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March 16, 2026

Case Manager
Louisville Metro Office of Planning
444 S. Fifth Street
Louisville, Kentucky 40202

Re: Appeal of NCU Determination

Dear Case Manager:

We are herewith filing an Appeal of the Board of Zoning Adjustments Non-Conforming Rights Denial dated February 17, 2026.

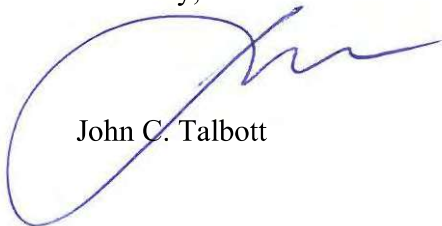
The fence was built on the property when the property was used as a commercial property, well before the 1960's, as shown in the materials already provided. The property was developed in or around the 1920's, and used commercially as a paint store which operated at least as early as 1962. A photo attached to this application shows that the same fence and gate that exists today. This property changed owners over the years, but was always a commercial building.

The fence was replaced due to the age, recently. This maintenance and replacement was not an expansion of the non-conforming use. The confusion has arisen from the fact that the warehouse building on the site burned down. The outside wall of the building was a continuation of the fence near the property line. When it burned down, the fence was installed where the brick wall had been formerly. Both the wall and the fence served to enclose the property, and to protect it.

It should also be noted that a neighbor incorrectly stated that a fence was 8 ft. That fence is not on the appellants property, but rather an adjoining M-2 property. The fence on site is less than 6 ft.

We look forward to answering any questions you may have regarding this development.

Sincerely,



John C. Talbott