

## **Letter of Explanation:**

We own our 3 bedroom / 2 bath single-family home which includes a detached 2-car garage, and it is our primary residence of which we occupy.

Our proposal is to build out our current two-car garage attic space into an ADU apartment for short-term and/or long-term rental that would allow a maximum number of 4 guests (*which would not be the primary residence of us as hosts*). The 2-car garage was built in 2014. The size of the apartment will be 400-600 square feet and include a bathroom and small kitchen. All of the dwelling unit will be rented as one unit. LDC standards credit the site with two on-street parking spaces. In addition, there appears to be available parking in the area, and we may even allow the guest to park one vehicle in the garage. We work at home and I personally will manage and oversee the property when guests are on hand. The detached 2-car garage apartment is 60 feet from the main house. And I will provide my personal mobile phone number to every guest and my neighbors in case of emergency.



**Bobbie Holsclaw**  
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document  
has been recorded as a permanent record in the archives of the  
Jefferson County Clerk's Office.



**INST # 2021181567**

**BATCH # 317983**

JEFFERSON CO, KY FEE \$50.00

STATE OF KY DEED TAX \$396.00

PRESENTED ON: 07-22-2021 1 09:23:18 AM

LODGED BY: KENTUCKY TITLE SERVICES

RECORDED: 07-22-2021 09:23:18 AM

BOBBIE HOLSCLAW

CLERK

BY: EVELYN MAYES

RECORDING CLERK

**BK: D 12083**

**PG: 913-916**

**2021 Property Tax Bills:**

c/o SHANE L. NEARMAN and CHRISTINA A. RALPH NEARMAN  
1967 RICHMOND DRIVE  
LOUISVILLE, KY, 40205

**DEED**

THIS DEED made this 19th day of July, 2021, by and between WILLIAM L. GIBSON and JENNIFER M. GIBSON, husband and wife, of 713 E. FOX DEN DRIVE, KNOXVILLE, TN 37934, Parties of the first part, and SHANE L. NEARMAN and CHRISTINA A. RALPH NEARMAN, husband and wife, of 1967 RICHMOND DRIVE, LOUISVILLE, KY 40205, Parties of the second part,

**WITNESSETH:**

That for a valuable consideration paid in the sum of \$396,000.00, the receipt of which is hereby acknowledged, the parties of the first part hereby convey with covenant of GENERAL WARRANTY, unto the parties of the second part, for their joint lives, remainder in fee simple to the survivor of them, the following described real estate situated in JEFFERSON County, Kentucky, known as 1967 RICHMOND DRIVE, LOUISVILLE, KY 40205, to-wit:

Beginning at a point in the Northwestwardly side of Richmond Avenue at the Southwest corner of the 33-1/3 feet conveyed by John H. Mitchell and others to Charles Lochner, August 1, 1922, and recorded in Deed Book 1019, Page 88, in the Office of the Clerk of County Court, Jefferson County, Kentucky; running thence Southwestwardly along the Northwest line of Richmond Avenue, 33-1/3 feet and extending back Northwardly in lines of equal width throughout, the Northeast line of said lot binding on the Southwest line of the lost of ground above mentioned 155 feet to an alley.

BEING the same property conveyed to William L. Gibson and Jennifer M. Gibson, husband and wife, by Deed dated April 13, 2018 and recorded on May 15, 2018 of record in Deed Book 11151, Page 161, in the Office of the Clerk of Jefferson County, Kentucky.

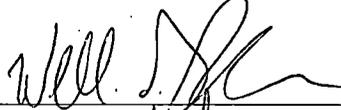
To have and to hold the property, with all appurtenances and privileges thereunto belonging, unto the parties of the second part, their successors and/or assigns.

