

St Germain, Dante

From: Paula And Steve <33sandp@gmail.com>
Sent: Wednesday, January 25, 2023 7:11 PM
To: St Germain, Dante
Subject: LDT Meeting-Case No. 22-ZONE- 0149, located at 9920 Cedar Creek Road.

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.

Hello Dante,

My name is Paula Miles and I've recently sent you correspondence involving Case No. 22-ZONE-0149, located at 9920 Cedar Creek Rd. This correspondence was a request for the installation of a privacy fence around the proposed development. The reason I am writing you is that I understand there is a zoning meeting tomorrow, January 26, 2023, for this development. Unfortunately, travel will prevent me from being present at this meeting. I am writing you to help ensure that our privacy fence installation request is being considered as part of this development. Since I can't attend the meeting, I wanted you to know that this request from me, family, and other neighbors is still active. I am not sure a zoning meeting such as the one tomorrow is the correct venue to express our request and rationale for the fence, but please know we will continue to push as necessary for the fence installation.

Thank you for your time and all you are doing to document our request.

Paula Miles
502-554-0790

St Germain, Dante

From: John Talbott <John@bardlaw.net>
Sent: Monday, November 21, 2022 10:32 PM
To: Paula And Steve
Cc: dan.hempel@pultegroup.com; triplett@ldd-inc.com; St Germain, Dante
Subject: Re: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

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Thanks for the response, Paula. If you have any other questions, feel free to call me on my cell phone. If not, I wish you and your family a Happy Thanksgiving.

With continued kind regards,



Land Law

John C. Talbott

Bardenwerper Talbott & Roberts, PLLC
Office 502-426-6688
Cell 502-741-8783

From: Paula And Steve <33sandp@gmail.com>
Date: Monday, November 21, 2022 at 5:26 PM
To: John Talbott <John@bardlaw.net>
Cc: Dante.St.Germain@louisvilleky.gov <Dante.St.Germain@louisvilleky.gov>, dan.hempel@pultegroup.com <dan.hempel@pultegroup.com>, robin.engel@louisvilleky.gov <robin.engel@louisvilleky.gov>, triplett@ldd-inc.com <triplett@ldd-inc.com>, james.peden@louisvilleky.gov <james.peden@louisvilleky.gov>, Paula Miles <33sandp@gmail.com>
Subject: Re: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

Mr. Talbott,

I appreciate the reply, but first, I am not sure copying in three (3) government contacts with my correspondence constitutes "so many" government officials as you say.

Second, yes, as I stated, I knew you would argue who was aware of the development zoning meeting. But in my conversations with neighbors, many stated they knew nothing of the meeting, let alone a proposed development next to them. I am taking them at their word.

Next, regarding your query about the possibility of those surveyed being outside of the notification zone; based on the map you provided, I see that none of the addresses I surveyed, and who signed the request for the fence, are outside

the notification zone. Everyone I surveyed signed the request. You have all the addresses, you could have looked them up.

Lastly, again, I've acknowledged no promises were made on fence installation, but it was evident from Mr. Hempel it is a possibility and could be accomplished with discussion.

Paula Miles

Sent from my iPad

On Nov 21, 2022, at 3:05 PM, John Talbott <John@bardlaw.net> wrote:

Dear Paula and Steve, thank you for acknowledging the misunderstanding on the fence matter. Since you copied in so many government officials, I wanted to make sure everyone was clear no such agreement had been made on behalf of Pulte. Additionally, in response to your comment about certain folks not getting notice, please see the attached map of who we sent notice of the meeting. We take proper notice very seriously, but perhaps some of the folks you mention were outside the required notice list. Best regards, jt

From: Paula And Steve <33sandp@gmail.com>

Date: Monday, November 21, 2022 at 1:28 PM

To: John Talbott <John@bardlaw.net>

Cc: Dante.St.Germain@louisvilleky.gov <Dante.St.Germain@louisvilleky.gov>, dan.hempel@pultegroup.com <dan.hempel@pultegroup.com>, robin.engel@louisvilleky.gov <robin.engel@louisvilleky.gov>, triplett@ldd-inc.com <triplett@ldd-inc.com>, james.peden@louisvilleky.gov <james.peden@louisvilleky.gov>, Paula Miles <33sandp@gmail.com>

Subject: Re: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

Resending due to formatting issues. Hopefully this one works.

