

Docket No. 16APPEAL1008

Appeal of denial of Beauty Salon zoning verification
and establishment of non-conforming use rights
with a change to another less intense use on
property located at 2747 S. Seventh Street Road

Index

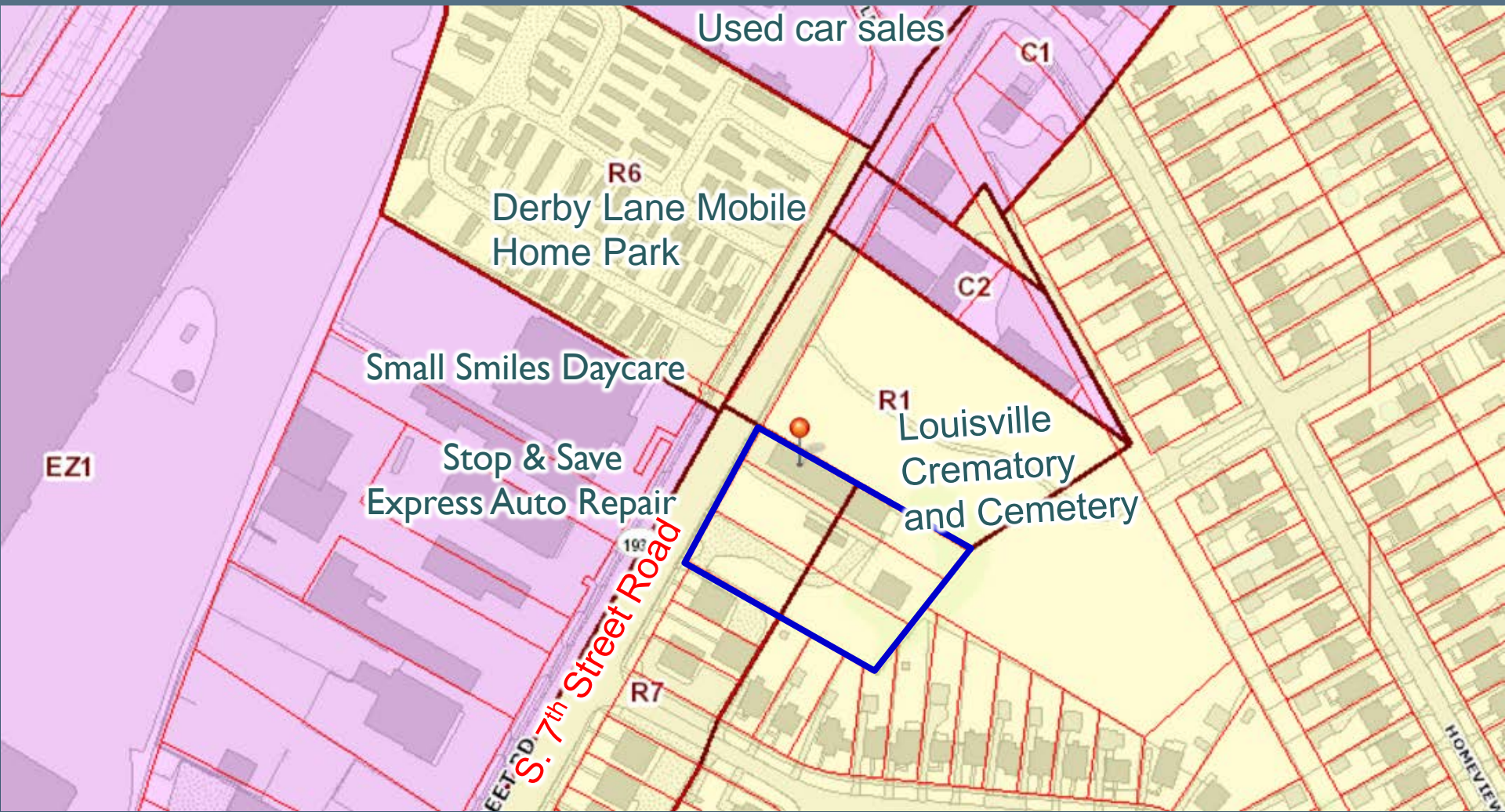
1. LOJIC Zoning Map
2. Aerial photographs of the site and surrounding area
3. Ground level photographs of the site and surrounding area
4. Affidavits and other documents supporting the commercial use of the property since 1971



