

Neighborhood Meeting

· Hosted by Councilman Vitalis Lanshima - District 21

Beechmont-Community-Center

Tuesday, March 27

6:30 pm

Neighbors are invited to attend a neighborhood meeting to discuss the rezoning of 4511 S. 3rd St.

The property owner has also been invited to attend the meeting.

Orchards of Beechmont

Yahoo/a neede...



Betsy Ruhe <bruhe@bellsouth.net>



Nov 23, 2016 at 3:35 PM

To: laborexpress@yahoo.com,
Tom Stephens

It was so nice to meet you this morning. Welcome to the neighborhood. As I explained this morning, I am president of the Orchards of Beechmont, a registered tax exempt non-profit working to plant a public orchard on the lot next to your future office. I am glad to know you too are a gardener and look forward to having you as a neighbor.

We are currently working with the city of Louisville and the state highway department to have the land transferred to the city and we will lease it from them.

In order for this to go through, I ask two things of you: an easement allowing us use of your driveway so we have access for parking and a signed Right of First Refusal. As I explained this morning, as an adjacent property owner, you have first dibs to buy the property. Should you choose not to purchase the land, you can sign that right over to us, allowing the state to transfer it to the city and then to us.

As you indicated, your main concern is making sure you have enough room to park four cars. I'm sure we can arrange that.

I am including Tom Stephens of the Center for Neighborhoods in this email. The Center is our fiscal sponsor and will be working with us on any legal paperwork needed to grant the easement, as well as any other matters that may come up.

Once again, welcome to Beechmont and I look forward to working with you. Let me know if you have any questions.

Sent from Yahoo Mail for iPad



Mattingly, Laura L

From: Nancy <nbdenton@bellsouth.net>
Sent: Monday, March 26, 2018 11:23 AM
To: Mattingly, Laura L
Cc: Gabbard, Lacey A; Nicole George (ngeorge828@yahoo.com); Lanshima, Vitalis; Yani Vozos; Tom Shaughnessy; Nancy Bowman-Denton
Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Laura,

I thank you also for your prompt response to Tom's inquiry in that we have a community meeting this Tuesday and this update will be helpful.

Responding to a couple of your updates, I like Tom, am not sure that the Kentucky Department of Transportation's silence is a sign that it has no issues. I would prefer a direct response. In that the Orchards of Beechmont has been working with the State to develop the adjacent state property for the community Orchard, the state may want input.

Secondly, you state that pending code violations are on hold with Code Enforcement while the zoning — or zoning request — is moving forward. So in other words, the owner is allowed to continue to illegally operate a business on a property zoned residential while continuing to violate the City Code. This is problematic. It seems a better option would be to not allow the business nor changes until AFTER a zoning change is approved.

As I have stated before, the Beechmont Neighborhood Association is against this zoning change at this site. We are against changing a residence into a business on a primarily residential street. In addition, the owner has a history of noncompliance with city regulations — on top of illegally starting and continuing the business. We also believe that there is and will continue to be more traffic in and out of the business than is being conveyed by owner who stated just book keeping and a couple of people working in bookkeeping office. Therefore, we are not optimistic that if zoning change is approved, that owner will miraculously suddenly become and remain in compliance with Codes.

Laura, you mentioned possibly adding binding elements to the development plan. Actually, BNA has done this with Thornton's across Third Street. Thortons has worked well with Beechmont, scheduling meetings as changes were needed to their site. They worked with the neighborhood on lighting, sound issues, fencing, landscaping etc. Perhaps, the Planning Commission should continue this case for the owner to meet with the neighborhood to discuss binding elements to be added to the development plan. I will be attending the Planning Commission Meeting this Thursday and can address this if you think it might help— continuing to emphasize our opposition but requesting certain binding elements prior to Planning Commission moving forward on this zoning change request.

Nancy

On Mar 26, 2018, at 8:52 AM, Tom Shaughnessy <tshaughnessy@ectservices.com> wrote:

Laura,

Thank you for this very fast response! As a neighboring property I would think the KyDOT would respond since there is question on that they parking layout has now encroached on the this property and that they also used this property for dumping their dirt that was excavated for the gravel lot. Is there a KyDOT department I should contact to verify their knowledge on this zoning changed and current effects on their property?

Thanks!

Thomas "Tom" Shaughnessy

Senior Estimator

<image001.jpg>

Are on hold as the

Office: (502) 636-2402 Extension 117

(800) 567-1180

Fax: (502) 636-0105

Mobile (502) 551-4161

Email: tshaughnessy@ectservices.com

WEB: www.ectservices.com

From: Mattingly, Laura L [<mailto:Laura.Mattingly@louisvilleky.gov>]

Sent: Monday, March 26, 2018 8:44 AM

To: Tom Shaughnessy <tshaughnessy@ectservices.com>; Gabbard, Lacey A <Lacey.Gabbard@louisvilleky.gov>

Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net) <nbdenton@bellsouth.net>; Nicole George (ngeorge828@yahoo.com) <ngeorge828@yahoo.com>; Lanshima, Vitalis <Vitalis.Lanshima@louisvilleky.gov>; Yani Vozos <yani.vozos@gmail.com>

Subject: RE: LD&T Notice - January 25, 2018 - 16ZONE1086

Mr. Shaughnessy,

Thank you for your comments. I'll do my best to answer.

Public works and my department, Planning & Design, review parking location and ensure parking requirements are being met. Where they are parking now is not what we are approving and a proposed striped parking space would not be approved in that location as shown in the picture. According to their development plan, the parking will be provided in the back. Once those spots are paved (can't be done unless the zoning and development plan is approved), these are the spots that should be used.

I have spoken with Code Enforcement and the pending citations are on hold while the zoning is moving forward. If the zoning is approved, that gravel will be gone and the driveway will be widened as shown on the development plan. I'm not sure how that works with MSD but I've copied Lacey Gabbard with Code Enforcement so that she is aware of the continued issue.

Ky Dept of Transportation has not commented but this is common when they have no issues. I would guess this is due to the fact that the location of the access is not changing. The applicant will have to get their approval when they get the permit to pave the driveway.

The variances and waivers go with the zoning so a decision has not been made yet.

In cases such as this in the past, we have put binding elements on the development plan that sets a deadline for construction and other requirements so I can propose this for the driveway at Planning Commission this Thursday.

We go by the plan and this does show the required curb cut changes and does not show parking out to 3rd street. Once the parking is provided in the back if it is approved, this should not be occurring.

Again, they are showing three spots in the back behind the house and one beside the garage. No parking along the drive.

Staff does not attend neighborhood meetings but I'm happy to answer questions via phone or email. Thank you and please let me know if you need anything else.

Laura Mattingly
(502)574-8695

From: Tom Shaughnessy [<mailto:tshaughnessy@ectservices.com>]
Sent: Sunday, March 25, 2018 9:21 AM
To: Mattingly, Laura L
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net); Nicole George (ngeorge828@yahoo.com);
Lanshima, Vitalis; Yani Vozos
Subject: RE: LD&T Notice - January 25, 2018 - 16ZONE1086

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Is there a requirement for a set back dimension for how close a business can park next to a pedestrian sidewalk taking in that the current area is all residential?

Why has there not been MSD enforcement for erosion prevention?

Has there been any response from KDOT Cabinet review added to the zoning change?

Have the variances and waivers been accepted by the Planning commission, have they been reviewed?

If approved, can a time lime be set by the Planning commission for completion of the required paving?

Has the new site drawing been reviewed that they are now showing expanded parking area extending out to 3rd street but no modification to the entrance or curb?

Do they need to show how the parking layout on the expanded driveway area for their proposed maximum autos per the revised application?

We will be having a community meeting this Tuesday at 6:30, Beechmont Community Center and if possible, please see if anyone from Metro Planning can attend to clarify questions

Thank you!

Thomas "Tom" Shaughnessy

Senior Estimator
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From: Mattingly, Laura L [<mailto:Laura.Mattingly@louisvilleky.gov>]
Sent: Monday, January 22, 2018 9:04 AM
To: Tom Shaughnessy <tshaughnessy@ectservices.com>
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net) <nbdenton@bellsouth.net>; Nicole George (ngeorge828@yahoo.com) <ngeorge828@yahoo.com>
Subject: RE: LD&T Notice - January 25, 2018 - 16ZONE1086

Thank you for the information. I'll add this letter to the information given to the commissioners and will see you at the meeting Thursday. Please let me know if you have any questions between now and then.