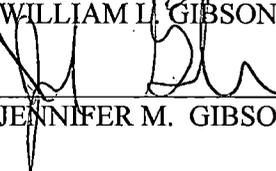
The parties of the first part further covenant that they are lawfully seized of the property hereby conveyed, have full right and power to convey the same and that said property is free from all encumbrances except any restrictions, stipulations and easements of record and subject to taxes for the year 2021 and thereafter which the parties of the second part hereby assume and agree to pay affecting said property.

The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The parties of the second part join this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135 et seq.

IN TESTIMONY WHEREOF, witness the signatures of the parties hereto on this the date first herein written.

**PARTIES OF THE FIRST PART:**

  
\_\_\_\_\_  
WILLIAM L. GIBSON

  
\_\_\_\_\_  
JENNIFER M. GIBSON

**PARTIES OF THE SECOND PART:**



SHANE L. NEARMAN



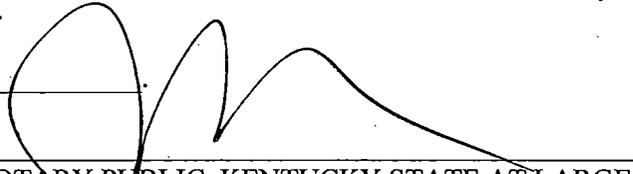
CHRISTINA A. RALPH NEARMAN

COMMONWEALTH OF KENTUCKY

COUNTY OF JEFFERSON

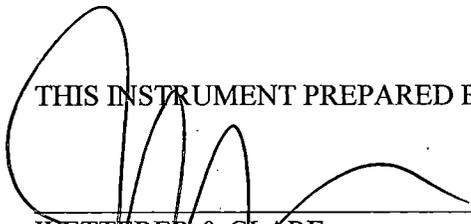
The foregoing Deed and Consideration Certificate was acknowledged delivered and sworn to before me on this the 19th day of July, 2021, by WILLIAM L. GIBSON and JENNIFER M. GIBSON, husband and wife, Parties of the first part, and the Consideration Certificate was acknowledged and sworn to before me by SHANE L. NEARMAN and CHRISTINA A. RALPH NEARMAN, husband and wife, parties of the second part, to be their voluntary free act and deed.

My commission expires: \_\_\_\_\_



NOTARY PUBLIC, KENTUCKY STATE AT LARGE

THIS INSTRUMENT PREPARED BY:



WETHERER & CLARE  
ATTORNEYS AT LAW  
2933 Bowman Avenue  
Louisville, Kentucky 40205  
(502) 451-3030

JAMES GREGORY CLARE  
NOTARY PUBLIC  
COMMONWEALTH OF KENTUCKY  
COMMISSION NUMBER KYNP23121  
My Commission Expires April 1, 2025

21-MC1198  
TJD

## Neighborhood Meeting Notification Letter 07/01/22

To the Adjoining Property Owners, Neighborhood Group Representatives expressing interest in this area and Metro Councilperson for 8 District.

Shane and Christina Nearman plan to submit both a conditional use permit request for an accessory dwelling unit (ADU) above the existing garage and also a short term rental conditional use permit for the accessory dwelling unit located at 1967 Richmond Dr.

In accordance with the procedures of Louisville Metro Planning and Design Services, we have been directed to give our neighbors and interested parties an opportunity to discuss our proposal before the formal application requests are filed. This will be an informal meeting to review the proposed plan and discuss the proposal with the Nearmans. This meeting will be held, in addition to a public meeting (to be held later), in accordance to the procedures mandated by the Board of Zoning Adjustment.

The meeting to discuss both conditional use permits will be held on:

**Tuesday, 07/26/22, 6:00pm at 1967 Richmond Dr. Louisville, KY 40205**

At this meeting, Shane and Christina will explain the proposal and then discuss any concerns you have. We encourage you to attend this meeting and to share your thoughts.

