



JEFFERSON COUNTY, KENTUCKY
DEPARTMENT OF PLANNING AND ENVIRONMENTAL MANAGEMENT
DIVISION OF PLANNING AND DEVELOPMENT SERVICES

DAVID L. ARMSTRONG
County Judge/Executive

R. WAYNE BENNETT, AICP
Division Director

ADRIAN P. FREUND, AICP
Department Director

CHARLES A. DAVIS
Assistant Director

CERTIFICATE OF LAND USE RESTRICTION

Name and address of property owner(s)

Veterans of Foreign Wars, Shawnee Post #32	
3416 Bank Street	
Louisville, Kentucky 40212	

Address of Property	Name of Subdivision or Development (if applicable)

Deed Book and Page of last recording 6577 x 070

Docket Number(s) B-93-95

Type of Restriction

Variance XX
Other
Specify

Conditional Use Permit

Name and address of Planning Commission, Board of Zoning Adjustment, Legislative body, or Fiscal court which maintains the original records containing the restrictions.

City of Louisville
Board of Zoning Adjustment

531 Court Place, Suite 900

Louisville, Kentucky 40202


Signature of Completing Officer

Kendal R. Baker,
Planner II

Document No: 1997096850
Lodged By: LOU & JEFF CTY PLAN COMM.
Recorded On: Jul 18, 1997 09:13:50 A.M.
Total Fees: \$10.50
County Clerk: Rebecca Jackson
Deputy Clerk: DANA

