



# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 19WAIVER1004 Intake Staff: IZC  
Date: 2-15-19 Fee: \$231

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 \_\_\_\_\_

*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: Waiver of SE corner landscape buffer to allow proposed bldg. 2 to encroach into buffer; waiver along NE property line for future road extension

Primary Project Address: 2713 Watterson Trail  
Additional Address(es): 2705 Watterson Trail  
Primary Parcel ID: 00390137  
Additional Parcel ID(s): \_\_\_\_\_

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Proposed Use: Industrial Warehousing Existing Use: Industrial Warehousing  
Existing Zoning District: PEC Existing Form District: Suburban Workplace

Deed Book(s) / Page Numbers<sup>2</sup>: Deed Book 11087, Page 026

The subject property contains 3.35 acres. Number of Adjoining Property Owners: 6 (APOs)

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 #: 17-0002 Docket/Case #: 17WAIVER1036  
Docket/Case #: 17LSCAPE1186 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?**

The waiver will not adversely affect the adjacent property owner because the waiver is along the southeast corner of the property and will only encroach 5' along the northeast property line will not affect the adjacent property owner because this will allow the future roadway extension.

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

The waiver will not violate the comprehensive plan because this portion of the landscape buffer for waiver 1 is at the rear of the property which is not visible and waiver 2 is at the northeast corner of the property where a future roadway will be extended.

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

The extent of the waiver of the regulation is necessary to afford relief to the applicant because the revised building 2 and parking along with future access road cannot be constructed without these waivers.

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**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 provisions of the regulation would create an unnecessary hardship to provide the future roadway extension and still provide adequate access and parking for building no. 2.

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**Contact Information:**

Owner:  Check if primary contact

Applicant:  Check if primary contact

Name: Bryan Barnett

Name: Same as Owner

Company: Outer Loop Investment Properties,

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

Address: 9462 Brownsboro Road #153

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

City: Louisville State: KY Zip: 40241

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

Primary Phone: (502) 418-7874

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

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

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

Email: bryan@biproperties.com

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

Owner Signature (required): 

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Attorney:  Check if primary contact

Plan prepared by:  Check if primary contact

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

Name: Christopher T. Crumpton, P. E.

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

Company: BlueStone Engineers, PLLC

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

Address: 3703 Taylorsville Road-Suite 205

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

City: Louisville State: KY Zip: 40220

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

Primary Phone: (502) 292-9288

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

Alternate Phone: (502) 298-2272

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


Email: chris@bluestoneengineers.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, BRYAN BARNETT, in my capacity as MEMBER/MANAGER, hereby  
representative/authorized agent/other

certify that Outer Loop Investment Prop. 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: 2.14.19

