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502 272-0777
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July 20, 2020

Louisville Metro Planning & Design Services
444 South 5th Street, #300
Louisville, KY 40202

Re: 1517 Crums Lane, Louisville, KY 40216
Grounds to Appeal Decision Regarding Nonconforming Rights Application

This letter is to document grounds for an appeal to the Louisville Metro Board of Zoning Adjustment pursuant to Kentucky Revised Statutes, Section 100.257. On behalf of my client, I filed a Nonconforming Rights Application for the property known as 1517 Crums Lane, Louisville, KY 40216. On July 17, 2020, I received notice that the application was denied by Louisville Metro Planning & Design Services.

The reason stated for the denial was essentially a technicality. The records show that the use of the property began as a teaching institution when the building was constructed in 1967. The property became a blood plasma collection center in 1986, which it remained for over 30 years. Because of the change of use, Louisville Metro Planning & Design Services determined that the requirement for consecutive use was not met.

My client wishes to purchase the property to provide needed services for southwestern Louisville and Jefferson County. However, doing so will require that nonconforming use of the property be allowed. Please set up a date and time so that my client can make its case to the Louisville Metro Board of Zoning Adjustment.

Sincerely,



Michael A. Noll

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20-APPEAL-0004



OFFICE OF PLANNING & DESIGN SERVICES
DEVELOP LOUISVILLE
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

YU "EMILY" LIU, AICP
DIRECTOR

July 17th, 2020

Goodies Realty, Inc.
Harbor Holdings, Inc.
Cherosen Ventures, LLC
930 Geiger Street
Louisville, KY 40206

Michael A. Noll
Noll Law Office
2843 Brownsboro Road, Suite 212
Louisville, KY 40206

Re: 20-NONCONFORM-0011
1517 Crums Lane
Louisville, KY 40216

This letter will serve notice that nonconforming use rights for a medical clinic have not been established for the property located at 1517 Crums Lane. The subject property lies within the M-2 Industrial Zoning District. This decision is based upon information provided in the application and Develop Louisville files.

Staff did not receive or find documentation supporting the consecutive use of a medical clinic. Staff did receive and find documentation reflecting changes in use of the property, including teaching institution and plasma collection center.

Staff's conclusion can be appealed to the Louisville Metro Board of Zoning Adjustment pursuant to Kentucky Revised Statutes, Section 100.257 within 30 days.

Sincerely,

Chris French
Planning & Design Supervisor

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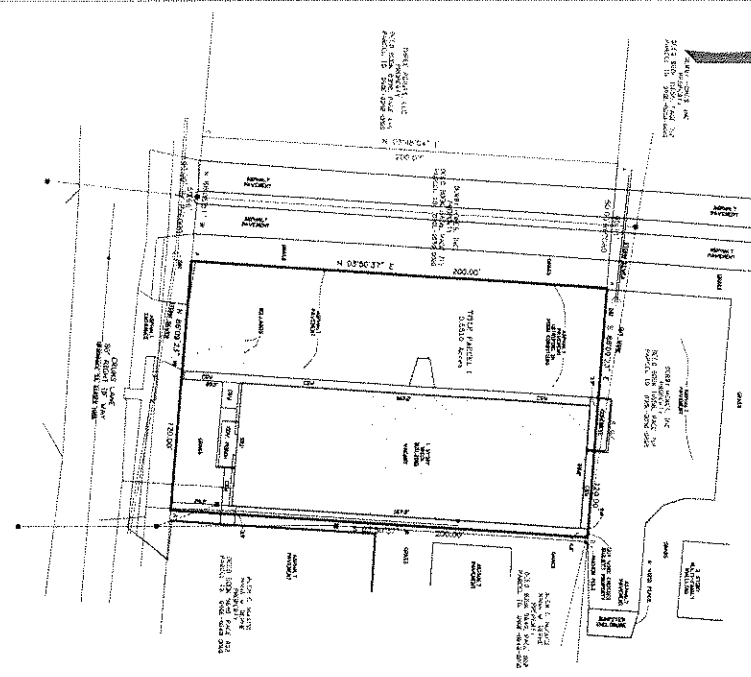
LOUISVILLE FORWARD