Thank you,  
Shane and Christina Nearman



## Summary of Neighborhood Meeting

Case No: 22-CUPPA-0145

Case Manager: Chris French, Planning & Design Supervisor

At 6pm on July 26<sup>th</sup>, 2022, Mr. Shane Nearman and Dr. Christina Ralph Nearman hosted their Neighborhood Meeting regarding the Conditional Use Permits (CUP) to allow short term rental (STR) and/or long-term rental of alternative dwelling unit (ADU) at 1967 Richmond Drive, Louisville, KY 40205. This is a summary of our Neighborhood Meeting:

We introduced ourselves and explained our plans to build an ADU above our 2-car garage to be used as a short-term and/or long-term rental. Five neighbors arrived at the Neighborhood Meeting and filled out the Neighborhood Meeting Attendance Sheet that we passed around.

We gave out packets of information to each attendee which included:

- A 7-page copy of our 'Board of Zoning Adjustment Pre-Application Staff Report', including 4 attachments:
  - Zoning Map
  - Aerial Photograph
  - 600' Map
  - Condition of Approval
- 'After the Neighborhood Meeting' information
- Shane's personal phone number and email

### Attendee Questions/Resolve:

1. It was expressed that the Neighborhood Association did not want the neighborhood to become a commercial strip, have rentals with large numbers of guests, and loud parties.
  - a. We explained that we, also being a part of this neighborhood, have the same desire, and are on-site to ensure that our guests will be respectful.
  - b. We plan to have strict house-rules for our guests, and only up to 4 guests would be able to rent at a time.
    - i. Attendees expressed that they were not as concerned, and were relieved that we are a part of the neighborhood, and this was a smaller rental with only up to 4 guests that we will manage.
2. It was asked if we were the homeowners:
  - a. We explained that we are the homeowners, and work from home.
    - i. Attendees expressed that they were relieved we are the homeowners and were not as concerned.
3. It was asked how many guests would be allowed.
  - a. We explained that this ADU would have 1 bedroom, which would allow a maximum number of 4 guests.

