



**Louisville Metro Planning & Design Services**  
**LAND DEVELOPMENT CODE WAIVER SUBMITTAL REQUIREMENTS**

**SUPPLEMENTAL INFORMATION SHEET**

**Application is hereby made for one or more of the following waivers of the Land Development Code**

- Waiver of Chapter 10, Part 2 Landscaping Design
- Waiver of Chapter 10, Part 1, Tree Canopy
- Sidewalk Waiver
- Other Waiver of the Land Development Code, briefly explain below:  
Waiver of Section \_\_\_\_\_, to waive \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Reason for Request:**

- 1) No existing connection at I-65 interchange and overpass.
- 2) Pedestrian access to the plant along Fern Valley Road is provided at the Fern Valley Road - Fern Grade Road intersection and crosswalk.
- 3) Existing drainage issues do not allow for existing swale to be modified and/or reduced for pedestrian sidewalk.
- 4) Existing road shoulder is 10'-0" wide, providing sufficient emergency pedestrian access.

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Louisville, KY 40202

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In order to justify approval of any waiver or modifications of standards, the Planning Commission considers four criteria. Please answer all of the following four items. (Use additional sheets, if needed.)

**A. The waiver will not adversely affect adjacent property owners; and,**

existing infrastructure will not be compromised (drainage swales). There is no pedestrian  
access necessary between the owner and the adjoining commercial businesses.

**B. The waiver will not violate the Comprehensive Plan; and,**

there are no additional sidewalk connections proposed for the area.

**C. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant; and,**

sidewalks along the frontage would require costly stormwater infrastructure currently  
being handled by the existing drainage swales.

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**D. Either:**

1. The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect);

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Or

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

Sidewalks along the frontage would require costly stormwater infrastructure currently  
being handled by the existing drainage swales. Sidewalks would not provide beneficial  
connectivity to the owner and other commercial businesses in the area, as they do not  
require access to one another.

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