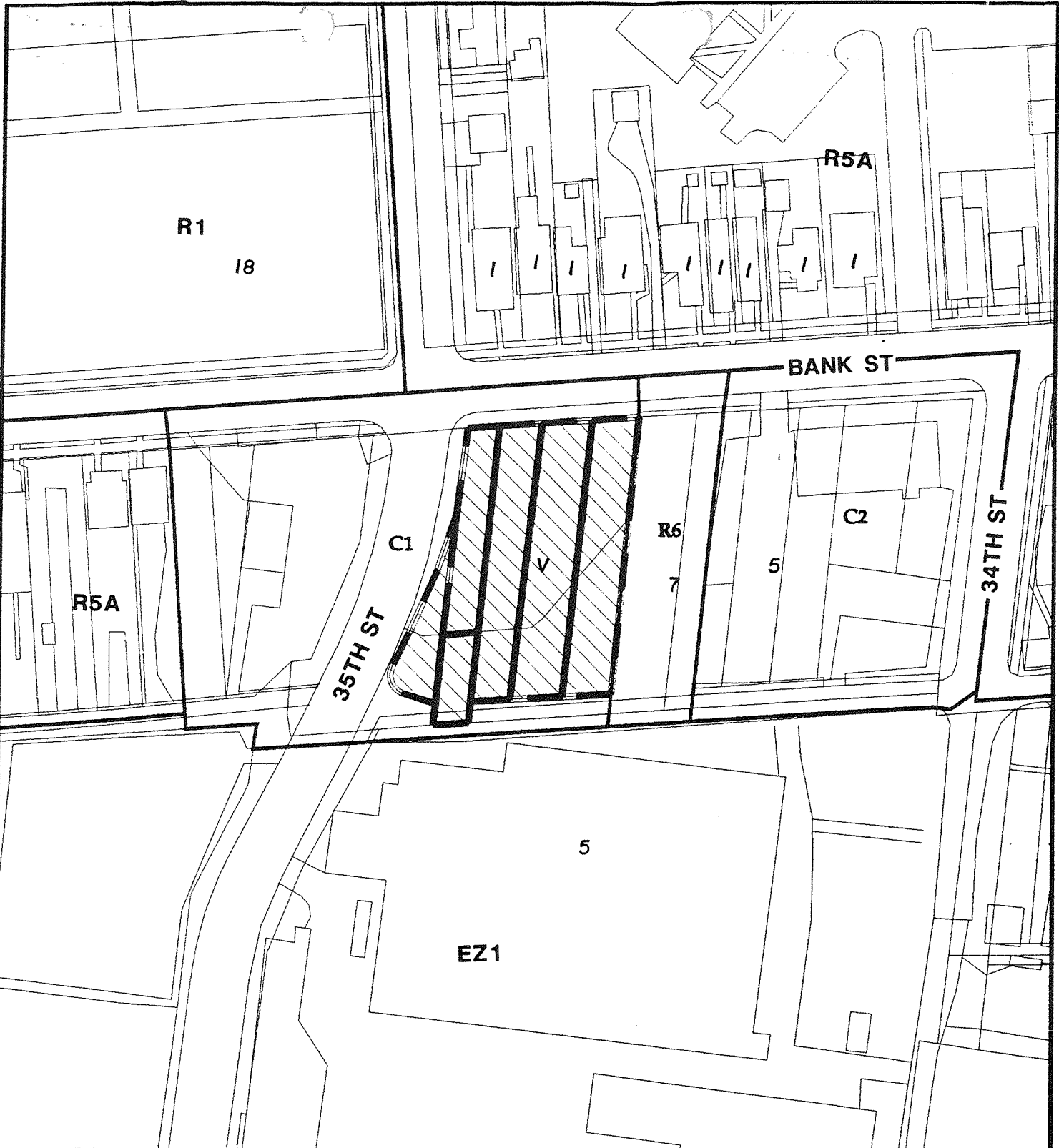
LOUISVILLE AND JEFFERSON COUNTY PLANNING COMMISSION

531 COURT PLACE • SUITE 900
LOUISVILLE, KENTUCKY 40202-3396

Phone: 502-574-6230
Fax: 502-574-8119

END OF DOCUMENT

PRINT ON RECYCLED PAPER



- | | | | |
|---------------------|-----------------------|-----------------|---------------------------------|
| 1 SINGLE FAMILY | 7 UTILITY | 12 GOVERNMENTAL | 17 OTHER PUBLIC AND SEMI-PUBLIC |
| 2 TWO FAMILY | 8 WHOLESALE | 13 MEDICAL | 18 CEMETERY |
| 3 OTHER RESIDENTIAL | 9 RETAIL | 14 EDUCATIONAL | V VACANT |
| 4 LIGHT INDUSTRIAL | 10 GENERAL COMM./OFF. | 15 RELIGIOUS | P PARKING |
| 5 HEAVY INDUSTRIAL | 11 PROFESSIONAL OFF. | 16 RECREATIONAL | UC UNDER CONSTRUCTION |



Land Use Map
 Louisville and Jefferson County
 Planning Commission

Date: May 30, 1995
**B-93-95
 VARIANCE**

Scale: 1" = 100 ft.
 Sheet 102

Copyright (c) 1995, LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT
 All Rights Reserved.





JEFFERSON COUNTY, KENTUCKY
DEPARTMENT OF PLANNING AND ENVIRONMENTAL MANAGEMENT
DIVISION OF PLANNING AND DEVELOPMENT SERVICES

DAVID L. ARMSTRONG
County Judge/Executive

R. WAYNE BENNETT, AICP
Division Director

ADRIAN P. FREUND, AICP
Department Director

CHARLES A. DAVIS
Assistant Director

LETTER OF TRANSMITTAL

DATE: July 5, 1995

Russ Segraves
Plan Review Officer
617 W. Jefferson Street
Louisville, Ky. 40202

To Whom It May Concern:

The Louisville Board of Zoning Adjustment, meeting in executive session took the following action.

DOCKET NO: B-93-95

DATE ACTION
WAS TAKEN: June 19, 1995

Variance Conditional Use Permit Appeal Modification

ACTION TAKEN: Approved Approved On Condition Approved In Part Denied Denied In Part

PLANS ENCLOSED: Yes No

MINUTES: Enclosed: Will follow upon approval:

A copy of this transmittal letter has been sent to the applicant. If you need any further information, please do not hesitate to contact me.

Yours truly,

Steve Lutz
Planner II

cc: Susan Hughes
City of Louisville
Department of Inspections, Permits
and Licenses

LOUISVILLE AND JEFFERSON COUNTY PLANNING COMMISSION

531 COURT PLACE • SUITE 900
LOUISVILLE, KENTUCKY 40202-3396
Phone 502-574-6230
FAX 502-574-8129

LOUISVILLE BOARD OF ZONING ADJUSTMENT MINUTES

JUNE 19, 1995

DOCKET NO. B-93-95

Applicant: Veterans of Foreign Wars (Shawnee Post No. 32)

Subject: An application for a variance from the Zoning District Regulations to allow off-street parking to encroach into the required front and side yards. .

Premises affected: On property known as 3416 Bank Street and being in the City of Louisville.

Appearances For Applicant:

Marvin Kessinger, Veterans of Foreign Wars (Shawnee Post No. 32), 10003 Vega Lane, Louisville, Kentucky, 40272.

Appearances Against Applicant:

None.

Appearances-Interested:

None.

On May 23, 1995, the Veterans of Foreign Wars (Shawnee Post No. 32), Marvin Kessinger, Agent, filed an application for variation from the requirements of the Zoning District Regulations to allow off-street parking to encroach into the required front and side yards.