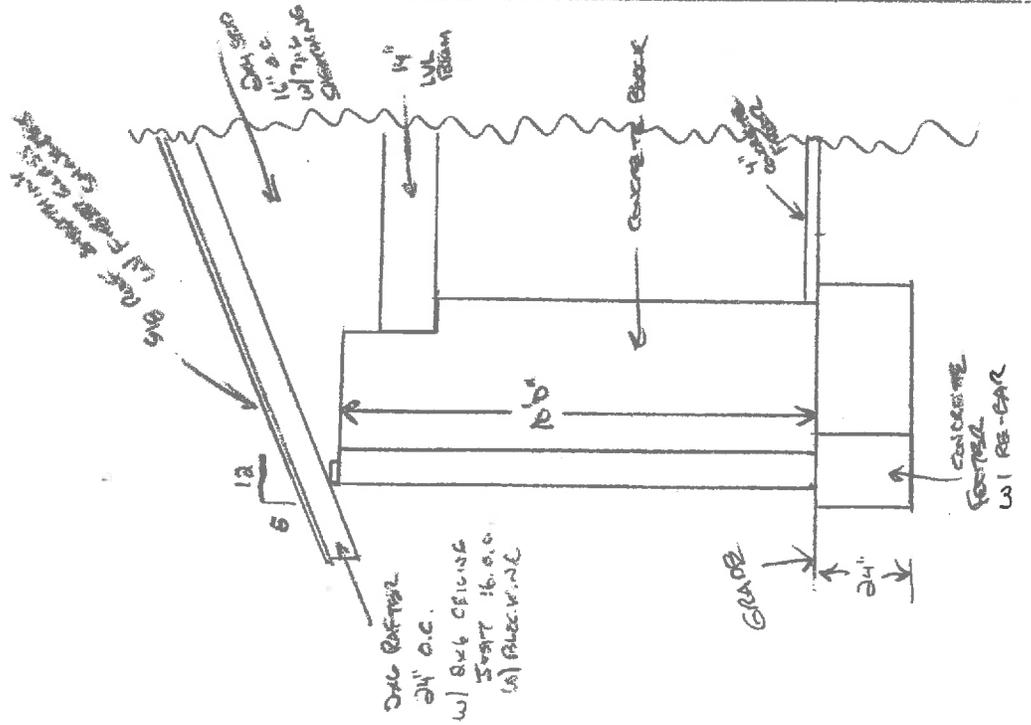
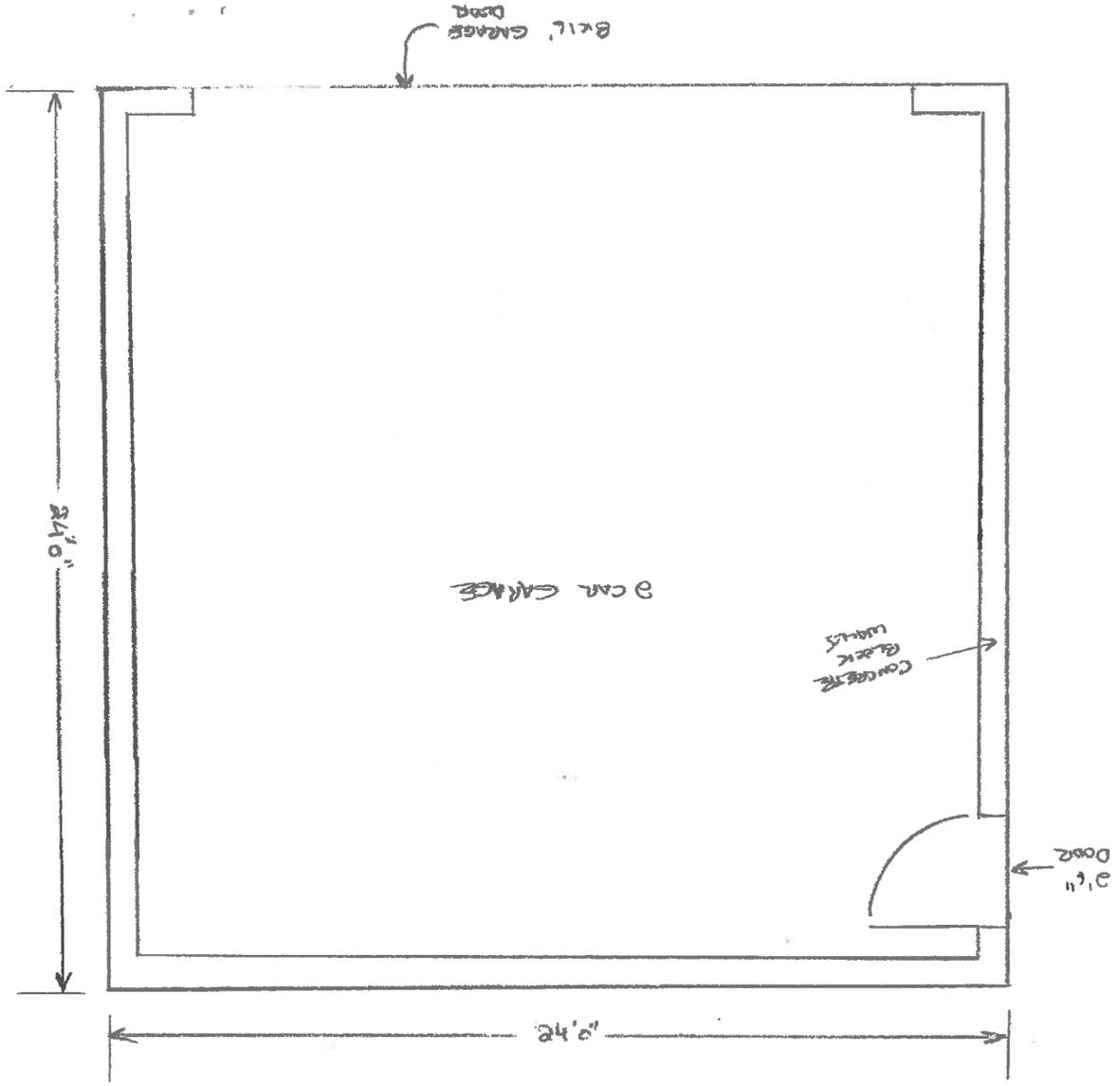
- i. Attendees expressed being much more comfortable with this.
- 4. It was asked the guests would use our garage or the street to park.
  - a. We explained that there are 2 on-street parking spaces that are open, as we typically park our two vehicles inside our 2-car garage.
    - i. Attendees expressed that they were glad about this, and noted that there is plenty of parking on our street too.
- 5. It was asked if we sell our house that these permits would transfer to the next owners.
  - a. We explained that this could be transferred to the next owner, but that we do not intend to sell our house anytime soon. We also explained that there would still be the same regulations (e.g., only up to 4 guests allowed) even if that happened.
    - i. Attendees expressed that they felt more comfortable.

