

From: Walt Zolla
To: [Lockett, Jay P](#)
Cc: [HOA NH Villa](#)
Subject: RE: Notting Hill Subdivision
Date: Thursday, September 20, 2018 11:34:21 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

I can't see why, now knowing, that the information was not correct, that you would not extend the date. The developer, Scott Welch, runs the Notting Hill Development, LLC so the notice went to him and he chose not to share it with the appropriate property owners. This is wrong! The Villas of Chadwick HOA owns the buildings and have owned them since day 1 in 2005. With that being said, there should be no reason to not extend the date until proper notification is made. A recent text from the developer said that he would try and send notice out by the end of this week to all residents in our development for a 9/27 hearing date. I assume you talked with Scott after my last email. I am formally requesting that you extend the date so that any interested homeowner can attend the meeting and have a chance to address the committee.

Regarding the buffer, two years ago the developer agreed to provide a fence and landscaping buffer in this part of the section as well as agreed to build one story duplex garden homes. If we cannot stop the change to single family, we should have support from you to keep the agreed upon buffers that now has been eliminated in the redesign of the section. This agreement was made to you, and your committee in a public hearing two years ago. We do expect our city officials to make sure developers perform as agreed especially when it comes to buffers. We would also argue that the zoning for this section was done as a whole two years ago. It is my understand that this is one section that somehow after the hearing was then split into two phases to help the developer cash flow the cost of building the streets. I am not sure why the developer was not required to build the streets as approved after the hearing date. Now in the middle of developing this section, the developer wants to change one of the streets from the garden homes to single family as well as the lot designs. Since he has started development of this section as garden homes, should he not have to complete the section as zoned? Is it normal for a developer to change the zoning on a section midstream? I am not sure how you all can allow that change whether he does this in one phase or two phases.

In concluding, planning and zoning (land development) is a governmental operation to help make sure developers live by the rules, regulations, and agreements set forth by your committee. I was present and supported the variance given two years ago to this section when the developer submitted the plat and testified that he was going to build one story garden homes with the buffers we have discussed. I am not sure how we can just throw these agreements out the window. You are basically telling me as a taxpayer that we have no protection or recourse in development matters.

Walter M. Zolla

Walter M. Zolla CRIS
Vice President

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From: Lockett, Jay P [mailto:Jay.Lockett@louisvilleky.gov]

Sent: Thursday, September 20, 2018 9:59 AM

To: Walt Zolla <Walt.Zolla@usi.com>

Cc: HOA NH Villa <nhvillasofchadwick@gmail.com>

Subject: RE: Notting Hill Subdivision

Walt,

Our notice requirements are based on available PVA records, and per those records the notices that were sent seem to be proper. There are 2 parcels containing patio homes adjacent to the subject site with addresses of 18624 Chadwick Glen Circle and 18610 Chadwick Glen Circle; both of those properties show "Notting Hill Dev, LLC" as the property owner per PVA records. I do not see any parcels owned by "Villas of Chadwick Patio Homes." In general, we only send notice to the HOA or parent parcel owner, not to each address within a multifamily condo development.

The only required buffer applicable to this section is a 20' landscape buffer area to the north, where the site is adjacent to the R-5 zoned area. Generally, buffers are required where a more intense zoning category abuts a less intense zoning category (in this case, R-5a to R-5.) The applicant has shown this required buffer on the proposed plan. The revised plan for this section approved in 2016 under docket 15DEVPLAN1195 had this same required buffer.

The docket will be finalized and published by the end of the day on Friday, at which point staff reports and other associated documents should be available to view.

If you are unable to attend that meeting, your written concerns (and those of others who have contacted me) will be made available to the commissioners for consideration, and will be referenced in my staff report. Please feel free to contact me with further questions or concerns regarding this project.