www.louisvilleky.gov

METRO DEVELOPMENT CENTER 444 S. FIFTH STREET, STE 300, LOUISVILLE, KENTUCKY 40202 502.574.6230 FAX 502. 574.8129

20 - APPEAL - 0004

NOTES:
1. THE SURVEY IS BASED ON THE RECORDS OF THE
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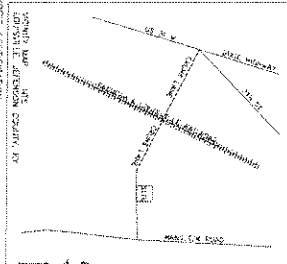
SURVEY NOTES

THE SURVEY WAS MADE BY THE SURVEYOR
ON THE 15TH DAY OF JULY 2020
AT THE LOCATION OF THE SURVEY
THE SURVEY WAS MADE BY THE SURVEYOR
ON THE 15TH DAY OF JULY 2020
AT THE LOCATION OF THE SURVEY

THE COMMISSIONER'S LEGAL DESCRIPTION

BEING THE SURVEY OF THE COMMISSIONER
ON THE 15TH DAY OF JULY 2020
AT THE LOCATION OF THE SURVEY
THE SURVEY WAS MADE BY THE SURVEYOR
ON THE 15TH DAY OF JULY 2020
AT THE LOCATION OF THE SURVEY

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ON THE 15TH DAY OF JULY 2020
AT THE LOCATION OF THE SURVEY



<p>VACANT BUILDING 1517 CRUMS LANE LOUISVILLE, KY 40216</p>	<p>TASMAN REAL ESTATE VENTURE GOODIE'S REALTY, INC. HARBOR HOLDING, INC. IRVIN TASMAN TRUST B THROUGH</p>	<p>SURVEY FOR CLIENT FREEDOM CRUMS, INC. 4511 BARDELOW ROAD GEORGETOWN, KY 40316</p>	<p>WILLMOTH INTERNATIONAL, PSC PROFESSIONAL LAND SURVEYING 205 E. BIRCHWOOD AVE LOUISVILLE, KY 40203 TEL: 502-454-6000 FAX: 502-454-6001 WWW.WILLMOTH-DESIGN.COM</p>	<p>DATE: APRIL 27, 2020 DRAWN: KLP CHECKED: MJP</p>
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20-APPEAL-0004

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MICHAEL A. NOLL
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502 272-0777
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June 29, 2020

Louisville Metro Planning & Design Services
444 South 5th Street
Louisville, KY 40202

Re: 1517 Crums Lane, Louisville, KY 40216; Nonconforming Rights Application;
Change in Nonconforming Use to Another Nonconforming Use

I represent the owner of Freedom Crums Inc., a company which would like to purchase the property at 1517 Crums Lane (the "Property") and convert it for use as an adult day care center. The Property includes a 9,853 sq. ft. building which could be readily converted to an adult day care center. Additionally, the location of the Property is ideal for the people living in southwestern Louisville and Jefferson County who would be served by the adult day care center. The Commonwealth of Kentucky has issued the requisite Certificate of Need and License to my client's business to be used for the adult day care center on the Property

The Property is zoned M-2. According to the interpretation of the Land Development Code by Louisville Metro Planning and Design, an adult day care center would not be permitted by M-2 zoning, and therefore it would be a nonconforming use of the Property.