In summary, attendees expressed that they were relieved that we are a part of the neighborhood, and owners of and live in the main house. They were quite upset about another house with 12 guests, where the homeowners did not live there. Attendees also expressed relief that due to the 600-foot radius limit, that the number of guests would only be a maximum of 4 for our CUP/STR/ADU, reducing the number in the neighborhood.

At the end of the meeting attendees expressed that they were not concern with our application, felt much more comfortable, had their questions answered, and that they would not be opposing our application.



1967 RICHMOND OR  
 WOODWAY 4000AS





**Louisville-Jefferson County Metro Government**  
**Department of Codes and Regulations**  
**Metro Development Center**  
 444 South Fifth Street, Suite 100, Louisville, KY 40202-4314  
 Telephone: (502) 574-3321 Fax: (502) 574-4358

**AFFIDAVIT PURSUANT TO KRS 198B.060(10)**  
**(APPLICABLE DURING LIFE OF COMPANY)**

Permit Location: 1967 Richmond DR, Louisville, KY 40205

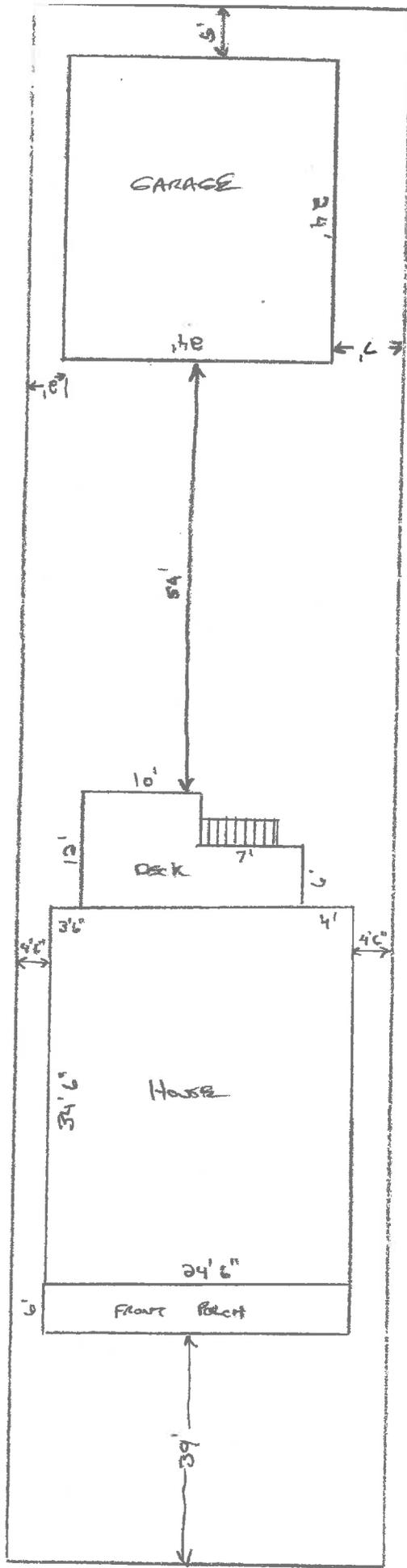
Comes the Applicant, 1967 Richmond LLC, and states Pursuant to KRS 198B.060(10) that all contractors and sub-contractors employed or will be employed on any activity covered by any permit issued to this applicant by Louisville/Jefferson County Metro Department of Codes & Regulations shall be in compliance with the Commonwealth of Kentucky requirements for Worker's Compensation Insurance (in accordance with KRS Chapter 342 and Unemployment Insurance (in accordance with KRS Chapter 341).