Laura Mattingly
(502)574-8695

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Sent: Sunday, January 21, 2018 10:05 AM
To: Mattingly, Laura L
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net); Nicole George (ngeorge828@yahoo.com)
Subject: FW: LD&T Notice - January 25, 2018 - 16ZONE1086

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I would also like to bring back up the demolition of part of the building and site without approval for the business to use this property or over a year now. The site development has greatly exceeded what is shown on their site plan and has now gone into KDOT property. The gravel "parking area" does not have sediment control and has washed over onto the sidewalk area which also has not been reviewed by MSD. In one of our previous conversations it was indicated that this property (building and site) should not have been modified before zoning change and it seems that they have ignored Metro Louisville policy and have not complied with permits to do the site and demolition work.

The Beechmont Neighborhood Association is against this zoning change and want the property to stay zoned for residential use only

Thank you!

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Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

From: Tom Shaughnessy
Sent: Thursday, January 11, 2018 10:38 AM
To: 'Nancy' <nbdenton@bellsouth.net>
Subject: RE: LD&T Notice - January 25, 2018 - 16ZONE1086

Yes, she said it would be included in the review but also said to enter the information on the 311 complaint site

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Sent: Thursday, January 11, 2018 10:34 AM
To: Tom Shaughnessy <tshaughnessy@ectservices.com>
Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Ok. So will the information and comments that you and I sent to Laura previously also be reviewed by the committee?

Sent from my iPad

On Jan 11, 2018, at 9:20 AM, Tom Shaughnessy <tshaughnessy@ectservices.com> wrote:

Yes, this came from Laura Mattingly, the metro Case Manager. She said sending information to her stays with her but the 311 complaint actually goes on file faster and will be reviewed by the committee.

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From: Nancy [<mailto:nbdenton@bellsouth.net>]

Sent: Thursday, January 11, 2018 9:16 AM

To: Tom Shaughnessy <tshaughnessy@ectservices.com>

Cc: Nancy Bowman-Denton <nbdenton@bellsouth.net>

Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Tom,

Post objection to zoning change on the 311 complaint page? I had not heard of doing this before.

Good thing to know.

Do they really check numbers as well as actual comments?

Nancy

On Jan 11, 2018, at 7:45 AM, Tom Shaughnessy <tshaughnessy@ectservices.com> wrote:

Just a note – if you cannot attend please post your view of this zoning change on the 311 complaint page. This is the way the city will count and review all complaints against the zoning change.

Thanks!

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Senior Estimator

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Email: tshaughnessy@ectservices.com

WEB: www.ectservices.com

From: Jackson Cooper [<mailto:jacksoncooper@gmail.com>]

Sent: Wednesday, January 10, 2018 5:21 PM

To: Nancy <nbdenton@bellsouth.net>

Cc: bruhe@bellsouth.net; Tamara Brown

<flourgirlcatering@yahoo.com>; Debbie Thompson

<hdbthom@gmail.com>; dnevitt@hotmail.com;
donald@infinitebalancemassage.com; Ashby Mangell
<ashbymangell@gmail.com>; tomahon@hotmail.com;
itpeso700@gmail.com; rglane@link-electric.com;
jsmiller1969@hotmail.com; Tom Shaughnessy
<tshaughnessy@ectservices.com>; rlg.galvin@gmail.com
Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Thanks Nancy. I believe this is the place that seems to be already operating a business before getting the zoning change approved. I would encourage any board member that is able to attend to do so. I will be in court and unable to go. Is there anyone who knows they can go for sure?

Jackson

On Jan 10, 2018, at 4:17 PM, Nancy <nbdenton@bellsouth.net> wrote:

Jackson,

Forwarding you a zoning change request with hearing Downtown at City Hall January 25th. This is a zoning change that BNA Board voted to oppose. Thus response by BNA and action in preparation for hearing is warranted.

Also copying two prior Board members who were interested and involved.

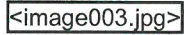
Nancy

From: "Council District 21 Notification of Development Proposals" <development-notifications@public.govdelivery.com>
Date: January 8, 2018 at 9:47:37 AM EST
To: nbdenton@bellsouth.net
Subject: LD&T Notice - January 25, 2018 - 16ZONE1086
Reply-To: development-notifications@public.govdelivery.com

- [16ZONE1086_LDTnotice_012518_GovDel.pdf](#)

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<16ZONE1086_LDTnotice_012518_GovDel.pdf>

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Mattingly, Laura L

From: Nancy <nbdenton@bellsouth.net>
Sent: Wednesday, March 28, 2018 6:30 AM
To: Mattingly, Laura L
Cc: Nancy Bowman-Denton
Subject: Hearing on 4511 South Third

Laura,

I am looking to address the Planning Commission this Thursday on the zoning request change at 4511 South Third Street and I have a couple of quick questions. It is my understanding that I do not need to sign up to speak in advance but can sign up before meeting— is that correct? Secondly, I want to have some power point slides. I believe that Committee room has equipment and I will need to use it. Do I just bring a thumb/flash drive to you for hearing or do I need to get to you or someone else prior to meeting — or what is the procedure?

Any assistance in this matter would be greatly appreciated.

Nancy

Mattingly, Laura L

From: jnilest@twc.com
Sent: Tuesday, March 27, 2018 3:24 PM
To: Mattingly, Laura L
Subject: 4511 South Third zoning change.

This email is in reference to a zoning change request for 4511 South Third and the meeting to discuss on March 29. I and many others are opposed to changing this property from residential to business zoning. There are other vacant properties in Beechmont that are available for business purposes. Beechmont residents would like to keep the area as residential as possible and not add to traffic and congestion in the area. Also this business has already operated this address as a business without permission or zoning to do so and has made other changes. This should be considered also in the decision as one could anticipate that they will continue operate as they please instead of complying with current law and rules.

I cannot make the meeting on March 29 but would like to voice my opposition to this proposal to change from residential to business.

Sincerely,

Jennifer Nilest

Mattingly, Laura L

From: A Werle <anthonywerle@gmail.com>
Sent: Saturday, March 24, 2018 1:01 PM
To: Mattingly, Laura L
Subject: 4511 S. 3rd Street Rezoning

Ms. Mattingly,

As a long time resident and homeowner in Beechmont, I cannot support this rezoning of this property. There is a marked difference between the home as it was purchased and of like purpose to its adjacent residential neighbors on that block, versus the needs of the business that is operating there illegally.

Beyond my above mention of this request being incongruous and out of synch with its neighbors, most of the other problems I am sure you are already aware of.

* The residential lot is not large enough to allow patrons and employees to turnaround their vehicles and hence they back out into a section of S.3rd St. that is a transitional one from 4 lanes to 2, i.e. the "road diet," and hence is a high accident area already. The business on the opposite block and closer to the intersection street, Thorntons, draws enough traffic that the nearby intersections with Southern Heights and the Watterson Ramp are frequently each day having vehicles obstructing lanes as they try to remerge into the busy roads.

* There is no scarcity of commercially zoned property in less than a mile. Those zoned properties are close to 4511 yet are in areas better suited to the traffic patterns and volume of parking needed for a business; presently there are substantial vacancies so it will not be hard for the intended business to find operating space.

* There is a community greenspace adjacent to this address. It has become clear that the business operator applying for the rezoning is intent on parlaying a portion of the greenspace to serve the business. Honestly, I don't know what to say about this implication!

I hope your committee will consider the intent of the zoning to manage our city and residential neighborhood areas for the long term therein directing the more business oriented activity to where it is established and a better fit.

