



Louisville-Jefferson County Metro Government

PLANNING AND DESIGN SERVICES

METRO DEVELOPMENT CENTER 444 SOUTH 5th STREET SUITE 300

LOUISVILLE, KENTUCKY 40202

Phone: (502) 574-6230 Website: <https://louisvilleky.gov/government/planning-design>

Certificate of Appropriateness Application

Case Number: 21-COA-0166

Submittal Date: 08/04/2021

Intake Staff: Clara
Schweiger

Application Information

Primary Address: 1398 S 2ND ST, LOUISVILLE, KY 40208

Primary Parcel Id: 032E01050000

Project Description: A certificate of appropriateness to replace window lintel and plug on 0.15 acres in the TNZD.

Project Name: Old Louisville - Window Lintel and Plug Replacement

GENERAL INFORMATION

Acres	0.15
Dwelling Units	0
Historic Preservation District	OLD LOUISVILLE
New Building Square Feet	0
Number of Meeting Notification Postcards	0
Project Cost	2500
PVA Assessed Value	250000
Rooms	0

GIS INFORMATION

Council District	6
Current Subdivision Name	NONE
Fire Protection District	CITY OF LOUISVILLE
Form District	TRADITIONAL NEIGHBORHOOD
Historic Site	NO
Municipality	LOUISVILLE
National Register District	OLD LOUISVILLE

Overlay District	NONE
Plan Certain	NONE
Plat Book - Page	NONE
System Development District	NO
Zoning Code	TNZD

Owner Information

Name: FITZGERALD, COMPANY LLC
Address: 121 S GALT AVE, LOUISVILLE, KY 40206-2533

Contact Information

Type: Applicant
Name:
Address: 121 S Galt Ave
Louisville KY 40206
Phone:
Email: DWFITZGERALD73@GMAIL.COM

Type: Applicant
Name:
Address: 1398 S 2nd st
Louisville KY 40208
Phone: 5026379052
Email: steve@magbarlouisville.com

Owner Certification Statement

Application Submitted By:

hereby certify that I am the owner of property subject of this application, or that I am authorized to submit this application on behalf of the owner(s) of the property. I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.



Landmarks Certificate of Appropriateness & Overlay District Permit

Louisville Metro Planning & Design Services

Case No.: 21-COA-0166

Intake Staff: CS

Date: 08/04/2021

Fee: No Fee

Instructions:

For detailed definitions of *Certificate of Appropriateness* and *Overlay District Permit*, please see page 4 of this application.

Project Information:

Certificate of Appropriateness: ☐ Butchertown ☐ Clifton ☐ Cherokee Triangle ☐ Individual Landmark
☐ Limerick ☒ Old Louisville ☐ Parkland Business ☐ West Main Street

Overlay Permit: ☐ Bardstown/Baxter Ave Overlay (BRO) ☐ Downtown Development Review Overlay (DDRO)
☐ Nulu Review Overlay District (NROD)

Project Name: MAG BAR

Project Address / Parcel ID: 1398 S. 2ND ST. / 032-E0105-0000

Total Acres: 0.15350

Project Cost (exterior only): \$2500.00 PVA Assessed Value: \$250,000

Existing Sq Ft: _____ New Construction Sq Ft: NA Height (Ft): 6 Stories: 1

Project Description (use additional sheets if needed):

Click or tap here to enter text.

REPLACED FAILING LINTEL AND PLYWOOD WINDOW PLUGS WITH BRICK. OUR CONTRACTOR DEEMED THIS A NECESSARY IMPROVEMENT TO PRESERVE THE INTEGRITY OF THE EXISTING WALL.

