



August 3, 2016

Case Manager
Planning and Design Services
Louisville/Jefferson County
Metro Government
444 South 5th Street
Louisville, Kentucky 40202

Re: Request to Amend Binding Element # 14

Dear Case Manager:

Please accept this as our letter of explanation for a binding element modification for section 3 of Summit Gardens. On behalf of the Owner and Developer we are formally requesting the modification of binding element # 14 from case # 14DEVPLAN1031. We would like to eliminate the requirement of the earthen berm along the eastern property line.

14. The Developer shall ~~construct an earthen berm upon its side of the eastern property line of the development adjacent to the City of Ten Broeck for the full length of the property line and shall~~ have secured the agreement of the City of Ten Broeck for the plan prior to submittal to staff for approval. The screening would consist of trees and plants that are in the applicant's plan book. In the event the agreement cannot be reached, the landscape plan shall be submitted to the DRC Committee, whose judgement shall be final.

We are working the City of Ten Broeck on a landscape plan that works for all parties. After further project development a berm will not be practical to address issues with the proposed slope, drainage or screening. Efforts are being made to maintain existing vegetation and an agreement with Ten Broeck is still being sought.

Sincerely,

Spencer Q. Heuke
Landscape Architect in Training,