Thank you,

Anthony Werle
4527 S. Sixth St.
Louisville, KY 40214
502-759-9529

Mattingly, Laura L

From: Tom Shaughnessy <tshaughnessy@ectservices.com>
Sent: Sunday, March 25, 2018 9:21 AM
To: Mattingly, Laura L
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net); Nicole George (ngeorge828@yahoo.com); Lanshima, Vitalis; Yani Vozos
Subject: RE: LD&T Notice - January 25, 2018 - 16ZONE1086
Attachments: 4511 S 3rd St Formal Application, 10-13-17, revised Lot layout plan,3-25-18.pdf; 4511 S 3rd Street Parking,InSider.jpg

Categories: To Do

Laura,

Again, thank you for the information on this rezoning. Please see attached the revised drawing showing the added parking areas. I have circled two areas of requirements that have to be filed before rezoning can proceed. I have sent to 311 notice that they have not complied with the MSD erosion control requirements, now for over a year. Please see attached photo showing continued erosion, parking into KyDOT property and parking into the sidewalk area, this is becoming a common sight. We have another zoning meeting this Thursday at 1 pm and I was hoping you could clarify other questions – again thank you for your information

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Sent: Wednesday, January 10, 2018 5:21 PM
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Cc: bruhe@bellsouth.net; Tamara Brown <flourgirlcatering@yahoo.com>; Debbie Thompson <hdbthom@gmail.com>; dnevitt@hotmail.com; donald@infinitebalancemassage.com; Ashby Mangell <ashbymangell@gmail.com>; tomahon@hotmail.com; jtpeso700@gmail.com; rglane@link-electric.com; jsmiller1969@hotmail.com; Tom Shaughnessy <tshaughnessy@ectservices.com>; rlg.galvin@gmail.com
Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Thanks Nancy. I believe this is the place that seems to be already operating a business before getting the zoning change approved. I would encourage any board member that is able to attend to do so. I will be in court and unable to go. Is there anyone who knows they can go for sure?

Jackson

On Jan 10, 2018, at 4:17 PM, Nancy <nbdenton@bellsouth.net> wrote:

Jackson,

Forwarding you a zoning change request with hearing Downtown at City Hall January 25th. This is a zoning change that BNA Board voted to oppose. Thus response by BNA and action in preparation for hearing is warranted.

Also copying two prior Board members who were interested and involved.

Nancy

From: "Council District 21 Notification of Development Proposals" <development-notifications@public.govdelivery.com>
Date: January 8, 2018 at 9:47:37 AM EST
To: nbdenton@bellsouth.net
Subject: LD&T Notice - January 25, 2018 - 16ZONE1086
Reply-To: development-notifications@public.govdelivery.com

- [16ZONE1086_LDTnotice_012518_GovDel.pdf](#)

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▪
<16ZONE1086_LDTnotice_012518_GovDel.pdf>

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Mattingly, Laura L

From: Joseph Thomas <jthomas686@students.sbts.edu>
Sent: Thursday, March 22, 2018 12:59 PM
To: Mattingly, Laura L
Subject: Rezoning application for Kentucky Hospitality

I'm writing to oppose the rezoning application of Kentucky Hospitality on 3rd street in Beechmont. Duncan bought the property to use as a business, even though it is residential. Why should she be able to get it changed after the fact just by asking? She's already been operating it against zoning for months. We have separate zoning areas for a reason, she should have to follow the rules like other business owners and move to a nearby business location. Rezoning should only happen if there is a compelling reason, or if it will have minimal impact. There is no reason here except that she is already operating at the location - and that is her fault, at first for not knowing (ignorance) and then later in defiance of the city. Why should she get to change the neighborhood because of that?

This is not a question of race or class - Beechmont already has the greatest density of immigrants anywhere in the city. We want to see people be able to work. But she should have to play by the rules that are there for a reason. Let her move to a real commercial location.

-Joe Thomas

Mattingly, Laura L

From: robalejr@aol.com
Sent: Thursday, March 22, 2018 4:31 PM
To: Mattingly, Laura L
Subject: Zoning Change for 4511 S. Third St

Ms. Mattingly, I am a life-long resident of the Beechmont/Iroquois neighborhoods. I would like to strongly oppose the rezoning of 4511 S. Third St. I have watched our neighborhood deteriorate greatly over the last 65 years and I feel like this rezoning will only add to that. I do not oppose the temporary agency that would like to operate out of that house. But I believe they would be much better suited to operate from Iroquois Manor or Woodlawn Ave. I do have concerns about how the business is operated since the owner found nothing wrong with opening her business before it was legally approved. That should send a red flag to everyone - it certainly does the residents of this neighborhood. Not only would the property become very crowded with cars (already happening) which would look junky, but more importantly, increased traffic flow from that drive way will be taking place in a very, very awkward section of Third St. Please do what is right for the people that live in Beechmont and do not approve this zoning request. It would be the right thing to do. The right thing.

Thank you,
Nancy Bale

Mattingly, Laura L

From: David Nevitt <dnevitt@hotmail.com>
Sent: Thursday, March 22, 2018 4:47 PM
To: Mattingly, Laura L
Cc: David Nevitt
Subject: Business at 4511 S 3rd 40214

Laura.

As a resident and a board member of Beechmont I am opposed to the zoning change to a business at 4511 S 3rd St 40214 for many reasons the top being traffic and parking that area is too congested already the fact that the owner has already started a business there is disgusting and should now weigh in her favor please tell the powers that be that we do not want this zoning change to be passed. Thank you David Nevitt.

Get [Outlook for iOS](#)

Mattingly, Laura L

From: Tom Guenthner <tom@aye.net>
Sent: Thursday, March 22, 2018 4:55 PM
To: Mattingly, Laura L
Subject: Beechmont

Just to let you know I am a 60 year resident of Beechmont and live a few blocks from the 3rd st zone change. I am not in favor of this change. We already have crime around that area and don't need more traffic and low life in the area. Thanks for listing to me

Tom Guenthner

Mattingly, Laura L

From: jmshep593@gmail.com <joanshep01@gmail.com>
Sent: Thursday, March 22, 2018 10:17 PM
To: Mattingly, Laura L
Cc: vitalislanshima@gmail.com ; Jackson Cooper; Ricky George <rplane@link-electric.com>; Nancy Bowman-Denton; David Nevitt
Subject: Zoning change for 4511 S. 3rd St., Louisville, KY

Dear Ms. Mattingly,

I am contacting you to express my opposition to the request for zoning change for 4511 S. 3rd St., Louisville, KY. I became familiar with this issue in 2016, while I served as treasurer for Beechmont Neighborhood Association. I believe the issue was immediately raised with the zoning commission when it was first recognized the property owner's intent was contradictory to current zoning ordinances. The subject has been revisited several times by various times by several different neighbors.

Ms. Duncan, the property owner, has continued to operate and expand her business despite opposition properly voiced by members of the community and made changes to the property against current zoning codes. Now we hear she is increasing her demands on this community and fully expects to continue to operate her business, illegally as she has been doing for nearly two years now.

One of the first things Ms. Duncan did when she bought the property was cut down one of Beechmont's large, old-growth canopy trees, a depletion that the neighborhood associations and Louisville Grows were working desperately to revive. While so many people are laboring to preserve green space in their neighborhoods, Ms. Duncan finds it convenient to gravel over a large swatch of a green grassy lawn to turn into a parking lot, again, without proper zoning approval. This occurred when neighbors complained about the excessive use of Thornton's parking lot and the dangerous scenarios that were created when so many pedestrians continuously crossed one of the busiest sections of 3rd street to get to the business. These issues likely would not have even occurred had Ms. Duncan selected a location that was properly zoned for her business in the first place.

According to Insider Louisville's March 22nd article by Michael Jones, Ms. Duncan indicated she does not understand why the neighbors would tolerate a Thornton's in the neighborhood but not an establishment such as hers. The difference is, Thornton's has always gone to great lengths to communicate truthfully and directly with Beechmont residents and neighbors, work within the stipulations of existing laws and regulations, and ensured any changes they made would be appropriate and considerate of the surrounding community.

So far, Ms. Duncan has shown absolutely no regard for following the rule of law or local zoning codes. This only serves to cast negative light on her entire business model, especially when it comes to dealing with a largely under-privileged, immigrant population who might be easily taken advantage of. The South End is in need of businesses, but it does not need business owners who willfully and knowingly act outside legal boundaries and so eager to intrude on the rights of everyone else within the community.

Please consider this email my formal notice of opposition to this request for zoning changes. Also, please consider taking any further actions required to ensure this property owner returns the property back to the residential quality it had before she made the illegal changes.

Please know I say this with the utmost respect for the many hard-working individuals who work for our city, but, if the zoning commission has no intentions of enforcing the current zoning codes and regulation, what exactly would the purpose be for having a zoning commission?

