

# HERITAGE ENGINEERING, LLC

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January 31, 2022

Planning and Design Services  
Metro Government  
444 South Fourth Street  
Louisville, Kentucky 40202

**Re: Variance Request – Letter of Explanation  
Case# 21-ZONE-0162**

Dear Staff:

On behalf of Nicklies Development we are submitting the attached Variance request for a proposed warehouse building project located at 5400 Minor Lane.

Improvements to the site include construction of a 1,000,000 SF warehouse building with a 755-space parking lot. Onsite detention runoff compensation and additional floodplain fill volume compensation is being provided by expanding the existing lake/detention areas. Development of the site is subject to a variance from Chapter 4, Part 8 - Section 4.8.3.C.1 – Table 4.8.1 of the Land Development Code to reduce the 100-ft lake buffer as shown on the rezoning development plan per Case# 21-ZONE-0162. The requested variance will allow the proposed southern loading dock maneuvering areas, trailer parking and access entrance to encroach into the required buffer.

Justification for the requested variance:

- The requested variance will not adversely affect the public health, safety, or welfare because granting of the variance will allow the existing lake to be revised onsite to allow for appropriate floodplain compensation, proposed southern loading dock maneuvering areas, trailer parking and access entrance to be constructed adjacent to the revised lake.
- The variance requested will not alter the essential character of the general vicinity as the changes being proposed impact a manmade lake that isn't part of any type of open space or amenity area.
- Granting of the variance will not cause a hazard or a nuisance to the public as the proposed redefined edges to the lake are required for floodplain compensation and will better define the limits of the lake in relationship to the southern loading dock maneuvering areas, trailer parking and access entrance being constructed adjacent to the revised lake.
- The development as proposed with the requested variance will not allow for an unreasonable circumvention of the zoning regulations as it will allow for the proposed

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lake area to remain while providing a defined edge area with appropriate security fencing protecting nearby employees from inadvertently gaining access along the rock face.

In addition to the justification as defined, please also take into consideration:

- The subject property is impacted by special circumstances such as the limited accessibility to the lake area and the existing change in grade.
- Strict application of the provisions would limit the ability to add the southern loading dock maneuvering areas, trailer parking and access entrance therefor limiting the ability to develop a premium warehouse development near the airport and UPS Worldport.
- The proposed development of the property and need for the variance is not a result of actions taken by the applicant as the existing lake was previously constructed with no regard to how the lake and buffer impacts the adjacent property.

Thank you for your consideration; please advise us immediately if any additional information is needed.

Sincerely,

John D. Campbell

Encl. Application  
Case# 21-ZONE-0162 Development Plan