



Elizabeth Fauxpoint <efauxpoint@gmail.com>

**RE: ORR #141 Elizabeth Fauxpoint - Codes & Regulations Permit 04/26/2015**

15 messages

**Open Records** <openrecords2@louisvilleky.gov>

Mon, Apr 27, 2015 at 8:30 AM

To: "efauxpoint@gmail.com" <efauxpoint@gmail.com>, Open Records <openrecords2@louisvilleky.gov>

Please be advised that Louisville Metro Government is not the records custodian for the Metropolitan Sewer District. You may address any requests for records that may be held by that entity as follows:

**Office Location Address:**

MSD Building  
700 W Liberty St.  
Louisville, KY 40203

Open Records Requests	<a href="#">Dana Price</a>	<a href="#">502-540-6568</a>
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We are coordinating a response to your multi-agency request below and will advise you regarding availability of records within three Metro working days in accordance with the Open Records Act provisions.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

[502-574-3576](#)

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**From:** Open Records Requests - Codes & Regulations [mailto:[no-reply@wufoo.com](mailto:no-reply@wufoo.com)]

**Sent:** Sunday, April 26, 2015 3:48 PM

**To:** Open Records; Adams, Harold; Billingslea, Sandra; Fields, Dewayne M

**Subject:** ORR #141 Elizabeth Fauxpoint - Codes & Regulations Permit 04/26/2015

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**Requestor Name \***

Elizabeth Fauxpoint

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**Are you a media organization? \*** No

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**Requestor Address \***   
1505 Rosewood Ave #7  
Louisville, Kentucky 40204  
United States

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**Requestor Email** [efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)

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**Requestor Phone Number** [\(401\) 580-2619](tel:(401)580-2619)

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**Which Metro Government Agency or Agencies Do You Think Holds the Record(s)?** Codes & Regulations

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**Specific Type of Record \*** Permit

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**Will the Record be used for Commercial Purposes? \*** No

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**Other Timeframe:** various

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**Preference on Review of Records? \*** On Site (if records are voluminous)

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**Describe the specific record or records you wish to examine here or submit attachment with record description below: \***

Please provide a physical and/or electronic copy of the below documents; if a physical and/or electronic copy is not available, please provide a printout of the Hanson system notes/entries.

If any requested document has been destroyed per the agency's retention policy, please provide proof of destruction via a completed and signed PRD Form 5050.

1. Gene Crawford/HRG's most recent building permit application for the Rosewood II.
2. Building Permit issued on 4/24/15.
3. Any and all plan review applications and permits submitted/issued in 2014-2015, including but not limited to: Public Works permits re: required sidewalk, encroachment and/or working in right-of-way, and tree removal; MSD General Permit; MSD Site Disturbance and/or land clearing Permit; EPSC Permit; Electrical, HVAC, Plumbing, and/or Fire Suppression; Affidavit of Worker's Comp insurance.
4. Final Development plan with stamped departmental final approvals.

5. Complete copy of approved construction plans, including but not limited to building drawings, architectural renderings, and EPSC Plan.

6. Plan review checklists performed by PDS and/or Construction Review.

7. Complete copy of any submitted documents and final approvals related to the 2004 Rosewood renovation project, including but not limited to: development plans, site plans, floor plans, EPSC plans, photographs, plan review and permit applications.

8. Complete copy of the Rosewood property's: Condemnation File (Series L6005 - requires permanent retention); Violation File (Series L6006) [including case file on #14PR1732]; and Demolition Case File (Series L6901) which should still be available per the 15 yr. retention policy.

9. Certificate of Occupancy for Unit #9, which should be available per the retention policy for Series L6001 to retain an issued C/O until the structure is destroyed.

10. If applicable, a complete copy of Investor Loan Program File (Series L6062) and/or Developers Loan File (Series L6065) and/or Loan Servicing File (Series L6066).

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**Elizabeth Fauxpoint** <efauxpoint@gmail.com>  
To: Open Records <openrecords2@louisvilleky.gov>

Mon, Apr 27, 2015 at 9:08 AM

Thanks for the response. As far as items #1, #2, #4, and #5, I know they're already available, so I'll swing by the Metro office today.  
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**Open Records** <openrecords2@louisvilleky.gov>  
To: Elizabeth Fauxpoint <efauxpoint@gmail.com>, Open Records <openrecords2@louisvilleky.gov>

Mon, Apr 27, 2015 at 9:10 AM

Please allow staff to process this expansive and broad request and respond item by item regarding what is available and when. We will advise you in that regard in writing within the three days allowed by the statute. Thank you.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

[502-574-3576](tel:502-574-3576)

