

From: [Ryan Rogers](#)
To: [Dock, Joel](#)
Subject: Re: 20-ZONE-0058 1616 rosewood ave
Date: Wednesday, September 9, 2020 9:12:21 PM

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Thanks for the notice Joel.

Sent from my iPhone

On Sep 9, 2020, at 9:01 PM, Dock, Joel <Joel.Dock@louisvilleky.gov> wrote:

Robert,
You may have received a notification, either digitally, if you've registered for GovDelivery, or in the mail for a public hearing to be held on September 17th. The notification was sent prematurely and in error. This case will NOT be heard on the 17th. A corrective notice will be mailed and sent electronically. The hearing will occur on October 1st at 1 PM. I've also corrected the name on the mailing label for your property. Please let me know if you have any questions.

Joel P. Dock, AICP

Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
502-574-5860
<https://louisvilleky.gov/government/planning-design>

<[image001.jpg](#)>

<[image002.png](#)>

<[image003.png](#)>

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taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

From: Robert Rogers
To: Dock, Joel
Cc: Williams, Julia
Subject: Re: 1616 Rosewood Ave - 20-ZONE-0058
Date: Tuesday, August 25, 2020 1:23:04 PM
Attachments: [Neighborhood meeting notice.pdf](#)
[Screen Shot 2020-08-25 at 1.20.01 PM.png](#)
[Screen Shot 2020-08-25 at 1.20.08 PM.png](#)

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Hi Joel,

Thanks for the quick followup. Unfortunately it appears that there was also a neighborhood meeting that occurred on 6/22 that I, as an APO, was not provided notice on as well. Additionally if a letter is incorrectly addressed to the previous homeowner and placed in the mail it will be forwarded to their new address and not the current homeowner. I can understand the issues that have occurred with the speed of the PVA being updated because of the pandemic, but all APOs were not given appropriate notice to review or participate in the neighborhood meeting that was scheduled on June 22nd.

Additionally based on the application I see the notice for the June 22nd neighborhood meeting went out on June 26th, which would be 4 days past the meeting date.. Please see the attached neighborhood meeting notice from the application that is dated June 26th at the top and provides a meeting date of June 22nd.

Based on my brief overview of Plan 2040 I do not believe that this zoning change is appropriate as the proposed architectural style and placement is not compatible with the impacted areas, the proposed use and density is also not compatible with the surrounding structures, and no screening/landscaping/buffering is planned despite these incompatibilities (Mitigate the impacts caused when incompatible developments un-avoidably occur adjacent to one another. Buffers should be used between uses that are substantially different in intensity or density. Buffers should be variable in design and may include landscaping, vegetative berms and/or walls. Allow a mixture of densities as long as their designs are compatible. Adjacent residential areas in different density categories may require actions to provide an appropriate transition between the areas. Examples include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.), but as I previously mentioned I have not been provided sufficient time to review the application or Plan 2040.

Also this development isn't unavoidable and I believe that if they're applying for this zoning change so that they can house their children/blended family they should reapply for R-5B - medium density, not R-6 high density. Please see the additionally attached screen shots from Louisville Metro Zoning Basics guides and specifically review the included photographs of R-5B and R-6. R-5B looks like Rosewood and the surrounding streets, R-6 does not.

Please include these concerns in the record and provide them to the commissioners as well.

Thank you,

R-5B, Two Family Residential

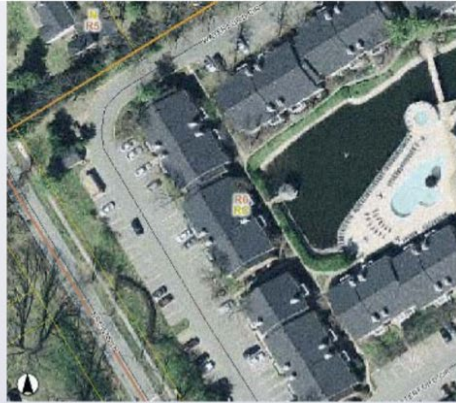
- Medium density range
- Allows
 - Single family
 - Two family
 - Semi-detached
 - Carriage houses
- 2 du/lot max