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>

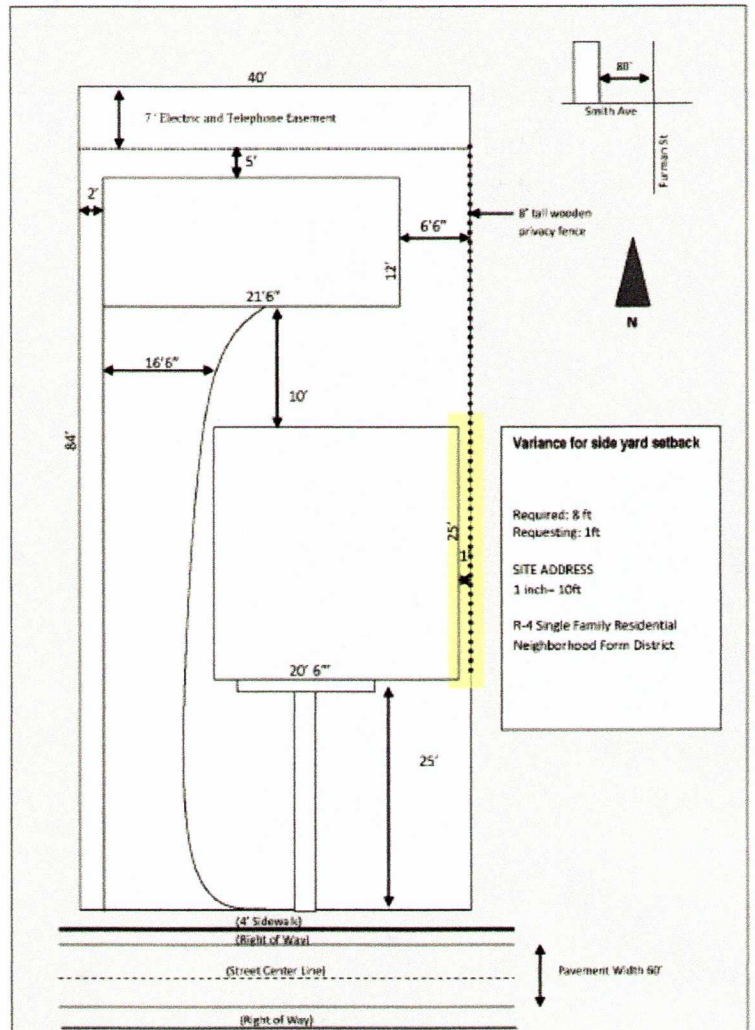


- ☒ Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
  - ☒ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
  - ☒ Vicinity map that shows the distance from the 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 + \$1 per mailing label (*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>
4. View agency comments at:

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



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<http://portal.louisvilleky.gov/codesandregs/mainsearch>. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.



# Land Development Report

February 15, 2019 3:12 PM

[About LDC](#)

## Location

**Parcel ID:** 003901370000  
**Parcel LRSN:** 142083  
**Address:** MULTIPLE ADDRESSES

## Zoning

**Zoning:** PEC  
**Form District:** SUBURBAN WORKPLACE  
**Plan Certain #:** NONE  
**Proposed Subdivision Name:** NONE  
**Proposed Subdivision Docket #:** NONE  
**Current Subdivision Name:** MIDWAY FARM  
**Plat Book - Page:** 08-17A  
**Related Cases:** NONE

## Special Review Districts

**Overlay District:** NO  
**Historic Preservation District:** NONE  
**National Register District:** NONE  
**Urban Renewal:** NO  
**Enterprise Zone:** NO  
**System Development District:** NO  
**Historic Site:** NO

## Environmental Constraints

### Flood Prone Area

**FEMA Floodplain Review Zone:** NO  
**FEMA Floodway Review Zone:** NO  
**Local Regulatory Floodplain Zone or Combined Sewer Floodprone Area:** NO  
**Local Regulatory Conveyance Zone:** NO  
**FEMA FIRM Panel:** 21111C0064E

### Protected Waterways

**Potential Wetland (Hydric Soil):** NO  
**Streams (Approximate):** NO  
**Surface Water (Approximate):** NO

### Slopes & Soils

**Potential Steep Slope:** NO  
**Unstable Soil:** NO

### Geology

**Karst Terrain:** YES

## Sewer & Drainage

**MSD Property Service Connection:** NO  
**Sewer Recapture Fee Area:** NO  
**Drainage Credit Program:** MS4 (outside of incentive area)

## Services

**Municipality:** JEFFERSONTOWN  
**Council District:** 11  
**Fire Protection District:** JEFFERSONTOWN  
**Urban Service District:** NO

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Adjoining Property OwnersMayor & Planning Notification

S&P of Kentucky LLC  
805 Flatrock Rd  
Louisville, KY 40245

Henry A & Terri R Robinson  
400 Landis Lakes Ct  
Louisville, KY 40245

John H Robertson  
PO Box 990631  
Louisville, KY 40269

Seneca Properties Co Inc  
2801 Watterson Trail  
Louisville, KY 40299

Daniel R Reul  
Tax Bl 0039 Lot 0136  
2801 Watterson Trail  
Louisville, KY 40299

Mr. Bill Fox, City Clerk  
City of Jeffersontown  
10406 Watterson Trail  
Louisville, Kentucky 40299

Mayor Bill Dieruf  
City of Jeffersontown  
10406 Watterson Trail  
Louisville, Kentucky 40299

Mr. Steve Rusie, City Planner  
City of Jeffersontown  
10406 Watterson Trail  
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