On June 19, 1995, at a meeting of the Board, a hearing was held on this case. A drawing showing the premises affected and the existing and proposed construction was presented to each Board member

In accordance with the Board Bylaws, the staff report prepared for this case was incorporated into the record. The Board members had received this report in advance of the hearing and it was available to any interested party prior to the public hearing. See Addendum for staff report in full.

A video and map of the site and surrounding area were shown.

Shari Cooper, Court Reporter, recorded the testimony presented during the public hearing.

After a discussion of the case by the members of the Board in open executive session, on a motion by Member Crawford, seconded by Member Pohl, the following resolution was unanimously adopted:

WHEREAS, the Board finds that the residential zoning of the adjacent non-residential use is a special circumstance which does not generally apply to land in the general vicinity or in the same zone, and

LOUISIANA BOARD OF ZONING ADJUSTMENTS MINUTES

JUNE 19, 1995

DOCKET NO. B-93-95

WHEREAS, the Board finds that strict application of the provisions of the regulation would require the applicant to redesign the proposed plan and would create an unnecessary hardship on the applicant, and

WHEREAS, the Board finds that the applicant is not responsible for the adjacent zoning and non-residential use, therefore, such special circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought, and

WHEREAS, the Board finds that the proposal will provide off-street parking for the Veterans of Foreign Wars facility; the subject site is adjacent to an R-6 zoning district, however, the use of that property is non-residential; and landscaping is proposed, therefore, the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations,

NOW, THEREFORE, BE IT RESOLVED, that the variance is hereby APPROVED.

The variances allow:

1. The proposed off-street parking to be located 8 feet from the Bank Street front yard property line.
2. the proposed off-street parking to be zero feet from the east side property line.

CITY OF LOUISVILLE BOARD

DOCKET NUMBER B-93-95 Public Hearing Date: JUNE 19, 1995

Applicants: VETERANS OF FOREIGN WARS (SHAWNEE POST NO. 32)

Subject of Request: An application for a variance from the Zoning District Regulations to allow off-street parking to encroach into the required front and side yards.

Premises Affected: On property known as 3416 Bank Street and being in the City of Louisville.

Existing Use and Zoning: C-1; Vacant

Surrounding Land Uses and Zoning:

North - R-5A; Single-family dwellings

South - EZ-1; Industrial

East - R-6; Public utility facility

West - C-1; 34th Street

(See attached land use map for specific location and uses).

Related cases: None

The site consists of several lots which have a combined frontage of 128.5 feet along Bank Street. The applicant is proposing to construct new facilities and off-street parking. The site is adjacent to an R-6 zoning district and must adhere to the yard setback requirements for that district. Therefore, the following variances are needed:

1. A variance of 17 feet is needed to allow proposed off-street parking to be 8 feet from the Bank Street front yard property line.
2. A variance of 5 feet to allow proposed off-street parking to be zero feet from east side property line.

In order to justify approval of any variance, the Board considers four criteria. In this report the criteria are listed and followed by the applicant's statement and a staff analysis of the situation.

- (a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.

LOUISVILLE BOARD OF ZONING ADJUSTMENT STAFF REPORT

JUNE 19, 1995

DOCKET NO. B-93-95 (CONTINUED)

The applicant states: "Landscaping and parking requirements by City of Louisville."

STAFF ANALYSIS: These requirements could be considered as special circumstances.

The Board must determine if any special circumstances exist on the site with respect to the variances requested.

(b) How the strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

The applicant states: "We would not have enough parking to accommodate our needs."

STAFF ANALYSIS: The chief result of a denial of these variances would be that the applicant would have to redesign the proposed plan

The Board must determine if the applicant would be deprived of the reasonable use of the land or if an unnecessary hardship on the applicant would be created if the variances are denied.

(c) Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought?

The applicant states: "No. This is a new structure on an empty lot."

STAFF ANALYSIS: The applicant is responsible for the design and location of the proposed development.

The Board must consider whether the applicant is responsible for any special circumstances which may exist on the site.

(d) Reasons that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The applicant states: "This is for parking only."

STAFF ANALYSIS: The granting of the requested variances may not have an adverse impact upon the character of the general vicinity or result in a hazardous nuisance to the adjacent properties. .

LOUISVILLE BOARD OF ZONING ADJUSTMENT STAFF REPORT

JUNE 19, 1995

DOCKET NO. B-93-95 (CONTINUED)

The Board must determine if the granting of the variances will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

In addition, KRS 100.243 requires the Board to deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

PUBLIC NOTICE

The City of Louisville Board of Zoning Adjustment will hold a public hearing on Monday, June 19, 1995, at 1:00 P.M. in the Fiscal Court Room, Room 402, Jefferson County Courthouse, Louisville, Kentucky on the following cases:

B-93-95: An application for a variance from the Zoning District Regulations to allow off-street parking to encroach into the required front and side yards on property known as 3416 Bank Street and being in the City of Louisville.

