



# Sidewalk Waiver Application

## Louisville Metro Planning & Design Services

Case No.: 16DEVPLAN1221

Intake Staff: 3B

Date: 12/14/16

Fee: \$234.00

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

### Project Information:

Explanation

of Waiver: Wave sidewalk along Gerber LN

Primary Project Address: 5540 NATIONAL TURNPIKE

Additional Address(es): 5534 NATIONAL TURNPIKE

Primary Parcel ID: 110800280000

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: MANUFACTURING

Existing Use: MANUFACTURING

Existing Zoning District: M2

Existing Form District: SUBURBAN WORKPLACE

Deed Book(s) / Page Numbers<sup>2</sup>: KENWOOD TERRACE SECTION 2 P.B 19 Pg 177

The subject property contains 13.59 acres. Number of Adjoining Property Owners: 23

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup> ☐ Yes ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_

# RECEIVED

DEC 15 2016

PLANNING &  
DESIGN SERVICES

## 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?**

Code states per Section 5.8.1.B that sidewalk shall be placed along Gerber Lane. See attached pictures. Gerber Lane is a short (200ft) dead end that has cantina wire & barbed wire fences surrounding it. There is a private road/denotement signs along with gates at the entrance of this street. If Beneke were to install a sidewalk it would never be used.

**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?**

Please Ref Question 1 as explanation is provided why regulation is not appropriate. Gerber Lane may show on a map as a public street but it is not used that way. only business with security fences & gates are located on this section of Gerber.

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

None at all. we spoke to one owner on Gerber and he laughed. The intent is to keep pedestrians out of this area.

RECEIVED  
DEC 15 2016  
PLANNING & DESIGN SERVICES

**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?**

if the city wants to pay to install sidewalks in a location where they will never be used, OK. Beneke wire sees this as an unnecessary expense that would drastically increase the cost of our metal building project and add zero value to the community.