General Waiver Application
Louisville Metro Planning & Design Services

Case No.: _____   Intake Staff: _____

Date: _____   Fee: _____

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 5th Street, Suite 300. For more information, call (502) 574-6230 or visit http://www.louisvilleky.gov/PlanningDesign.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

☐ Landscape Waiver of Chapter 10, Part 2

☒ Other: Waiver of Section __5.9.2.A.1b.v__

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: Waiver to waive the requirement of pedestrian connectivity to sidewalks in the public right of way and within the proposed parking lot area.

Primary Project Address: 4556 Orange Drive

Additional Address(es): _____

Primary Parcel ID: 087L-0001

Additional Parcel ID(s): _____

Proposed Use: Flight Simulator Bldg   Existing Use: Vacant

Existing Zoning District: EZ-1   Existing Form District: Suburban Workplace

Deed Book(s) / Page Numbers[2]: DB 10503 pg 911

The subject property contains __16.24__ acres. Number of Adjoining Property Owners: __7__

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)* [1]   ☐ Yes   ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: _____   Docket/Case #: _____

Docket/Case #: _____   Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four 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. **Will the waiver adversely affect adjacent property owners?**

   The requested waiver will not adversely affect adjacent property owners because Applicant also owns 6 of the 7 adjacent properties. In accordance with the industrial character of the area and the Suburban Workplace form district, there are no other existing sidewalks in the area in which to connect. A waiver is also being requested for sidewalks, as such, this waiver is for the requirement to connect to those sidewalks.

2. **Will the waiver violate the Comprehensive Plan?**

   The requested waiver complies with the Cornerstone 2020 Comprehensive Plan because the proposed development of the subject property will be consistent and compatible with the industrial character of the area. The subject property is appropriately located in the Suburban Workplace form district, adequate transportation infrastructure exists to accommodate the proposed use. The proposal will encourage redevelopment, rehabilitation and reinvestment opportunities in an older industrial area consistent with the Suburban Workplace pattern of development.

3. **Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

   This waiver is to waive the requirement for internal pedestrian connection to sidewalks on the right of way, that are also being requested to be waived by another waiver application. As such, the extent of this waiver is the minimum necessary to afford relief to the applicant.

4. **Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

   The requested waiver is the minimum necessary to afford relief to the applicant because there are no existing sidewalks in which to connect within this industrial area. Therefore, the strict application of the regulations would deprive the applicant of the reasonable use of the land and create an unnecessary hardship.

Contact Information:

Owner: ☐ *Check if primary contact*   **Applicant:** ☐ *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: _____

Owner Signature (required): _____

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, _____ , in my capacity as _____ , hereby
representative/authorized agent/other

certify that _____ 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: _____   Date: _____

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.

Please submit the completed application along with the following items:

☒ Land Development Report[1]

☒ Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*

    ☒ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]

    ☒ Vicinity map that shows the distance from the property to the nearest intersecting street

    ☒ North arrow

    ☒ Street name(s) abutting the site

    ☒ Property dimensions

    ☒ Building limit lines

    ☒ Electric, telephone, drainage easements with dimensions

    ☒ Existing and proposed structures with dimensions and distance from property lines

    ☒ Highlight (in yellow) the location of the waivers

☒ One set of mailing label sheets for: 1st tier Adjoining Property Owners (APOs)[3]; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site

☒ One copy of the APO mailing label sheets

☒ $215 Application Fee + $1 per mailing label (*Cash, charge or check made payable to Planning & Design Services*)

Resources:

1. Land Development Reports can be obtained online by entering the site address at: http://ags2.lojic.org/lojiconline/

2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: http://www.landrecords.jcc.ky.gov/records/S0Search.html

3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: https://jeffersonpva.ky.gov/

4. View agency comments at: http://portal.louisvilleky.gov/codesandregs/mainsearch. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.

Sample site plan is for example purposes only and not drawn to scale