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Explanation (attachment)

The applicant / owner is South Park Country Club. This proposed subdivision is to establish a clean legal property line foundation for the single family homes that exist today and are owned today by individuals. The existing homes along Club Hill Drive were originally built as "fishing shanties" or "Lake Houses". They were rented and ultimately sold to individuals. Unfortunately they were never subdivided or platted through a traditional process. The properties were sold based on old lease lines.

The attached preliminary plan application establishes new property lines which in many cases are the same or very similar to the original lease lines. This application and ultimately the major subdivision record plat will formalize the property lines and provide a clean title for the existing homeowners.

Due to the process the homes were built and sold we are requesting several variances and waivers. The variances are to allow the existing residential buildings and driveways to encroach into the front, street side, side, and rear yards.

The waivers are to allow some lots to be less than the required lot width and to allow one existing home to access a collector level roadway, through an existing driveway.

The applicant has met with the local fire district and Louisville Metro Public Works on site. There is no new roadway construction or modifications proposed or required. The development will consist of 20 single family lots and 2 open space lots. One of the existing homes has direct access to South Park Road. The other 19 single family residential lots will only have access to Club Hill Drive (a private road that will be in a 50' wide private access and public utility easement).

The existing homes are served by on-site septic systems. Three additional lots are proposed near the entrance of the development. They will be required to extend sanitary sewers to serve them.

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Waiver (attachment)

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Due to the process the homes were built and sold we are requesting several variances and waivers. The variances are to allow the existing residential buildings and driveways to encroach into the front, street side, side, and rear yards. The requested waivers are to allow an existing drive to remain and to continue to have access to South Park Road a collector road and to allow some lots to have a lot width less than the requirements.

The applicant has met with the local fire district and Louisville Metro Public Works on site. There is no new roadway construction or modifications proposed or required. The development will consist of 20 single family lots and 2 open space lots. One of the existing homes has direct access to South Park Road. The other 19 single family residential lots will only have access to Club Hill Drive (a private road that will be in a 50' wide private access and public utility easement).

1. For the reasons stated above the granting the requested waivers will not adversely affect the nearby property owners.
2. For the reasons stated above the granting the requested variances will not violate the comprehensive plan.
3. Since the homes, garages, and driveways in this development are existing and have been for many years, granting of the requested waivers will not

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cause a hazard or public nuisance. Further, the ultimate approval of this development will document property line, easements, and utilities.

4. As stated above the circumstances were created by others many years ago. There is no inexpensive way to eliminate the requested waivers. The locations of the existing structures dictate the proposed property line locations, and there is no other road frontage for the existing driveway to be moved to.

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1. As stated above the current situation exists because of certain actions by others many years ago. This situation does not generally apply to other properties in the area.
 2. Denial of the variance will create a hardship on South Park Country Club since they are selling the property to generate income to help keep the Country Club financially sound, as well as maintaining the complex title difficulties for the home owners.
 3. While this situation was caused indirectly by actions of South Park Country Club, the situation that now exists was not caused by the applicant or the current leadership of the Country Club. They are now attempting to resolve the problems created in the distinct past.

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