RECEIVED

AUG 04 2021

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SERVICES

21-COA-0166

Contact Information:

Owner: ☒ Check if primary contact

Applicant: ☐ Check if primary contact

Name: Fitzgerald Co. LLC

Name: Mag Bar LLC

Company: _____

Company: _____

Address: 121 S. GALT AVE

Address: 1398 S. Second St

City: LOUISVILLE State: KY Zip: 40206

City: Louisville State: KY Zip: 40208

Primary Phone: 502-235-7909

Primary Phone: 502-637-9052

Alternate Phone: 502-387-7374

Alternate Phone: 502-235-7909

Email: DWFITZGERALD73@GMAIL.COM

Email: Steve C Mag Bar Louisville, KY

Owner Signature (required): [Signature]

Attorney: ☐ Check if primary contact

Plan prepared by: ☐ Check if primary contact

Name: _____

Name: _____

Company: _____

Company: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Primary Phone: _____

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.

I, DANIEL FITZGERALD, in my capacity as PARTNER, hereby
representative/authorized agent/other

certify that THE FITZGERALD CO LLC is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: [Signature] Date: 28 JULY 2021

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

21-COA-0166



Land Development Report

July 31, 2021 5:26 PM

[About](#) [LDC](#)

Location

Parcel ID: 032E01050000
Parcel LRSN: 8004598
Address: MULTIPLE ADDRESSES

Zoning

Zoning: TNZD
Form District: TRADITIONAL NEIGHBORHOOD
Plan Certain #: NONE
Proposed Subdivision Name: NONE
Proposed Subdivision Docket #: NONE
Current Subdivision Name: NONE
Plat Book - Page: NONE
Related Cases: NONE

Special Review Districts

Overlay District: NO
Historic Preservation District: OLD LOUISVILLE
National Register District: OLD LOUISVILLE
Urban Renewal: NO
Enterprise Zone: YES
System Development District: NO
Historic Site: NO

Environmental Constraints

Flood Prone Area

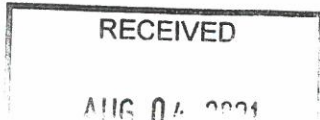
FEMA Floodplain Review Zone: NO
FEMA Floodway Review Zone: NO
Local Regulatory Floodplain Zone or Combined Sewer Floodprone Area: YES
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0041F
Protected Waterways
Potential Wetland (Hydric Soil): NO
Streams (Approximate): NO
Surface Water (Approximate): NO
Slopes & Soils
Potential Steep Slope: NO
Unstable Soil: NO
Geology
Karst Terrain: NO

Sewer & Drainage


MSD Property Service Connection: YES
Sewer Recapture Fee Area: NO

Services

Municipality: LOUISVILLE
Council District: 6
Fire Protection District: LOUISVILLE #2
Urban Service District: YES



21-COA-01166

A black and white photograph of a storefront. The building has a white brick facade. There is a central door with a small transom window above it. On either side of the door are large, dark-framed windows. The roof is dark and appears to be shingled. A concrete sidewalk runs along the front of the building, and a curb separates it from a street. In the bottom left corner, there is a rectangular stamp. In the bottom right corner, there is handwritten text.

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21-COA-0164

Old Louisville Architectural Review Committee for approval case number 21-COA-0166

On July 21st, 2021, our contractor removed failing supports, two boarded nonfunctioning windows and four boarded nonfunctioning transoms on the Magnolia side of our building and replaced with period appropriate bricks. In addition, original glass blocks from the front of the building were added above the door to provide light. The purpose for this renovation was twofold. First, the wood framing around the door and windows needed ground up replacement and the door needed to be replaced. Secondly, as a nationally recognized music venue, we were seeking to create better acoustics while providing sound proofing for our neighbors.

On July 22, 2021, we received a stop work order on the project, which had been largely completed. We were made aware that we needed to apply for a COA and should have done so before the work was started. After we were made aware that was a requirement, we immediately gathered all necessary information for the application.