Sincere regards,

Joan M. Shepherd
605 W Ashland Ave
Louisville, KY 40215

Sent from Mail for Windows 10

Mattingly, Laura L

From: Judy Segó <judysego@hotmail.com>
Sent: Thursday, March 22, 2018 11:09 PM
To: Mattingly, Laura L
Subject: 4511 S 3rd Street

Ms. Mattingly,

This location is operating a business in a residential zoned area. I know your department is aware of the situation but have chosen to do nothing about it. Can you please explain to me why it is ok for this business to operate illegally?

Thank you for your time.

Judy Segó
judysego@hotmail.com

--

Sent using Inbox for Hotmail

Mattingly, Laura L

From: Kelly Sullivan <kgs321.ks@gmail.com>
Sent: Thursday, March 22, 2018 2:48 PM
To: Mattingly, Laura L
Subject: Rezoning issue

Categories: To Do

This is in regards to rezoning the property at 4511 S. 3rd St. I believe this should not be changed to business because of the traffic issues it will/has caused, the fact that the person who owns it is already doing business there when she shouldn't be, and because there are plenty of business space available near by if that is where she wants to locate her business.

Thank you for your time,
Kelly Sullivan

Sent from my iPhone

Mattingly, Laura L

From: Judy Segó <judysego@hotmail.com>
Sent: Thursday, March 22, 2018 11:09 PM
To: Mattingly, Laura L
Subject: 4511 S 3rd Street

Ms. Mattingly,

This location is operating a business in a residential zoned area. I know your department is aware of the situation but have chosen to do nothing about it. Can you please explain to me why it is ok for this business to operate illegally?

Thank you for your time.

Judy Segó
judysego@hotmail.com

--

Sent using Inbox for Hotmail

February 20, 2018

RE: Project Number 16ZONE1086 / 4511 South 3rd Street, Louisville, KY 40214

Dear Laura Mattingly,

laura.Mattingly@louisvilleky.gov

It has come to our attention that the current owners of 4511 South 3rd Street are seeking to rezone the R5 residential property to an OR Office zoning. Prior to sitting down and gathering our thoughts on the proposed change, we took some advice from the Metro Planning and Design website and considered the following questions:

1. Does this proposal "fit" the area in terms of density and quality?
2. Are the proposed uses needed and welcomed by the neighborhood?
3. Are the roads sufficient to handle the additional traffic?
4. Is the tract subject to flooding or causing flooding downstream if developed?
5. Pretend you own the property proposed for development. What feedback from the neighbors would be useful for you?

4511 South 3rd Street is located at the south, east corner of South 3rd Street and Southern Heights Avenue. It is the first property next to the entrance ramp to the 264 East Watterson Expressway. In addition, it is the point at South 3rd Street where the Road Diet starts and/or ends, causing congestion as motorists merge into the Road Diet traffic flow or turn into the heavily utilized Thornton's Gas Station located directly across the street from 4511 South 3rd Street. Because there is no alley to access the driveway, South 3rd Street is the only way to enter and exit 4511 South 3rd Street. The influx of traffic coming and going from a business complicates the traffic further.

The owners have no regard for the rules or the neighborhood. They have exhibited this through their expansion of the driveway without OR Office zoning change approval. The expansion of the driveway detracts from the residential charm of the property. It is apparent the owners are already utilizing the property for the OR Office purpose without the zoning change approval, demonstrating what a bad idea it would be to approve the zoning change. The traffic complexities that already occur with the existing, traffic pattern have become even more complex with the introduction of the additional traffic generated by the owner's unapproved use of the property.

The owner's lack of adequate parking has resulted in their clients parking at the Thornton's Gas Station located directly across the street. Their clients are crossing South 3rd Street, on foot, in an area that does not include a pedestrian cross walk, further complicating the traffic risk, endangering both pedestrians and drivers. Before any consideration is given to this zoning change, a thorough traffic impact analysis needs to be completed.

Land Development Code 5.2.2.B states the following:

The Traditional Neighborhood Form District (TNFD) is intended to promote the development and redevelopment of the neighborhoods in a manner consistent and compatible with the district site and community design elements of a traditional neighborhood. TNFD design standards are also intended to promote the establishment of a mixture of uses that effectively integrate retail, office, institutional, and other non-residential uses within traditional neighborhoods in a manner that provides high quality and convenient service to residents while protecting the character of the neighborhood.

Simply stated, this business is not protecting the safety or character of the neighborhood. Approving the zoning change would result in breaking a residential block to accommodate a business that does not compliment, support or add any value to the neighborhood. This is an example of someone who does not live in our neighborhood and is not vested in our neighborhood. The owner purchased a piece of residential property at an auction and they are now trying to change the character of our neighborhood to promote their personal, business desires. There were and are numerous commercial properties for sale within a two mile radius of the residentially zoned 4511 South 3rd Street. Based on my observation and my understanding of the owner's business model (as read on their website) 4511 South 3rd Street is not imperative to their business model.

We are opposed to the zoning change of 4511 South 3rd Street from a residential property to an OR Office property. 4511 South 3rd Street is the first residential property, entering the residential corridor of South 3rd Street, south of the Waterson Expressway. The business does not add to the wellbeing or quality of life of the people living in the neighborhood. If the zoning change is granted, it opens the door for additional zoning change requests that will ultimately change the character of the neighborhood, further displacing the residential character that our residents know and love as their homes.

Please do the right thing for the right reason. Put the loyal residents of the community that call this area home above the request of a business that is not vested in the community. Before we wrote this letter, we considered the questions that you recommended. We are now asking you to consider this – If you are living comfortably in your home and a stranger decided they wanted to place business, that does not serve your needs, in the home next-door to you or across the street from you, with people you do not know coming and going throughout the day, clogging your roadways, inconveniencing you and even putting you at risk just to pull in or out of your driveway, with the potential of being detrimental to your property value, is that something you would want?

It is our intention to attend the March 1, 2018 BOZA meeting in person to express opposition to this zoning change, however, we both work during the day and it is not always possible to adjust our schedules.

Sincerely,


Stefanie and Tony Buzan, 40214

Mattingly, Laura L

From: rosemaryh <rosemaryh@bellsouth.net>
Sent: Thursday, February 22, 2018 4:28 PM
To: Mattingly, Laura L
Subject: Project Number 16ZONE1086/4511 South 3rd Street, Louisville, KY, 40214

February 22, 2018

RE: Project Number 16ZONE1086/4511 South 3rd Street, Louisville, KY, 40214

laura.Mattingly@louisvilleky.gov

Dear Laura Mattingly,

We live at 418 West Kenwood Drive, 40214 and would like to ask for a denial of the proposed changes for the property at 4511 South 3rd Street. It is currently zoned R5 residential and the owners are requesting a change to OR Office zoning. The Metro Planning and Design website lists the following questions to be considered:

1. Does this proposal "fit" the area in terms of density and quality?
2. Are the proposed uses needed and welcomed by the neighborhood?
3. Are the roads sufficient to handle the additional traffic?
4. Is the tract subject to flooding or causing flooding downstream if developed?
5. Pretend you own the property proposed for development. What feedback from the neighbors would be useful for you?

The property is located in a highly congested area at the east corner of South 3rd Street and Southern Heights, by the entrance ramp to the East Watterson Expressway. This is also where the 3rdStreet Road Diet starts and/or ends which causes additional congestion. It is also across the street from the heavily used Thornton's Gas Station. The property has no alley access so the business customers/employees are forced to back out of the driveway onto 3rd Street. The owners are already using this property as a business (without getting the zoning change) and so we have seen the additional congestion. Since there is insufficient parking many have parked across the street at Thornton's and then cross 3rd Street in the middle of traffic causing additional problems. We are already experiencing some of the problems this business will cause. We would like to request a thorough traffic impact analysis be completed before granting any changes.

This business' impact is already being felt by the residents. It is changing the character of our neighborhood and causing safety issues. If you approve the zoning change it will break a residential block to accommodate a business that does not add any value to the neighborhood and in fact is detrimental to the area's character. The owners do not live in our neighborhood and are not vested in its well being. They purchased the property at auction and are trying to change the character of our neighborhood because it is cheaper to convert the residential property rather than purchase property already designated for businesses. There are many commercial properties for sale in the area. Why are we being asked to give up the residential character of our neighborhood when it does harm to those of us living here?

