



# General Waiver Application

## Louisville Metro Planning & Design Services

Case No.: 22-WAIVER-0042 Intake Staff: M  
Date: 3-14-22 Fee: \$225

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/Planning-Design>.

### Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section 5.5.1.A.3.b

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: To allow the parking lot to be in the front of the building.

Primary Project Address: 1904 Frankfort Ave.

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: T.B. 69H, Lot 2

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: Liquor Store Existing Use: Liquor Store

Existing Zoning District: C-1 Existing Form District: TNFD

Deed Book(s) / Page Numbers<sup>2</sup>: D.B. 10684, Pg. 684

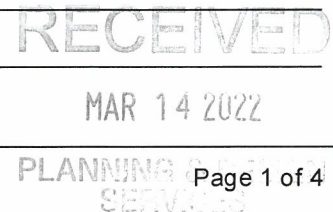
The subject property contains 0.384 acres. Number of Adjoining Property Owners: 1

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup>  Yes  No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_



**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

No, the parking lot is existing at the front of the property and will not encroach into any further acreage. There is proposed green space within this development plan onto the property frontage adding aesthetic value to Frankfort Ave. which will positively impact adjacent property owners.

**2. Will the waiver violate the Comprehensive Plan?**

No. The plan states to encourage the placement of parking behind or beside buildings but does not specify a set rule for the TNFD.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Yes. The current parking lot is currently in front of the building and has been since it was built in 1965. With this building expansion the proposed parking lot will add 1,531 sq.ft. of green space, adding aesthetic value along Frankfort Ave.

**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

This property's parking lot placement was established upon the initial build of the business. With this being a corner lot with extreme elevation changes on two sides, and an existing building, the applicant would have no other location available to move the parking lot in order to satisfy current zoning regulations.

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**Contact Information:**

Owner:  Check if primary contact

Applicant:  Check if primary contact

Name: Chirag D. Patel

Name: \_\_\_\_\_

Company: Shree Hari Gopal 1007, LLC

Company: \_\_\_\_\_

Address: 1904 Frankfort Ave.

Address: \_\_\_\_\_

City: Louisville State: KY Zip: 40206

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: \_\_\_\_\_

Primary Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

Owner Signature (required): 

Attorney:  Check if primary contact

Plan prepared by:  Check if primary contact

Name: \_\_\_\_\_

Name: Missy Legel

Company: \_\_\_\_\_

Company: Civil Design, Inc.

Address: \_\_\_\_\_

Address: 9400 Bunsen Pkwy., Ste. 150

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: Louisville State: KY Zip: 40220

Primary Phone: \_\_\_\_\_

Primary Phone: 502-242-9061

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_


Email: mlegel@civildesigninc.com

**Certification Statement:** A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

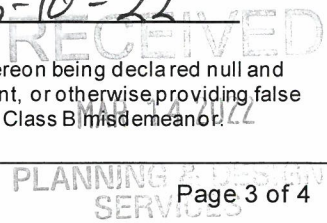
I, Chirag D. Patel, in my capacity as Member, hereby representative/authorized agent/other

certify that Shree Hari Gopal 1007, LLC is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature:  Date: 3-10-22

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.



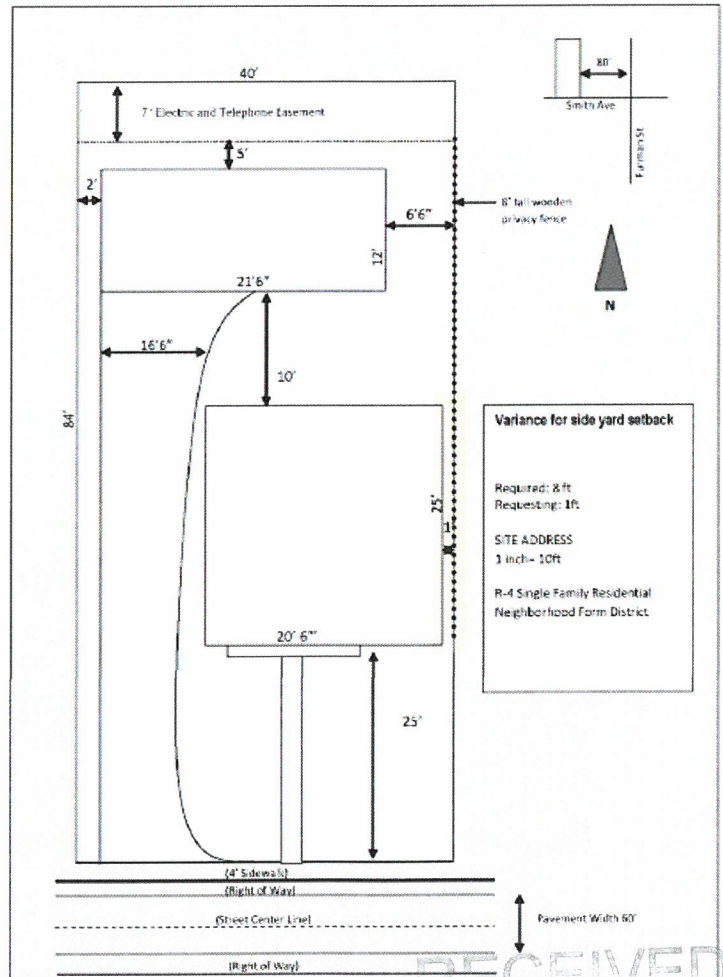
**Please submit the completed application along with the following items:**

- Land Development Report<sup>1</sup>
- Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
  - Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
  - Vicinity map that shows the distance from the property to the nearest intersecting street
  - North arrow
  - Street name(s) abutting the site
  - Property dimensions
  - Building limit lines
  - Electric, telephone, drainage easements with dimensions
  - Existing and proposed structures with dimensions and distance from property lines
  - Highlight (in yellow) the location of the waivers
- One set of mailing label sheets for: 1<sup>st</sup> tier Adjoining Property Owners (APOs)<sup>3</sup>; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
- One copy of the APO mailing label sheets
- \$225 Application Fee** (*Cash, charge or check made payable to Planning & Design Services*)

**Resources:**

1. Land Development Reports can be obtained online by entering the site address at: <https://www.lojic.org/lojic-online>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2<sup>nd</sup> floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: <https://search.jeffersondeeds.com>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search>

Sample site plan is for example purposes only and not drawn to scale



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