney Tax Fee)	\$5.00
6	Money Collected For Others(Postage)	\$25.10
7	Charges For Services(Copy - Photocopy)	\$3.80
TOTAL:		<u>\$226.90</u>

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19 ZONE 1017

St. Germain, Dante

From: Todd C <toddcolliver@gmail.com>
Sent: Tuesday, May 28, 2019 11:20 AM
To: St. Germain, Dante
Cc: langdonplaceneighbors@gmail.com
Subject: 19ZONE16 and 19ZONE17
Attachments: IMG_2174.pdf; IMG_5799.pdf; IMG_5802.pdf; IMG_8803.pdf

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

I am writing to make sure the following information is included in the public record for the zoning proposals contented in 19ZONE16 and 19ZONE17. There is repeated and flagrant disregard exhibited by Leigh Ann Properties for adjoining properties with regards to trespass and damage to adjoining properties. Attached are four documented examples (in attachments) where Leigh Ann Properties have trespassed onto adjoining properties and damaged those properties. This type of repeated behavior should be taken into consideration prior to allowing this company to rezone property when they show so little regard for adjoining properties.

Todd Colliver
2810 Weissinger Road
Louisville KY 40241

Damage to tree trunk by mower



Path of large lawn mower



**Landscaping -
Perennials - Daffodils**





Property Line Marker

Evidence of heavy equipment crossing property line



Property Line

Damage caused by skid loader



**damage caused by
some type of
machinery**

**Property
Line Marker**

St. Germain, Dante

From: Cathy Colliver <cathycolliver@gmail.com>
Sent: Wednesday, May 22, 2019 9:41 AM
To: St. Germain, Dante
Cc: langdonplaceneighbors@gmail.com
Subject: Feedback for public record on 19ZONE1017 and 19ZONE1016

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Please attach these comments to both 19ZONE1017 and 19ZONE1016 case files for public record.

The proposed rezoning for 19ZONE1017 and 19ZONE1016 should not proceed for multiple reasons, which are listed below. However, before consideration takes place the developer should update multiple discrepancies on the plan, and the two projects should only be considered in tandem as the impact by either alone is not the same as the impact when viewed together. I own the 2810 Weissinger Rd, Louisville, KY 40241 property with my husband, so we are very familiar with the lots and specific details which are not reflected in the plan. Note that all of these discrepancies were pointed out to the developer's council at the neighborhood info meeting in relation to the pre-application plans and none of those changes were made on the updated plans for the formal application. The developer did not attend that meeting, however the council took notes and said he would relay them to the developer to address on the updated plan.

Discrepancies on the Plan 19ZONE1017

1. The stream labeled as a "Wet Weather" stream is not a wet weather stream. It is a year-round, naturally occurring stream. Based on the existence of a historic spring house (also not reflected on the plans) fed by this stream, it is logically concluded that this stream has likely been in existence as long as the Jesse Murray house, which was built in 1823. The spring house is unique and may be the oldest example of its kind still intact in Jefferson County. Drainage issues caused by development other than single family homes on the lots in question, particularly given the flood plain issues MSD has already pointed out, will inevitably cause additional runoff into this stream. This could impact the historic spring house, the guest house for 2810 Weissinger Road and the barn also located on the property near the stream. Additionally, there is wildlife that calls this stream home. It is likely connected to Goose Creek, and we know because of a well on the Jesse Murray property that the stream likely connects to an underground spring. The impact of runoff could cause harm to both wildlife and historic buildings. I highly suggest that this be resolved and the appropriate agencies look into this re: impact.
2. The 2810 Weissinger Road house is depicted in the wrong orientation and is off on location - this does not therefore accurately represent where the house sits in relation to the property line. Therefore judging the impact and even accuracy of the distances represented needs to be both fixed on the plan and re-evaluated by agencies for applicable impact.
3. Note that the driveway for 2810 Weissinger Road that is depicted as "encroaching" in the right of way does not cross the property line until it is into the right of way. This is the historic approach to the Jesse Murray house and has been in place for well over 100 years (paved or unpaved).
4. The detached guest house (converted from a garage in the 80s), spring house and barn are not depicted on the plan related to buildings on 2180 Weissinger Road. These are not small or temporary buildings, and the spring house in particular is historic, so should be reflected on the plan so the relevant agencies can properly comment on the impact of potential drainage issues and flooding to the stream immediately adjacent.

5. Recommend that all school bus stops be marked on this plan - the largest traffic impact is one of safety for school age children whose bus stop is at the corner of Weissinger Road & Blossom Lane, as well as at Langdon Road & Blossom Lane. In particular, the Weissinger Road & Blossom Lane bus stops (multiple across all age groups) often have kids with or without parents standing on the side of the property in question. Additionally, multiple parents try to park their cars on Weissinger Road just before the stop sign, which is exactly where the proposed drive for this development is located. You cannot effectively think through traffic and safety impact in this situation without bus stops marked. This is why Langdon Place city council members provided feedback to the developer at neighborhood info meetings in both 2017 and 2019 that the driveway for this property would be better letting out onto Blossom Lane.