**From:** Elizabeth Fauxpoint [mailto:[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)]  
**Sent:** Monday, April 27, 2015 9:09 AM  
**To:** Open Records  
**Subject:** Re: ORR #141 Elizabeth Fauxpoint - Codes & Regulations Permit 04/26/2015

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**Elizabeth Fauxpoint** <efauxpoint@gmail.com>  
To: Open Records <openrecords2@louisvilleky.gov>

Mon, Apr 27, 2015 at 9:44 AM

The items I just mentioned (#1, #2, #4, and #5) are neither broad nor expansive. I met with several Metro officials on Friday, and Dave Marchal verified that these specific documents are currently available. Since this is a time-sensitive issue, I see no reason why I can't obtain copies of easily accessible documents in the meantime. Thanks.

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**Open Records** <openrecords2@louisvilleky.gov>  
To: Elizabeth Fauxpoint <efauxpoint@gmail.com>, Open Records <openrecords2@louisvilleky.gov>

Mon, Apr 27, 2015 at 10:06 AM

We have been advised by the agency holding the records you reference below that, in fact, records responsive to Items 1, 2 and 5 can be available within the statutory three day response time but not before that date, April 30. Subsequent to your communications with staff, records responsive to item 4 have returned to a preliminary status under legal review and will likely not be available by the April 30<sup>th</sup> date; however, we will, as required by statute, address the legal status and availability of each item in your request on that date.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

502-574-3576

**From:** Elizabeth Fauxpoint [mailto:[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)]

**Sent:** Monday, April 27, 2015 9:45 AM

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**Open Records** <openrecords2@louisvilleky.gov>  
To: Open Records <openrecords2@louisvilleky.gov>, Elizabeth Fauxpoint <efauxpoint@gmail.com>

Thu, Apr 30, 2015 at 3:09 PM

In response to your request below, we are advised that none of the building permits for this address have been approved yet and thus are being claimed exempt as preliminary consistent with KRS 61.878(1)(j) pending final agency action.

The Development Louisville Department has identified these record sources that meet your request description(s):

3. Plan review application for 2014-2015

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=359225>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=359232>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=359231>

#### 7.Submitted Documents 2004

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=45216>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=ELECTRICAL&id=46425>

<http://publicdocs.louisvillemid.org/publicweb/Framework/Object.aspx?o=533045&t=3&i=view>

#### 4.Development Plans

<http://publicdocs.louisvillemid.org/publicweb/Framework/Endpoint/DownloadFile.ashx?fileID=1362357>

Regarding any complaints related to possible construction without permits (roof deck, space loading area, garage, read additions, etc.), a site visit was performed on April 29, 2015 and no work was observed in progress or to have been recently performed. Thus, administrative action related to those items is under review at this time.

Louisville Forward staff is still conducting its search for any additional potentially responsive records and we expect to be able to provide the results of that search no later than May 6, 2015. We appreciate your patience as we seek to complete your requests in a timely and accurate manner.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

502-574-3576

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**From:** Open Records

**Sent:** Monday, April 27, 2015 9:11 AM

**To:** Elizabeth Fauxpoint; Open Records

**Subject:** RE: ORR #141 Elizabeth Fauxpoint - Codes & Regulations Permit 04/26/2015

Please allow staff to process this expansive and broad request and respond item by item regarding what is available and when. We will advise you in that regard in writing within the three days allowed by the statute. Thank you.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget




609 W. Jefferson St./City Hall Annex  
Louisville, KY 40202  
502-574-3576

**From:** Elizabeth Fauxpoint [mailto:[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)]  
**Sent:** Monday, April 27, 2015 9:09 AM  
**To:** Open Records  
**Subject:** Re: ORR #141 Elizabeth Fauxpoint - Codes & Regulations Permit 04/26/2015

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**3 attachments**

-  **Commercial Checklist.pdf**  
83K
-  **Residential Checklist.pdf**  
80K
-  **CertificateOccupancy[1].pdf**  
14K

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**Elizabeth Fauxpoint** <[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)> Thu, Apr 30, 2015 at 3:27 PM  
To: Open Records <[openrecords2@louisvilleky.gov](mailto:openrecords2@louisvilleky.gov)>

Two of the links don't work.

Third link from Item #7 - this one displays an error message when I clicked on it:

<http://publicdocs.louisvillemsd.org/publicweb/Framework/Object.aspx?o=533045&t=3&i=view>

Item #4 [development plans] And this one is just blank.

