

BLUEGRASS LAWN & GARDEN, INC.

6502 Blevins Gap Road

**Applicant's Proposed Findings of Fact
Proposed Waiver from Land Development Code, Section 10.2.12**

Case No. 18ZONE1015

The Louisville Metro Planning Commission, having reviewed evidence submitted to its staff and heard in a Public Hearing on September 6, 2018 and having reviewed the staff report and testimony in the same Public Hearing regarding applicant's request for a waiver from Land Development Code, Section 10.2.12 to not provide required Interior Landscape Areas within the proposed parking/loading area (hereinafter the "Waiver"), makes the following findings and takes the following action:

WHEREAS, the requested Waiver will not adversely affect adjacent property owners because the applicant is providing tree canopy and screening along Blevins Gap Road and is providing additional trees on adjacent property to the south, and because the proposed parking/loading area is small and, if gated, would not require ILA to be provided at all;

WHEREAS, the requested Waiver will not violate the Comprehensive Plan because the proposed warehouse is consistent with the other light commercial uses along Dixie Highway and Blevins Gap Road, and the proposal retains an adequate amount of landscape material throughout the site and on the adjacent property to the south;

WHEREAS, the extent of the Waiver of the regulation is the minimum necessary to afford relief to the applicant because the Waiver is necessary to allow the applicant to construct an warehouse with adequate parking and maneuvering space for delivery vehicles accessing the property, and to comply with Public Works requirements that the parking/loading area not be gated;

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant because strict application of the landscape buffering regulations would severely limit the size and accessibility of the warehouse applicant proposes to build on the property;

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves a waiver from LDC Section 10.2.12 to allow for no ILA to be provided in the proposed parking/loading area.