

Memorandum



LOUISVILLE, KENTUCKY

LOUISVILLE METRO PLANNING AND DESIGN SERVICES

JERRY E. ABRAMSON
MAYOR

CHARLES C. CASH, AIA
DIRECTOR

December 17, 2007

Owner Info

RE: Access to the 8000 Block of Shelbyville Road / Docket No. 9-57-06 V W

Dear: **OWNER**

This letter is provided to clarify previous information related to the March 1, 2007, Louisville Metro Planning Commission Public Hearing pertaining to the rezoning of the property located at 8213 Shelbyville Road. Binding Element No. 13 (highlighted in the staff memo) lists all properties associated with the case. Additional information from all previously associated rezoning cases is included in the staff memo, which outlines the required closure of curb cuts at 8215, 8217 and 8219 Shelbyville Road. Furthermore, the demolition of detached garages in the rear of 8217 and 8219 Shelbyville Road is required - per binding elements - to permit construction of a required rear cross-over access easement that is to connect to the shared access easement permitted between 8211 and 8213 Shelbyville Road. The City of Lyndon approved the ordinance on May 21, 2007.

Vehicular access for properties located at 8209, 8211, 8213, 8215, 8217, 8219, 8221, 8223 and 8225 Shelbyville Road shall be limited to the existing drive and curb cut between 8211 and 8213 Shelbyville Road and the cross-over access easement along the rear of the properties. All other existing entrances to Shelbyville Road shall be closed and restored with shoulder and sidewalk improvements by the property owners within 180 days of the demolition of existing garages at 8217 and 8219 Shelbyville Road and the subsequent construction of the rear cross-over access easement on condition that each specific property owner has the ability to do so, which is dependent upon compliance by adjacent property owners.

Memorandum



LOUISVILLE, KENTUCKY

LOUISVILLE METRO PLANNING AND DESIGN SERVICES

JERRY E. ABRAMSON
MAYOR

CHARLES C. CASH, AIA
DIRECTOR

After receiving questions from various affected property owners, staff has reviewed the situation and determined that failure to comply with the requirements of this binding element will be addressed by the Code Enforcement Division. Owners unable to comply due to non-compliance by adjacent owners shall be granted an appropriate extension period to bring their property into compliance.

Phasing of these entrance closures shall be as follows:

1. Within 180 days of notice, garages shall be removed from within the rear cross-over access easement.
2. Within 180 days of notice, each owner is responsible for the construction of pavement along the rear cross-over access easement to connect with the access easement between 8211 and 8213 Shelbyville Rd.
3. Within 180 days of notice, the cross-over access easement shall be recorded.
4. Within 180 days of the recording of the cross-over access easement, the aforementioned existing entrances along Shelbyville Road shall be removed and improved. Construction plans, bonds and permits are required by the Kentucky Transportation Cabinet and Metro Public Works for all work performed on Shelbyville Road. It has been determined by the Transportation Cabinet that installation of curb and gutter along this portion of Shelbyville Road is undesirable at this time. To obtain additional guidance regarding the specific improvements that are to be installed, you may contact C.W. Seymour with the Kentucky Transportation Cabinet at (502) 367-6411.

For additional information regarding this case, contact case manager Mike Wilcher at (502) 574-6230.

Sincerely,

Mike Wilcher, Case Manager