

February 5, 2016

Planning and Design Services  
444 South Fifth Street  
Suite 300  
Louisville, KY

To whom It May Concern:

This is a letter of justification for my previous modified use of permit for the property at 2317 Madison Street. I'm requesting for this property to be at a capacity of more than 12. I'm proposing 32 for the capacity. Hours of operation will change from 6am-6pm to 6am to 12 midnight. There will be a difference in shifts I will be having three shifts (Day, Night, and Split). The maximum number of staff at any giving time can be 3-6 during any shift change.

Sincerely,

Sharena Allen-Mask  
3316 Richelle Drive  
Louisville, Ky 40216  
(502) 876-2827

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT**

**DECEMBER 17, 2012**

**NEW BUSINESS:**

**CASE NO. B-17927-12**

**Applicant/Owner:** Gavonda Lawrence  
P.O. Box 16407  
Louisville, Kentucky 40256

**Representative:** Qk4  
Ashley Bartley  
1046 E. Chestnut Street  
Louisville, Kentucky 40204

**Subject:** An application for a Conditional Use Permit to allow a day care facility in an R-6 zoning district.

**Premises affected:** On property known as 2317 West Madison Street and being in Louisville Metro.

**COUNCIL DISTRICT 4—David Tandy**  
**Staff Case Manager: Jon Crumby, Planner II**

**Appearances for Applicant:**  
Ashley Bartley, 1046 E. Chestnut Street, Louisville, Kentucky 40204; who presented a PowerPoint presentation to the Board.

**Appearances- Interested Parties:**  
No one.

**Appearances Against Applicant:**  
No one.

**RECEIVED**

SEP 14 2015  
PLANNING &  
DESIGN SERVICES

An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available in the office of Planning & Design Services, located at 444 South Fifth Street, Suite 300, Louisville, Kentucky.

On November 12, 2012, Gavonda Lawrence filed an application for a Conditional Use Permit to allow a day care facility in an R-6 zoning district.

On December 17, 2012, at a meeting of the Board, a hearing was held on this case. A drawing showing the premises affected and the existing and/or proposed construction was presented to each Board member.

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT**

**DECEMBER 17, 2012**

**NEW BUSINESS:**

**CASE NO. B-17927-12**

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.

The audio/visual recording of this hearing will be found on the DVD of the December 17, 2012 proceedings available in the Planning and Design Services Office.

**SUMMARY OF STAFF PRESENTATION:**

10:25:45 Staff case manager, Jon Crumbie, gave a brief presentation of the case to the Board, which included a PowerPoint presentation. He said the applicant will be renovating an existing house that has been in disrepair and vacant for approximately 2 years for a day care facility. The daycare will specialize in science and technology utilizing electronics for educational purposes. Mr. Crumbie said there are 3 parking spaces in the rear and that Public Works and Transportation approved the drop-off and pick-up area along West Madison Street. He said 9 of the 10 listed requirements have been met, where J. does not apply. Mr. Crumbie said he received a few phone calls from neighbors who just wanted to know what was proposed.

**SUMMARY OF TESTIMONY OF PROPONENTS:**

10:30:31 Ashley Bartley, the applicant's representative, said her client is remodeling an existing home for a daycare. The daycare will accommodate 12 children, from 6 weeks to 6 years old. She asked that the Board waive the required 3 parking spaces and additional landscaping, since on-street parking is abundant and adding landscaping would take up a lot of the play area. She added that other daycares in the area do not have off-street parking. Ms. Bartley said the property will be fenced. Chair Jarboe asked if the applicant received any funding for the renovations. Ms. Bartley said yes, to get the business open and grant money for the technology aspect. Member Proffitt questioned the parking spaces required. Mr. Crumbie said the Board could modify this based on the testimony and information submitted.

**SUMMARY OF TESTIMONY OF INTERESTED PARTIES:**

No one spoke as an interested party.



**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT**

**DECEMBER 17, 2012**

**NEW BUSINESS:**

**CASE NO. B-17927-12**

apply; and because the Board will waive the landscaping and berming requirement; and

**WHEREAS**, the Board finds the proposal to be in conformance with the Comprehensive Plan because it complies with all applicable guidelines, principles and objectives of the Comprehensive Plan, as it has received preliminary approval from Transportation Review and Louisville and Jefferson County Metropolitan Sewer District;

**NOW, THEREFORE, BE IT RESOLVED**, that the Conditional Use Permit is hereby **APPROVED ON CONDITION**.

**The conditions are as follows:**

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a day care facility without further review and approval by the Board.
3. The proposal is subject to full construction plans being submitted to the Department of Public Works for traffic and MSD for storm water approvals. Once those have been approved, the plan is subject to Inspections, Permits and Licenses for building/parking permits.
4. The daycare shall be open Monday thru Friday, 6:00 a.m. to 6:00 p.m.
5. The maximum number of employees on site at any given time shall be 3.
6. The maximum number of kids on site at any given time shall be 12.

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT**

**DECEMBER 17, 2012**

**NEW BUSINESS:**

**CASE NO. B-17927-12**

**The vote was as follows:**

**YES: Members Jarboe, Allendorf, Proffitt, Liggin and Fishman.**

**NO: No one.**

**NOT PRESENT FOR THIS CASE AND NOT VOTING: Member  
Wagaman.**

**ABSTAINING: Member Miller.**

**RECEIVED**

SEP 14 2015

PLANNING &  
DESIGN SERVICES

**BACK INTO PUBLIC HEARING:**

10:46:24 Ms. Bartley asked if the Board's motion included waiving the required 3 parking spaces. Jon Baker, the Board's legal counsel, said no, but that the Board could make another motion to modify the parking requirements.

**BACK INTO BUSINESS SESSION:**

10:47:31 After the discussion, on a motion by Member Proffitt, seconded by Member Fishman, the following resolution was adopted:

**WHEREAS**, the Board does hereby waive the parking requirement of 3 spaces since there is ample on-street parking and in close proximity to the proposed daycare;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board does hereby **WAIVE** the required 3 parking spaces (Item E., page 3 of the staff report).

**The vote was as follows:**

**YES: Members Jarboe, Allendorf, Proffitt, Liggin, Miller and Fishman.**

**NO: No one.**

**NOT PRESENT FOR THIS CASE AND NOT VOTING: Member  
Wagaman.**

**ABSTAINING: No one.**