



BOZA Appeal Application

Louisville Metro Planning & Design Services

Case No.: 18APPEAL002 Intake Staff: NH

Date: 5/10/18 Fee: \$ 470

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:

Primary Project Address: 16922 Shelbyville Rd, Louisville Ky 40245

Additional Address(es): None

Primary Parcel ID: 00340134000

Additional Parcel ID(s): None

Proposed Use: Commercial Existing Use: Commercial

Existing Zoning District: R4 Existing Form District: Neighborhood Village

Deed Book(s) / Page Numbers²: Deed Book 10505, page 908

The subject property contains .5745 acres. Number of Adjoining Property Owners: 3*

2 of the adjoining properties are also owned by the Applicant

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

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If yes, please list the docket/case numbers:

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

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

Contact Information:

Appellant: ☐ Check if primary contact

Name: Lucy Kerman

Company: YL Property Partners, LLC

Address: 2800 Mayo Lane

City: Prospect State: Ky Zip: 40059

Primary Phone: (502) 419-6577

Alternate Phone: _____

Email: Lucymatt4@AOL.Com

Appellant Signature (required): Lucy Kerman

Applicant: ☐ Check if primary contact

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Alternate Phone: _____

Email: _____

Attorney: ☒ Check if primary contact

Name: Michael F. Lawrence

Company: Lawrence & Lawrence, PLLC

Address: 440 S 7th Street, #200

City: Louisville State: Ky Zip: 40203

Primary Phone: (502) 589-5855

Alternate Phone: _____

Email: MFLawrence@Reallawky.com

Plan prepared by: ☐ Check if primary contact

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Alternate Phone: _____

Email: _____

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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, Michael F. Lawrence, in my capacity as Attorney, hereby
representative/authorized agent/other

certify that YL Property Partners, 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: Michael F. Lawrence Date: 5/10/18

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:

Project application and description

- ☐ Land Development Report¹
- ☐ A copy of the current recorded deed² (*must show "End of Document" stamp on last page*)
- ☐ Legal description on separate 8.5" x 11" sheet of paper (if not included in deed)
- ☐ Drawing of property, survey, tax map, or LOJIC map
- ☐ A written description of the grounds for the appeal
- ☐ A copy of the action or decision being appealed (e.g. Refusal Form, Cease and Desist Order, Interpretation Letter, etc.)
- ☐ If necessary, notarized affidavits, photographs, and supporting documents – examples may include information from Caron's or the Polk Directory, utility bills, tax records, etc.

Mailing labels to notify Adjoining Property Owners (APOs)³

- ☐ One set of mailing label sheets for: 1st tier APOs and those listed on the application
- ☐ One copy of the APO mailing label sheets

Fee (Cash, charge or check made payable to Planning & Design Services)

- ☐ \$ 470 Application Fee

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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.

18 APPEAL DC 2



Land Development Report

May 10, 2018 10:14 AM

About LDC

Location

Parcel ID: 003401340000
Parcel LRSN: 8107660
Address: MULTIPLE ADDRESSES

Zoning

Zoning: R4
Form District: NEIGHBORHOOD, VILLAGE
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: NONE
National Register District: NONE
Urban Renewal: NO
Enterprise Zone: NO
System Development District: B
Historic Site: NO

Environmental Constraints

Flood Prone Area

FEMA Floodplain Review Zone: YES
FEMA Floodway Review Zone: YES
Local Regulatory Floodplain Zone: YES
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0052E

Protected Waterways

Potential Wetland (Hydric Soil): NO
Streams (Approximate): YES
Surface Water (Approximate): NO

Slopes & Soils

Potential Steep Slope: NO
Unstable Soil: NO

Geology

Karst Terrain: YES

Sewer & Drainage

MSD Property Service Connection: NO
Sewer Recapture Fee Area: NO
Drainage Credit Program: MS4 (outside of incentive area)

Services

Municipality: LOUISVILLE
Council District: 19
Fire Protection District: EASTWOOD
Urban Service District: NO

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18APPEAL/COZ



General Information Report

May 10, 2018 10:15 AM

General Geographic Information

City: LOUISVILLE
Zip Code: 40245
Parcel ID: 003401340000
2000 Census Tract: 011601
2000 Census Block: 1009
2010 Census Tract: 011601
2010 Census Block: 4013
Neighborhood: Not Applicable
Neighborhood Place: CHARMOLI CENTER
Metro Park: Not Applicable
LOJIC Street Atlas: MAL26-F

Sanitation Services

The address you entered is outside the Urban Service District where Louisville Metro is responsible for waste collection, recycling and yard waste services. If you live in another city within Jefferson County, your city administrator can provide you with the appropriate waste hauler information. To learn more, call MetroCall at 311 or 574-5000.

