

If yes, please list the docket/case numbers:

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Docket/Case #: _____

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Will the waiver adversely affect adjacent property owners?

No, the waiver will not adversely affect adjacent property owners. There will be no infringement upon their property and will not cause any visibility issues.

2. Will the waiver violate the Comprehensive Plan?

No, reduction of the landscape buffer would be in accordance with goal E4.3 to eliminate the need for landscape buffers because there is no substantial difference in the intensity or density of development. In accordance with section 10 of plan elements the building is set back and we are proposing new trees to enhance the landscaping at the street.

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

Yes, the client requires the pavement area shown for vehicle parking due to the function of the business.

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?

17 WAIVER 1007

The client has additional trees on the rear and the side of the property that exceed the minimum tree canopy requirement. In addition the client is proposing to plant 2 new trees at the front of the property.

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Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: Joe Manning

Name: Joe Manning

Company: Manning Real Estate Venture, LLC

Company: Manning Real Estate Venture, LLC

Address: 2317 Brighton Drive

Address: 2317 Brighton Drive

City: Louisville State: KY Zip: 40205

City: Louisville State: KY Zip: 40205

Primary Phone: 502-261-0672

Primary Phone: 502-261-0672

Alternate Phone: 502-608-7934

Alternate Phone: 502-608-7934

Email: joe@manningsbodyshop.com

Email: joe@manningsbodyshop.com

Owner Signature (required): *Thomas J Manning Jr*

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: _____

Name: Travis Sayler

Company: _____

Company: Luckett & Farley

Address: _____

Address: 737 South Third St

City: _____ State: _____ Zip: _____

City: Louisville State: KY Zip: 40202

Primary Phone: _____

Primary Phone: 502-585-4181

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: _____

Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

17 WAIVER 1007

I, Joe Manning, in my capacity as Representative, hereby