We are requesting to have the project approved by the ARC. We acknowledge fault for not applying for the COA in the beginning and had no intention of going outside the neighborhood requirements. We were just seeking to improve our music space and make necessary repairs while improving the appearance of the side of building. There are additional improvements planned like painting the building and replacing the vinyl siding with a better and more appropriate material to improve the overall look of the building. We are now aware of the requirements and will be seeking the approved paint colors and building materials while using the COA and ARC process. We have always wanted to maintain our building to neighborhood standards, as well as feel an obligation to maintain the history of the neighborhood. Because of this sense of obligation, we, at a greater expense, researched and ensured we chose bricks that were closest to those used on the original structure. The brick work was done professionally and made to blend into the existing structure. Once the paint color is approved the whole area will be painted to tie the together that portion of the building.

The only business entrance is on the corner at Second and Magnolia. The renovations under review were completed on the Magnolia side of the building (203 West Magnolia) and the door is used solely for loading in bands and artist equipment when they utilize the venue. 203 West Magnolia was a store front at one time but, it has not functioned as such since the 1980s at which time the windows were boarded up with plywood. The previous owner did remove the plywood and installed plexiglass in the window openings in the 1990's. Black plywood with soundproofing was added internally several years later when we made this a full-time music venue. As the purpose of the space changes and evolves, we were seeking to improve the quality inside and out.

Additionally, 203 West Magnolia can no longer (as we understand) be used as a storefront due to proximity to the street and or sidewalk width. As an evolving use portion of our building, we felt this was the most appropriate way to effect immediate necessary repair, provide the best functionality, and maintain the appearance with period appropriate bricks that tied this into the rest of the building. Our intention was never to create something inappropriate for the neighborhood we are a part of and support in a variety of ways.

We ask that the committee considers approving our project as it stands.

FitzCo, Mag Bar and Pizza Donisi as part of the Old Louisville Community

My brother and I (Stephen Fitzgerald) own the building (1398 S. Second St, 201 and 203 W. Magnolia) and operate as The Fitzgerald Company LLC. (FitzCo.) We own and operate Mag Bar LLC at 1398 S. Second St. as well as Pizza Donisi at 1392 S. Second St.

Mag Bar has been an Old Louisville fixture for many years. Daniel Fitzgerald has been involved as an employee since the early nineties and eventually owner in the early 2000's. I came onboard as an owner/partner in 2016. Since that time, we have been continually working to improve the bar as a music venue, a spot for a great bourbon selection and better partner to the community. While this may not have always been the case in the past, we are sensitive to the history and elevation of Old Louisville as a unique historic district and are proud to be a part of the neighborhood. Our music venue hosts upwards of 250 shows a year, which allows hundreds of bands from all over the country and world to play in front of a live audience and further their craft. This stimulates the local economy should bring a sense of pride that our venue is now nationally recognized through NIVA (National Independent Venue Association) as one of the best venues of our size in the country. We are truly proud to bring people from multiple genres and regions to Old Louisville. They make use of the local restaurants, hotels, B&B's, Retail Stores and AirBNB's. We have hosted art shows, fundraisers; raising thousands of dollars for many charities, offered our venue for a pop up COVID vaccination site and many other events. We have always readily donated and sponsored to the Neighborhood Associations, walking tours, holiday tours, Springfest, Garvin Gate Blues Fest and the St James Art Show. We have also assisted in promoting the events that continue to make Old Louisville a favored spot for art, architecture, and history.

Pizza Donisi, another Old Louisville business, was started in 2013 by Dan and me. We rehabilitated a boarded up non-functional portion of the Dillon house and created a fully operational and unique pizza restaurant. This was done to enhance the community and bring a much-needed business to the area. Through Pizza Donisi we have been able to give back to the community in many ways. Like the Mag Bar, Pizza Donisi has donated and sponsored to the Neighborhood Associations, walking tours, holiday tours, The Old Louisville Springfest, Garvin Gate Blues Festival and the St. James Art Show.

We are proud members of the Old Louisville Community and want to see the community continue to prosper.

Respectfully,

Stephen and Daniel Fitzgerald

The Fitzgerald Company LLC.