 **Louisville**
METRO

R-6, Residential Multi-Family

- Higher density range
- Allows
 - Same as R-1
 - Assisted living
 - Multi & 2 family
- 17.42 du/acre
- Common for apartments



On Aug 25, 2020, at 12:00 PM, Dock, Joel <Joel.Dock@louisvilleky.gov> wrote:

Robert,
I'm happy to assist with any questions you should have on this zoning change application. Here's a brief summary:

The applicants desire to build an accessory apartment at the rear of their lot in a new 2-story garage (garage on 1st and apartment on 2nd). Because of bulk/size limitation for maximum living space allowed per lot, the applicants have requested to change the zone to one that increases the livable size of structures on the lot.

The notice that I have on file incorrectly lists the name but it is correctly addressed to 1637 Windsor Place. PVA was considerably behind in updating the ownership information given the current public health crises. Notice was sent by mail last Thursday. Once it's placed in the mail, we have no control over whether it gets delivered on-time or at all. Prior to the public hearing additional notices will be sent, sign posted in yard of site, and legal advertisement placed in the CJ. The meeting on Thursday will take no action on the zoning but is tasked with determining the public hearing date and any technical issues (I have no outstanding technical issues).

I encourage you to attend the meeting virtually at the following link: <https://louisvilleky.gov/government/upcoming-public-meetings>

This said, your concerns will be included in the record and provided to the commissioners.

Joel P. Dock, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
502-574-5860
<https://louisvilleky.gov/government/planning-design>

-----Original Message-----
From: Robert Rogers <aspirez@me.com>
Sent: Tuesday, August 25, 2020 10:47 AM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: 1616 Rosewood Ave - 20-ZONE-0058

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Hello,

I was just informed of this zoning change, by text message, from one of my neighbors this morning. After briefly reviewing the zoning application change this morning I have a myriad of concerns about the proposed change from R-5 to R-6, but I do not have enough time to review this zoning change in full before the meeting on Thursday of this week. It appears that I was not informed of this application because despite being an APO the notice was sent to a previous homeowner.
Jason A. Rich - 1637 Windsor Place

The deed of 1637 Windsor Place in my name - Robert R. Rogers - was recorded on 03/27/2020 - approx. 3 months prior to this zoning application being submitted. I unfortunately need to request that this zoning application be resubmitted so that all of the correct APOs are contacted with enough notice and time to review this zoning change.

Thank you,

Robert R. Rogers
1637 Windsor Place
Louisville, KY 40204

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From: [Robert Rogers](#)
To: [Dock, Joel](#)
Subject: Re: 1616 Rosewood Ave - 20-ZONE-0058
Date: Wednesday, August 26, 2020 9:19:10 AM

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And Joel, as you are aware it is currently not located in a zoning district that permits multifamily use. It is surrounded by R-5 Single Family Zoning and changing it sets a dangerous precedent for the neighborhood which would allow me receive R-6 zoning and build an additional 2 dwelling unit that is ~3,000sqft on the backside of my property that would also not be compatible with surrounding density placement or the impacted areas, and with no screening, landscaping, or buffering.

The proposal does not conform to the current LDC zoning, the traditional neighborhood, or to Plan 2040.

Robert Rogers
1637 Windsor Pl

On Aug 26, 2020, at 9:01 AM, Dock, Joel <Joel.Dock@louisvilleky.gov> wrote:

For clarification, the following LDC requirement applies to the proposed zoning district:

When determining the number of units allowed on a lot created before March 8, 1963 and located in a zoning district permitting multifamily use, the land area is divided by the minimum lot area per dwelling unit as required by the appropriate zoning district classification. When this calculation yields a fraction of a dwelling unit, the fractional part may not be considered unless it is equal to or greater than 80% (.8) of a unit.

The application of this provision of the LDC allows for the minimum zoning district to be requested that allows for 2-units. If this section is not applied, the proposal would result in a request to R-7 which entails the potential to create up to the 3 units. Additionally, the occupancy of structures in terms of familial relation or tenure is not a condition for approving/denying a zoning change.

