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SIDEWALK WAIVER
KENTUCKY HUMANE SOCIETY
1110 MEADOW AVE

The applicant is requesting a waiver from LDC 6.2.6.B to eliminate sidewalks along most of Orchard Ave., all of Dearing Ave., and all of Meadow Ave. This area was once a developed, single-family neighborhood that was vacated and demolished as a part of the Airport Relocation Plan several years ago. At that time, a majority of this area was zoned to EZ-1. Much of the surrounding property is owned by BT Property, LLC, which is the land holder for much of the UPS property in the area. So, it is reasonable to assume that, at some point, this area will become a commercial or industrial area much like many of the other relocation project areas such as the Renaissance South Business Park just south of the airport. It is also reasonable to assume that much of the surrounding roadway network will be reworked or removed when that happens. Utilities have already started decommissioning their equipment in this area and new infrastructure will have to be extended to any future development. There are currently no other users in the area that would use these sidewalks that would literally go to nowhere.

Furthermore, the Kentucky Humane Society is a nonprofit agency and there is street frontage on all 4 sides of this property. Construction of 2,020 linear feet of 5' sidewalk would be extremely expensive. We are proposing to rebuild the sidewalks along Preston in front of the subject property that will then connect to the front door of the Humane Society building but we are asking for a waiver of the remainder of the walk.

1. Explain how the proposed waiver conforms to the Comprehensive Plan and the intent of the Land Development Code.

Connectivity is still being provided for the site with a sidewalk along Preston Highway and a connection from there to the front door of the new facility.

2. Explain how the waiver will not adversely affect adjacent property owners.

The waiver will not affect adjacent property owners because a majority of the other properties in the area are vacant, and it is likely that there will be wholesale reconstruction of the infrastructure serving this area when it does develop.

3. Explain how you are unable to reasonably comply with one of the listed methods of compliance in LDC section 6.2.6.C.

Because this site is surrounded on all 4 sides by streets, the cost of installing sidewalks would be significant. Furthermore, it is likely that the streets in this area will be significantly altered in the future, making the construction of sidewalks now premature.

4. Explain how strict application of the provision of the regulations deprives you of reasonable use of the land or creates an unnecessary hardship.

The strict application of the regulations would require this non-profit to spend a significant amount of money on sidewalks that will not be used because there is no one in the area to use them.

5. What site constraints make sidewalk construction impracticable? Or are there no existing sidewalks in the area and no likelihood for sidewalks to be constructed in the future?

There are no existing sidewalks in the area (except on Preston Highway where we are maintaining a sidewalk and providing appropriate connections) and there is unlikely to be any additional sidewalks built in the area...at least not with the current street configuration. Therefore, it is impractical to build sidewalks along all frontages of this site.