

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?

The proposed building should not adversely affect any adjacent property by obstructing any adjacent views, emitting unwanted amounts of light, sound, or odors, or by producing any unmitigated water or waste runoff. The building will be surrounded by trees and vegetation that should help mask its appearance and shield neighbors from unwanted ambient light. The building has been shifted to a portion of the property having a lower elevation and removed from adjacent properties.

2. Will the waiver violate the Comprehensive Plan?

We do not feel that the waiver will violate the Comprehensive Plan. It allows development of a type of residential neighborhood development intended in the comprehensive plan, that of a "Larger Residential Estate," and is an appropriate use for the location of the estate, on the eastern edge of the county, in a low-density residential area.

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

Yes, it is. Resolution of this requirement in the LDC is required for the project to go forward.

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?

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(a) We have consolidated 2 lots into one to act as an additional buffer around the proposed building from neighboring properties, and the existing building is sited near the middle of the consolidated lot which we believe provides a net beneficial effect for the adjacent property owners. (b) The owner has invested a lot of time and money into the design and development of this tennis facility, and abandoning the project would net the owner a considerable loss in invested time and design and development costs.

Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: TONY YOUNG

Name: John Stewart

Company: _____

Company: ENCOMPASS DDC, LLC

Address: 19515 SYCAMORE RIDGE DR

Address: 106 E JEFFERSON ST

City: LOUISVILLE State: KY Zip: 40245

City: LAGRANGE State: KY Zip: 40031

Primary Phone: _____

Primary Phone: 502-727-0465

Alternate Phone: _____

Alternate Phone: 502-992-5105

Email: _____

Email: JSTEWART@ENCOMPASS-DDC.COM

(e)

Owner Signature (required): 

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: _____

Name: John F. Stewart, AIA

Company: _____

Company: Encompass DDC, LLC

Address: _____

Address: 105 E Jefferson St

City: _____ State: _____ Zip: _____

City: LaGrange State: KY Zip: 40031

Primary Phone: _____

Primary Phone: 502-727-0465

Alternate Phone: _____

Alternate Phone: 502-992-5105

Email: _____

Email: jstewart@encompass-ddc.com

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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.

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