The Property has a long history of nonconforming use. Based on research of publicly available records, the building was constructed in 1967 while the property was owned by United Electronics Institute which operated a school a few blocks away. Electronics was an emerging and growing field at the time, and it stands to reason that the school needed more space for classrooms and perhaps laboratories and used the Property for that purpose from 1967 until 1975. Records indicate that the Property was a nursing school from 1975 until 1985, an employment agency during 1985, and a blood plasma center beginning in 1986 for over thirty years continually, until it suspended operations in 2017. There is no record of the Property ever having been used for manufacturing.

Enclosed please find a *Nonconforming Rights Application* for the Property and supporting documents, and also an application for *Change in Nonconforming Use to Another Nonconforming Use*. In the event that nonconforming rights are denied, the intention is to appeal to the Board without delay.

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20 - NONCONFORM - 0011

Louisville Metro Planning and Design Services
June 29, 2020
Page 2

The adult day care center proposed for the Property will be owned and operated by people well experienced in the operation of other adult day care centers, including Freedom Adult Day Healthcare located in the Buechel area of Jefferson County. The adult day care center will provide a safe and secure environment for vulnerable, at-risk people. Providing such a necessary service to the community is an ideal use for the Property which is located in the Shively area.

Please consider me to be the primary contact for both applications. If you would like to speak to me, feel free to call me on my cell phone, (502) 741-2482.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Noll".

Michael A. Noll

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Documentation of Nonconforming Use of 1517 Crums Lane Since 1967

Timeline with supporting document:

1. June 1, 1967 – United Electronics Institute purchased the property – Deed
2. 1967 – Building was constructed by United Electronics Institute – PVA data sheet showing that the building was constructed in 1967.
3. Circa 1968 – Advertisement seeking students for United Electronics Institute. The address of United Electronics Institute is 3947 Park Drive, Louisville KY 40216, which is a few blocks from 1517 Crums Lane. Although 1517 Crums Lane was evidently used for additional classrooms and labs, its address was not published initially.
4. Google Maps printout showing 1517 Crums Lane is an 11 minute walk from 3947 Park Drive. Students could easily walk between the building locations.
5. 1970 – Picture of United Electronic Institute class of 1970, posted on alumni internet page.
6. Circa 1970 – Picture of slide rule issued to students by United Electronics Institute, posted on alumni internet page.
7. 1970 – Caron's Directory showing that 1519 Crums Lane (next door to United Electronics Institute at 1517 Crums Lane) was student resident halls.
8. 1972 – Caron's Directory showing that 1519 Crums Lane was student resident halls.
9. 1974 – Caron's Directory showing that 1519 Crums Lane was student resident halls.
10. 1975 – Caron's Directory showing that 1517 Crums Lane was Allied Health Division of United Electronics Institute and that 1519 Crums Lane was student resident halls.
11. 1976 – Caron's Directory showing that 1517 Crums Lane was Allied Health Division of United Electronics Institute.
12. 1977 – Caron's Directory showing that 1517 Crums Lane was United Electronics Institute-Allied Health Division.
13. 1978 – Caron's Directory showing that 1517 Crums Lane was Louisville College of Medical and Dental Careers.
14. 1979 – Caron's Directory showing that 1517 Crums Lane was Louisville College of Medical and Dental Careers.
15. 1980 – Caron's Directory showing that 1517 Crums Lane was Louisville College of Medical and Dental Careers.
16. 1982 – Caron's Directory showing that 1517 Crums Lane was Louisville College of Medical and Dental Careers.
17. 1984 – Caron's Directory showing that 1517 Crums Lane was Louisville College of Medical and Dental Careers.
18. 1985 – Polk & Co. Directory showing that 1517 Crums Lane was Advance Personnel employment agency.
19. 1986-2016 – Polk & Co. Directory listings showing that 1517 Crums Lane was a succession of blood plasma collection centers under different names, successively: Alliance Plasma blood bank; Plasma Centeon Bio Services Inc blood bank; Centeon Bio-Services health aid services; Aventis Bio-Services blood banks & centers; ZLB Plasma SVC blood banks & centers; and most recently CSL Plasma plasma collectors.

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