Thanks, Paula Miles

John Talbott

November 18, 2022

Bardenwerper, Talbott & Roberts PLLC

1000 N. Hurstbourne Pkwy., 2nd Floor

Louisville, Ky 40223

John,

I appreciate your follow up phone call yesterday regarding our request for a privacy fence around the perimeter of the 9220 & 9224 Cedar Creek Road development. However, I am disappointed in the immediate dismissal and arguments made by yourself against the fence. I believe our request is still valid and a fence is needed as requested by myself and neighbors surrounding the proposed development.

My response to your dismissal argument is this:

First, and foremost, in your reply email to me dated 11/16/2022 included below, you state I was "inaccurate" about, and "misunderstood", comments made about the construction of a fence from your client. I disagree to an extent. I fully understood Mr. Hempel's response to our request of a fence as something that the developer would consider and discuss with us and could be accomplished. Maybe I should have rephrased that better in my correspondence with you and your client, Pulte Group, and specifically Mr. Hempel, who I have not heard from. We understand there was no promise made, but regardless of your stance and interpretation of what transpired at the meeting, the installation of the fence is still strongly wanted and requested by us and those signatory to our request sent to you and your client. In addition, "everyone" as you mention in your email, does not include all those who signed the petition who were not at the zoning meeting. Many of those I surveyed claimed they knew nothing of the meeting and were never notified. I'm sure you'll argue that.

Second, installation of the fence we propose would not damage or destroy, as you say, mature trees adjoining the proposed development. The only way the trees would be jeopardized is with careless installation of the fence by hired development contractors, i.e., unnecessary large construction equipment traffic over existing tree roots, careless post hole digging, etc. I'm sure your client only hires reputable, professional contractors, or in-house personnel, that would ensure tree integrity.

Next, in my phone conversation with you yesterday, you questioned the reasonability of installing a fence along the new development perimeter giving that any new development adjacent to property would necessitate the removal of that fence for construction of that development. Future fence status would be determined by any future developer and then current landowners I would think, your client or not. I'm not aware of any new or proposed developments adjacent to the development you are representing. If you are referring to the property owned by my parents and that of their son and wife, there are no plans, near term and much longer, of selling for development. Thus, a newly constructed fence would provide long-term security and privacy. Also, any fence erected between your proposed development and those existing multi-housing developments would never be taken down once erected as a result of non-adjacent future development. I understand your client would bear those costs now, but obviously pass on to the development lot buyers. I'm sure you'll argue that this incremental costs for a fence will make the lot price unattainable for those looking to purchase and minimize profits for your client. But, in our conversation yesterday, you did exclaim a large need and demand for housing within the Louisville Metro area that this development would help meet. With that, I doubt the small added cost of a fence would prohibit interested buyers from wanting to purchase a fantastic home in a great location with added security and privacy. As an alternative, your client could absorb most, or all of those costs, as you know.

Any future disposition of a fence installed now is irrelevant, sunk cost. The future developer would have a choice on demolition need. Those costs would be on that developer and recovered in the negotiated undeveloped land price. I would think that those buying lots in any future adjacent development would appreciate and like to keep the fence, a potential selling point. So, secure and keep neighbors private now!

Lastly, yes, the drainage topic was thoroughly discussed at the zoning meeting. As best I can tell

right now, it is being addressed appropriately. The neighbors expressed their drainage concerns in my conversations with them without prompting or preface, thus passing along that, and other concerns documented, to you and others.

I understand, and expected, your response and stance to the privacy fence request. However, I disagree with your arguments against our fence proposal. I, along with family and neighbors, fully intend to push and be present at all available public meetings/hearings regarding this matter.

Thank you for your consideration,

Paula Miles

cc

John Talbott john@bardlaw.net

Derek Triplett triplett@ldd-inc.com

Dante St. Germain Dante.St.Germain@louisvilleky.gov

Hon. James Peden james.peden@louisvilleky.gov

Hon. Robin Engel robin.engel@louisvilleky.gov

Sent from my iPad

On Nov 16, 2022, at 9:15 PM, John Talbott <John@bardlaw.net> wrote:

Dear Paula, I wanted to respond to the email you sent a few days ago. The day it was sent, I was in a long hearing and did not catch it until just now. The comment you made about my client agreeing to installing a fence though was very much inaccurate. The issue did come up at the Neighborhood Meeting, but rather than being agreed to, the explanation was that this project will place residential properties next to other residential properties, and that no fence is required or needed. Since you included what is effectively a petition to erect a fence around the perimeter of the property, it seems that everyone clearly understood that no such promise was made. Additionally, the property you specifically mentioned has very large trees on the property line which are not only productive at screening, but the fence would jeopardize their health, if not outright destroy them. I am sorry about the misunderstanding, but I did want to correct the misunderstanding.

