

**Zoning Justification Statement for  
4011 Fern Valley Road  
14ZONE1058**

This proposal is for an existing residence on close to a one acre lot to be zoned from R-4 to OR-1. The building, a log cabin, will remain the same with slight modifications to the front door entranceway. A new parking area will be placed to the side of the structure and entrances will be improved as necessary. This request allows for a neighborhood serving office to be located on a large lot in an existing building along a major roadway. The use meets existing buffer requirements and will provide a new privacy fence surrounding the property to buffer any visual impact to the neighbors.

In the Cornerstone 2020 Comprehensive Land Use Plan, the property is in the Neighborhood Form District and this is the designation given to it in the core graphics adopted in June of 2000. However it is located on a major arterial and is adjacent to Suburban Workplace across the street. The Preston Highway Suburban Marketplace Corridor Form District is located a block and the half to the west. At this location, Fern Valley Road, a Major Arterial, is a well travelled 6 lane road with dividing traffic islands. Since the designation of this area as a Neighborhood Form District in 2000, the Jefferson Boulevard connector has been constructed and is located two major intersections to the east. Fern Valley Road traffic has also increased because of its connection with Hurstbourne Lane to the east which occurred since 2000. Across Fern Valley in the Suburban Workplace, is a mixture of usages including some manufacturing, storage and other EZ uses, some vacant land, and a College Building (formerly the Ford Family Life Center). This structure was also built after 2000. All of these changes have made Fern Valley Road a busy area not conducive to single family residences.

This proposal allows the existing structure to remain and with a large lot operate as an office which will serve the area, capture passing by traffic, and with the existing mature trees and proposed new privacy fence cause no new nuisances to the existing neighbors surrounding them. This use is of low impact along a busy area and should have minimal effect on the area. Given these facts, the surrounding uses, and for the reasons set forth below, the requested zoning change is appropriate under KRS 100.213 and consistent with the Guidelines and Policies of the current Comprehensive Plan.

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**Guideline 1-Community Form**

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The proposal requests a rezoning for an existing structure. No outside physical changes are proposed to the structure. The residential appearance and existing landscaping is all proposed to remain to eliminate any visual changes to the streetscape.

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The Fern Valley site is in the Neighborhood Form District but it is adjacent to Suburban Work Place and on a major arterial. This type of conversion of existing houses is typical along major arterials. This structure has been on this road since Fern Valley was a two

14ZONE1058

lane road. Its large lot allows for its conversion to an office use with no real impact to the neighbors. The proposed use is a Tax office which is neighborhood serving.

### **Guideline 2-Centers**

The proposed use complies with the intent of Cornerstone 2020 Guideline 2, Policy 2 which states that mixed uses in the Neighborhood section are appropriate in “Older or redeveloping areas where non-residential use does not create nuisance and is compatible with the surroundings”. This is an older area and an older structure in a large lot neighborhood pattern. The proposed office use in an existing residential structure is compatible with this mixed use area and will not create any nuisances. It is a redeveloping area. The structure is well maintained and landscaped. Its lot size is the same as the other few remaining residences along the north side of Fern Valley Road. There are a few residences but no “neighborhood” along Fern Valley in this area due to all the changes in the past 20 years. Across the street, is a small college, some industrial businesses and some vacant land zoned E-Z. To the west, are apartments, some commercial businesses, a retirement community and another 4 story college building. To the east is the new Jefferson Boulevard intersection which has container storage area uses, new office buildings, apartments and other undeveloped large tracts. This variety of land uses and two Form Districts show the redeveloping nature of this area.