We respectfully ask you to consider the residents of this community over the request of an outside business that does not have an interest in what happens to the neighborhood or its residents. We are committed to our neighborhood and want to see it continue to be a wonderful area to live in. This business will not improve

our neighborhood but rather will harm its character and cause safety issues. Please consider how you would feel if this was your neighborhood. Please think of all of us to whom this is home. Help us keep our residential neighborhood.

Thank you,

Garry and Rosemary McCandless

418 West Kenwood Drive

Louisville, KY, 40214

Ann Ramser
307 East Kenwood Drive
Louisville, KY 40214

February 22, 2018

Ms. Laura Mattingly
Planning and Design
444 S. 5th Street
Louisville, KY 40202

Via email - laura.Mattingly@louisvilleky.gov

RE: Project Number 16ZONE1086 / 4511 South 3rd Street, Louisville, KY 40214

Dear Ms. Mattingly:

I understand that GPD LLC, current owner of 4511 South Third Street, is requesting a zoning change and a variance for the property. This property is located on the east side of South Third Street. These requests will be heard on March 1, 2018. I will not be able to attend the meeting but want to express my desire that the requests for a zoning change and variance be denied. I drive by this property on almost a daily basis and the requested zoning change and variance will be a detriment to the overall neighborhood. The business will not add any value to the neighborhood.

The owners want to re zone the property from R5 residential property to OR Office zoning. Additional office zoning is not needed in the area. Several office spaces are available for lease at Iroquois Manor Shopping Center located at 5330 South Third Street. Other properties already zoned for office use are also available in the area. The shopping center is within one and half miles of 4511 South Third Street. Before the planning commission considers GPD's request, GPD should explain why properties already zoned for office use currently available within a 3 mile radius of 4511 South Third Street are not suitable.

In the application, GPD LLC states that 4511 South Third Street is across from Thornton's. Thornton's Gas Station is on the West Side of South Third and sits on the corner lot at Southern Heights and South Third Street. The gas station is not across from 4511 South Third Street. Thornton's does own a grass lot across from 4511 South Third Street.

GPD also states 4511 South Third Street is adjacent to an interstate ramp. That is not correct. Acreage consisting of 5 lots north of 4511 South Third is between 4511 South Third and the interstate ramp. This acreage is owned by the State of Kentucky and is a park like area. (In GPD LLC's application, these five lots are incorrectly referenced as an easement.) Trees have been planted as well as a small flower garden area. This park like area serves as a buffer from the interstate to the residential area. Allowing 4511 South Third Street to be zoned for office use defeats the purpose of the park like area serving as a buffer to the residential area.

Other than the 5 lots that comprise the park like area and serve as a buffer to the expressway, all lots in this block on the east side of South Third Street consist of residential properties. Other than the properties owned by Thornton's on the west side of South Third Street, all lots in this block consist of residential properties. Allowing 4511 South Third to be rezoned for office use, will change the character of the neighborhood and lead to additional requests to rezone.

GPD LLC's application indicates that the project name is Ky Hospitality Bookkeeping Office, but Ky Hospitality Bookkeeping Office is not registered with the Kentucky Secretary of State. According the KY SOS website, Georgetta P. Duncan is the organizer and member of GPD LLC. She is also the organizer and member for Express Plus Staffing LLC d/b/a Labor Express plus. I am concerned that Ms. Duncan has already started using 4511 South Third Street as a location for day labors.

South Third Street goes from a four lane to a three lane road just before reaching 4511 South Third Street. The neighborhood is happy that a portion of South Third Street is now a three lane road, however, the transition does create traffic issues, especially for drivers not familiar with the area. Drivers entering and exiting from a business right where the change from a four lane to a three lane road will create additional traffic issues.

The request for the variance for the 3' sideyard setback misstates that it is next to a state right of way. It is next to park like area. The 8 or 10 foot (one document says 8 feet and another document says 10 feet) foot wide pavement addition next to the 8 foot wide driveway will take away from the park like setting north of 4511 South Third Street. The variance request misstates that it will be "imperceptible when the vicinity is considered at large." A 16 foot to 18 foot wide pavement running the length of the property will not be imperceptible. It will take away from the park like setting. That much pavement will change the entire character of the property.

The variance request states no one will be in the area. This is incorrect. A bus stop is just in front of the park like area. Neighbors frequently use the sidewalks both for walking to the bus and for exercise. I frequently ride my bike by this location. I have also noticed a walking track in the park like area.

The variance request incorrectly states it will not affect the general public. This large swatch of pavement WILL affect the general public. District 21 has long had flooding issues and many residents have installed back flow valves. Paving large areas adds to the flooding issues. Also, this much additional pavement will only add to the increased heat island effect in District 21. When office space is available within 3 miles, the planning commission should deny variance requests that add to the flooding issues and heat island effects.

I request that the Planning Commission deny both the zoning change and the variance requests.

Thank you.

Ann Ramser

February 20, 2018

RE: Project Number 16ZONE1086 / 4511 South 3rd Street, Louisville, KY 40214

Dear Laura Mattingly,

laura.Mattingly@louisvilleky.gov

It has come to our attention that the current owners of 4511 South 3rd Street are seeking to rezone the R5 residential property to an OR Office zoning. Prior to sitting down and gathering our thoughts on the proposed change, we took some advice from the Metro Planning and Design website and considered the following questions:

1. Does this proposal "fit" the area in terms of density and quality?
2. Are the proposed uses needed and welcomed by the neighborhood?
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The owners have no regard for the rules or the neighborhood. They have exhibited this through their expansion of the driveway without OR Office zoning change approval. The expansion of the driveway detracts from the residential charm of the property. It is apparent the owners are already utilizing the property for the OR Office purpose without the zoning change approval, demonstrating what a bad idea it would be to approve the zoning change. The traffic complexities that already occur with the existing, traffic pattern have become even more complex with the introduction of the additional traffic generated by the owner's unapproved use of the property.

The owner's lack of adequate parking has resulted in their clients parking at the Thornton's Gas Station located directly across the street. Their clients are crossing South 3rd Street, on foot, in an area that does not include a pedestrian cross walk, further complicating the traffic risk, endangering both pedestrians and drivers. Before any consideration is given to this zoning change, a thorough traffic impact analysis needs to be completed.

Land Development Code 5.2.2.B states the following:

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Simply stated, this business is not protecting the safety or character of the neighborhood. Approving the zoning change would result in breaking a residential block to accommodate a business that does not compliment, support or add any value to the neighborhood. This is an example of someone who does not live in our neighborhood and is not vested in our neighborhood. The owner purchased a piece of residential property at an auction and they are now trying to change the character of our neighborhood to promote their personal, business desires. There were and are numerous commercial properties for sale within a two mile radius of the residentially zoned 4511 South 3rd Street. Based on my observation and my understanding of the owner's business model (as read on their website) 4511 South 3rd Street is not imperative to their business model.

We are opposed to the zoning change of 4511 South 3rd Street from a residential property to an OR Office property. 4511 South 3rd Street is the first residential property, entering the residential corridor of South 3rd Street, south of the Waterson Expressway. The business does not add to the wellbeing or quality of life of the people living in the neighborhood. If the zoning change is granted, it opens the door for additional zoning change requests that will ultimately change the character of the neighborhood, further displacing the residential character that our residents know and love as their homes.

Please do the right thing for the right reason. Put the loyal residents of the community that call this area home above the request of a business that is not vested in the community. Before we wrote this letter, we considered the questions that you recommended. We are now asking you to consider this – If you are living comfortably in your home and a stranger decided they wanted to place business, that does not serve your needs, in the home next-door to you or across the street from you, with people you do not know coming and going throughout the day, clogging your roadways, inconveniencing you and even putting you at risk just to pull in or out of your driveway, with the potential of being detrimental to your property value, is that something you would want?

It is our intention to attend the March 1, 2018 BOZA meeting in person to express opposition to this zoning change, however, we both work during the day and it is not always possible to adjust our schedules.