Special Districts

Enterprise Zone: Not Applicable
Overlay District: Not Applicable
Historical District: Not Applicable
Preservation District: Not Applicable
Urban Renewal District: Not Applicable
CPW Maintenance District: EAST
Zoning - Form District: R4 - V

Emergency Services

Fire: EASTWOOD
Police: Louisville Metro Police Department, Eighth Division

Political Areas

Council Member District: 19 - JULIE DENTON
US Congressional District: 4 - THOMAS MASSIE
KY Senatorial District: 36 - JULIE RAQUE ADAMS
KY Legislative District: 36 - JERRY T. MILLER
School Board District: 7 - Chris Brady
Voting Precinct: V104 Where do I vote?

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18APPEAL002



Bobbie Holsclaw
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Jefferson County Clerk's Office.



INST # 201511105873

BATCH # 2339

JEFFERSON CO, KY FEE \$17.00

STATE OF KY DEED TAX \$33.50

PRESENTED ON: 11-25-2015 5 01:04:47 PM

LODGED BY: HORNE TITLE

RECORDED: 11-25-2015 01:04:47 PM

BOBBIE HOLSCRAW

CLERK

BY: SHERRI SCHULTZ

RECORDING CLERK

BK: D 10505

PG: 908-910

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527 W Jefferson St ~ Louisville, KY 40202 (502) 547-5700

Website: www.jeffersoncountyclerk.org | Email: countyclerk@jeffersoncountyclerk.org

10APPEAL1002

21

RECORD AND RETURN TO:

Stephanie Horne, Attorney
Horne Title
6510 Glenridge Park Place Suite 1
Louisville, Kentucky 40222

File No.: 15110001 -A

GENERAL WARRANTY DEED

THIS DEED is between Hazel Y. Wickett, unmarried, Grantor(s), whose mailing address is 3030 Breckenridge Ln, Apt 512 Louisville, KY 40220; and YL Property Partners, LLC, a Kentucky Limited Liability Company, Grantee(s), whose tax mailing address is:

2800 Maple Ave, Prospect Ky 40059

WITNESSETH: That, for a valuable consideration in the amount of \$33,333.34, the receipt of which is hereby acknowledged, Grantor(s) hereby convey(s) unto Grantee(s), in fee simple, with covenant of General Warranty, the following described property located at 16922 SHELBYVILLE ROAD, LOUISVILLE, KY 40245, in JEFFERSON County, Kentucky, to wit:

BEGINNING in the middle of the Louisville and Shelbyville Pike, near the west end of the bridge across the Long Run Creek; thence with said Pike North 79 degrees 35 minutes west 94 feet to a spike, the true point of beginning; thence south 6 degrees 10 minutes east 199 feet to a point, corner to George Ash; thence with his line north 68 degrees 00 minutes west 215.8 feet to a stake in the line of the Old Dorrell tract; thence with said tract north 14 degrees 30 minutes east 147.5 feet to a spike in the center of the Louisville and Shelbyville Pike; thence with said Pike south 79 degrees 15 minutes east 143.8 feet to the true point of beginning.

BEING the same property conveyed to William A. Wickett and Hazel Wickett, husband and wife, by Deed dated March 10, 1992 and recorded on March 11, 1992, of record in Deed Book 6155, Page 745, in the Office of the Clerk of the County Court of Jefferson County, Kentucky. Thereafter, William A. Wickett died on October 17, 1993, thus vesting title in Hazel Wickett by rights of survivorship.

Said estate is free from all encumbrances except restrictions and easements of record, zoning regulations and real estate taxes not yet due and payable.

Grantor(s) and Grantee(s) do hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Grantee(s) joins this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

IN WITNESS WHEREOF, the said Grantor(s) and the said Grantee(s) have hereunto set their hands this November 23, 2015

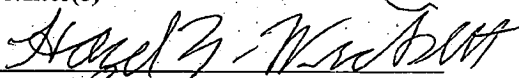
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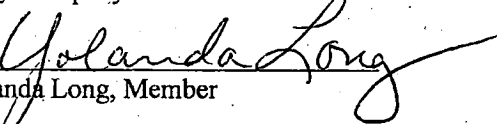
18APPEAL1002

Grantor(s)


Hazel Y. Wickett

Grantee(s)

YL Property Partners, LLC, a Kentucky Limited Liability Company

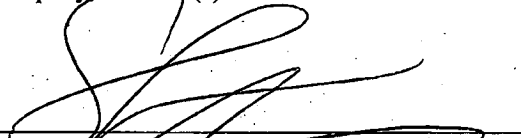
BY: 
Yolanda Long, Member

STATE OF KENTUCKY)

