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5151 Jefferson Boulevard
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(502) 485-1508

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DATE: June 22, 2026

Justification for Waiver of LDC section 10.2.4.B.1 to allow a wall up to 10' to be located within a 20' LBA.

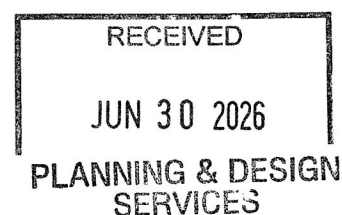
Project Name: Cedar Creek Patio Homes
Address: Sandhill Preserve Dr. Louisville, KY 40229

The waiver will not adversely affect adjacent property owner since the proposed wall and associated landscaping will provide an adequate level of screening and buffering, minimizing visual and potential noise impacts beyond what is typically achieved with vegetation alone.

The waiver will not violate the goals and objectives of the Comprehensive Plan. Community Form Goal 1, Policy 6 states that transitions from non-residential to residential uses should depend on the pattern of development of the Form District. Community Form Goal 1, Policies 9 and 10 call for appropriate transitions between uses that are substantially different in scale and intensity or density of development and to mitigate the impacts caused when incompatible developments occur adjacent to one another. The proposed development is compatible with adjacent uses, and the proposed wall and tree plantings provide an appropriate transition by creating a consistent visual buffer that softens the development edge and ensures compatibility with surrounding properties.

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the request is limited solely to allowing the wall within the Landscape Buffer Area, while maintaining the full required buffer width and complying with all other applicable LDC requirements.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant since elimination of the wall would result in the loss of four fourplexes and/or a complete redesign of the site. Furthermore, the proposed wall and tree plantings provide a visual buffer that softens the development edge and ensures compatibility with surrounding properties.



26-WAIVER-0084