Sincerely,

Stefanie and Tony Buzan, 40214

Mattingly, Laura L

From: Tom Shaughnessy <tshaughnessy@ectservices.com>
Sent: Sunday, January 21, 2018 10:05 AM
To: Mattingly, Laura L
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net); Nicole George (ngeorge828@yahoo.com)
Subject: FW: LD&T Notice - January 25, 2018 - 16ZONE1086

Laura,

The review for the zoning change for 4511 S 3rd Street is this week. The Beechmont Neighborhood Association will have representatives at this meeting. Thank you for your information on this zoning change. I have filed another Metro 311 Service request stating the vehicle parking problem that the Owners of this property have begun at the Thorton's parking lot across the street. The general manager, Annetta, and her associate manager, Hom, have contacted (physically walked across the street) to inform the company that parking in the Thorton lot is not allowed per company policy. Annetta also told me that they did offer money so they can park on this lot and this was not accepted and were told that if any of their vehicles, employee vehicles, customer or visitor are found parked on the lot they will be towed at the company or persons expense. This indicates that the 4511 S 3rd Street parking layout per their zoning change request and drawings do not meet what in reality will really be able to handle. Annette said that you can contact her at telephone number 502-361-1057

I would also like to bring back up the demolition of part of the building and site without approval for the business to use this property or over a year now. The site development has greatly exceeded what is shown on their site plan and has now gone into KDOT property. The gravel "parking area" does not have sediment control and has washed over onto the sidewalk area which also has not been reviewed by MSD. In one of our previous conversations it was indicated that this property (building and site) should not have been modified before zoning change and it seems that they have ignored Metro Louisville policy and have not complied with permits to do the site and demolition work.

The Beechmont Neighborhood Association is against this zoning change and want the property to stay zoned for residential use only

Thank you!

Thomas "Tom" Shaughnessy
Senior Estimator



Office: (502) 636-2402 Extension 117
(800) 567-1180
Fax: (502) 636-0105
Mobile (502) 551-4161
Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

From: Tom Shaughnessy
Sent: Thursday, January 11, 2018 10:38 AM
To: 'Nancy' <nbdenton@bellsouth.net>
Subject: RE: LD&T Notice - January 25, 2018 - 16ZONE1086

Yes, she said it would be included in the review but also said to enter the information on the 311 complaint site

Thomas "Tom" Shaughnessy
Senior Estimator



Office: (502) 636-2402 Extension 117
(800) 567-1180
Fax: (502) 636-0105
Mobile (502) 551-4161
Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

From: Nancy [<mailto:nbdenton@bellsouth.net>]
Sent: Thursday, January 11, 2018 10:34 AM
To: Tom Shaughnessy <tshaughnessy@ectservices.com>
Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Ok. So will the information and comments that you and I sent to Laura previously also be reviewed by the committee?

Sent from my iPad

On Jan 11, 2018, at 9:20 AM, Tom Shaughnessy <tshaughnessy@ectservices.com> wrote:

Yes, this came from Laura Mattingly, the metro Case Manager. She said sending information to her stays with her but the 311 complaint actually goes on file faster and will be reviewed by the committee.

Thomas "Tom" Shaughnessy
Senior Estimator
<image001.jpg>

Office: (502) 636-2402 Extension 117
(800) 567-1180
Fax: (502) 636-0105
Mobile (502) 551-4161
Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

From: Nancy [<mailto:nbdenton@bellsouth.net>]
Sent: Thursday, January 11, 2018 9:16 AM

To: Tom Shaughnessy <tshaughnessy@ectservices.com>
Cc: Nancy Bowman-Denton <nbdenton@bellsouth.net>
Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Tom,

Post objection to zoning change on the 311 complaint page? I had not heard of doing this before.

Good thing to know.

Do they really check numbers as well as actual comments?

Nancy

On Jan 11, 2018, at 7:45 AM, Tom Shaughnessy <tshaughnessy@ectservices.com> wrote:

Just a note – if you cannot attend please post your view of this zoning change on the 311 complaint page. This is the way the city will count and review all complaints against the zoning change.

Thanks!

Thomas "Tom" Shaughnessy
Senior Estimator
<[image001.jpg](#)>

Office: (502) 636-2402 Extension 117
(800) 567-1180

Fax: (502) 636-0105

Mobile (502) 551-4161

Email: tshaughnessy@ectservices.com

WEB: www.ectservices.com

From: Jackson Cooper [<mailto:jacksoncooper@gmail.com>]

Sent: Wednesday, January 10, 2018 5:21 PM

To: Nancy <nbdenton@bellsouth.net>

Cc: bruhe@bellsouth.net; Tamara Brown <flourgirlcatering@yahoo.com>; Debbie Thompson <hdbthom@gmail.com>; dnevitt@hotmail.com; donald@infinitebalancemassage.com; Ashby Mangell <ashbymangell@gmail.com>; tomahon@hotmail.com; jtpeso700@gmail.com; rglane@link-electric.com; jmiller1969@hotmail.com; Tom Shaughnessy <tshaughnessy@ectservices.com>; rlg.galvin@gmail.com

Subject: Re: LD&T Notice - January 25, 2018 - 16ZONE1086

Thanks Nancy. I believe this is the place that seems to be already operating a business before getting the zoning change approved. I would encourage any board member that is able to attend to do so. I will be in court and unable to go. Is there anyone who knows they can go for sure?

Jackson

On Jan 10, 2018, at 4:17 PM, Nancy <nbdenton@bellsouth.net> wrote:

Jackson,

Forwarding you a zoning change request with hearing Downtown at City Hall January 25th. This is a zoning change that BNA Board voted to oppose. Thus response by BNA and action in preparation for hearing is warranted.

Also copying two prior Board members who were interested and involved.

Nancy

From: "Council District 21 Notification of Development Proposals" <development-notifications@public.govdelivery.com>

Date: January 8, 2018 at 9:47:37 AM EST

To: nbdenton@bellsouth.net

Subject: LD&T Notice - January 25, 2018 - 16ZONE1086

Reply-To: development-notifications@public.govdelivery.com

- [16ZONE1086_LDTnotice_012518_GovDel.pdf](#)

Having trouble viewing this email? [View it as a Web page.](#)



Visit <http://www.louisvilleky.gov>
[Contact a Metro Department](#)



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This email was sent to nbdenton@bellsouth.net on behalf of Louisville Metro using GovDelivery · 707 17th St, Suite 4000 · Denver, CO 80202 · 1-800-439-1420



<16ZONE1086_LDTnotice_012518_GovDel.pdf>

Mattingly, Laura L

From: Betsy Ruhe <bruhe@bellsouth.net>
Sent: Saturday, January 13, 2018 5:37 PM
To: Mattingly, Laura L
Subject: 4511 South Third St.

I understand there will be another hearing on the rezoning for the property at 4511 South Third. I am writing to indicate my opposition to the rezoning. I was in favor in the past but, after getting reports from neighbors and seeing more cars than she agreed to originally, I must oppose the rezoning. In addition to parking more than four cars regularly, she appears to be also dispatching temp workers from that address. It was my understanding that the house would only serve as a business office with 2-3 employees doing bookkeeping. The presence of a passenger van indicates she is doing more than bookkeeping. If she is not keeping her agreement now, when she hasn't even been zoned, how can we expect her to follow the rules later?

Sent from Yahoo Mail for iPad

Mattingly, Laura L

From: Lara Heidorn <LHeidorn@humana.com>
Sent: Thursday, November 9, 2017 8:17 AM
To: Mattingly, Laura L
Cc: voncileellison@gmail.com; ngeorge828@yahoo.com
Subject: PDS Case #16 ZONE 1086, 4511 South 3rd Street

Dear Laura,

I am writing on behalf of the concerned citizens of the Beechmont Neighborhood in Louisville, Kentucky in regard to the application for Zone Change from R-4 to OR, PDS Case # 16 Zone 1086 submitted by Georgetta Duncan for the residence at 4511South 3rd Street, Louisville, KY 40214.

All of the surrounding neighbors to which we have spoken strongly and outspokenly oppose this zoning change in our residential neighborhood. We would be happy to provide our detailed concerns in writing and/or in person.

Where should we send our formal complaints and objections to this change? Also, what are the next steps for neighbors and residents of the Beechmont Neighborhood to dissolve and stop this zoning request change.

Thank you for your time.

Sincerely,

Lara Heidorn

Data Consultant | Provider Informatics

Humana

101 Fifth St. | Louisville, KY 40202

T 502 580 9257

C 502 235 5573

LHeidorn@humana.com

Humana.com

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English: ATTENTION: If you do not speak English, language assistance services, free of charge, are available to you. Call 1-877-320-1235 (TTY: 711).

Español (Spanish): ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-877-320-1235 (TTY: 711).

????(Chinese) : ?? : ?????????, ??????????
??。?? 1-877-320-1235 (TTY: 711)。

Kreyòl Ayisyen (Haitian Creole): ATANSION: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele 1-877-320-1235 (TTY: 711).

