

Hendrix, Steve

From: Timothy Early <timothyearly604@gmail.com>
Sent: Tuesday, December 13, 2016 2:36 PM
To: Hendrix, Steve
Subject: Re: 16VARIANCE1080 ABOUT 602 BAXTER AVE

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TO THE BOARD OF ZONING ADJUSTMENT:

IN REFERENCE TO 16VARIANCE1080 ABOUT 602 BAXTER AVE.

MY NAME IS TIMOTHY EARLY, I LIVE AT 604 BAXTER AVE. I AM REQUESTING A RECONSIDERATION ON THE ABOVE VARIANCE FOR THE FOLLOWING REASONS. I SPOKE STRONGLY AGAINST THE PASSAGE OF THE ABOVE VARIANCES IN THE MEETING ON NOV 7TH. THE BOARD CAME TO A 3 TO 3 TIE AND STATED THAT THE MISSING BOARD MEMBER (MR. BERGMAN) WOULD REVIEW THE TAPED TESTIMONY AND RENDER A TIE BREAKING DECISION AT THE END OF THE NOV 21 MEETING. IT WAS CLEARLY STATED THAT THE VARIANCE WOULD BE ADDRESSED AT THE END OF THE PREVIOUSLY 10 SCHEDULED CASES, IN OTHER WORDS AT THE END OF THE DAY. IT WAS ALSO STATED THAT THE FLOOR WOULD NOT BE OPENED TO ANY NEW TESTIMONY AT THE NOV 21ST MEETING! THEY DID JUST THE OPPOSITE. THE VARIANCE WAS ADDRESSED FIRST THING IN THE MEETING AND THEY ACTUALLY OPENED THE EVENT TO NEW TESTIMONY. I WOULD HAVE KNOWN TO BE THERE IF THEY HAD SAID THEY WOULD ADDRESS THIS FIRST THING AND ALLOW CONTINUED AND NEW TESTIMONY. THEY LISTENED TO THE MISINFORMATION THE NEW OWNER OF 602BAXTER GAVE AND HIS REBUTTAL OF MY PREVIOUS TESTIMONY. I WAS NOT THERE TO POINT OUT HOW HE HAD DEMOLISHED THE INTERIOR DOWN TO THE STUDS WITHOUT A PERMIT AND A STOPWORK ORDER HAD BEEN PLACED ON HIS PROPERTY DUE TO HIS ILLEGAL ACTIONS. THERE IS STILL NO PERMIT POSTED A MONTH LATER. THE BOARD MEMBERS MADE A STATEMENT EARLIER THAT THE GREEN SPACE LOOKED LIKE A DUST FIELD.. I WAS NOT THERE TO EXPLAIN THE GREEN SPACE HE WANTS TO BUILD ON WAS A BEAUTIFUL BACK YARD WITH SHRUBS, GRASS AND ROSES BEFORE HE DESTROYED IT WITH HIS ILLEGAL CONSTRUCTION AND DUMPSTERS. HE DID A LAST MINUTE CHANGE ON THE VARIANCE IN A MOVE TO SWAY THE BOARD AND WITHOUT ANYONE THERE TO POINT OUT THE INCONSISTENCIES, IT PASSED. HE PRESENTED DRAWINGS THAT DO NOT REFLECT HIS CHANGED PLANS, I BELIEVE HE HAD AND MAY HAVE NO PLANS TO REDUCE THE FOOTPRINT OF PROPOSED ADDITION. ALSO HE SAID THERE WOULD BE GREENSPACE REMAINING. THE TRUTH IS IT WOULD STILL REQUIRE A SIDEWALK TO THE SIDE ENTRANCES AND HE HAS PLANS TO PAVE OVER OR BUILD OVER THE ENTIRE AREA. IT IS UNCLEAR WHAT ACTION (LEGAL AND ILLEGAL) HE MAY HAVE IN MIND. IT IS TRUE THE AREA IS ZONED FOR MULTIPLE RESIDENCES BUT THE REQUIREMENT OF THE 20% YARD AREA WAS WRITTEN INTO THE ZONING TO KEEP A PERSON FROM BUILDING AN OVERWHELMING STRUCTURE THAT CAST AN IMPOSING SHADOW AND BLOCKAGE OVER NEIGHBORING RESIDENCES. THE SITUATION IS THAT IF 602 PROPERTY OWNER WANTS TO CHANGE THE VARIANCE WORDING THEN A NEW PROCESS NEEDS TO BE STARTED INCLUDING NEW DRAWINGS THAT HE DID NOT HAVE.. ALSO THE ACTION THE BOARD TOOK SHOULD NOT BE ALLOWED AS THEY DID OPEN THE MEETING TO NEW TESTIMONY AND IT WAS CLEARLY STATED THIS WOULD NOT BE THE CASE. PLEASE GIVE ME MY 'DAY IN COURT' TO PLEAD MY CASE ON THIS REVISED VARIANCE. THX, TIMOTHY EARLY

