



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: _____ Intake Staff: _____

Date: _____ Fee: _____

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 5th 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 10.3.7.A.1

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 reduce the parkway buffer required along the Gene Snyder Freeway from 50' to 30'

Primary Project Address: 10300 Brookridge Village

Additional Address(es): _____

Primary Parcel ID: 350500050000

Additional Parcel ID(s): _____

Proposed Use: Hotel Existing Use: vacant

Existing Zoning District: OTF Existing Form District: Town Center

Deed Book(s) / Page Numbers²: 11338x401

The subject property contains 2.51+/- acres. Number of Adjoining Property Owners: _____

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)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 09-026-98W Docket/Case #: _____

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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?

Since the waiver was previously granted along this site's frontage, as well as, the 2 adjoining parcels and this would be an extension of the existing buffer along the Gene Snyder, a buffer that is recorded in the record plat for the development, plat book 48 page 57, the waiver will not have an adverse affect on the adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

Since the buffer proposed will provide a consistent buffer along the Gene Snyder Freeway and will provide the screening/plant material required per the parkway requirements, the waiver will not violate the Comprehensive Plan.

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

The extent of the waiver is the minimum necessary to afford relief to the applicant in allowing them to provide a buffer the same depth as the neighboring properties, one that was previously approve for this site and which is especially needed due to the shallow depth of the lot as it runs between Brookridge Village Boulevard and the Gene Snyder Freeway.

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?

The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land and create an unnecessary hardship since the reduction in the parkway waiver requested is the same as what was previously granted, the same as provided by the developments on either side and further is sufficient in size to provide the plantings required.