B-95-95: An application for a Conditional Use Permit to allow a hazardous or objectionable use on property known as 1212 South 13th Street and being in the City of Louisville.

B-96-95: An application for a variance from the Zoning district Regulations to allow parking and maneuvering to encroach into the required front and side yards on properties know as 1250 Bardstown Road and 1620 Beechwood Avenue and being in the City of Louisville.

B-97-95: An application for a variance from the Zoning District Regulations to allow a proposed canopy to encroach into the required front and street side yards on property know as 1735 Newburg Road and being in the City of Louisville.

The applications may be inspected in the office of the Board, 531 Court Place, Suite 900, Fiscal Court Building, Louisville, Kentucky.

Persons who desire special accommodations such such as a sign language interpreter or large print materials should contact the Planning Commission Office at least one week prior to the public hearing. Call 574-6230 (TDD users please use the Relay Service, 1-800-648-6056.) Stephen Lutz, Planner II

THE COURIER JOURNAL and LOUISVILLE TIMES Incorporated

State of KENTUCKY City of Jefferson

Affidavit of Publication

Judy Reece

THE COURIER-JOURNAL AND LOUISVILLE TIMES COMPANY, publisher The COURIER-JOURNAL, a newspaper of general circulation printed and published at Louisville, Kentucky, do solemnly swear that from my own personal knowledge, and reference to the files of said publication, the advertisement of

LEGAL 105 B-93-95:

inserted in THE COURIER-JOURNAL as follows:

Date	Lines	Date	Lines
06/09/95	115		
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----

Judy Reece
(Signature of person making proof)

Subscribed and sworn to before me this 13 day of June, 1995.

My commission expires May 25, 1998.

Jerrri Allison
Jerrri Allison (Notary Public)

LOUISVILLE BOARD OF ZONING ADJUSTMENT
900 FISCAL COURT BUILDING
LOUISVILLE, KENTUCKY 40202

NOTICE OF HEARING

June 9, 1995

Veterans of Foreign Wars
3416 Bank Street
Louisville, Kentucky 40212

Date of Public Hearing: June 19, 1995

Re: Docket No: B-93-95

Subject of Hearing: An application for a variance from the Zoning District Regulations to allow off-street parking to encroach into the required front and side yards.

Premises affected: On property known as 3416 Bank Street and bring in the City of Louisville.

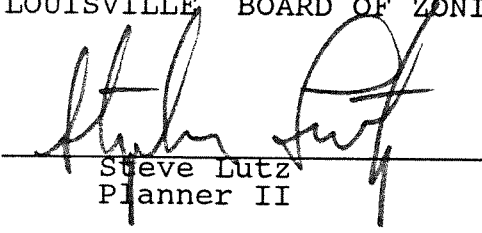
Dear Applicant:

A public hearing on this case will be held Monday, June 19, 1995, at 1:00 P.M. in the Fiscal Court Room, Room 402, Jefferson County Courthouse, Louisville, Kentucky.

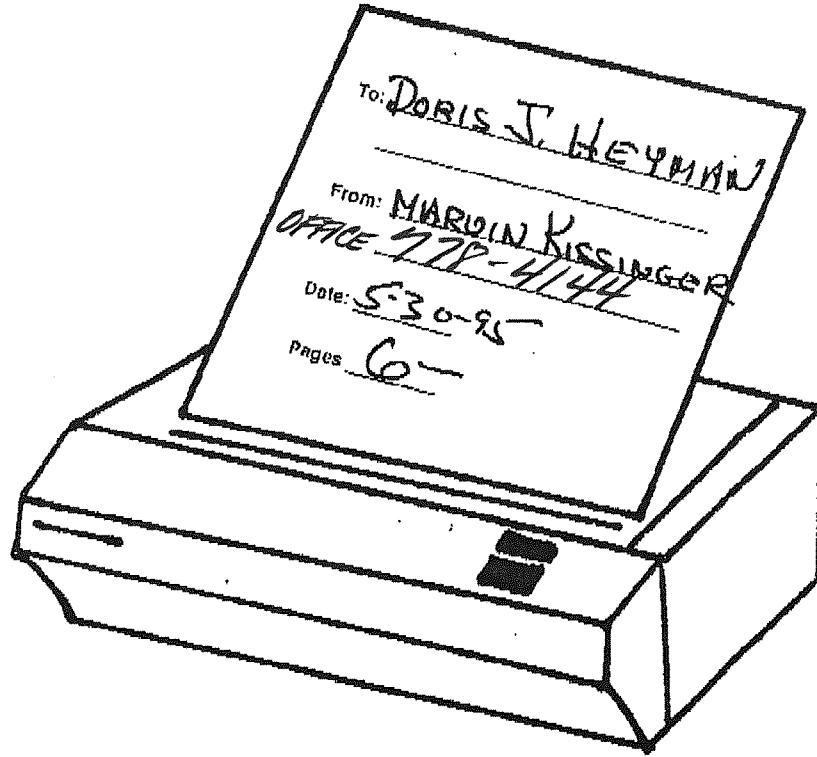
The applicant or their representative must be present at the hearing to present the case to the Board and to answer any questions which may arise. All interested parties will be given an opportunity to be heard with reference to the above case.