Tab I

LOJIC Zoning Map





Used car sales

C1

R6
Derby Lane Mobile
Home Park

C2

Small Smiles Daycare

R1

Louisville
Crematory
and Cemetery

Stop & Save
Express Auto Repair

EZ1

192
S. 7th Street Road

R7

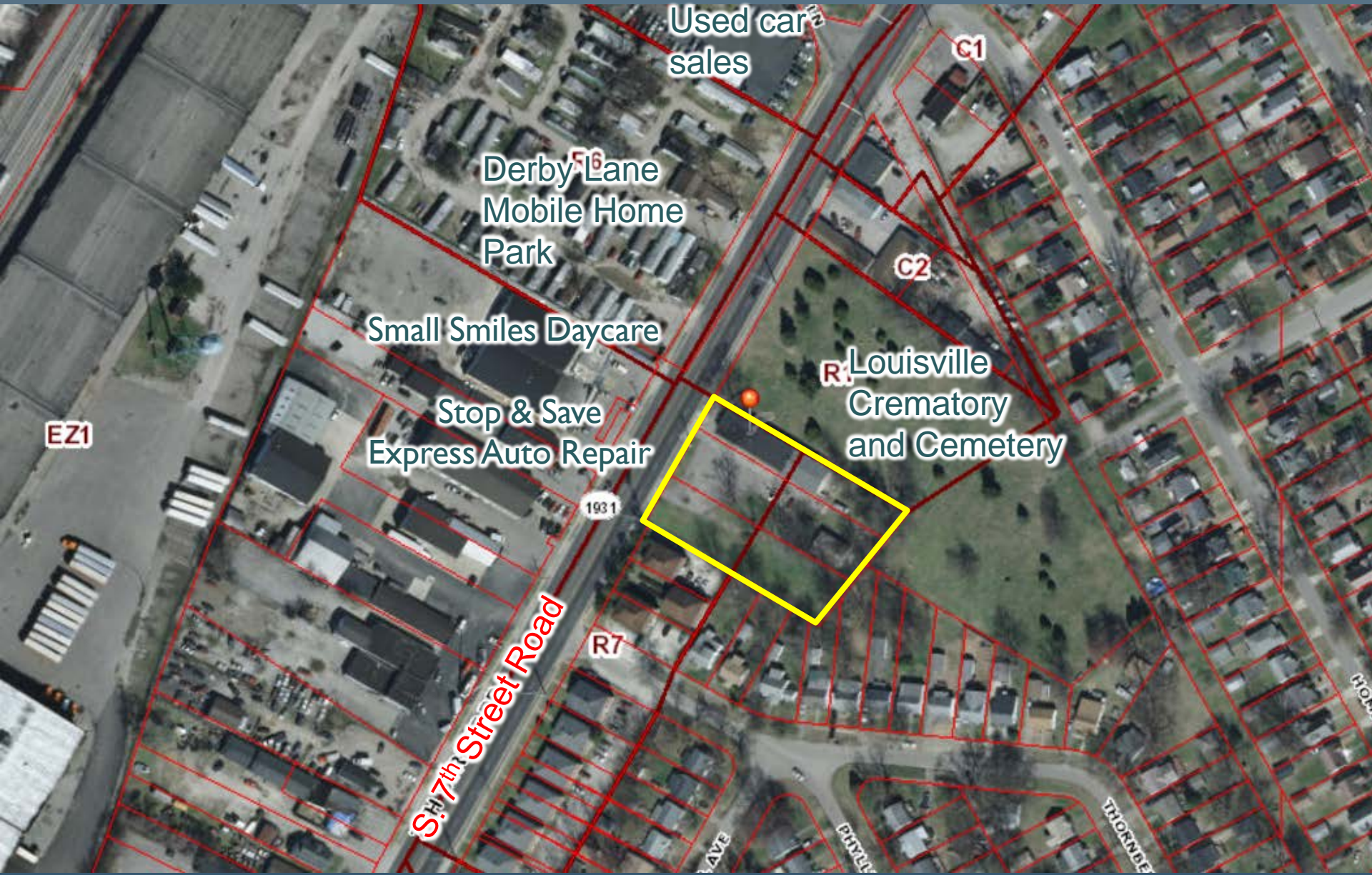
HONEYVIEW



Tab 2

Aerial photograph of the site and surrounding area





Used car sales

C1

Derby Lane
Mobile Home
Park

C2

Small Smiles Daycare

R1
Louisville
Crematory
and Cemetery

Stop & Save
Express Auto Repair

E21

1931

S. 7th Street Road

R7

LAVER

PITKIN

THORNE

HOL

Tab 3

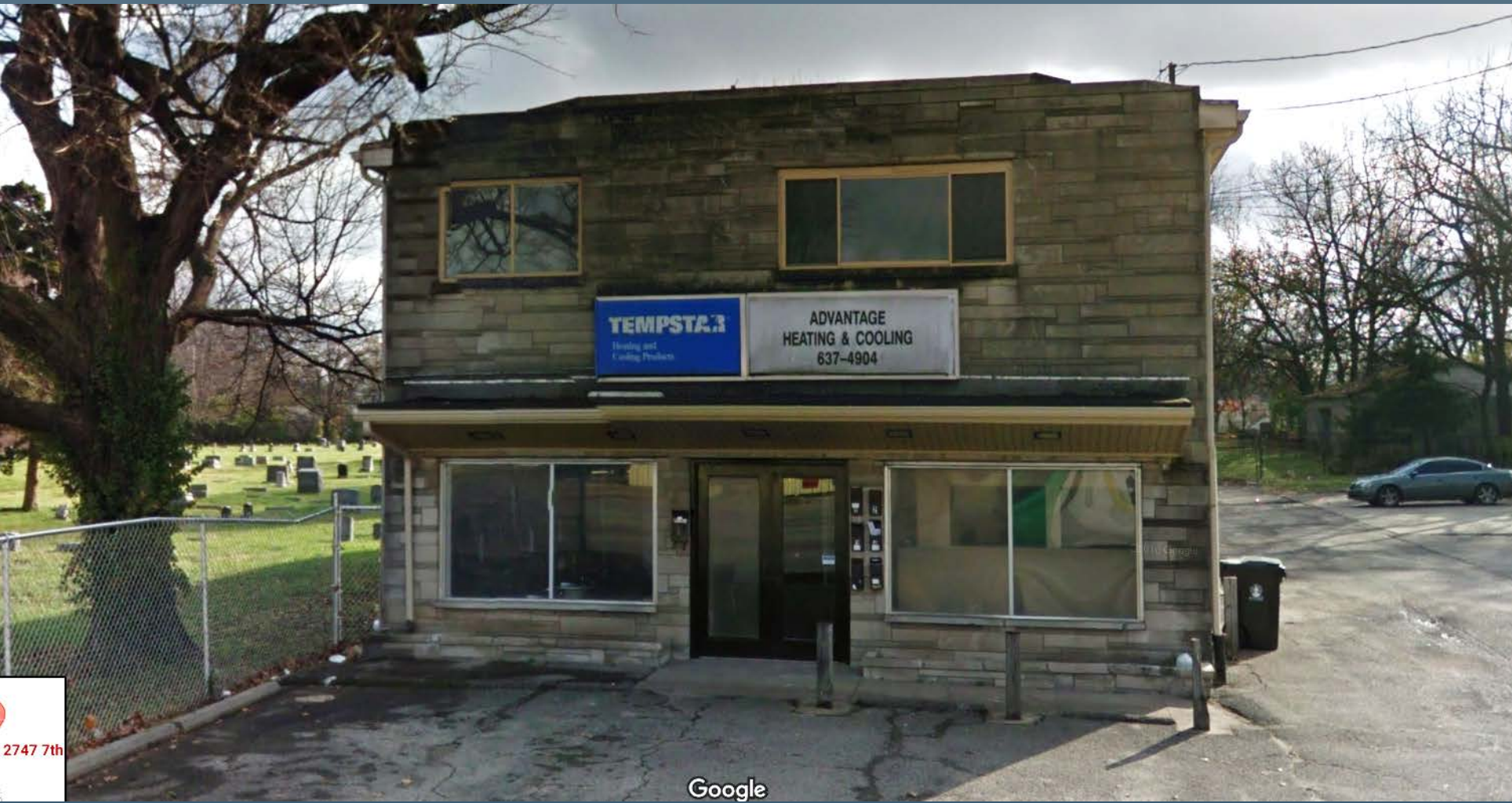
Ground level photographs of the site and surrounding area





View of site from S. 7th Street Road





2747 7th

Google





View of S. 7th Street Road looking north. Site is to the right.





View of S. 7th Street Road looking south. Site is to the left.



Tab4

Affidavits and other documents supporting
the commercial use of the property since
1971



AFFIDAVIT

Comes the Affiant and, after being duly sworn, states as follows:

1. My name Mary S. Birkhead is _____
2. I currently live at 1727 ALA CIX, Louisville, KY 40222
3. I am familiar with the property located at 2747 South 7th St, Louisville, KY 40215.
4. I have known of this property and its condition as a HEATING & AIR COND for 32 years.
5. I am familiar with this based on the following:
I'm married to ROBERT N. BIRKHEAD JR
THE PROPERTY BELONGED TO HIS DAD & MOM
AND WAS BUILT FOR THEIR FAMILY BUSINESS
THE BIRKHEAD HEATING & AIR CONDITIONING
FOR 32 YEARS.
6. Further Affiant sayeth naught.