Second, there are no new nuisances created by the proposed office use. It is a daytime use. It is a low impact use. As stated above, Fern Valley Road is a major arterial with daily traffic due to other businesses and industries. Minimal new traffic will be occurred from this use. The parking lot is located next to the building with a 25 foot buffer and a new privacy fence is proposed around the site to screen the neighbors. Additionally, the proposal is an appropriate neighborhood use because it provides services in a convenient location which reduces commuting time and related air pollution. The location of professional offices on a main thoroughfare provides a needed service to the local citizens at a centralized location. The area is served by sidewalks. Although not a TARC transit route, it is a well travelled and easily accessible street. Since this use is compatible and will not create any nuisances, it complies with Guideline 2, Policies 2, 4, 7, 8 and 16.

### **Guideline 3 Compatibility**

This proposal complies with the intent and the policies of Guideline 3 for all the location reasons set forth above and below and because this is an existing home and a proposed business use which is compatible with the area. The proposal uses an existing structure on a large lot compatible with the other lots on the block. No discernible changes to the appearance of the neighborhood will occur by this project. The issue of appropriate size and shape of the structure, setbacks, transitions and visual impact to the neighborhood are basically non-existent because this home is existing and the streetscape will remain the

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same. The office use will create minimal additional traffic in the area. No new outdoor lighting is proposed so no adverse impacts will occur to the neighborhood. An office use creates no odors. The parking is configured in such a manner to prevent light intrusion into the few neighboring homeowner's yards as well as being screened by existing landscaping and proposed rear and side fencing. Also their hours of operation are basically day light hours. Further, existing vegetation and a new privacy fence provides the necessary buffering of this use from the neighboring homes. Finally, all existing large trees will be preserved, thus protecting neighboring landowners' privacy. For all these reasons, the proposal is consistent with Guideline 3, Policies 1, 2, 4, 5, 6, 7, 8, 9, 22 and 23.

**Guideline 4 Open Space**

Open Space is not directly applicable but the site is large and has nice green space and meets the landscape buffer requirements. .

**Guideline 5 Natural Area and Scenic and Historical Resources**

This proposal complies with the intent and the policies of Guideline 5, Policy 2 because there are no historic features in the area. If required a hydric study can be prepared on the site.

**Guideline 6 Economic Growth and Sustainability**

This proposal promotes and is consistent with the policies of Guideline 6, Policy 10 because the project is locating an office use in an area where a population center exist and traffic and other activities already occur.

**Guideline 7 Circulation**

This proposal complies with the intent and the policies of Guideline 7, Policy 10 because its site plan provides adequate parking and connections. Sidewalks are available in this area.

**Guidelines 8 and 9 Transportation**

The proposal complies with the intent and the policies of Guidelines 8 and 9 because the site's parking meets the LDC requirements. The proposal does not impact any environmentally sensitive areas, scenic corridors or streetscape issues.

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**Guidelines 10 and 11 Flooding and Storm water and Water Quality**

The proposal complies with the intent and the policies of Guidelines 10 and 11 because it uses an existing structure so land disturbance is minimized. The only new construction is a parking area. Appropriate construction practices will be employed in constructing the building to protect water quality by the use of effective sediment and erosion practices in accordance with applicable regulations and best management practices. Further, no portion of the property to be developed is designated as floodplain or a blue line stream.

**Guideline 12 Air Quality**

The proposal complies with the intent and the policies of Guideline 12 because this type of redevelopment of an existing structure in an older area and reuse will work to decrease vehicular miles traveled between home and trips to neighboring businesses.

**Guideline 13 Landscape Character**

The intent of this guideline is to protect and enhance landscape character. The proposed plan maintains the existing residential look of the area, landscaping pattern in the area and is compatible with the pattern of the block.

**Guideline 14 Infrastructure**

The proposal complies with the intent and the policies of Guideline 14 because all necessary utilities are available nearby and will be connected via existing facilities.

For these reasons, this proposal to rezone an existing home for use as an office is compatible with area, an appropriate use along this Major arterial road and in conformance with all applicable guidelines of the Cornerstone 2020 Comprehensive Plan and consistent with KRS Chapter 100 should be approved.

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Respectfully submitted

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CARDINAL PLANNING &  
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