Persons who desire special accommodations such as a sign language interpreter or large type materials should contact the Planning Commission Office at 574-6230 at least one week prior to the public hearing. (TDD users please use the Relay Service, 1-800-648-6056).

LOUISVILLE BOARD OF ZONING ADJUSTMENT



Steve Lutz
Planner II



Jan 7, 1995

In accordance with our
by-laws of U.F.W. Post 3207,
An Appointment was made
at this meeting for MANORA
Kessinger to be our, Building,
and Building Activities,
Chairperson, for the new
Building we are going to erect
in a future date.

Sincerely,
Jack Longan Chair.
Post 3207 - U.F.W.

03-07-1995 09:34AM

CONKIN, GILLESPIE & HAGAN

P.02

ARTICLES OF INCORPORATION

OF

SHAWNEE POST NO. 3204
(Post name)

RECEIVED & FILED
8.00
NOV 21 2 31 PM '91

VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.

In accordance with the provisions of KENTUCKY relating to corporations not for profit, the undersigned persons do hereby constitute themselves into a non-profit corporation and adopt the following Articles of Incorporation in accordance with said Statutes.
(reference to State Statutes)

ARTICLE I—NAME:

The name of this corporation shall be SHAWNEE POST NO. 3204 VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.
(Post name)

ARTICLE II—PURPOSES:

The general nature and purposes of this corporation shall be:

Fraternal, patriotic, historical and educational; to preserve and strengthen comradeship among its members; to assist worthy comrades; to perpetuate the memory and history of our dead and to assist their widows and orphans; to maintain true allegiance to the government of the United States of America and fidelity to its Constitution and laws; to foster true patriotism; to maintain and extend the institutions of American freedom; and to preserve and defend the United States from all her enemies, whomsoever.

This incorporated subordinate unit of the VETERANS OF FOREIGN WARS OF THE UNITED STATES, shall at all times remain under the jurisdiction of, and be governed according to the Constitution, By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States. In the event that any provision of these Articles of Incorporation conflicts with the National Charter and By-Laws of the Veterans of Foreign Wars of the United States, such conflicting provisions shall be deemed null and void, and the National Charter and By-Laws shall, at all times, govern.

ARTICLE III—MEMBERSHIP:

The active and voting membership of this corporation shall at all times consist of and be confined to the active membership in good standing in SHAWNEE POST NO. 3204 VETERANS OF FOREIGN WARS

OF THE UNITED STATES, with eligibility to, acquiring of, suspension from, and discontinuance of membership being in accordance with the National Constitution and By-Laws of the Veterans of Foreign Wars of the United States.

ARTICLE IV--INCORPORATORS:

The names and residences of the incorporators of this Corporation are as follows:

Post Commander: ROBERT T. CRABTREE 461 N 29th ST LOUISVILLE, KY 40212
(Name) (Address)

Post Sr. Vice Commander: DONALD P. SPENCER 2417 SLEVIN ST. LOUISVILLE, KY 40212
(Name) (Address)

Post Quartermaster: CLAUDE V. KINSLOW 211 GLENDORA AVE. LOUISVILLE, KY 40212
(Name) (Address)

ARTICLE V--MANAGEMENT & ELECTIONS:

The Board of Directors shall manage the affairs of this Corporation and shall consist of the Post Commander, the Post Sr. Vice Commander, and the Post Quartermaster, and they shall be elected at a regular meeting of the Post to be held during the month of April each and every year in accordance with the By-Laws of the Veterans of Foreign Wars of the United States. Actions of the Board of Directors as set forth herein shall be at all times subject to the approval of the Post.

ARTICLE VI--OFFICERS:

The names and addresses of the Officers of the Post who are to serve as Officers of the Corporation until their successors are duly elected and installed, are as follows:

Post Commander: ROBERT T. CRABTREE 461 n 29th ST. LOUISVILLE, KY 40212
(Name) (Address)
who shall serve as President.

