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January 5, 2015

Ms. Emily Liu
Louisville Metro Planning and Design Services
444 S. 5th Street
Louisville, KY 40202

**RE: Revised Major Preliminary Subdivision Plan
Locust Creek Section 10B**

Ms. Liu:

Enclosed please find a Revised Major Preliminary Subdivision Plan and associated application for the above mentioned project. The applicant proposes revisions to Locust Creek Section 10B in order to limit impacts to an existing intermittent stream on site as delineated by Redwing Environmental Services, Inc. This section originally had a double loaded road with 18 buildable lots. The proposed revisions include a single-loaded road with 13 buildable lots and one open space lot.

In addition to this revised plan, the applicant proposes a variance to allow 20' front yard setbacks within this section. This is also to lessen impacts to the existing stream. An application and justification for this variance is enclosed.

I hope that the revision to the subdivision plan can be approved by staff. I understand that the Variance request will have to go to BOZA. Please call me with any questions. I can be reached at 502-584-6271 or via e-mail at kelli.jones@swlinc.com.

Sincerely,

Kelli Jones, RLA/ASLA

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PATRICK R. DOMINIK, Landscape Architect • DAVID J. SEDLAR, Civil Engineer • DENNIS L. KRAUS, Land Surveyor
ERIC W. PENLAND, Civil Engineer • JOSEPH S. MARSHALL, Civil Engineer

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Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following 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. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

The portion of sidewalk being waived is adjacent to a thin open space lot that will be bermed and planted to provide a buffer for the lots fronting on Locust Creek Boulevard. All proposed buildable lots will have sidewalks to the extent required by the Land Development Code. Therefore this waiver does not violate the Comprehensive Plan.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

The purpose of this open space lot is to create a berm to screen the existing homes that front on Locust Creek Boulevard. No pedestrian access is needed to this open space lot as it won't be a useable green space. All residential lots will have sidewalk access to the extent required by the Land Development Code. Therefore, this plan meets the overall intent of the Land Development Code.

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3. What impacts will granting of the waiver have on adjacent property owners?

There will be no impacts on adjacent property owners. The area of the waiver is directly adjacent to an open space lot. All lots fronting Locust Creek Boulevard have sidewalks along their frontage. Adequate pedestrian connectivity will be provided throughout the development.

4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

The strict application of the regulation would require the applicant to build sidewalks along an open space lot that is not designed for access by the public. It would also decrease the width of ground area available for building a berm which would in turn, decrease the height of the berm. This would lessen the effectiveness of the berm and therefore create an unnecessary hardship on the applicant.

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