Discrepancies on the Plan 19ZONE1017

1. The barn on 2810 Weissinger Road property is not shown on this plan though it is situated in the space this plan covers.
2. As noted elsewhere, without the plans being combined this plan in particular does not show the impact across a wide range of issues. By limiting what is shown, you cannot see where the Jesse Murray house is situated in relation to this portion of the proposed rezoning. Nor can you see the detached guest house or historic spring house. Nor can you see together in one place the full impact of the flood plain for consideration on drainage and runoff issues, particular around impact to wildlife and the historic buildings on the 2810 Weissinger Road property.

Combine Plans for 19ZONE1017 and 19ZONE1016

1. You can not properly get a sense of the impact across a wide range of issues LD&T considers if you do not see the plans combined - suggest plans be combined to show the entire block, as well as above comment regarding showing the major buildings on the 2810 Weissinger Road property (not just the main house).

Additional Feedback

1. Suggest proposed rezoning in Langdon Place be reviewed in relation to the Westport Road Corridor Small Area Plan https://louisvilleky.gov/sites/default/files/advanced_planning/westport_corridor.pdf
2. There is a wide variety of existing apartment complexes, townhouses, condos and patio homes within a 5 mile radius - I would guess that none of these is at 100% occupancy. It is hard to understand why it is necessary to rezone these lots in particular from single family given the market capacity in this exact area. I believe in having a wide range of housing options and price points - my mom lived in Section 8 housing. I understand that. This area already provides that without rezoning three lots adjacent to a historic property and natural stream in an area with dicey flood plain issues. If anything on Westport Road is prime for rezoning to multi-family, it's the lot adjacent to the 264 Westport Road exit that has remained unsold and undeveloped for years.
3. Character of the Neighborhood & appropriate zoning are large factors in considering rezoning. The city of Langdon Place started out as a neighborhood with single family development as the owners of the historic Jesse Murray farm sold off parts of their land. Over time the family sold more, but whatever they maintained was and is still zoned single family. The neighborhood character was literally defined as a quiet, single family residential subdivision with a focus on maintaining a healthy tree canopy surrounding the historic farm house and property. It seems completely against the character of the neighborhood for the three undeveloped lots remaining, which are immediately adjacent to the historic farm, to be converted into multi-family. If the zoning on these lots was single-family for the entire history of this neighborhood in such a way that it formed the defining characteristic of the Jesse Murray property as an anchor, why is that rezoning incorrect now?

Best,
Cathy

--
Cathy Colliver
cathycolliver@gmail.com

St. Germain, Dante

From: Todd C <toddcolliver@gmail.com>
Sent: Monday, May 20, 2019 12:07 PM
To: St. Germain, Dante
Cc: langdonplaceneighbors@gmail.com
Subject: 19ZONE16 and 19ZONE17 Opposition

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I am writing this email to express my opposition to the rezoning proposals contained in 19ZONE16 and 19ZONE17 - please add this to the public record for consideration by those making the decision on these two projects.

Our neighborhood of Langdon Place is one with a unique character dominated by single families homes, green spaces, and tree lined roads. Langdon Place can be characterized by long time residents and neighbors walking streets that are lightly traveled. During the school year the street corners contain children at bus stops both in the morning and afternoon. Then in the summer those same children are seen riding their bikes on lightly traveled roads and playing in wide open yards with lots of green space and trees. Trees which exist because the City of Langdon Place made a substantial investment to plant and maintain in order to help define the character of the neighborhood.

Part of the unique character of Langdon Place is the original farm home around which the neighborhood developed, the Jessie Murray House (JF 501). The farm house is very unique in the county and the state as one of the oldest houses in Jefferson County, built in 1823. Additionally the historic structures on the property include the original spring house which will be under threat should these developments be approved and large amounts of run-off flood the spring and destroy the structure. The existence of these unique buildings require special attention to the development surrounding it.

The proposed development does not take into account the impact to the character of the neighborhood to adjoin high density R-5A and R-5B to properties that are R-4 and closer to R-1. The proposal to zone less than an acre in each instance clearly indicates that these lots (which they are lots, not large tracts of undeveloped land), which have for 30+ years existed as R-4, should remain R-4 as is consistent with the neighborhood. There are many residence who bought and built homes, who were drawn to the open spaces of these lots and the abundance of trees, understanding that being zoned already R-4 the neighborhood would continue to develop with R-4 zoning and single family homes.

The additional street parking, traffic, light and noise pollution would forever alter the character of the neighborhood. The impact to significant historic buildings documented on the Kentucky Historic Registry cannot be "undone". For 200 years this area that was once a farm and is now a neighborhood have managed to keep an suburban/rural juxtaposition by correctly balancing density in both location and ratio. To unbalance that ratio would forever damage the character of the neighborhood. To disturb the context of the historic home as per the UD Staff review of the proposed development is irreversible, and as per the submitted plans, impossible within the rules.

Please let me know that you received this email and filed this with the public record for these applications.

Best,

Todd Colliver
2810 Weissinger Road
Louisville, KY 40241