Post Sr. Vice Commander: DONALD P. SPENCER 2417 SLEVIN ST. LOUISVILLE, KY 40212
(Name) (Address)
who shall serve as Vice-President.

Post Adjutant: GEORGE W. CANARY 676 S 43rd ST. LOUISVILLE, KY 40211
(Name) (Address)
who shall serve as Secretary.

Post Quartermaster: CLAUDE V. KINSLOW 211 GLENDORA AVE. LOUISVILLE, KY 40212
(Name) (Address)
who shall serve as Treasurer.

All of the above shall be elected at a regular meeting of the Post to be held during the month of April of each and every year, except the Post Adjutant who shall be appointed by the Post Commander on the night of installation or as soon thereafter as possible.

ARTICLE VII--INITIAL BOARD OF DIRECTORS:

This Corporation shall have not less than three (3) Directors and the initial Board of Directors shall be as follows:

Post Commander: ROBERT T. CRABTREE 461 N. 29th ST. LOUISVILLE, KY 40212, Director
 (Name) (Address)
 Post Sr. Vice Commander: DONALD P. SPENCER 2417 SLEVIN ST. LOUISVILLE, KY. 40212, Director
 (Name) (Address)
 Post Quartermaster: CLAUDE V. KINSLOW 211 GLENDORA AVE. LOUISVILLE, KY 40212, Director
 (Name) (Address)

The above Directors shall serve until the next election of Post Officers during the month of April of each and every year and who, by virtue of their office, shall serve as Directors of the Corporation.

ARTICLE VIII--BY-LAWS:

By-Laws for this Corporation may be made, altered, or rescinded after presentation to the Post by any member in good standing and approved by a two-thirds (2/3) vote of the Post Membership present and in good standing at a noticed meeting. However, said By-Laws shall not conflict with the National Charter, Constitution, By-Laws and Manual of Procedure of the VFW of the U.S., nor shall they conflict with the By-Laws of the Department having jurisdiction and provided further a copy of same shall be forwarded, through channels, and approved by the Commander-in-Chief before becoming effective.

ARTICLE IX--AMENDMENTS TO ARTICLES OF INCORPORATION:

Amendments to these Articles of Incorporation may be made after presentation to the Post by any member in good standing and approved by a two-thirds (2/3) vote of the Post Membership present and in good standing at a noticed meeting. However, said Amendments to the Articles of Incorporation shall be in accordance with the Laws of the State, and in accordance with the National Charter, Constitution, By-Laws, and Manual of Procedure of the VFW of the U.S. and further they shall be in accordance with the Department having jurisdiction and provided further a copy of same shall be forwarded, through channels, and reviewed by the Commander-in-Chief before becoming effective.

ARTICLE X--MISCELLANEOUS:

In the event of a dissolution of this corporation all of the assets shall be the property of SHAWNEE
POST NO. 3204 VETERANS OF FOREIGN WARS OF THE UNITED STATES and in the event of the simultaneous dissolution of this corporation and of the forfeiture of the charter issued by the Veterans of Foreign Wars of the United States to said subordinate unit then, and in that event, title to all of the assets of this corporation shall

pass to the Veterans of Foreign Wars of the United States to be disposed of in accordance with the National By-Laws, Rules and Regulations of the said Veterans of Foreign Wars of the United States. At no time shall the assets of the corporation be distributed among the individual members thereof.

ARTICLE XI—ADDRESS AND REGISTERED OFFICE AND AGENT:

The address of its initial principal Office is 311 AMY AVE. LOUISVILLE, KY 40212

and in the name of its initial Registered Agent is CLAUDE V. KINSLOW, 211 GLENDORA AVENUE, LOUISVILLE, KY 40212

IN WITNESS WHEREOF we have hereunto set our hands and seals this 15

Day of NOV (All incorporators (Article IV), must sign and their signatures acknowledged).

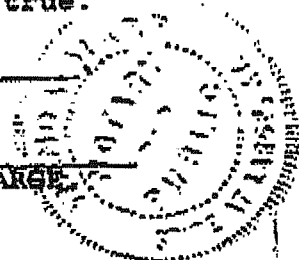
Robert T. Crabtree
Donald P. Spencer L.S.
Claude V. Kinslow L.S.

STATE OF KENTUCKY)
) SS
COUNTY OF JEFFERSON)

I, Wanda Marr, a Notary Public in and for the State at Large aforesaid, do hereby certify that the foregoing Articles of Incorporation of SHAWNEE POST NO. 3204, VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC., were this 15 day of November, 1991, produced to me by ROBERT T. CRABTREE, DONALD P. SPENCER AND CLAUDE V. KINSLOW, who, being first duly sworn, declared that they are the Incorporators of SHAWNEE POST NO. 3204, VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC., that they signed the foregoing document as Incorporators of the corporation and that the statements contained therein are true.

