

**ORDINANCE NO. \_\_\_\_\_, SERIES 2020**

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 308 FRANCK AVENUE CONTAINING APPROXIMATELY 1.244 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0052)(AS AMENDED).**

**SPONSORED BY: COUNCILWOMAN MADONNA FLOOD**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the “Planning Commission”) and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 19ZONE0052; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 19ZONE0052 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with an amended binding element:

**NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 308 Franck Avenue containing approximately 1.244 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 19ZONE0052, is hereby changed from R-5 Residential Single Family to R-6 Residential Multi Family; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 19ZONE0052- with the following amended binding element:

2. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:

- a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District
- b. A minor subdivision plat shall be approved by Planning and Design Services staff and recorded creating the lot lines shown on the approved development plan.
- c. A Structural Engineer shall be retained and an evaluation of first tier foundations shall be performed. Notice of intent to evaluate these foundations shall be provided 30 days in advance. The engineer shall lay out best practices for construction and provide those to Planning and Design Services for incorporation to the record. The engineer shall also provide copies of these documents to the owners of the first tier foundations which were evaluated.

**SECTION II:** This Ordinance shall take effect upon its passage and approval.

\_\_\_\_\_  
 Sonya Harward  
 Metro Council Clerk

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 David James  
 President of the Council

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 Greg Fischer  
 Mayor

\_\_\_\_\_  
 Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O’Connell  
 Jefferson County Attorney

By: \_\_\_\_\_