

To whom it may concern,

We are a property adjacent neighbor to 5323 New Cut Road. Our family has lived in the house (5327 New Cut Rd) since March of 2017. We are invested in our home, neighborhood, and community. We have two young daughters and are deeply invested in their future.

Our primary concerns with the 5323 New Cut Road property have been the lack of upkeep, issues with water drainage, and the impact of those concerns on our property value. The property has a history of poor upkeep. We would appreciate if these issues would be addressed in the outcome of this process.

With that being said we would like the following issues addressed:

Drainage

The downspout on the south-west corner of the building drains into the ground. The previous owners tied the downspout, as well as a French drain system running through the back yard, into a tube that empties into our driveway. This must be fixed.

Building

The flashing and shingles on the sides of the building are damaged and need to be replaced.

The windows of the Main & 2nd floors overlook our privacy fence into our backyard. The building has been built too close to our property. We would like this addressed.

Landscaping

Honeysuckle in the backyard continues to spread through fence line. We would like it removed.

Poison ivy and other weeds grow through our fence line on the south side of the property. We would like to see it removed.

The yard between the properties is full of ivy, weeds, stumps, etc. We would like to see this simplified into grass for easier shared maintenance.

Specific trees on the property line must be removed.

The privacy fence between the yards is failing and must be replaced.

Parking

The current layout for parking is not adequate for the number of tenants that will be occupying the property. This must be addressed.

Maintenance

Lawn mowing & weed eating must move from monthly to weekly during spring, summer, and early fall months.

Leaf removal must addressed bi-weekly while leaves are falling.

Overgrowth on the sidewalk edge needs to be edged and maintained.

Other considerations

This property is currently zoned R4 Residential. Therefore, it should not be eligible for Section 8 if rezoned; only market value pricing for tenants.

Thank you for your consideration,

John & Sarah Glowacki
5327 New Cut Road, Louisville KY 40214











From: [Janet Heston](#)
To: [Lockett, Jay](#)
Subject: Zoning case number 23-Zone-0041 5323 New Cut Road
Date: Tuesday, July 11, 2023 10:02:43 AM

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Good morning,

I have been made aware that on this particular block there is a zoning change that has been requested as well as some changes to make the parking lot area bigger. I am for affordable housing in safe places. My concern is this area has been flagged for soil erosion issues. Another big concern is that this is mid block in a block with several buildings that house multiple units; yet, there was downsizing in 2006 to address soil erosion and the increase in cars and people residing there.

Thank you for your time in considering this email in making your decision.

Thank you,

Janet Heston



Iroquois Civic Club, Incorporated dba Iroquois Neighborhood Association

June 9, 2023

Jay Lockett, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
Louisville Forward
444 South Fifth Street, Suite 300
Louisville, KY 40202

RECEIVED
JUN 09 2023
PLANNING &
DESIGN SERVICES

RE: Case Number 23-Zone-0041 5323 New Cut Road

Dear Jay:

The members of Iroquois Neighborhood Association voted to oppose rezoning 5323 New Cut Road from R-4 to R-6, Case Number 23-Zone-0041. Iroquois Neighborhood Association also objects to 23-Waiver-0076.

The property at 5323 New Cut Road was included in the Kenwood Hill Area Wide Rezoning Project ("Project"), Case Number 9-13-06. (The entire file for Case Number 9-13-06 is attached to the electronic version of this letter.) Metro Planning and Design sought the down zoning, as indicated on the staff report for Case Number 9-13-06. Under Staff Recommendation in the Staff Report, Staff stated support for downzoning. (Page 16 of the attachment.) Staff's support for downzoning is based on a September 30, 2005 Kenwood Hill Rezoning Study and Recommendations prepared by the Department of Planning and Design Services, Charles Cash Director ("Study"). (The Study begins on page 71 of the Attachment.) The Study contains numerous pictures of structural damage to Kenwood Hill homes.

The Study was the result of stated concerns by property owners on Kenwood Hill. During March 2005, Iroquois Neighborhood Association circulated a petition to downzone properties on the north side of Kenwood Hill. People residing in the area were concerned about drainage issues, soil erosion, soil stability, and steep slopes. At least two buildings on the hill slid and moved so much that they had to be demolished. One of the buildings was part of The Little Loomhouse and the other was on Possum Path.

After collecting signatures from almost all of the residents, Iroquois neighborhood Association presented the petition to the Planning & Zoning Committee of the Metro Council. (Page 19 of the attachment.)

Louisville Metro Council Resolution #97-2005 directed the Planning Commission staff to study a proposal to downzone properties in the Kenwood Hill area. (Page 16 of the attachment.) Planning Commission staff widened the area to be studied beyond the properties in the petition and resolution. The additional properties in the Kenwood Hill area had the same characteristics and challenges of the properties in the original petition/resolution. (Page 16-17 of the attachment.)

According to the minutes of the August 31, 2006 night meeting of the Louisville Metro Planning Commission, Commissioners Ernst, Howard, Abstain, Queenan, Wells-Hatfield, Hamilton, Blake, Jones, and Carlson voted to approve the downzoning in Case Number 9-13-06. No one voted no. Commissioner Jim Adkins abstained. (Page 7 of the attachment.) Commissioners Howard and Carlson are current commissioners of the Louisville Metro Planning Commission.