<http://publicdocs.louisvillemsd.org/publicweb/Framework/Endpoint/DownloadFile.ashx?fileID=1362357>

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**Sowell, Eugene D.** <[Eugene.Sowell@louisvilleky.gov](mailto:Eugene.Sowell@louisvilleky.gov)> Fri, May 1, 2015 at 10:15 AM  
To: Open Records <[openrecords2@louisvilleky.gov](mailto:openrecords2@louisvilleky.gov)>, "efauxpoint@gmail.com" <[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)>

<http://publicdocs.louisvillemsd.org/publicweb/Framework/Object.aspx?o=533045&t=3&i=view>

After clicking this link, you will need to click, 14PARK1002\_APPLICANTS\_EXHIBITS.PDF to retrieve the documents for item 7. This link will also take you to the documents which cover the development plans.

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**From:** Open Records

**Sent:** Friday, May 01, 2015 7:50 AM  
**To:** Sowell, Eugene D.  
**Subject:** FW: ORR #141 Elizabeth Fauxpoint - Codes & Regulations Permit 04/26/2015  
**Importance:** High

Eugene,

Any recommendations to issues below? Thanks.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

502-574-3576

**From:** Elizabeth Fauxpoint [<mailto:efauxpoint@gmail.com>]  
**Sent:** Thursday, April 30, 2015 3:27 PM

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**Elizabeth Fauxpoint** <[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)>  
To: "Sowell, Eugene D." <[Eugene.Sowell@louisvilleky.gov](mailto:Eugene.Sowell@louisvilleky.gov)>

Fri, May 1, 2015 at 12:53 PM

Hi Eugene - thanks for providing the link, but these aren't the right documents. I need the most recent permit application and construction documents that were submitted by Highlands Restoration Group in the last month or so in order to obtain the building permit issued on 4/24/15. Specifically, an updated EPSC Plan and architectural renderings/building drawings that would show what the proposed building will look like.

Also, Dee Allen mentioned there was a site inspection on 4/25/15. Could you please email the inspection notes/reports?

Thanks a lot. Have a nice Derby weekend :-)

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**Sowell, Eugene D.** <[Eugene.Sowell@louisvilleky.gov](mailto:Eugene.Sowell@louisvilleky.gov)>  
To: Elizabeth Fauxpoint <[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)>

Mon, May 4, 2015 at 12:03 PM

Hi Elizabeth,

Those documents have not been processed which makes them preliminary. We are looking to construct another response for you on May 6<sup>th</sup>, at which I hope at that time the documents are processed. I apologize for this inconvenience.

**From:** Elizabeth Fauxpoint [mailto:[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)]

**Sent:** Friday, May 01, 2015 12:54 PM

**To:** Sowell, Eugene D.

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**Open Records** <[openrecords2@louisvilleky.gov](mailto:openrecords2@louisvilleky.gov)>

Wed, May 6, 2015 at 11:24 AM

To: Open Records <[openrecords2@louisvilleky.gov](mailto:openrecords2@louisvilleky.gov)>, Elizabeth Fauxpoint <[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=BL939695>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=BL939681>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=BUILDING&id=BL939707>

<http://portal.louisvilleky.gov/codesandregs/permit/detail?type=SITEPLAN&id=15LSCAPE1031>

The links above will provide access to all available information regarding building permits and site plans which were not a part of the first response sent. This completes your request.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

[502-574-3576](tel:502-574-3576)

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**From:** Open Records

**Sent:** Thursday, April 30, 2015 3:10 PM

**To:** Open Records; 'Elizabeth Fauxpoint'

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**Elizabeth Fauxpoint** <[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)>

Thu, May 7, 2015 at 8:27 AM

To: Open Records <[openrecords2@louisvilleky.gov](mailto:openrecords2@louisvilleky.gov)>

Cc: james.mims@louisvilleky.gov, "Marchal, David" <[david.marchal@louisvilleky.gov](mailto:david.marchal@louisvilleky.gov)>, jonathan.baker@louisvilleky.gov, Bill Seiller <[seiller@derbycitylaw.com](mailto:seiller@derbycitylaw.com)>

Ms. Allen -

I'm not sure what you mean by this "completes my request." Of the 10 items requested 11 days ago, I've received responsive documents only for Item #2 (issued building permits) and Item #6 (plan review checklist).

The agency withheld documents on the basis that they haven't been processed because the development plan was reverted to



preliminary status and under legal review. However, since the building permits were issued on 5/4/15, the agency clearly approved the plan, so nothing I've requested should be exempt at this point.

Item #1 (Gene Crawford/HRG's most recent building application for the Rosewood II), Item #4 (final approved and stamped development plan) and Item #5 (complete copy of approved construction plans, including building drawings, architectural renderings, and EPSC Plan) should be available immediately. Please confirm that these documents will be available when I come by the Metro office today.