On Fri, Dec 9, 2016 at 7:53 AM, Hendrix, Steve <Steve.Hendrix@louisvilleky.gov> wrote:

You can ask for a reconsideration.

You have 30 days from November 21 to submit.

Letter needs to contain the information you have stated and any other new information.

Your request will be put on the December 19th hearing if received in time to process.

OR

You can file to Circuit Court.

From: Allen, Ross
Sent: Friday, December 09, 2016 7:20 AM
To: Hendrix, Steve
Subject: FW: 16VARIANCE1080 ABOUT 602 BAXTER AVE

Mr. Hendrix,

The below e-mail has to do with 16VARIANCE1080 located at 602 Baxter Ave.

Ross

From: Timothy Early [<mailto:timothyearly604@gmail.com>]
Sent: Thursday, December 08, 2016 5:53 PM
To: Allen, Ross
Subject: 16VARIANCE1080 ABOUT 602 BAXTER AVE

THX FOR SPEAKING TO ME ON THE PHONE THIS AFTERNOON. I BELIEVE THE ACTION THE BOARD TOOK ON THE ABOVE VARIANCE IS ILLEGAL. I SPOKE AT THE ORIGINAL MEETING ON FOR AND 3 3) NOV 7TH AGAINST THE TWO VARIANCES. THE BOARD VOTED TO A TIE AGAINST). IT WAS THEN STATED THAT THE MISSING BOARD MEMBER (MR BERGMAN) WOULD LISTEN TO THE MINUTES/VIEW THE SLIDES AND MAKE A DECISION FROM THOSE ALONE. IT WAS CLEARLY STATED THAT NO NEW TESTIMONY WOULD BE ALLOWED!!! A DATE

OF NOV21 WAS SET TO MAKE THE ANNOUNCEMENT OF THE OUTCOME. IT WAS CLEARLY STATED THAT THIS WOULD BE ADDED ON TO THE END OF THE DAY'S AGENDA WHICH HAD 10 CASES ALREADY. IN OTHER WORDS IT WOULD NOT BE ADDRESSED UNTIL THE END OF THE OVER 6HR DAY(A TIME I WAS NOT AVAILABLE) AND NO NEW TESTIMONY ALLOWED. THAT IS HOW IT WAS LEFT ON NOV 7TH. THE REALITY IS THAT THE NOV21 MEETING STARTED WITH THE CONTINUATION OF THE ABOVE VARIANCES FIRST THING(A TIME I WAS AVAILABLE), NOT AT THE END AS HAD BEEN STATED. ALSO THEY OPENED UP THE MEETING TO NEW STATEMENTS AND TESTIMONY!!! I COULD HAVE BEEN THERE TO PLEAD MY CASE AND POKE NOT BEEN LIED TO BY THE HOLES IN THEIR TESTIMONY OF MISINFORMATION IF I HAD BOARD! THE ENTIRE VARIANCE WAS CHANGED BY THE PROPERTY OWNER AND THE BOARD WAS MISLEAD ABOUT GREEN SPACE THAT WOULD REMAIN (ACTUALLY WILL BE SIDEWALK) PLEASE SEE WHAT CAN BE DONE ABOUT ADDRESSING THIS SITUATION AND A SEE IF THE WHOLE PROCESS CAN BE REVIEWED AND RECTIFIED. I AM AVAILABLE AT 502-693-1984 ANYTIME

ROSS, CAN YOU FORWARD THIS TO STEVE HENDRIX AS I AM COMPUTER CHALLENGED.