The issue of drainage was also very thoroughly discussed, with Land Design and Development explaining the grading and storm drainage measures being taken.

If you would like to discuss any of these or other issues further, or if you have any other questions, please feel free to call me.

With best regards,



Land Law

John C. Talbott

Bardenwerper Talbott & Roberts, PLLC
Office 502-426-6688
Cell 502-741-8783

From: Paula & Steve <33sandp@gmail.com>

Date: Wednesday, November 9, 2022 at 11:38 AM

To: dan.hempel@pultegroup.com <dan.hempel@pultegroup.com>

Cc: Dante.St.Germain@louisvilleky.gov <Dante.St.Germain@louisvilleky.gov>, robin.engel@louisvilleky.gov <robin.engel@louisvilleky.gov>, John Talbott <John@bardlaw.net>, triplett@ldd-inc.com <triplett@ldd-inc.com>, james.peden@louisvilleky.gov <james.peden@louisvilleky.gov>, Paula & Steve <33sandp@gmail.com>

Subject: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

Pulte Group
10350 Ormsby Park Pl
Suite 103
Louisville, Ky 40223-6172

Re: Case number: 22-ZONEPA-0112
Dan Hempel

November 9, 2022

Mr. Hempel,

My name is Paula Miles and I met you on October 4th at the neighborhood Zone Change and Preliminary Planning meeting for the 9220 & 9224 Cedar Creek Road proposed development. At that meeting I brought for the installation of a privacy fence around the proposed development. Your response to that request could be accomplished. The purpose of this letter is to formally request a six (6) foot Maintained privacy fence boards facing outward, and with no gates or entry points. This will help with some of our privacy and security regarding the development.

I have surveyed and contacted immediate neighbors around the proposed development and am attaching names and addresses requesting the same privacy fence. In addition, my conversations with adjacent neighbors have the following concerns:

- The size of lots and number of houses proposed for the 12 acres.
- Increased traffic on an already narrow Cedar Creek Road. Vehicles traveling at high speeds on Cedar Creek Road are a danger coming out of our driveways now, only to likely get worse with increased development. Surveyed residents are requesting a four (4) way stop at the resulting Fairmount and Cedar Creek intersection.
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- The potential destruction of already existing trees on the 9220 & 9224 Cedar Creek Rd. properties close to adjacent properties. These trees need to be preserved as existing.

- Privacy and security for adjacent homes. Nothing stopping trespassing on neighbor's property
- Building homes on or near sinkholes on the proposed development property and the property the consumer who purchases the homes in the future.

As the development progresses, I would like to have continuing conversations about this request and identify

Thank you for your consideration.

Paula Miles (Agent for 9218 Cedar Creek Road)

502-554-0790

33sandp@gmail.com

cc

John Talbott john@bardlaw.net

Derek Triplett triplett@ltd-inc.com

Dante St. Germain Dante.St.Germain@louisvilleky.gov

Hon. James Peden james.peden@louisvilleky.gov

Hon. Robin Engel robin.engel@louisvilleky.gov

St Germain, Dante

From: Paula And Steve <33sandp@gmail.com>
Sent: Monday, November 21, 2022 1:28 PM
To: John Talbott
Cc: St Germain, Dante; dan.hempel@pultegroup.com; Engel, Robin; triplett@ldd-inc.com; Peden, James; Paula Miles
Subject: Re: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

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Resending due to formatting issues. Hopefully this one works.

Thanks, Paula Miles

John Talbott

November 18, 2022

Bardenwerper, Talbott & Roberts PLLC

1000 N. Hurstbourne Pkwy., 2nd Floor

Louisville, Ky 40223

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would consider and discuss with us and could be accomplished. Maybe I should have rephrased that better in my correspondence with you and your client, Pulte Group, and specifically Mr. Hempel, who I have not heard from. We understand there was no promise made, but regardless of your stance and interpretation of what transpired at the meeting, the installation of the fence is still strongly wanted and requested by us and those signatory to our request sent to you and your client. In addition, "everyone" as you mention in your email, does not include all those who signed the petition who were not at the zoning meeting. Many of those I surveyed claimed they knew nothing of the meeting and were never notified. I'm sure you'll argue that.

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Thank you for your consideration,

Paula Miles

cc

John Talbott john@bardlaw.net
Derek Triplett triplett@ltd-inc.com
Dante St. Germain Dante.St.Germain@louisvilleky.gov
Hon. James Peden james.peden@louisvilleky.gov
Hon. Robin Engel robin.engel@louisvilleky.gov

Sent from my iPad

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The issue of drainage was also very thoroughly discussed, with Land Design and Development explaining the grading and storm drainage measures being taken.