My Commission expires March 29, 1996

Wanda Marr
NOTARY PUBLIC, STATE AT LARGE,
KENTUCKY



04-07-1995 09:33AM

CONKIN, GILLESPIE & HAGAN

P.01

CHARLES F. HAGAN
ATTORNEY AT LAW
THIRD FLOOR
119 SOUTH SEVENTH STREET
LOUISVILLE, KENTUCKY 40202-2747

ADMITTED TO PRACTICE
KENTUCKY
GEORGIA

TELEPHONE: 502/589-1420
FAX 502/589-1149

April 7, 1995

F A S C I M I L E T R A N S M I S S I O N

TO: J. Michael Poole & Associates - ATTN: CrystalFAX: (502) 587-0071RE: Shawnee VFW Post No. 3204, A Non-Profit *Kentucky Corporation**KY* Corporation/Commonwealth of KentuckyTOTAL PAGES INCLUDING COVER SHEET: Five (5) - Articles of Incorporation

IF THIS TRANSMISSION IS NOT COMPLETE, PLEASE CONTACT
HAGAN LAW OFFICES, (502) 589-1420, OR (502) 589-0280.
OUR FAX NUMBER IS: (502) 589-1149.

The information contained in this facsimile message is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or is the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service. Receipt by anyone other than the intended recipient is not a waiver of any attorney-client or work product privilege.

BOOK 06577 0070

DEED

THIS DEED made and entered into as of this 7th day of April, 1995, by and between Robert A. Weaver, Jr. and Cathy Weaver, his wife, parties of the first part, whose address is 3416 Bank Street, Louisville, Kentucky, 40212, and Shawnee Post No. 3204 Veterans of Foreign Wars of the United States, Inc., a non profit Kentucky Corporation, whose address is P.O. Box 11187, Louisville, Kentucky, 40251, party of the second part.

WITNESSETH:

That for a valuable consideration, receipt of which is hereby acknowledged, being the sum of \$18,000.00, parties of the first part hereby convey to party of the second part, in fee simple with covenant of GENERAL WARRANTY, the following described property, located in Jefferson County, Kentucky, to-wit:

BEGINNING in the Southerly line of Bank Street 240 feet West of the Southwesterly corner of 34th Street and Bank Street; thence South 2 degrees 30 minutes West and parallel with 34th Street 200 feet to an alley (now known as Gilligan Street); thence with the Northwesterly line of said alley South 81 degrees 50 minutes West 103.42 feet to the Southeasterly corner of the lot conveyed to Louisville Gas & Electric Company by deed dated February 21, 1985, of record in Deed Book 3269, Page 248, in the Office of the Clerk of the County Court of Jefferson County, Kentucky; thence with the Easterly line of said lot North 2 degrees 30 minutes East 50 feet to the Northeasterly corner of said lot; thence with the Northerly line of same and same extended South 81 degrees 50 minutes West 36.76 feet to a point in the Westerly line of the lot conveyed to Louisville Gas & Electric Company by deed of record in Deed Book 3265, Page 302, in the office of the Clerk aforesaid, at its intersection with a curve parallel to and 31 feet East of the center line of 35th Street cut-through between Bank and Gilligan Streets; thence Northeastwardly and with a curve parallel to and 31 feet East of the center line of said cut-through to its intersection with the Westerly line of the lot conveyed to Josephine Jordan and John S. Walter by deed of record in Deed Book 3651, Page 394, in the office of the Clerk aforesaid; thence Northwardly with the Westerly line of said lot 73.04 feet to the Southerly line of Bank Street; thence with the Southerly line of Bank Street North 81 degrees 50 minutes East 128.42 feet to the beginning.

BEING the same property acquired by Robert A. Weaver, Jr., by Deed dated October 17th, 1989, and of record in Deed Book 5910, Page 532, in the office of the Clerk of Jefferson County, Kentucky.

BOOK 06577 0071

Parties of the first part further covenants that they are lawfully seized of the estate hereby conveyed, has full right and power to convey the same, and that said estate is free and clear of all encumbrances except taxes due and payable in the year 1995 and subsequent taxes, which the Party of the Second Part hereby assumes and agrees to pay. Provided, however, this conveyance is made subject to restrictions and easements of record, including but not limited to the following continuing restriction on said property which shall be applicable to party of the second part and its successors in interest including all transferees: said property shall never be used for the sale of motor fuels or groceries.

The consideration for this conveyance is \$18,000.00.