WITNESS, the signature of Affiant this 29 day of Oct, 2014.

Paul G West  
 Affiant/Applicant Signature

Subscribed and sworn to before me by Paul G West  
 Applicant/Affiant, on this 29 day of Oct, 2014.  
 My Commission Expires: 11-29-2014

[Signature] Notary Public  
 State at Large Kentucky



B2921719

**LOUISVILLE - JEFFERSON COUNTY**  
**Louisville Metropolitan**  
 Department of  
 Inspections, Permits & Licenses

1967 Richmond Dr  
 Address: *shall comply with code*

Project: *garage*

Fire Official: *us*

Construction Officer: *[Signature]*

Signature of Applicant: *[Signature]* Date: *10-20-20*

1967 RICHMOND DR  
 LOUISVILLE, KY 40205

**From:** [Shane Nearman](#)  
**To:** [French, Christopher S.](#)  
**Cc:** [Christina Ralph-Nearman](#)  
**Subject:** Re: 22-CUP-0210  
**Date:** Thursday, September 22, 2022 2:34:12 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image002.png](#)  
[image003.png](#)

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**CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe**

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Hi Chris, do you think this is adequate:

We are requesting relief from special standards in Section 4.3.27 as the ADU would remain an accessory dwelling unit, separate from our single family main dwelling unit (our primary residence). The ADU is a small accessory unit, as a one-bedroom unit, which would only allow four individuals maximum for a STR. The ADU is separate from the main dwelling unit, and is detached, situated approximately 60 feet away from the main dwelling unit (our primary residence), across the back yard next to the alley, with its own sep entrance. Thus, the ADU would remain an accessory unit, even as a STR. We have also filed a Deed Restriction, so the ADU is unable to be sold separately from the main dwelling unit. We seek to have the flexibility to use the ADU as both a STR and LTR to ensure we will be able to rent the ADU, and believe both of which would also likely add to the community/economy - bringing in individuals to the restaurants, stores, coffee shops, etc. in the area. Relief is needed as the STR would still be an accessory to the main dwelling unit, small in size, and retain the accessory nature of the dwelling unit.

Thank you,  
Shane & Christina

On Sep 22, 2022, at 10:45 AM, French, Christopher S.  
<Christopher.French@louisvilleky.gov> wrote:

Also, I read the explanation of this case for the ADU but I did not see a justification on why the Board should grant relief to allow the ADU to be used as a STR. See the section of the code below that discusses the ADU CUP:

#### **4.2.3 Accessory Dwelling Unit (ADU)**

Accessory dwelling units that do not meet the provisions of Section 4.3.27 may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N districts upon the granting of a conditional use permit and compliance with the listed requirements.

A. All special standards outlined within Section 4.3.27 are met unless relief is granted

by the Board. Applications requesting relief from special standards in Section 4.3.27 shall provide written justification demonstrating the reasons why relief should be granted and how such relief would retain the accessory nature of the dwelling unit.

Please send me a written justification as discussed above. This written justification can be submitted to me by email.

Thank you

**Chris French, AICP**

Planning & Design Supervisor  
Planning & Design Services  
Department of Develop Louisville  
*LOUISVILLE FORWARD*  
444 South Fifth Street, Suite 300  
Louisville, KY 40202  
(502) 574-5256

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