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WAIVER JUSTIFICATION STATEMENT
111 N WENZEL STREET
March 16, 2023

The applicant is requesting a waiver of LDC Chapter 10.2.4 to eliminate the required landscape buffer and all plantings along the north side of the property. This is a landscape buffer that is triggered by the change in zoning. Because the existing building is within 2' of the property line and only about 6' from the adjacent structure, there is not enough room to provide this buffer or plantings. With regard to the justification statement, please note the following:

1. Will the waiver adversely affect adjacent property owners?

No. This is an existing condition so there will be no affect on adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

No. This waiver will allow the applicant to adaptively reuse an existing structure and expand upon this neighborhood center. Therefore, this waiver will not violate the comprehensive plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes. This waiver will allow the applicant to preserve the existing structure.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has been cleaning up properties and rehabilitating structures on this block for several years, turning it into a destination for local business. He plans to continue those efforts with this building. In addition, the strict application of the provisions of the regulation would require the removal of existing structure which would likely not be allowed by the Butchertown Architectural Review Committee and would therefore be an unnecessary hardship for the applicant.

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