Polski (Polish): UWAGA: Je?eli mówisz po polsku, mo?esz skorzysta? z bezp?atnej pomocy j?zykowej. Zadzwo? pod numer 1-877-320-1235 (TTY: 711).

??? (Korean): ??: ??? ???? ??, ?? ?? ??? ??
??? ? ????. 1-877-320-1235 (TTY: 711)??? ??? ????

Mattingly, Laura L

From: Wilcher, Michael
Sent: Wednesday, October 4, 2017 4:35 PM
To: Mullarkey, James; Bodner, Steven M.; Gabbard, Lacey A
Cc: Mattingly, Laura L
Subject: 4511 South 3rd Street

Jim / Steve,

A new complaint from Beechmont Neighborhood Assn that construction continues and the property is still being used as an office although the owner hasn't submitted a formal rezoning application. Please re-inspect and issue a zone cert when possible – after 10/15/17 I think.

Thanks

Reference 16ZONE1086 4511 South 3rd Street. I have observed that the owners are now doing business in this building and have not had any change in zoning. The owners proceeded to install parking areas that have not been approved and now use a gravel lot that is ponding water. Some of the workers are now using the Thorton's parking area across the street. Currently there is between 3 and 5 vehicles parked on this property overnight and more during the day. Please have the owners respond to these violations. Please send me what the current state of the zoning request. This is approaching a year in violation with out any changes and they have proceeded to demolish the rear area of the house with out permit also

Mike

Mattingly, Laura L

From: Nancy <nbdenton@bellsouth.net>
Sent: Tuesday, October 24, 2017 12:33 PM
To: Mattingly, Laura L
Cc: Johnson, Dan D; Manley, Ray; Tom Shaughnessy; Doris Galvin; Nancy Bowman-Denton
Subject: Zoning Change Request for 4511 South Third, PDS Case #16ZONE1086
Attachments: CCE24102017.pdf

Laura Mattingly,

The attachment and following information was emailed to me by Doris Gavin, a neighbor to property on 4511 South Third Street. As can be seen, owner Georgetta Duncan is continuing her pattern of deceitfulness in seeking a zoning change.

Nancy Bowman-Denton
President Beechmont Neighborhood Association

"Nancy, the attached is a copy of the letter and envelope I received on October 23, 2017 from Georgetta Duncan, owner of property located at 4511 South Third Street, Louisville, 40214. The letter is to notify she is having a meeting at that location to change the zoning from R-4 to OR, the meeting was to be held on Oct. 8th at 6 pm, but her letter is dated Oct. 19th and she did not mail it until Oct. 21st (see post mark date on the envelope), which I just received Oct. 24th. This woman is clearly trying to be underhanded and as my husband told you how she tried to arrange the last meeting which no one would have known about if it had not been for me going door to door to as many houses I could once I found out about that meeting which was being held that night. Richard and myself attended that meeting along with several other adjoining neighbors and she claimed she had sent notice of the meeting to all of them and none of our neighbors received a notice of that meeting.

Please share this info along with the attachment with Dan Johnson, which I did call his office this morning and left a voice mail. Please keep me in touch because all our neighbors, including Rich and I, are not in favor of this residential property being changed into commercial and are will help in whatever way we can to prevent her from do so.

I also need to mention our neighbor located directly behind that property advise me she has been seeing trucks pull up early mornings, loading up workers and pulling out, this sounds exactly like temp company.

Thanks for your help assistance with this because this neighborhood is starting to rise up and become higher income single family homes with young couples with kids moving back to his neighborhood and investing major money to improve their property. We cannot have something like this to happen in this neighborhood which would start the decline of property value and bring a lot of other trouble with it."

Thank you again,

Doris and Richard Galvin"

Mattingly, Laura L

From: Tom Shaughnessy <tshaughnessy@ectservices.com>
Sent: Wednesday, October 18, 2017 11:19 AM
To: Nancy Bowman-Denton (nbdenton@bellsouth.net); Donald Taylor (donald@infinitebalancemassage.com)
Cc: Mattingly, Laura L
Subject: 4511 S 3rd Street
Attachments: 4511 S 3rd St Formal Application, 10-13-17, revised Lot layout plan.pdf; Original Site Layout.pdf

Categories: To Do

Nancy, Donald

The owners of the property have filed an Official application for the zoning change. They are using a different company name now. The drawing submitted now shows that they are using the space they made when they demolished the attached room (with permit??) and expansion of the width of the addition parking area next to the house. This initial site work already spreads onto the Ky DOT property and is still full width. I have also noticed that the gravel lot has large depressions that hold water for a period of time. I recently saw employees crossing the street into Thorton parking lot where they are parking their cars. I will contact the Thorton regional manager to get his input on this.

Thanks!

Thomas "Tom" Shaughnessy
Senior Estimator



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Fax: (502) 636-0105
Mobile (502) 551-4161
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WEB: www.ectservices.com

Mattingly, Laura L

From: Nancy <nbdenton@bellsouth.net>
Sent: Wednesday, October 18, 2017 4:31 PM
To: Mattingly, Laura L
Cc: Tom Shaughnessy; Donald Taylor; Nancy Bowman-Denton
Subject: Re: 4511 S 3rd Street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: To Do

The owner has consistently ignored code regulations and has moved forward and is operating her business on residentially zoned property without obtaining the required zoning change to business.

In addition, in an earlier meeting she had with some adjacent property owners, from what people in attendance reported, she was dishonest in her description of the actual use for the property as well as the traffic and parking on the property. And as David noted, in this moving forward on property changes without first obtaining the necessary zoning change, owner has shown a pattern of disregard for city regulations and her neighbors.

All part of why the Beechmont Neighborhood Association has vocalized opposition and will continue to oppose the zoning change.

Sent from my iPad

On Oct 18, 2017, at 3:53 PM, <dona1d@infinitebalancemassage.com> <dona1d@infinitebalancemassage.com> wrote:

I am confused about the current proposal...what is different from what has already been proposed? There has already been development on the site which included tearing down existing structures, put in an unpaved parking lot which has not been maintained (including the pooling of water in multiple spots, weed development within the unpaved gravel area and rocks spilling out onto a public right of way sidewalk making it dangerous for passersby) in addition to almost daily (Monday--Friday) as many as six cars parked in this unpaved blight (while only possibly 1 is parked on property on the weekends)...as a citizen, I am concerned for what appears to be a blatant disregard for zoning and regulations, moving forward with an approval to a commercial zoning could open the door for more disregard and unsavory business activities which would adversely impact the area--to include multiple children walking to/from school, community center, library and home.

Am I missing something here?

Donald

----- Original Message -----

Subject: RE: 4511 S 3rd Street

From: Tom Shaughnessy <tshaughnessy@ectservices.com>

Date: Wed, October 18, 2017 9:05 am

To: Nancy <nbdenton@bellsouth.net>, "Donald Taylor

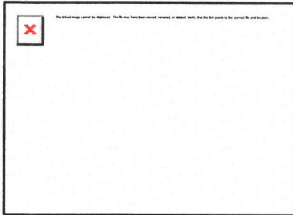
(dona1d@infinitebalancemassage.com)" <dona1d@infinitebalancemassage.com>

Cc: "Laura Mattingly (laura.Mattingly@louisvilleky.gov)"
<laura.Mattingly@louisvilleky.gov>

Nancy,

These are large files so I only sent the sheets that show the officer and filing companies. Both companies, Ky Hospitality, LLC. and GPD,LLC are owned by Georgetta Duncan

Thomas "Tom" Shaughnessy
Senior Estimator



Office: (502) 636-2402 Extension 117
Fax: (502) 636-0105
Mobile (502) 551-4161
Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

From: Nancy [<mailto:nbdenton@bellsouth.net>]
Sent: Wednesday, October 18, 2017 11:48 AM
To: Tom Shaughnessy <tshaughnessy@ectservices.com>
Subject: Re: 4511 S 3rd Street

Tom,

Thanks for your follow up on this.
You state that they have filed for zoning change and that they are using a different company name. If possible, could you please forward documents indicating those as well as any others on the property?
Thanks!