§§

COUNTY OF JEFFERSON)

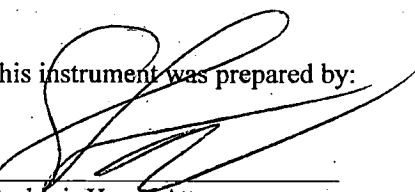
I hereby certify that the foregoing deed and consideration statement was acknowledged and sworn to before me this 23rd day of November, 2015, by Hazel Y. Wickett, unmarried, Grantor(s), and Yolanda Long, in her capacity as Member, on behalf of YL Property Partners, LLC, a Kentucky Limited Liability Company, Grantee(s).


Notary Public

State at Large, Kentucky

My Commission Expires: _____

This instrument was prepared by:


Stephanie Horne, Attorney
Sara Michael Nicholson, Attorney
Horne Title
6510 Glenridge Park Place Suite 1
Louisville, Kentucky 40222
502-409-5044
502-409-5046 Fax

STEPHANIE L. HORNE
Notary Public, State at Large, KY
My commission expires Aug. 31, 2019

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END OF DOCUMENT

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▼ General Geographic Information

City: LOUISVILLE
 Zip Code: 40245
 Parcel ID: 003401340000
 2000 Census Tract: 011601
 2000 Census Block: 1009
 2010 Census Tract: 011601
 2010 Census Block: 4013
 Neighborhood: Not Applicable
 Neighborhood Place: [CHARMOLI CENTER](#)
 Metro Park: Not Applicable
 LOJIC Street Atlas: MAL26-F

▼ Political Areas

Council Member District: [19 - JULIE DENTON](#)
 US Congressional District: [4 - THOMAS MASSIE](#)
 KY Senatorial District: [36 - JULIE RAQUE ADAMS](#)
 KY Legislative District: [36 - JERRY T. MILLER](#)
 School Board District: [7 - Chris Brady](#)
 Voting Precinct: [V104 - Where do I vote?](#)

▼ Sanitation Services

The address you entered is outside the Urban Service District where Louisville Metro is responsible for waste collection, recycling and yard waste services. If you live in another city within Jefferson County, your city administrator can provide you with the appropriate waste hauler information. To learn more, call MetroCall at 311 or 574-5000.

▼ Emergency Services

Fire: [EASTWOOD](#)
 Police: [Louisville Metro Police Department, Eighth Division](#)

▼ Special Districts

Enterprise Zone: Not Applicable
 Overlay District: Not Applicable
 Historical District: Not Applicable
 Preservation District: Not Applicable
 Urban Renewal District: Not Applicable
 CPW Maintenance District: [EAST](#)
 Zoning - Form District: [R4 - V](#)

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181APPEA4002

BOZA APPEAL STATEMENT

CASE NO.17PM26500-2651415

RE: 16922 Shelbyville Rd., Louisville Ky

Appellant, YL Property Partners, LLC (YLP) appeals the citation issued on April 11, 2018, Case No. 17PM26500-2651415. The citation alleges a non-permitted use of a residentially zoned property.

In support of this appeal YLP asserts that the property has been used as a commercial property for decades and the properties commercial use should be grandfathered in. Attached hereto as Exhibit A are records from Jefferson County PVA which show that the property class of the subject property is listed as "480 com warehouse". It shows a light commercial utility building, apparently built in approximately 1900 with a second building constructed in approximately 1985. Attached as Exhibit B is a copy of the 2015 Tax Record Report showing that the property was commercial. Attached as Exhibit C is the Flexmls report showing the property as commercial.

Appellant asks that the citation be dismissed and that they receive a variance to allow them to continue the decades long commercial use of the property.

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18 APPEAL 1002



Louisville-Jefferson County Metro Government

Office of Planning & Design Services

Develop Louisville

444 S. 5th Street, Suite 200 - Louisville, KY 40202

Phone: (502)773-2069 Email: james.mullarkey@louisvilleky.gov Web Site: louisvilleky.gov/government/planning-design



Case Number: 17PM26500-2651415

4/11/2018

Page 1 of 2

Owner:

YL, PROPERTY PARTNERS LLC
2800 MAYO LN
PROSPECT, KY 40059-8107



ZONING NOTICE

Location: 16922 SHELBYVILLE RD

Your property was inspected on April 11, 2018 and found the existence of one or more violations of the Louisville/Jefferson County Development Code.

You must cease immediately using this property in violation of the Land Development Code.