Would you also please respond to my outstanding requests for Items #7 - #10? As I previously mentioned, both the Demolition Case File and the Certificate for Occupancy for Unit #9 should be available per the city's retention policy. Whatever documents that might have been destroyed should have a PDR Form 5050, which I requested in lieu of the documents themselves.

Finally, I made a follow-up ORR for the report/notes of the recent site inspection on 4/29/15. You noted complaints over unpermitted construction (roof deck, loading area, garage, rear additions, etc) and explained the purpose of the site inspection was to verify if any work was in progress. Just to clarify, the construction without permits took place over 10 years ago. Also, a few neighbors noticed the inspectors taking notes on what appears to be an underground drainage system. If the inspection was related to a possible sinkhole within the development site, it is imperative that the agency fully disclose this critical information to the legal landowners.

Thank you, Elizabeth Fauxpoint

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**Open Records** <openrecords2@louisvilleky.gov>

Thu, May 7, 2015 at 8:32 AM

To: Elizabeth Fauxpoint <efauxpoint@gmail.com>, Open Records <openrecords2@louisvilleky.gov>

Cc: "Mims, James L" <James.Mims@louisvilleky.gov>, "Marchal, David" <David.Marchal@louisvilleky.gov>, "Baker, Jonathan" <Jonathan.Baker@louisvilleky.gov>, Bill Seiller <seiller@derbycitylaw.com>

This serves to acknowledge receipt on today's date of your request as clarified and amplified below. You may expect a response regarding identification of any additional records meeting your request description(s) within three Metro working days in accordance with the Open Records Act.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

502-574-3576

**From:** Elizabeth Fauxpoint [mailto:efauxpoint@gmail.com]

**Sent:** Thursday, May 07, 2015 8:28 AM

**To:** Open Records

**Cc:** Mims, James L; Marchal, David; Baker, Jonathan; Bill Seiller

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**Elizabeth Fauxpoint** <efauxpoint@gmail.com>

Thu, May 7, 2015 at 8:54 AM

To: Open Records <openrecords2@louisvilleky.gov>  
Cc: "Mims, James L" <James.Mims@louisvilleky.gov>, "Marchal, David" <David.Marchal@louisvilleky.gov>, "Baker, Jonathan" <Jonathan.Baker@louisvilleky.gov>, Bill Seiller <seiller@derbycitylaw.com>

I must stress that we're having a neighborhood meeting this weekend. It would be extremely helpful if we could obtain these construction plans beforehand. We have not had access to building drawings/architectural renderings since September of 2013. The design has been significantly revised since then. Surely, the legal landowners, the adjacent property owners, and Rosewood residents are entitled to know what this infill development will actually look like.

Please clarify on what grounds the agency continues to withhold these public records, considering that building permits were approved and issued two days ago.

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**Open Records** <openrecords2@louisvilleky.gov> Thu, May 7, 2015 at 2:02 PM  
To: Elizabeth Fauxpoint <efauxpoint@gmail.com>, Open Records <openrecords2@louisvilleky.gov>  
Cc: "Mims, James L" <James.Mims@louisvilleky.gov>, "Marchal, David" <David.Marchal@louisvilleky.gov>, "Baker, Jonathan" <Jonathan.Baker@louisvilleky.gov>, Bill Seiller <seiller@derbycitylaw.com>, "Sowell, Eugene D." <Eugene.Sowell@louisvilleky.gov>

We are advised that final versions of the permits you reference, which remain under internal review at this time, are expected to be available by close of business on Friday, May 8 along with any additional responsive record copies that are identified by that time. You may coordinate obtaining copies with Mr. Eugene Sowell at 574-5170.

Dee Allen

Open Records Coordinator

Louisville Metro Office of Management and Budget

609 W. Jefferson St./City Hall Annex

Louisville, KY 40202

502-574-3576

**From:** Elizabeth Fauxpoint [mailto:[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)]

**Sent:** Thursday, May 07, 2015 8:54 AM

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Elizabeth Fauxpoint <efauxpoint@gmail.com>

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## Open Records Request

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**Sowell, Eugene D.** <Eugene.Sowell@louisvilleky.gov>  
To: Elizabeth Fauxpoint <efauxpoint@gmail.com>  
Cc: Open Records <openrecords2@louisvilleky.gov>

Mon, May 18, 2015 at 4:10 PM

Elizabeth,

To complete the records request below per our phone conversation today 5/18/2015, We are confirming that no records have been identified for Items 1 and 2. The response for item 3, the investigation is on-going so no records are available.

Best regards,

Eugene

**From:** Elizabeth Fauxpoint [mailto:[efauxpoint@gmail.com](mailto:efauxpoint@gmail.com)]

**Sent:** Monday, May 18, 2015 3:06 PM

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