

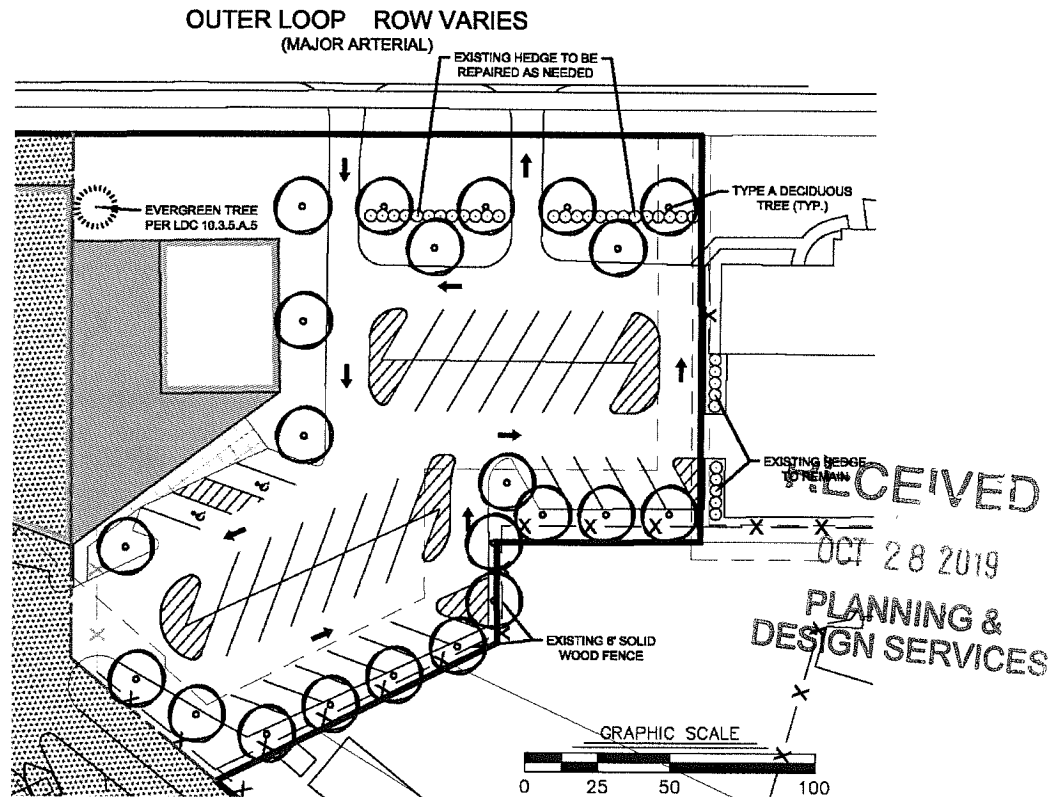


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WAIVER JUSTIFICATION
Jefferson Animal Hospital Expansion
Case # 19-ZONEPA-0059
October 28, 2019

The applicant is requesting a waiver of **LDC 10.2.4** to allow the existing parking lot to encroach into the required property perimeter landscape buffer on the properties at 5408, 5410 & 5412 Outer Loop and to waive a portion of the planting requirements. Although the proposed site improvements are minimal, this waiver is triggered because the property is being rezoned to accommodate the expansion of Jefferson Animal Hospital.

A majority of the planting and screening requirements will still be met as illustrated on the landscape exhibit below. Screening will be provided with the existing 6' solid wood fence. Trees will be planted along the Southern property line at 3/100 linear feet of property boundary. Due to the limited space for planting, the planting density multiplier in LDC Table 10.2.3 is not being applied because it would require large trees to be planted too close together. There will be no additional planting along the east property line because this area is all paved, however, there are no plans to remove the existing hedge row on the adjacent property to the east, so the screening requirement will still be met. With the proposed plantings, tree canopy on site will go from 0% to 41% which is double the requirement from LDC Chapter 10, Part 1.



PATRICK R. DOMINIK, Landscape Architect • DAVID J. SEDLAR, Civil Engineer • DENNIS L. KRAUS, Land Surveyor
 ERIC W. PENLAND, Civil Engineer • JOSEPH S. MARSHALL, Civil Engineer • DAVID W. SIPES, Civil Engineer

With regard to the specific waiver justification, please note the following:

1. Will the waiver adversely affect adjacent property owners?

No. This waiver is due to existing conditions and will not adversely affect adjacent property owners. Instead, the proposed plantings will benefit adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

No. The waiver will not violate the Comprehensive Plan because adjacent incompatible sites will be screened as required. In addition, this waiver allows the adaptive reuse and revitalization of a previously developed property which is specifically encouraged in Plan 2040.

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

Yes. The applicant is only requesting a partial waiver due to existing conditions. Planting requirements will be met where possible.

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?

Even with the partial landscape waiver, this site will provide double the tree canopy required, thereby mitigating the request. The strict application of the regulation would require the applicant to significantly alter the existing pavement on-site, thereby reducing the number of parking spaces and significantly increasing site construction costs.

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