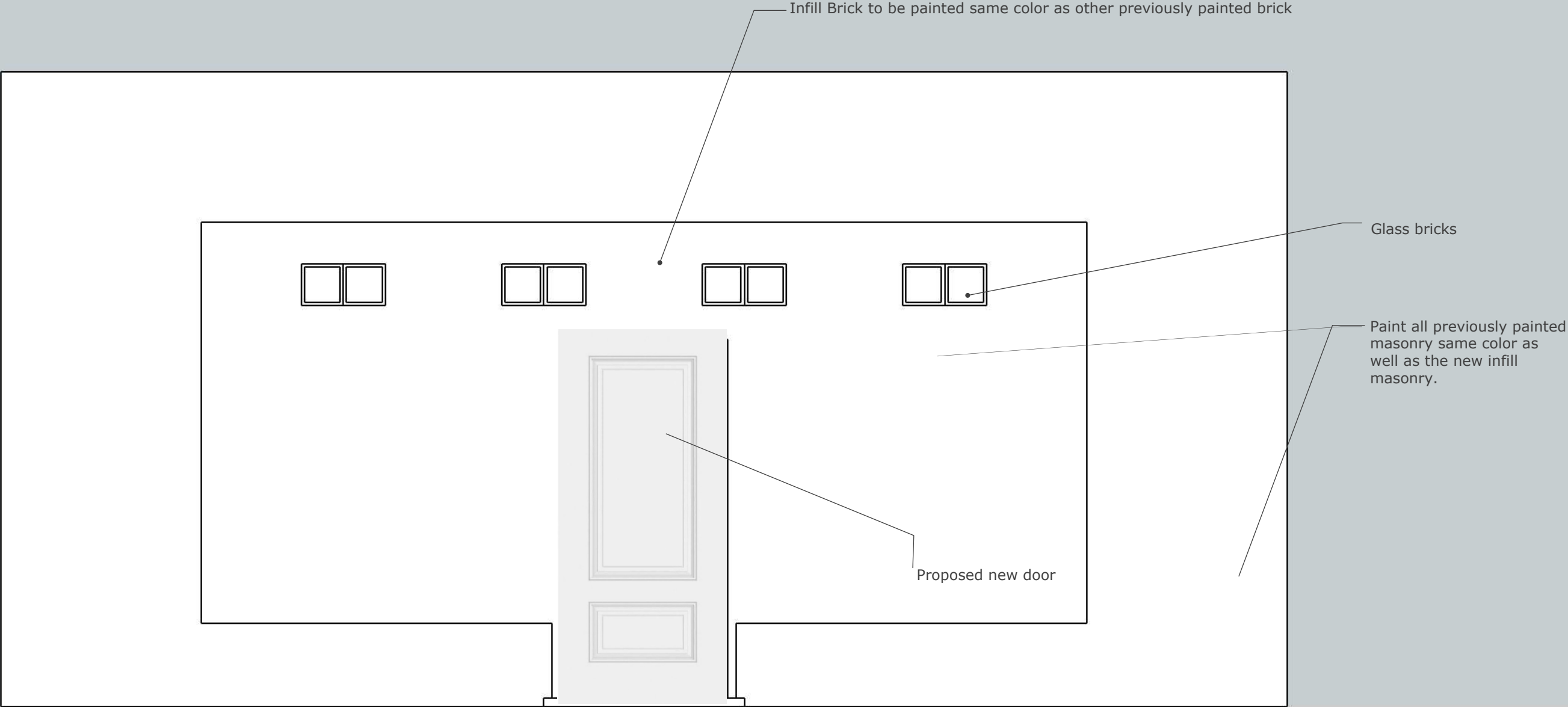
Mag Bar LLC.

Pizza Donisi Inc.

Request for Approval of after-the-fact work completed at 203 W. Magnolia St.

Requested option 1. Approve work as is.

- **Attachment (1)** *Atch (1) Mag Bar Backroom Facade_Before and After*



Daniel W FitzGerald

21-COA-0166
Rec'd 03/31/22