Failure to comply with this Notice will result in fines against you of not less than \$10 but not more than \$500 for each violation with each day of violation. Each day that a violation continues after this notice shall be deemed a separate offense.

If you disagree with this Notice, you may file an appeal to the Board of Zoning Adjustment (BOZA). Appeals must be filed within thirty (30) days of this Notice, using the official BOZA appeal form along with any supplemental documentation required. A copy of the appeal must also be forwarded to me at the time the appeal is filed. BOZA appeal application forms are available at the Department of Codes & Regulations Customer Service Desk or online at http://www.louisvilleky.gov/planningdesign/checklists_application.htm. The department is located at 444 S. 5th Street, Louisville, KY 40202.

I will be returning to your property in the near future to ensure that you have complied with this Order. Should you have any questions, please call me at the number below.

If you are not the owner of this property, you have been sent a copy of this notice as an interested party.

JAMES MULLARKEY

Inspector
(502)773-2069
james.mullarkey@louisvilleky.gov

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* talked to 5/21/18 (initial)

* received Appeal (initial)

18APPEAL002



Louisville-Jefferson County Metro Government

Office of Planning & Design Services

Develop Louisville

444 S. 5th Street, Suite 200 - Louisville, KY 40202

Phone: (502)773-2069 Email: james.mullarkey@louisvilleky.gov Web Site: louisvilleky.gov/government/planning-design

Case Number: 17PM26500-2651415

Page 2 of 2

Z194 NON-PERMITTED USE-RESIDENTIAL

Inspector Comments: You are operating or allowing the operation of a contractors shop from the above mentioned R4 zoned residential property. The property must be zoned C2 for a contractor shop. Zone change required.

Chapter 2.2.2-13/Article 4.1-13 Non-Permitted Use: You are allowing a non-permitted use to exist on the above referenced residential property. This is in violation of The Land Development Code for Louisville and Jefferson County (Chapter 2.2.2-13) OR You are allowing a non-permitted use to exist on the above referenced residential property. This is in violation of The Development Code for Louisville and Jefferson County (Article 4.1-13).

Responsible: OWNER

Subject violation needs to be in compliance on or before May 11, 2018 to avoid additional fines and court action.

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18 APPEAL 1002

JEFFERSON COUNTY PVA

16922 SHELBYVILLE RD

Mailing Address 2800 MAYO LN, PROSPECT,
KY 40059-8107

Owner YL PROPERTY PARTNERS
LLC

Parcel ID 003401340000

Land Value \$16,970

Improvements Value \$22,320

Assessed Value \$39,290

Approximate Acreage 0.5745

Property Class 480 COM WAREHOUSE

Deed Book/Page 10505 0908

District Number 500007

Old District 22

Fire District Eastwood

School District Jefferson County

Neighborhood 80 / COM EASTERN
JEFFERSON COUNTY

Satellite City Jefferson County

Sheriff's Tax Info View Tax Information

County Clerk Delinquent Taxes ☒



Details & Photos



LT COMMERCIAL UTIL BLDG

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Property Details

Use Description	LT COMMERCIAL UTIL BLDG
Year Built	1900
Basement Area	720 sq. ft.
Basement Finished?	No
Construction Frame	Wood Frame
Stories	1.00
Above Grade Sq Ft.	720 sq. ft.

Photos

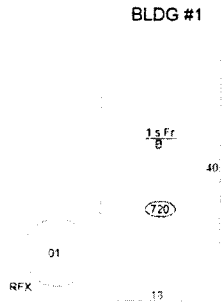
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18APPEAL1002

Property Sketch



LT COMMERCIAL UTIL BLDG



Property Details

Use Description
Year Built
Basement Area
Basement Finished?
Construction Frame
Stories
Above Grade Sq Ft.

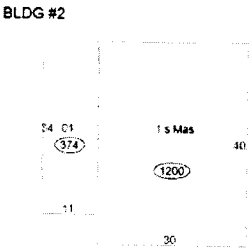
LT COMMERCIAL UTIL BLDG
1985
0 sq. ft.
No
Fire Resistant
1.00
1,200 sq. ft.

