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RICHARD V. MURPHY
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August 7, 2023

Via Email

Ms. Traci Wade
Mr. Thomas Martin
Division of Planning
Lexington-Fayette Urban County Government
101 East Vine Street, 7th Floor
Lexington, KY 40507

Re: Request for waiver and finding to allow use of an access easement
PLN-MJDP-23-00046
2833 and 2853 Liberty Road

Dear Ms. Wade and Mr. Martin:

I represent Liberty Park Development, LLC, the owner of the property at 2833 and 2853 Liberty Road.

We are requesting a finding to allow an access easement pursuant to Section 6-8(m) of the Subdivision Regulations, along with a waiver of the lot frontage requirements contained in Sections 6-4(c), Lot Frontage and Access, and any other pertinent sections of the Subdivision Regulations.

This project has an innovative design because many of the lots are designed to front on Brighton East Trail. This will encourage our residents to utilize Brighton East Trail and adjacent Liberty Trail, and it will also present a more aesthetically pleasing façade to the other users of Brighton East Trail and the park.

In addition, if we are unable to utilize the Brighton East Trail frontage and the access easement for other lots, it would be an exceptional hardship on the developer. This lot is oddly shaped, with a large frontage on the Brighton East Trail. Our proposed configuration places as many as lots as possible fronting on the Brighton East Trail. Requiring frontage on a public street

would not allow orientation to Brighton East Trail and would severely limit the number of units which could be provided on this property.

This is an infill project which will provide attached single-family houses for sale to the public. Our vehicular use access will be off of Liberty Road, and we will have pedestrian and bicycle access off of the Brighton East Trail. There are no public streets, other than Liberty Road, which are adjacent to or stub-in to this property.

Requiring a public street would serve no purpose, as there could be no connection to any other public street. A public street would also make it more difficult to fully develop the property. Allowing the use of access easements will allow the property to be developed to utilize the Brighton East Trail as a focal point, and to allow the sale of individual lots to individual purchasers. A homeowner's association will be formed to maintain the easement.

Thank you for your consideration of this request.

Sincerely,



Richard V. Murphy,
Attorney for Liberty Road
Development, LLC

RVM/prb