Regards,

Jay Lockett
Planner I
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
502-574-5159

<https://louisvilleky.gov/government/planning-design>



From: Walt Zolla [<mailto:Walt.Zolla@usi.com>]
Sent: Tuesday, September 18, 2018 4:00 PM
To: Lockett, Jay P
Cc: HOA NH Villa
Subject: RE: Notting Hill Subdivision

Jay, thank you for taking the time to get back with me regarding questions concerning the change in our development from duplexes to single family dwellings. As we discussed, we were given no notification of the hearing and the information given to you by the developer is inaccurate as the to correct HOA for notification. Our section of the development is owned by Villas of Chadwick Patio Homes Council, Inc. and not Notting Hill Development, Inc. The developer turned the section over to our HOA several years ago and in fact the notification went to the developers address. Our section of the development has 44 unit owners and the address for our HOA is P.O. Box 88 Eastwood, KY 40018. With that being said, **I would request that the case be delayed from the September docket until proper notification can be made to the HOA and or the 44 unit owners in this section of the development. The developer should have the addresses to all 44 units as he built everyone of them himself.**

As discussed, the zoning for this section was changed about two years ago to allow for the clubhouse and two streets of duplex (townhome) type units. This was a variance from the previously zoned multi-family. Then after that zoning hearing, the streets were split again into separate "phases" which we were told was only to allow a delay in building the 2nd street until he mostly developed out the first one (cash flow). On the newly approved section, the developer was to put a landscaping barrier, board fencing and sidewalks between the units and Chadwick Glen Circle. Under this new plan, there is no landscaping, fencing, and in fact (8) of the lots will have entrance directly

from Chadwick Glen Circle. This certainly is more than a change from duplex to single family. This totally changes the buffers agreed to in the original zoning change. At what point in time do the taxpayers of Louisville Jefferson County have protections from developers who go back on their commitments to us and the city.

In looking at the design of the new street with lots having access from Chadwick Glen Circle, further confirms my suspicion that the lots will be sold to another home builder (Ball Homes). The approval of the revised plan from two years ago required the buffer I previously talked about in the above paragraph. Should the developer at least be required to keep complete this buffer. He was the one who submitted the plan to your committee agreeing to put these items in place?

You had said that the case was to be on the 9/27 docket. I do not see when I pull the case # the hearing date. Where do you find the docket info? Again, we would request that the hearing date be changed so that everyone can be given proper notification.

Walter M. Zolla

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From: Lockett, Jay P [<mailto:Jay.Lockett@louisvilleky.gov>]
Sent: Tuesday, September 18, 2018 2:42 PM
To: Walt Zolla <Walt.Zolla@usi.com>
Subject: RE: Notting Hill Subdivision

Walt,

Per our discussion, here is a copy of the current proposal, as well as the existing Binding Elements associated with the site. Feel free to contact me with further questions or concerns regarding this

matter.

Regards,

Jay Lockett
Planner I
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
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Louisville, KY 40202
502-574-5159

<https://louisvilleky.gov/government/planning-design>



From: Walt Zolla [<mailto:Walt.Zolla@usi.com>]
Sent: Friday, September 14, 2018 2:28 PM
To: Lockett, Jay P
Subject: Notting Hill Subdivision

Jay, recently our HOA was made aware of a “request for a zoning change” adjacent to the Villas of Chadwick development located in Notting Hill Subdivision. The developer is Scott Welch. I am not sure if the case has already gone through the system or if it is scheduled on an upcoming docket. I and many residents who live in the Villas of Chadwick, an adjacent section of the development, would like to have some input in the request for change from the duplex condo units to single family dwellings. As you are aware a couple years ago there was a zoning variance granted for this section. This was unanimously supported by our residents. The change to single family dwellings **does not** have the support of the residents. The change to single family will more than likely mean the developer can sell the lots to Ball Homes. Also, this is not a very big section that was divided into two subsections. The developer is currently building condos on the other half of this parcel of land and single family dwellings would not be compatible with the look of the area. Also, the price point and construction quality of Ball Homes is substantially less than what is currently being built in the area. Overall, we feel very strongly that our property values will be affected in a substantial negative way by this proposed change. We are seeking assistance to make sure the developer stands by his agreements to the residents of Notting Hill, the Villas of Chadwick, and the taxpayers of Louisville Jefferson County.

Can you give me a call to discuss as well as give me the case particular information so that we can have an opportunity to address the zoning variance request with the development committee.

Thanks!

Walter M. Zolla

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