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Photos



Property Sketch



18APPEAL002

Sales History

Deed Book/Page	Price	Date	Previous Owner
10505 0908	\$33,330	11/25/2015	WICKETT WILLIAM A & HAZEL
6155 0745	\$52,000	03/11/1992	POWELL HERBERT H

Assessment History

Date	Land	Improvements	Total	Reason
01/01/2017	\$16,970	\$22,320	\$39,290	CR - Commercial Computer Reassessment
11/25/2015	\$9,360	\$23,970	\$33,330	Y - Decrease-One Year Only
01/01/2009	\$51,000	\$49,000	\$100,000	23 - Land
01/01/2004	\$13,600	\$49,810	\$63,410	CR - Commercial Computer Reassessment
09/18/2002	\$13,600	\$40,800	\$54,400	C - Chang in Use / Class Change

Legal Lines

LN Legal Description

- 1 0.5745 AC SS SHELBYVILL RD 94 FT W OF BRIDGE ACROSS LONG RUN CREEK 180 X 173 AVG
- 2 TO CL LESS 25' TO R/W NOW 180 X 148 AVG

Property is assessed per KRS 132.20 on January 1st of each year. The current year assessments are updated and posted on the website in mid April. Information deemed reliable but not guaranteed. Data last updated: 04/18/2018.

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Tax Record Report for Parcel 003401340000 at 16922 Shelbyville Rd, LOUISVILLE, KY 40245

County Tax Information

Parcel ID	003401340000	Parcel ID-Formatted	0034-0134-0000
County	Jefferson	Land Assessment	51,000
Building Assessment	49,000	Total Assessment	100,000
Sale Date	3/11/1992	Sale Amount	52,000
Transfer Deed Book	6155	Transfer Deed Page	0745
Transfer Grantor	POWELL HERBERT H	Property Class	C
Property Type	Jefferson		

Owner Information

Owner Address	3030 BRECKENRIDGE LN APT 512 LOUISVILLE, KY 40220-2163	Owner	WICKETT WILLIAM A & HAZEL
---------------	---	-------	---------------------------

Property Information

District	07	Lot Size	<= 1 Acre
Land Size	25,025	Year Built	1900
Fin Size	0		

Tax records last updated Jefferson County: October 2, 2015 Oldham County: March 12, 2014 Bullitt County: January 15, 2015

Information is deemed to be reliable, but is not guaranteed. See copyright notice.

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1430 282

flexmls (/cgi-bin/mainmenu.cgi?cmd=srv+fle

Dashboard Add/Change Search Daily Functions Contacts Taxes Statistics Preferences ~~App~~**Tax Record Report for Parcel 003401340000 at 16922 Shelbyville Rd, LOUISVILLE, KY 40245****County Tax Information**

Parcel ID	003401340000	Parcel ID-Formatted	0034-0134-0000
County	Jefferson	Land Assessment	51,000
Building Assessment	49,000	Total Assessment	100,000
Sale Date	3/11/1992	Sale Amount	52,000
Transfer Deed Book	6155	Transfer Deed Page	0745
Transfer Grantor	POWELL HERBERT H	Property Class	C
Property Type	Jefferson		

3

Owner Information

Owner Address	3030 BRECKENRIDGE LN APT 512 LOUISVILLE, KY 40220-2163	Owner	WICKETT WILLIAM A & HAZEL
---------------	---	-------	---------------------------

Property Information

District	07	Lot Size	<= 1 Acre
Land Size	25,025	Year Built	1900
Fin Size	0		

Tax records last updated Jefferson County: August 18, 2015 Oldham County: March 12, 2014 Bullitt County: January 15, 2015
Information is deemed to be reliable, but is not guaranteed. See [copyright notice](#).

Tax Record Report for Parcel 003401450000 at 16924 Shelbyville Rd, LOUISVILLE, KY 40245**County Tax Information**

Parcel ID	003401450000	Parcel ID-Formatted	0034-0145-0000
County	Jefferson	Land Assessment	3,890
Building Assessment	0	Total Assessment	3,890
Sale Date	5/20/2011	Sale Amount	3,890
Transfer Deed Book	9724	Transfer Deed Page	0426
Transfer Grantor	POWELL HERBERT H	Property Class	R
Property Type	Jefferson		

2

Owner Information

Owner Address	3030 BRECKENRIDGE LN APT 512 LOUISVILLE, KY 40220-2163	Owner	WICKETT HAZEL Y
---------------	---	-------	-----------------

Property Information

District	07	Lot Size	< 1/4 Acre
Land Size	6,878	Year Built	0

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1EAPPEAL1002

John Payne, Registered Agent
Ashmoor Woods Association, Inc.
5151 Jefferson BLVD. Suite 103
Louisville, KY 40219

John Payne, Registered Agent
Ashmoor Woods Association, Inc.
5151 Jefferson BLVD. Suite 103
Louisville, KY 40219

John Payne, Registered Agent
Ashmoor Woods Association, Inc.
5151 Jefferson BLVD. Suite 103
Louisville, KY 40219

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Louisville, KY 40219

John Payne, Registered Agent
Ashmoor Woods Association, Inc.
5151 Jefferson BLVD. Suite 103
Louisville, KY 40219

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