Mary S. Birkhead
Signature

Date: 6-7-2016

Print Name: MARY S. BIRKHEAD

COMMONWEALTH OF KENTUCKY)
) SS.
JEFFERSON COUNTY)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 7th day of June, 2016, by Mary S. Birkhead.

My Commission expires: 8-28-2017

James E. Ray
Notary Public, State-at-Large, Kentucky

AFFIDAVIT

Comes the Affiant and, after being duly sworn, states as follows:

1. My name is ROBERT N. BIRKHEAD JR
2. I currently live at 2727 ALIA CIRCLE Louisville, KY 40222
3. I am familiar with the property located at 2747 SOUTH 7TH ST Louisville, KY 40215.
4. I have known of this property and its condition as a HTB & AC Co, for 32 years.
5. I am familiar with this based on the following:

BIRKHEAD RD HTB & AC CO
HAS BEEN COMMERCIAL PROPERTY
TO PRESENT

6. Further Affiant sayeth naught.

Robert N. Birkhead Jr
Signature

Date: 6-7-2016

Print Name: ROBERT N. BIRKHEAD JR.

COMMONWEALTH OF KENTUCKY)

) SS.

JEFFERSON COUNTY)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 7th day of June, 2016, by Robert N. Birkhead Jr.

My Commission expires: 8-28-2017

James E. Ray
Notary Public, State-at-Large, Kentucky

AFFIDAVIT

Comes the Affiant and, after being duly sworn, states as follows:

1. My name is

MARY E. RUARK

2. I currently live at 5314 KOLLINGWOOD TRAIL, Louisville, KY

3. I am familiar with the property located at 2747 SOUTH 9TH STREET RD, Louisville, KY 40215.

4. I have known of this property and its condition as a _____ for 60 years.

5. I am familiar with this based on the following:

I STARTED WORKING FOR BURNHEAD INDUSTRY WHEN IT RELOCATED TO 2747 SOUTH 9TH STREET ROAD. I WORKED PART TIME AFTER SCHOOL AND ON SATURDAYS DOING OFFICE WORK AND PAYROLL

6. Further Affiant sayeth naught.

Mary E. Ruark
Signature

Date: 6-8-16

Print Name: MARY E. RUARK

COMMONWEALTH OF KENTUCKY)

) SS.

JEFFERSON COUNTY)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 8TH day of June, 2016 by Mary E Ruark

My Commission expires: 06/27/2019

Angela M Glass

Notary Public, State-at-Large, Kentucky

ANGELA M. GLASS
Notary Public
State at Large
Kentucky
My Commission Expires June 27, 2019

AFFIDAVIT

Comes the Affiant and, after being duly sworn, states as follows:

1. My name is

JUDITH A. BIRKHEAD

2. I currently live at 5216 KOLLINGWOOD TRAIL, Louisville, KY 40214

3. I am familiar with the property located at 2747 SOUTH 7TH STREET ROAD Louisville, KY 40215

4. I have known of this property and its condition as a RESTAURANT & BAR RESTAURANT/BAR for 60 years.

5. I am familiar with this based on the following:

MY HUSBAND RODGER (DECEASED) WORKED FOR BIRKHEAD COMPANY SEVERAL YEARS BEFORE RELOCATING TO 2747 SO. 7TH ST. RD., LOUISVILLE, KY 40215 AND MANY YEARS AFTER.

6. Further Affiant sayeth naught.

Judith A. Birkhead
Signature

Date: 6-8-16

Print Name: JUDITH A. BIRKHEAD

COMMONWEALTH OF KENTUCKY)

) SS.

JEFFERSON COUNTY)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 8th day of June, 2016, by Judith A Birkhead

My Commission expires: 06/27/2019

ANGELA M. GLASS
Notary Public
State at Large
Kentucky
My Commission Expires June 27, 2019

Angela M. Glass
Notary Public, State-at-Large, Kentucky

AFFIDAVIT

Comes the Affiant and, after being duly sworn, states as follows:

1. My Fred L. Johnson Jr name is
2. I currently live at 4506 Taylor Blvd, Louisville, KY 40217
3. I am familiar with the property located at 2747 S. 7th St., Louisville, KY 40215.
4. I have known of this property and its condition as a Birkhead Heat & Air for 41 years.
5. I am familiar with this based on the following:
I worked there under the original owner
Mr Robert Birkhead Sr. and again at a later time
when Mr Robert Birkhead Jr ran the company
Also worked there when it was Advantage Heat &
Air under Mr Gary Ruark. This spans from 1977 to
1995. Still sub work from Advantage at that location now.
6. Further Affiant sayeth naught.