Nancy

On Oct 18, 2017, at 11:18 AM, Tom Shaughnessy
<tshaughnessy@ectservices.com> wrote:

Nancy, Donald

The owners of the property have filed an Official application for the zoning change. They are using a different company name now. The drawing submitted now

shows that they are using the space they made when they demolished the attached room (with permit??) and expansion of the width of the addition parking area next to the house. This initial site work already spreads onto the Ky DOT property and is still full width. I have also noticed that the gravel lot has large depressions that hold water for a period of time. I recently saw employees crossing the street into Thorton parking lot where they are parking their cars. I will contact the Thorton regional manager to get his input on this.

Thanks!

Thomas "Tom" Shaughnessy
Senior Estimator
<image001.jpg>

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<4511 S 3rd St Formal Application, 10-13-17, revised Lot layout plan.pdf>

<Original Site Layout.pdf>

Mattingly, Laura L

From: Wilcher, Michael
Sent: Thursday, June 1, 2017 2:35 PM
To: Tom
Cc: Mattingly, Laura L
Subject: RE: services request number 4791416

Tom,

The original case for this complaint was never closed or resolved. The duplicate complaints received for the same property are automatically transferred to the original case. The case will remain open until the violation is resolved.

Mike

From: Tom [<mailto:jwssonsco2@aol.com>]
Sent: Thursday, June 1, 2017 2:08 PM
To: Wilcher, Michael
Cc: Mattingly, Laura L
Subject: RE: services request number 4791416

Mr. Wilcher, thank you for your response, will this service order be reopened being how it is not resolved?

From: Wilcher, Michael
Sent: 6/1/2017 2:03 PM
To: jwssonsco2@aol.com
Cc: Mattingly, Laura L
Subject: services request number 4791416

This property is in the process of a zoning change request and it has not yet been resolved. Laura Mattingly is the case manager.

Thank you.

Submitted by Anonymous (not verified) on May 31, 2017 - 11:19am

Your Email Address:
jwssonsco2@aol.com

Your Subject:
Follow up on service request results

Your Comment:

The services request number 4791416 says it was resolved by CE Cash but not details. There has not been any changes in the violations and no erosion control barriers installed and sidewalk cleaned of the run off gravel. Please indicate what "resolved" includes - Thank you!

Choose a Topic:
Property Maintenance & Code Enforcement

Mike Wilcher, AICP
Develop Louisville
Planning Supervisor
444 S. 5th Street / 2nd Floor
Louisville, KY 40202
(502) 574-8692

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Mattingly, Laura L

From: Nancy <nbdenton@bellsouth.net>
Sent: Wednesday, May 31, 2017 9:36 AM
To: Mattingly, Laura L
Cc: Mattingly, Laura L; Johnson, Dan D; Tom Shaughnessy; Nancy
Subject: Re: 4511 S 3rd Street 16ZONE1086

Laura Mattingly,

The owner of this property is now moving forward with the zoning change. Tuesday, May 30th a meeting was held at the location. However, although we indicated that we are interested in this change, we were not notified. Apparently, few neighbors were notified as well. Seven neighbors attended, only one of them acknowledging that she received a letter. All complained of lack of notice. All seven expressed objections to change. (I learned of public meeting via Facebook minutes before meeting and was unable to attend. I obtained this information regarding meeting from talking to three that attended.)

The letter, see copy below was also addressed to "Neighborhood Group Representatives expressing interest in the area". As previously addressed by Tom Shaughnessy, the Beechmont Neighborhood Association is concerned with this proposed zoning change. However, the letter was not sent to us nor were we sent any notice of this public meeting. Thus we were unable to attend and address our concerns.

The Beechmont Neighborhood Association is requesting that the owners set another public meeting on the zoning change request with sufficient notice to our organization so as to allow our attendance. Amid the objections to lack of notice at the meeting, apparently it was acknowledged by the owner and/or contractor that perhaps they needed to set another meeting. This is the least they need to do prior to any further forward movement on this zoning change application in that sufficient notice was not provided allowing people to attend.

Nancy Bowman-Denton
President, Beechmont Neighborhood Association

NOTICE OF NEIGHBORHOOD MEETING

TO: All first and second tier adjoining property owners of property located at 4511 S. third Street; Neighborhood Group Representatives expressing interest in this area; Laura Mattingly, Case Manager; and Dan Johnson, Metro Louisville Councilman, District 21

FROM: Georgetta Dunean, GPD LLC

RE: Zone Change from R-4 to OR PDS Case # 16ZONE1086

An application for a Zone Change from R-4 to OR, for the property at 4511 South Third Street will be submitted to the Louisville Metro Planning Commission. In accordance with procedures of Louisville Metro Planning and Design Services, we are hereby inviting adjoining property owners and neighborhood group representatives to discuss this proposal before it is formally filed. The plan is to maintain the existing house for office use with an apartment on the second floor.

This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with the property owner/operator and his representative. This meeting will be held in addition to the established procedures of the Louisville Metro Planning Commission, including an LD&T Hearing and a Public Hearing on the proposal.

The meeting to discuss this proposal will be held on Tuesday, May 30, 2017 at 6:00 p.m. at the existing house on the property 4511 S. Third Street, Louisville, Kentucky 40214.

If you cannot attend the meeting but have questions or would like to discuss the project, please feel free to call me at (502) 636-5501.

Sincerely,

John Miller
Land Planner, Miller/Wihry MWGLLC

From: Mattingly, Laura L [<mailto:Laura.Mattingly@louisvilleky.gov>]
Sent: Wednesday, March 01, 2017 10:15 AM
To: Tom Shaughnessy <tshaughnessy@ectservices.com>
Subject: RE: 4511 S 3rd Street 16ZONE1086

The applicant has still not applied formally so there has been no public hearing date set. The plan shows a drive expansion but it has already been established that what they have put down is not in compliance. In addition, transportation would not approve it the way it was proposed. The plan shows pavement, meaning asphalt. Gravel would not be considered pavement.

I believe we talked about you calling 311 to report the violation. I encourage you to call again, especially since they have proceeded to change the use of the building without approval. In order to continue the office use, they need to complete the re-zoning and get a certificate of occupancy.

Thank you for the update.

Laura

From: Tom Shaughnessy [<mailto:tshaughnessy@ectservices.com>]
Sent: Wednesday, March 1, 2017 10:01 AM
To: Mattingly, Laura L
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net)
Subject: 4511 S 3rd Street 16ZONE1086

Laura,

I wanted to catch up with you on this zoning change and modifications to the 4511 South 3rd Street property, Case # 16ZONE1086. Do you know when the public meeting may take place. The property is now being used as a business and as previously discussed the renovation to the house and driveway modifications (that don't meet with the provided engineer drawings) have been completed and is also being used. Any information on the meeting date/time is appreciated.

One question, in the civil drawing the engineer shows "pavement" expansion. Is a rock gravel considered pavement?

Thank you!

Thomas "Tom" Shaughnessy
Senior Estimator
<[image001.jpg](#)>

Office: (502) 636-2402 Extension 117
Fax: (502) 636-0105
Mobile (502) 551-4161
Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

On May 31, 2017, at 9:19 AM, Tom Shaughnessy <tshaughnessy@ectservices.com> wrote:

Laura,

There was a Neighborhood Meeting notice for this property that was posted on the Beechmont Discussion Group Facebook page yesterday, May 29, 2017

<image003.jpg>

It seems that not all the neighbors received this notice. I did not receive a notice and you had said you would add me to your list in our previous discussions. Do you know if any of the items we discussed were brought up at this meeting? I know that the Beechmont Neighborhood Association does have questions and is being bypassed. Who should Beechmont Neighborhood Association contact with our questions and concerns or is it too late?

Thomas "Tom" Shaughnessy
Senior Estimator
<image001.jpg>

Office: (502) 636-2402 Extension 117
Fax: (502) 636-0105
Mobile (502) 551-4161
Email: tshaughnessy@ectservices.com
WEB: www.ectservices.com

From: Tom Shaughnessy
Sent: Wednesday, March 01, 2017 10:34 AM
To: 'Mattingly, Laura L' <Laura.Mattingly@louisvilleky.gov>
Cc: Nancy Bowman-Denton (nbdenton@bellsouth.net) <nbdenton@bellsouth.net>
Subject: RE: 4511 S 3rd Street 16ZONE1086

Laura,

Thank you again for the update

Thomas "Tom" Shaughnessy
Senior Estimator
<image001.jpg>

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