



Oldham County Planning and Development Services
Application for Waiver of Regulations

For Staff Use Only:

Date: _____ Plat No: _____ Staff: _____ Fee: _____

This application must be submitted in person at the Planning and Zoning Office.

General Information:

Name of Applicant(s): Gulf Stream Development / Tri Star Construction and Development Group, LLC

Project Address: Commerce Parkway, La Grange, Kentucky, 40031

Subdivision Name: Commerce Contractor Office Park

Current Land Use: Undeveloped Parcel ID: 47-00-00-29F, 29G, 29H

Current Zoning: R-2 Total Acreage: 9.0

Are there any past or present related Planning and Zoning cases, including minor plats, on this property? If yes, please list the cases:

Signatures:

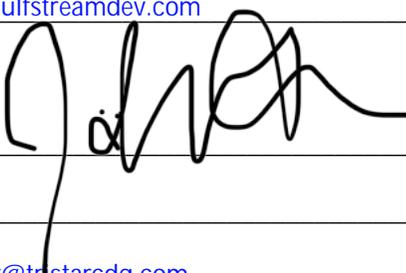
Owner(s):

Name: Gulf Stream Development Signature: 

Address: 2960 Fairview Drive, Owensboro, Kentucky, 42303

Phone: (502) 425-1000 Email Address: fahr@gulfstreamdev.com

Applicant(s): (if other than owner)

Name: Tri Star Construction and Development Group, LLC Signature: 

Address: Post Office Box 69, Crestwood, Kentucky, 40014

Phone: (502) 387-2417 Email Address: trapper@tristarc dg.com

Contact:

Name: Michael G. Swansburg, Jr., Esq. Signature: 

Address: c/o Swansburg & Smith, PLLC, 117 W. Main Street, La Grange, Kentucky, 40031

Phone: (502) 805-5960 Email Address: mgs@swansburgandsmith.com

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Explanation:

The Commission may reduce or otherwise grant waivers from the requirements of the Oldham County Subdivision regulations whenever it encounters the situations described below.

- A. Exceptional Hardship – Where the Commission finds that strict compliance with these regulations would create an undue hardship because of exceptional unique topographic or other natural or man-made physical conditions encountered on the particular land, the Commission may modify these regulations to the extent necessary to relieve the undue hardship.
- B. Design Innovation and Large Scale Development – These regulations may be modified by the Commission in the case of plans for complete neighborhoods or other design innovations which, in the Commission's opinion, still achieve the basic objectives of these regulations.

Please explain how this request relates to one or both of the above situations.

The proposed contractor park is intended to be constructed along Commerce Parkway within the limits of the City of La Grange. Although there are no exceptional topographic, natural, or man-made conditions on the property that would preclude the construction of sidewalks, this particular project would require these Applicants to construct a "sidewalk to nowhere" along its lot on the south-side of Commerce Parkway unlike similarly situated lots, including the Holiday Inn Express located at 1150 Commerce Parkway and the adjacent storage complex. The Applicants, therefore, are asking for a waiver of Sec. 5.5 of the Oldham Co. Subdivision Regulations.

Consistent with Paragraph B above, however, there is already a walking trail / sidewalk along the north side of Commerce Parkway across from the property, which achieves the basic objective of the regulations; namely, the installation of a sidewalk for pedestrian traffic along Commerce Parkway within the limits of La Grange.

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Submittal Checklist:

- _____ 1. Complete Oldham County Planning and Zoning Waiver Application. (Owner's signature is required.)
- _____ 2. Required \$250.00 application fee.
- _____ 3. Notice fees equal to \$5.00 per adjoining property owner.
- _____ 4. Mailing Labels for all adjoining property owners, including name and address of all 1st tier adjoining parcels. 1st tier adjoining parcels include all those that border the property, including those across streets. (*See note below for PVA directions)
- _____ 5. Property information for the project location as listed by the Property Valuation Administration (PVA). (*See note below for PVA directions)
- _____ 6. A copy of the current recorded deed along with any applicable easement deeds or maintenance agreements. Include any existing surveys of the property, if available.
- _____ 7. One copy of an original survey. All surveys must be created by a licensed surveyor and must meet the minimum criteria listed within the Oldham County Subdivision Regulations under Section 3.5, page 8. (The Subdivision Regulations are accessible via the internet at www.oldhamcounty.net/property under the public documents section of the webpage.)
- _____ 8. Twenty additional copies of the survey. (These copies may be photocopies of the original survey)
- _____ 9. Any proposed access easement agreements.
- _____ 10. Any other supporting documents and/or photographs

** Accessing PVA information: Property information may be accessed on the internet at www.oldhampva.com. In order to search for a property, users must select "Tax Payer Info" from the left column then select "Property Search". Once located, users may print the information using the print command on their internet browser. For adjoining property owners or further assistance contact PVA at 110 W. Jefferson Street in LaGrange or at (502)222-9320.*