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: Robert Rogers <aspirez@me.com>
Sent: Tuesday, August 25, 2020 3:23 PM
To: Alex Davis <alex@jonesward.com>

Cc: mandy donaldson <donaldsonm81@gmail.com>; rachel@conceptarcs.com; Dan Spitler ConceptArcs <dan@conceptarcs.com>; Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: Re: 1616 Rosewood Ave - 20-ZONE-0058

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Hello Alex (& Mandy),

Though I wish you the best and I appreciate your welcoming to the neighborhood, I cannot support this rezoning application.

Though I am generally in support of improvements to ones property that increase value - and generally being left alone to do as one chooses, the zoning change of one property in the middle of a sea of R-5 Single Family sets a dangerous precedent for the surrounding properties. As I am sure you are aware you have a myriad of neighbors that are currently not in support of the rezoning and it was brought to my attention this morning as the mailers were sent to the previous homeowner .

Based on my reading of the Land Development Code even under R-6 Multi Family the maximum density (17.42 dwellings per acre) for a lot size at 0.1140 acres only supports 1.985 dwellings - and under those LDC guidelines the size of the current single family home is maxed out in terms of the FAR under R-5 (and R-5B). Additionally though you mention that your current stated intentions for the carriage house are that it will only be occupied by your family members, you are certainly aware that with the zoning change it will not stop you or new landlords from turning it into rented two-family housing in the future.

I'm sure you've read my notes regarding Plan 2040 as well below.

I am sorry I can't be in support, but I wish you all well.

Robert Rogers

On Aug 25, 2020, at 1:59 PM, Alex Davis <alex@jonesward.com> wrote:

Robert, good afternoon and welcome to the neighborhood. I'd be happy to talk with you about this project in my capacity as a co-applicant and also as the project's attorney of record. I'm also copying the project architects, Dan and Rachel Spitler, who are neighbors of yours on Windsor. My cell phone is 502-552-0434. I'm in the

middle of a deposition right now, but should be available after 4 p.m. today.

Regards,

Alex C. Davis
JONES WARD PLC
The Pointe
1205 E Washington Street, Suite 111
Louisville, Kentucky 40206
Phone: (502) 882-6000
Fax: (502) 587-2007
Web: www.jonesward.com

----- Forwarded message -----

From: **Dock, Joel** <Joel.Dock@louisvilleky.gov>
Date: Tue, Aug 25, 2020 at 1:34 PM
Subject: FW: 1616 Rosewood Ave - 20-ZONE-0058
To: Mandell, Rachel <Rachel.Mandell@louisvilleky.gov>, Alex Davis <alex@jonesward.com>, mandy donaldson <donaldsonm81@gmail.com>

For your records.

From: Robert Rogers <aspirez@me.com>
Sent: Tuesday, August 25, 2020 1:22 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Cc: Williams, Julia <Julia.Williams@louisvilleky.gov>
Subject: Re: 1616 Rosewood Ave - 20-ZONE-0058

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Thank you,

<Screen Shot 2020-08-25 at 1.20.01 PM.png>

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Robert R. Rogers
1637 Windsor Place
Louisville, KY 40204

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<Neighborhood meeting notice.pdf>

Paula Head and Deb Wallace
1625 Windsor Place
Louisville, KY 40204

Feb 5, 2020

Amanda Donaldson and Alex Davis
1616 Rosewood Avenue
Louisville, KY 40204

Re: Meeting-19-CUPPA-0281

Dear Mandy and Alex,

Deb and I are on vacation the week of the informational meeting about your proposed structure at 1616 Rosewood Ave. We wanted to voice our thoughts in a letter because of our inability to attend. We are not opposed to a one story garage structure like those that are common in the neighborhood. However, we are opposed to a second story apartment. Please know that there is no personal element to our opposition, you have been nothing but a pleasant neighbor. We simply have a lot invested in our home and it is not our desire to have an apartment next to and looking down into our yard. I would assume most homeowners would agree.