If you would like to discuss any of these or other issues further, or if you have any other questions, please feel free to call me.

With best regards,



Land Law

John C. Talbott

Bardenwerper Talbott & Roberts, PLLC
Office 502-426-6688
Cell 502-741-8783

From: Paula & Steve <33sandp@gmail.com>

Date: Wednesday, November 9, 2022 at 11:38 AM

To: dan.hempel@pultegroup.com <dan.hempel@pultegroup.com>
Cc: Dante.St.Germain@louisvilleky.gov <Dante.St.Germain@louisvilleky.gov>, robin.engel@louisvilleky.gov <robin.engel@louisvilleky.gov>, John Talbott <John@bardlaw.net>, triplett@ldd-inc.com <triplett@ldd-inc.com>, james.peden@louisvilleky.gov <james.peden@louisvilleky.gov>, Paula & Steve <33sandp@gmail.com>

Subject: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

Pulte Group
10350 Ormsby Park Pl
Suite 103
Louisville, Ky 40223-6172

Re: Case number: 22-ZONEPA-0112
Dan Hempel

November 9, 2022

Mr. Hempel,

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I have surveyed and contacted immediate neighbors around the proposed development and am attaching the list of names and addresses requesting the same privacy fence. In addition, my conversations with adjacent neighbors include the following concerns:

- The size of lots and number of houses proposed for the 12 acres.
- Increased traffic on an already narrow Cedar Creek Road. Vehicles traveling at high speeds on Cedar Creek Road are a danger coming out of our driveways now, only to likely get worse with increased development. Surveyed residents are requesting a four (4) way stop at the resulting Fairmount and Cedar Creek Road intersection.
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As the development progresses, I would like to have continuing conversations about this request and identified concerns.

Thank you for your consideration.

Paula Miles (Agent for 9218 Cedar Creek Road)
502-554-0790
33sandp@gmail.com

cc

John Talbott john@bardlaw.net
Derek Triplett triplett@ltd-inc.com
Dante St. Germain Dante.St.Germain@louisvilleky.gov
Hon. James Peden james.peden@louisvilleky.gov
Hon. Robin Engel robin.engel@louisvilleky.gov

St Germain, Dante

From: John Talbott <John@bardlaw.net>
Sent: Wednesday, November 16, 2022 9:16 PM
To: Paula & Steve; Paula & Steve
Cc: St Germain, Dante; dan.hempel@pultegroup.com; Engel, Robin; triplett@ldd-inc.com; Peden, James
Subject: Re: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

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<33sandp@gmail.com>

Subject: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112

Pulte Group
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Re: Case number: 22-ZONEPA-0112
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Paula Miles (Agent for 9218 Cedar Creek Road)

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John Talbott john@bardlaw.net
Derek Triplett triplett@ltd-inc.com
Dante St. Germain Dante.St.Germain@louisvilleky.gov
Hon. James Peden james.peden@louisvilleky.gov
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St Germain, Dante

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To: dan.hempel@pultegroup.com
Cc: St Germain, Dante; Engel, Robin; john@bardlaw.net; triplett@ldd-inc.com; Peden, James; Paula & Steve
Subject: 9220 & 9224 Cedar Creek Road Development - Case Number 22-ZONEPA-0112
Attachments: Case 22-ZONEPA-0112.pdf

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Pulte Group
10350 Ormsby Park Pl
Suite 103
Louisville, Ky 40223-6172

Re: Case number: 22-ZONEPA-0112
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Dante St. Germain Dante.St.Germain@louisvilleky.gov

Hon. James Peden james.peden@louisvilleky.gov

Hon. Robin Engel robin.engel@louisvilleky.gov

Proposed Development - 9220& 9224 Cedar Creek Road

22-ZONEPA-0112

Privacy Fence Installation Request

Signing this form indicates my desire and request for developer, **Pulte Group**, to install a privacy fence around the perimeter of the proposed development to increase, and maximize, privacy and security for adjacent properties.

| Name | Address |
|------------------------|-----------------------------|
| Matt & Sheila Sanpers | 9116 CEDAR CREEK RD. 40291 |
| Paul & Gaele Miles | 9218 Cedar Creek Rd 40291 |
| Chris & Doreen Miles | 7330 Mayrow Drive 40291 |
| Samuel Mosley | 8901 Amarth. Dr. 40228 |
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