



# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 18WAIVER1048 Intake Staff: HP

Date: 11/19/2018 Fee: \$

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

## Project Information:

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

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section Chapter 8

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

Explanation of Waiver: Sign to be attached to existing external stairwell rather than building facade

Primary Project Address: 801 W. Main Street, Louisville, KY 40404

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

Primary Parcel ID: 015D00240000

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

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Proposed Use: Micro-distillery Existing Use: Previously vacant

Existing Zoning District: M2 Existing Form District: DT

Deed Book(s) / Page Numbers<sup>2</sup>: D11016, P448; D11029, P884

The subject property contains 0.1799 acres. Number of Adjoining Property Owners: 4

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

If yes, please list the docket/case numbers:

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

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

**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

The waiver will not adversely impact adjacent property owners. The sign will be securely mounted to the staircase and will be well above pedestrian eye-level such that it will not be a barrier to the sightlines of pedestrians or drivers/street traffic. The scale of the sign is appropriate for the building and does not alter the character of the building or surroundings. It will not create any hazard or nuisance and enhances the exterior stairway on which it is erected.

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

The waiver will not violate the Comprehensive Plan. The property is located in the Downtown Form District and complies with Objectives B2.4, B2.5, B2.6, B2.8, and B2.9 . The proposed sign will enhance the streetscape and help develop linkage between downtown and the Waterfront and surrounding area by providing character and decorating a previously unadorned area facing the area between Washington Street and the highway. The sign has been approved by the National Parks Service as complying with and respecting the historic character of the building.

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

Yes. This waiver allows applicant to erect the sign previously approved by the National Parks Service and respects the historic character of the building.

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**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

Strict application of the provisions would create an unnecessary hardship, as Applicant has worked with the National Parks Service at length on the proposed signage plan and has come to the compromise of not enclosing the staircase at issue to ensure respect for the historic character of the building. Changes to the sign plan would result in additional cost and delay with the National Parks Service or cause Applicant to lose or jeopardize its historic tax credits.

**Contact Information:**

Owner:  Check if primary contact

Applicant:  Check if primary contact

Name: Andrea Wilson

Name: Andrea Wilson

Company: Fort Nelson Real Estate, LLC

Company: Michter's Distillery LLC

Address: [REDACTED]

Address: [REDACTED]

City: Louisville State: KY Zip: 40216

City: Louisville State: Ky Zip: 40216

Primary Phone: [REDACTED]

Primary Phone: [REDACTED]

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

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

Email: [REDACTED]

Email: [REDACTED]m

Owner Signature (required): 

[REDACTED]:  Check if primary contact

Plan prepared by:  Check if primary contact

Name: Jeffrey A. McKenzie

Name: Cash Moter

Company: Bingham Greenebaum Doll

Company: Joseph & Joseph Architects

Address: [REDACTED]

Address: [REDACTED]

City: Louisville State: KY Zip: 40202

City: Louisville State: KY Zip: 40202

Primary Phone: [REDACTED]

Primary Phone: [REDACTED]

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

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

Email: [REDACTED]m

Email: [REDACTED]net

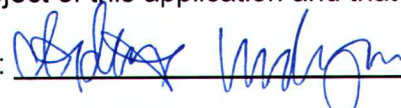
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**Certification Statement:** A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone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

I, Andrea Wilson, in my capacity as Secretary/Treasurer, hereby representative/authorized agent/other

certify that Fort Nelson Real Estate, LLC is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

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

Signature:  Date: \_\_\_\_\_

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



# Land Development Report

November 16, 2018 2:35 PM

About LDC

## Location

Parcel ID: 015D00140000  
 Parcel LRSN: 8001516  
 Address: 801 W MAIN ST

## Zoning

Zoning: (C3), (M2)  
 Form District: DOWNTOWN  
 Plan Certain #: 16086  
 Proposed Subdivision Name: NONE  
 Proposed Subdivision Docket #: NONE  
 Current Subdivision Name: NONE  
 Plat Book - Page: NONE  
 Related Cases: NONE

## Special Review Districts

Overlay District: WEST MAIN-MARKET  
 Historic Preservation District: WEST MAIN STREET  
 National Register District: WEST MAIN STREET  
 Urban Renewal: NO  
 Enterprise Zone: YES  
 System Development District: NO  
 Historic Site: YES

## Environmental Constraints

### Flood Prone Area

FEMA Floodplain Review Zone: NO  
 FEMA Floodway Review Zone: NO  
 Local Regulatory Floodplain Zone or  
 Combined Sewer Floodprone Area: NO  
 Local Regulatory Conveyance Zone: NO  
 FEMA FIRM Panel: 21111C0025E

### Protected Waterways

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

### Slopes & Soils

Potential Steep Slope: NO  
 Unstable Soil: NO

### Geology

Karst Terrain: NO

## Sewer & Drainage

MSD Property Service Connection: YES  
 Sewer Recapture Fee Area: NO  
 Drainage Credit Program: CSO053 - Project(s) Value between \$.04 - \$1.5

## Services

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

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