We are concerned about the effect on our property value. It could affect all of our resale values, including yours I would think. For over 25 years we have owned and restored multiple homes in the Highlands and know there are pockets of the area that have two story garage apartments. We also know that when we have been in the market for a new home, we have always immediately discounted the houses with or bordered by garage apartments. They are not a desirable neighborhood feature in our opinion. It is our belief that Rosewood Avenue and Windsor Place are wonderful streets with beautiful, historic and predominantly single family homes and we do not want to set a precedent to see future additional apartments.

We also have a concern about the location as there are already so many issues with the "Y" layout and the narrow width of our alley. We have had the city trucks cause damage to our back sidewalk and drive over our bushes when they have gotten stuck in the curve. And those are the smaller city trucks as the regular size trucks are not even allowed in our alley. Trucks have scraped the garage and telephone pole back there multiple times just since we have lived here. And the next door neighbor had significant damage to their garage by the garbage truck getting stuck just last week. Many vehicles regularly jump over the limestone curbs (as evidenced by the multiple tire tracks) to make the curves. If another structure is close to the alley at all, it could potentially cause further problems for vehicles navigating the alley.

Mandy and Alex

Feb 5, 2020

Page 2

I know your plan is for a family member to live there but there will come a time when that arrangement will end, and then what? We are totally opposed to a possible AirBnB situation. We have to think about the future. Things change and you may not even be there 1, 5 or 10 years from now. But once the structure is built there is no putting the genie back in the bottle. So even though your intention is to not make it rental property or an AirBnB, the next property owner may not feel that way. We are trying to think long-term in preserving the integrity of our neighborhood.

We are open to talking further if you would like. However, we want to be clear that we feel it would not be a positive feature in our neighborhood to have a two story garage apartment. And to take it a step further, specifically how it would affect us, as homeowners of a historic home that we have worked very hard to renovate and make a special property, we believe it will hurt our property value.

Let me reiterate that our concerns come from a place of protecting our investment in our home, we by no means intend to offend. Thank you both in advance for your consideration of our concerns!

Paula Head and Deb Wallace

cc: Brandon Coan, Councilman, District 8

Steve Hendrix, Case Manager with Division of Planning and Design

Louisville Mayor, Greg Fischer

Louisville County Clerk, Bobbie Holsclaw

From: [Alex Davis](#)
To: [Dock, Joel](#)
Cc: [John Addington](#); [Davis, Brian](#); donaldsonm81@gmail.com; [Dan Spittler ConceptArcs](#); rachel@conceptarcs.com
Subject: Re: 19-ZONEPA-0022 1616 Rosewood Avenue
Date: Tuesday, August 4, 2020 10:01:54 AM

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As the applicants, we also agree with the binding element that John requests.

Thanks,

Alex C. Davis
JONES WARD PLC
The Pointe
1205 E Washington Street, Suite 111
Louisville, Kentucky 40206
Phone: (502) 882-6000
Fax: (502) 587-2007
Web: www.jonesward.com

On Mon, Aug 3, 2020 at 10:46 AM Dock, Joel <Joel.Dock@louisvilleky.gov> wrote:

Received. Thanks, John. I'm generally OK with the binding element. The applicant's will need to concur on that one...

Joel P. Dock, AICP

Planner II

Planning & Design Services

502-574-5860

From: John Addington <jaddington@btmeng.com>
Sent: Friday, July 31, 2020 11:09 AM
To: Davis, Brian <Brian.Davis@louisvilleky.gov>; Dock, Joel
<Joel.Dock@louisvilleky.gov>
Cc: donaldsonm81@gmail.com; alex@jonesward.com
Subject: 19-ZONEPA-0022 1616 Rosewood Avenue

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Brian and Joel,

As an adjacent property owner, along with my wife, Barbara Hanger, I am writing to express our support for Mandy and Alex's plans to build a carriage house at the rear of Mandy's property. We think the architectural design is well planned and will fit in with the surroundings. As stated in their letter of explanation and at previous neighborhood meetings, "the new structure will only be occupied by Mandy's and Alex's family members," and we support their efforts in merging their families.

I would like to request a Binding Element be placed on this case that there will not be a short term rental on this property, since the proposed structure has a second floor apartment and outside balcony within three feet of our property.

Thank you,

John

John Addington

1614 Rosewood Avenue

Louisville, Kentucky 40204

502.552.5290 Cell

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