



# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 20-WAIVER-0033 Intake Staff:   
Date: 3/30/20 Fee: \_\_\_\_\_

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/Planning-Design>.

### Project Information:

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

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section \_\_\_\_\_

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Waiver of the 15' perimeter LBA where VUA encroaches at the entrance and waiver of the 10' VUA, LBA adjacent to residential to allow for sidewalks

Primary Project Address: 5208 Chathamwood Court

Additional Address(es): 5204 & 5200 Chathamwood Court

Primary Parcel ID: 09570081

Additional Parcel ID(s): 09570080; 09570079

Proposed Use: Apartments Existing Use: Vacant

Existing Zoning District: R-4 Existing Form District: Neighborhood

Deed Book(s) / Page Numbers<sup>2</sup>: Deed Book 11398, Page 013

The subject property contains 1.92 acres. Number of Adjoining Property Owners: 90

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup>  Yes  No

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If yes, please list the docket/case numbers: MAR 30 2020

Docket/Case #: 257-96 Docket/Case #: 17ZONE1030

Docket/Case #: 16MINORPLAT1040 Docket/Case #: \_\_\_\_\_

**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

The waiver would not adversely affect adjacent property owners because the existing access drive was already in place to provide entrance to the wastewater treatment plant and some landscaping will additionally be provided along the property line.

**2. Will the waiver violate the Comprehensive Plan?**

No. The waiver does not violate the Comprehensive because this is the only access point to the site and has been used for access for over 40 years.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Yes. The extent of the regulation is the minimum necessary to afford relief because there is no other access to the site and the access is existing.

**4. Has either (a) the applicant 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) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

Strict application of the provisions of the regulation would cause an unseasonable hardship to the applicant because this would eliminate existing access to the site.

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**Contact Information:**

Owner:  Check if primary contact

Applicant:  Check if primary contact

Name: Doug White

Name: Kendall Cogan

Company: Chathamwood, LLC.

Company: Property Services Group, LLC

Address: P. O. Box 5863

Address: P. O. Box 5895

City: Louisville State: KY Zip: 40255

City: Louisville State: KY Zip: 40255

Primary Phone: (502) 664-2859

Primary Phone: (502) 409-1790

Alternate Phone: \_\_\_\_\_

Alternate Phone: (303) 776-4008

Email: RealDevLouisville@gmail.com

Email: kendall@kendallcogan.com

\* Owner Signature (required): Doug White

Attorney:  Check if primary contact

Plan prepared by:  Check if primary contact

Name: \_\_\_\_\_

Name: Christopher T. Crumpton, P.E.

Company: \_\_\_\_\_

Company: BlueStone Engineers, PLLC

Address: \_\_\_\_\_

Address: 3703 Taylorsville Road, Suite 205

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: Louisville State: KY Zip: 40205

Primary Phone: \_\_\_\_\_

Primary Phone: (502) 292-9288

Alternate Phone: \_\_\_\_\_

Alternate Phone: (502) 298-2272

Email: \_\_\_\_\_

Email: chris@bluestoneengineers.com

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**Certification Statement.** A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

\* I, DOUG WHITE, in my capacity as MANAGER, hereby representative/authorized agent/other

certify that CHATHAMWOOD LLC is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: Doug White Date: 10/24/19

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.



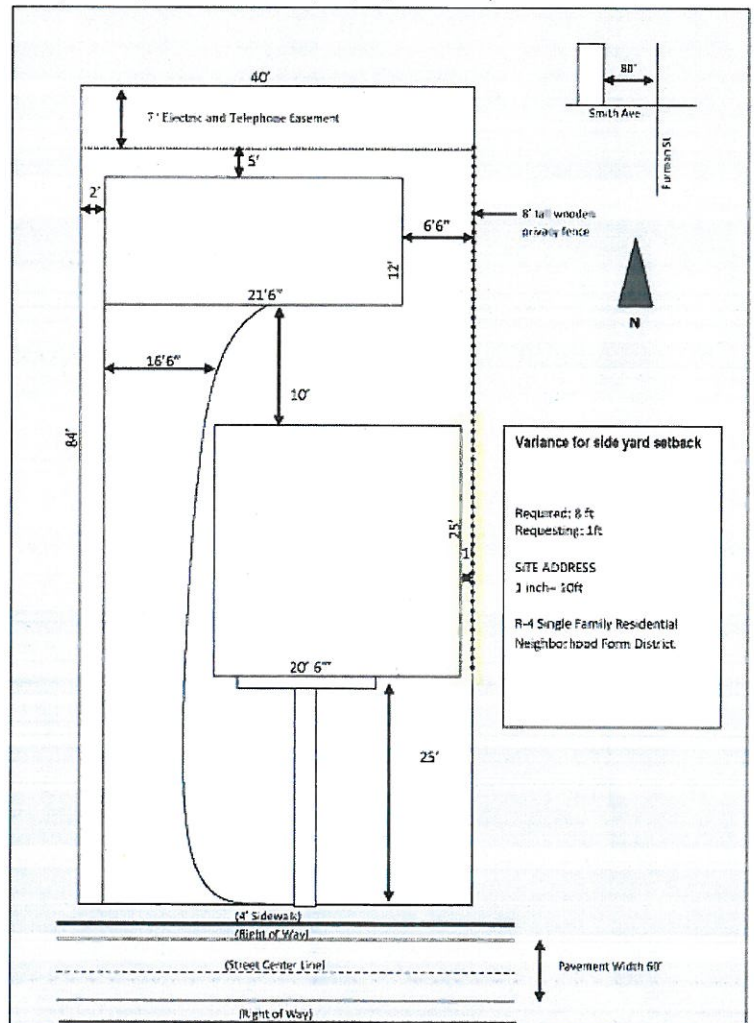
**Please submit the completed application along with the following items:**

- Land Development Report<sup>1</sup>
- Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
  - Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
  - Vicinity map that shows the distance from the property to the nearest intersecting street
  - North arrow
  - Street name(s) abutting the site
  - Property dimensions
  - Building limit lines
  - Electric, telephone, drainage easements with dimensions
  - Existing and proposed structures with dimensions and distance from property lines
  - Highlight (in yellow) the location of the waivers
- One set of mailing label sheets for: 1<sup>st</sup> tier Adjoining Property Owners (APOs)<sup>3</sup>; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
- One copy of the APO mailing label sheets
- \$225 Application Fee** (*Cash, charge or check made payable to Planning & Design Services*)

**Resources:**

1. Land Development Reports can be obtained online by entering the site address at: <https://www.lojic.org/lojic-online>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2<sup>nd</sup> floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: <https://search.jeffersondeeds.com>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search>

*Sample site plan is for example purposes only and not drawn to scale*



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