[Signature]
Signature

Date: 5/25/16

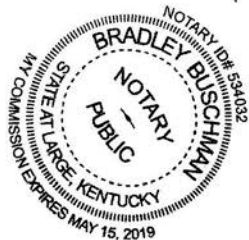
Print Name: Fred L Johnson Jr

COMMONWEALTH OF KENTUCKY)
) SS.
JEFFERSON COUNTY)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 25th day of May, 2016, by Fred Johnson Jr.

My Commission expires: May 15, 2019

[Signature]
Notary Public, State at Large, Kentucky



AFFIDAVIT

Comes the Affiant and, after being duly sworn, states as follows:

1. My name is Gary Steven Ruark
2. I currently live at 9211 Wooddale Dr, Louisville, KY 40272
3. I am familiar with the property located at 2747 So 7th St Rd, Louisville, KY 40215.
4. I have known of this property and its condition as a Business for 60 years.

5. I am familiar with this based on the following:
Building built in 1956 for heating & Air Business by Robert N. Birkhead Sr, he operated until his death Nov 1978. From which Robert N. Birkhead Jr assumed business, at the said address until 1992 when my business Advantage H&A moved in till present. Also we

6. Further Affiant sayeth naught. rented front of building to Barry Dudley for his Business Admiral Windows Wholesale from 1993 till 1999

Gary S. Ruark
Signature

Date: June 9, 2016

Print Name: Gary S. Ruark

COMMONWEALTH OF KENTUCKY)

) SS.

JEFFERSON COUNTY)

The foregoing instrument was subscribed, sworn to and acknowledged before me this 9 day of June, 2016 by Gary S Ruark

My Commission expires: 11-05-2019

Jessie E. Lead
Notary Public, State-at-Large, Kentucky

PLEASE ATTACH ANNUAL FILING
FEE HERE

REPORT FOR **1981** DUE JULY 1, **1981**

ANNUAL REPORT
OFFICE OF THE SECRETARY OF STATE
CORPORATE RECORDS SECTION
CAPITOL BUILDING
FRANKFORT, KENTUCKY 40601

SECTION 8
CORRECTIONS AND ADDITIONS (PLEASE TYPE
USE THIS SECTION ONLY TO CHANGE OR ADD
INFORMATION MISSING IN SECTION "A".

STANDING: **PRIOR ANNUAL REPORTS DUE; CALL 502 564-7330**
SECTION A

(2) DATE OF INCORP. _____ (3) STATE OF INCORPORATION _____

(1) RECORD NO. **4298** (2) DATE OF INCORPORATION OR CERTIFICATE OF AUT. **03-11-60**

(4) PROCESS AGENT _____

(3) STATE OF INCORPORATION **KENTUCKY**

IF YOU WISH TO CHANGE PROCESS AGENT OR ADDRESS
PLEASE CONTACT THIS OFFICE FOR APPROPRIATE FORMS

(4) PROCESS AGENT **ROBERT H. BIRKHEAD
2747 SOUTH 7TH ST. ROAD
LOUISVILLE, KY. 40215**

(5) EXACT CORPORATE NAME _____

RECEIVED

JAN 22 1981

(6) MAILING ADDRESS _____
Commonwealth of Kentucky
PLEASE INCLUDE ZIP CODE HERE ▶

EXACT CORPORATE NAME **BIRKHEAD COMPANY, INCORPORATED**

PLEASE NOTE: IF YOU ARE A KRS CHAPTER 274 CORPORATION (PROFESSIONAL SERVICE CORPORATION) PLEASE SEE REVERSE SIDE OF THIS REPORT

MAILING ADDRESS **2747 SOUTH 7TH ST. ROAD
LOUISVILLE, KY. 40215**

PLEASE MAKE NECESSARY CORRECTIONS, SIGN FORM, AND SEND YELLOW COPY WITH YOUR ANNUAL FEE OF _____ (CHECKS PAYABLE TO KENTUCKY STATE

TREASURER) IN THE ENCLOSED ENVELOPE. RETAIN GREEN COPY FOR YOUR RECORDS.

I DECLARE THAT THE ABOVE INFORMATION IS TRUE AND CORRECT, I FURTHER DECLARE THAT I AM AUTHORIZED TO SIGN THIS REPORT FOR THIS ENTITY

AUTHORIZED SIGNATURE **Robert H. Birkhead**

FOR OFFICE USE ONLY **000613**

TITLE **V. PRES.** TELEPHONE NO. **687-4904**

THIS FORM HAS BEEN REVISED TO COMPLY WITH POSTAL REGULATIONS