CONSIDERATION CERTIFICATION

The parties hereto certify the consideration reflected in this deed is the true, correct and full consideration paid for the property herein conveyed. The parties hereto further certify their understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00. The parties of the second part join this deed for the sole purpose of certifying the consideration set forth herein.

IN TESTIMONY WHEREOF, witness the signatures of the parties of the first part and second part on the day and year first above written.


ROBERT A. WEAVER, JR.
Party of the First Part

BOOK 06577 0072

Cathy Weaver

CATHY WEAVER
Party of the First Part

**SHAWNEE POST NO. 3204 VETERANS
OF FOREIGN WARS OF THE UNITED
STATES, INC.**
a Nonprofit Kentucky Corporation

by: *Don Spencer*
DON SPENCER,
Senior Vice Commander
Party of the Second Part

by: *Marvin Kessinger*
MARVIN KESSINGER
Building Chairman
Party of the Second Part

by: *Claude Kinslow*
CLAUDE KINSLOW
Quartermaster
Party of the Second Part

STATE OF KENTUCKY)
)SS:
COUNTY OF JEFFERSON)

I, the undersigned Notary Public, within and for the Commonwealth and County aforesaid, do hereby certify that the foregoing Deed was produced before me in said Commonwealth and County and was acknowledged and delivered by ROBERT A. WEAVER, JR., DON SPENCER, Senior Vice Commander, of Shawnee Post No. 3204 Veterans of Foreign Wars of the United States, Inc., CLAUDE KINSLOW, Quartermaster, of Shawnee Post No. 3204 Veterans of Foreign Wars of the United States, Inc., and MARVIN KESSINGER, Building Chairman, of Shawnee Post No. 3204 Veterans of Foreign Wars of the United States, Inc., on behalf of the Corporation.

Witness my signature this 7th day of April, 1995.

My commission expires: 3-21-99

Dorothy M. Sandridge
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY.

STATE OF KENTUCKY)
)SS:
COUNTY OF JEFFERSON)

I, the undersigned Notary Public, within and for the Commonwealth and County aforesaid, do hereby certify that the foregoing Deed was produced before me in said Commonwealth and County and was acknowledged and delivered by Cathy Weaver.

Witness my signature this 7th day of April, 1995.

My commission expires: 3-2-99

Christel Keeler
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY.

THIS INSTRUMENT PREPARED BY:

BOOK 06577 0074



J. MICHAEL POOLE
BRUCE GARRETT ANDERSON
J. Michael Poole & Associates
610 Starks Building
455 S. 4th Avenue
Louisville, Kentucky 40202
(502) 587-0063

39443

Document No: 1995039443
Lodged By: POOLE
Recorded On: Apr 07, 1995 03:44:22 P.M.
Total Fees: \$16.00
Transfer Tax: \$18.00
County Clerk: Rebecca Jackson
Deputy Clerk: TERI

END OF DOCUMENT

2

APPLICATION FOR VARIANCE

(Read instructions carefully)

[Signature]
5/23/95

Gray area for staff use only

_____ JEFFERSON COUNTY _____ LOUISVILLE BOARD OF ZONING ADJUSTMENT

DOCKET NO. _____ DATE FILED _____ FEE _____

CENSUS TRACT _____ TRAFFIC ZONE _____ TAX BLOCK & LOT _____

1. This is an application for a variance from Section 6.3 of the Zoning District Regulations for property located in the C-1 Zoning District to permit PARKING IN FRONT LINE OF LOT.

Please attach a copy of any written refusal or decision by the administrative official (ie., building permit, licensing, inspection, enforcement) on which the application is based (if any). The refusal and/or decision will state the section of the Development Code involved and the zoning district.

2. The address/location of the property is 3416 BANK ST.

Give street address. If no street address, list the number of feet from nearest intersecting street and which side of street (i.e., north, east, west or south side) the property fronts on.

3. Name of city (if in an incorporated area) Louisville

4. Submit copies of the legal description, a copy of deed and three copies of a site plan.
Submit the following items: a.) a written legal description (as found on the deed) of the property; b.) a copy of the current deed for the property; and, c.) three (3) copies of a site plan drawn to scale showing the size and location of the lot, and the dimensions and location of proposed and existing structures on the property.

5. In order to justify approval of any variance, the Board considers four criteria. Please answer all of the following four items. (Use additional sheets, if needed.)

a. The requested variance arises from special circumstances (please specify/identify) which do not generally apply to land in the general vicinity or in the same zone.
LANDSCAPING AND PARKING REQUIREMENTS BY CITY OF LOUISVILLE

b. How the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.
WE WOULD NOT HAVE ENOUGH PARKING TO ACCOMMODATE OUR NEEDS