As a result of the Planning Commission's recommendation and Louisville Metro Ordinance Number 199, Series 2006, properties included within the Project were downzoned. (Page 3 of the attachment.) The property located at 5323 New Cut Road fell within the Project and was downzoned from R5 to R4. (Page 5 of the attachment- page 3 of the Ordinance.)

As indicated by the applicant's justification for 23-Waiver-0076, the applicant acknowledges a need to protect the slope in the rear of the property. The applicant claims that strict enforcement of the regulation (LDC Section 10.2.4) would cause the applicant to have a difficult time developing the property. This property is already developed. The building on this property has been present for many decades.

Downzoning the properties within the Project area passed under Case Number 9-13-06 and Ordinance Number 199, Series 2006 to protect Kenwood Hill and property owners on Kenwood Hill (as well as property owners surrounding Kenwood Hill). Ignoring the downzoning approved in Case Number 9-13-06 and Ordinance Number 199, Series 2006 for 5323 New Cut Road will set a precedent for any property owner within the Project area to be granted future upzoning applications.

On behalf of Iroquois Neighborhood Association members and specifically property owners on Kenwood Hill and surrounding Kenwood Hill, we request that Case Number 23-Zone-0041 be DENIED based on the same reasons that Case Number 9-13-06 downzoned properties within the Project area.

Sincerely,



Barbara Nichols
President

Iroquois Neighborhood Association
Board of Directors

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JUN 09 2023
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Enclosure – Case Number 9-13-06 file

From: [Maureen Welch](#)
To: [Luckett, Jay](#)
Subject: Case 23-ZONEPA-0008 (5323 New Cut Road)
Date: Tuesday, February 28, 2023 11:58:09 AM

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Jay,

I hope you're doing well. I attended the February 8th neighborhood meeting regarding 5323 New Cut Road (Case 23-ZONEPA-0008). As you are aware, this site is located in the Kenwood Hill area which is in the Neighborhood Form District. The applicant is requesting a zoning change from R-4 single-family residential to R-6 multi-family residential to allow a 4-plex apartment, and for a conditional use permit to allow a short-term rental on the property. The neighborhood meeting was well attended, and there was thoughtful dialogue. I'm very familiar with the property as I've lived my entire life in the area.

My understanding is the existing 4,564 square foot dwelling is located on a double lot zoned R-4. The duplex will be / has been changed to accommodate a 4-plex and needs the zoning changed. Essentially one of the existing units in the duplex will be / has been converted into 3 apartments located on the first floor, the second floor, and in the basement. The basement apartment is what the applicant wants to use as the short-term rental. The applicant does not plan to increase the number of parking spaces which will remain at 4 spaces. The applicant also intends to cut down the large tree in the front of the property which will destabilize the ground in the front yard.

I have several concerns regarding the proposed zoning as noted below.

The site was downzoned to R-4 in 2006 due to soil instability. I don't understand why a zoning change increasing intensity from R-4 to R-6 would even be considered by Planning and Design.

- The site was rezoned from R-5 to R-4 in the Kenwood Hill area wide rezoning under docket 9-13-2006.
- The rezoning was necessary to protect environmentally sensitive land from excessive development without adequate review. The terrain in the area that was down zoned suffers due to drainage issues and unstable soils that are prone to mass wasting and erosion according to the rezoning documents which are on file. Iroquois Park which is just across the road suffers from the same unstable soil issues. It's easy to see the land slide issues in the park. Those same concerns exist on the other side of New Cut Road where this property is located.
- The proposed change is too intense for a double lot with unstable ground that originally was intended for two single family homes on a two lane road that is now four lanes.

Short-term rental

- The proposed short-term rental is too close to another short-term rental based on the staff report.
- Parking is not adequate to support a short-term rental unit.

Inadequate parking and pavement issues

- The current driveway and parking spaces are concrete. The concrete has large cracks and has shifted in places which is indicative of settling issues and unstable soil.
- It's my understanding from discussion at the neighborhood meeting that the existing four parking spaces are not adequate for the current number of duplex residents and their guests which often results in people parking in the yard. This will worsen if the zoning is changed from a duplex to a four-plex with a conditional use permit for a short-term rental. The ground is not stable enough for

parking in the yard or the addition of more parking.

- Most adults own a car or their friends and family do. It's unrealistic to think there will only be one car per unit regardless of what the latest zoning plan says is adequate. If the property is rezoned, there's not adequate available parking on site and the road is a four lane thoroughfare where people speed at 45 mph or more. You can't park on the side of the road, and it's illegal to park on a sidewalk. In fact the current parking is not adequate for a duplex.
- Short-term rental properties usually use a cleaning service. This results in more vehicles on the property in addition to vehicles for current residents and their guests. Again, there's not enough room for the cars that come with the proposed zoning change.

New Cut Road / Taylor Boulevard Corridor Study

- The study noted that "properties in the study area that are currently occupied by single-family dwellings are zoned accordingly (R-4 or R5)." See page 27 of the study.
- The New Cut Road / Taylor Boulevard Corridor Study does not support a zoning change to R-6 at this section of the corridor which would bring more intensity to the site. R-6 zoning would allow for the following uses which are not desired at this section and side of the corridor:
 - Assisted living facilities
 - Community centers
 - Religious buildings

As a result of the concerns noted above, I do not support a zoning change from R-4 to R-6. I appreciate your consideration of my concerns.

Best regards,

Maureen Welch
(502) 693-8526