

NOTICE OF PUBLIC HEARING

Description of Proposed Docket:

The applicant _____ is seeking a:

- ☐ Development Standards Variance
- ☐ Conditional Use
- ☐ Special Exception
- ☐ Administrative Appeal

From the **Floyd County Board of Zoning Appeals.**

Street Address (see enclosed map):
Description of Project:

This is a notice that a public hearing regarding the proposed docket item will be on _____ located in **Suite 104 at the Pineview Government Center, 2524 Corydon Pike New Albany, IN 47150.**

Please note that information about the proposed docket item can be found at the following:

Floyd County Building and Development Services

2524 Corydon Pike Suite 202

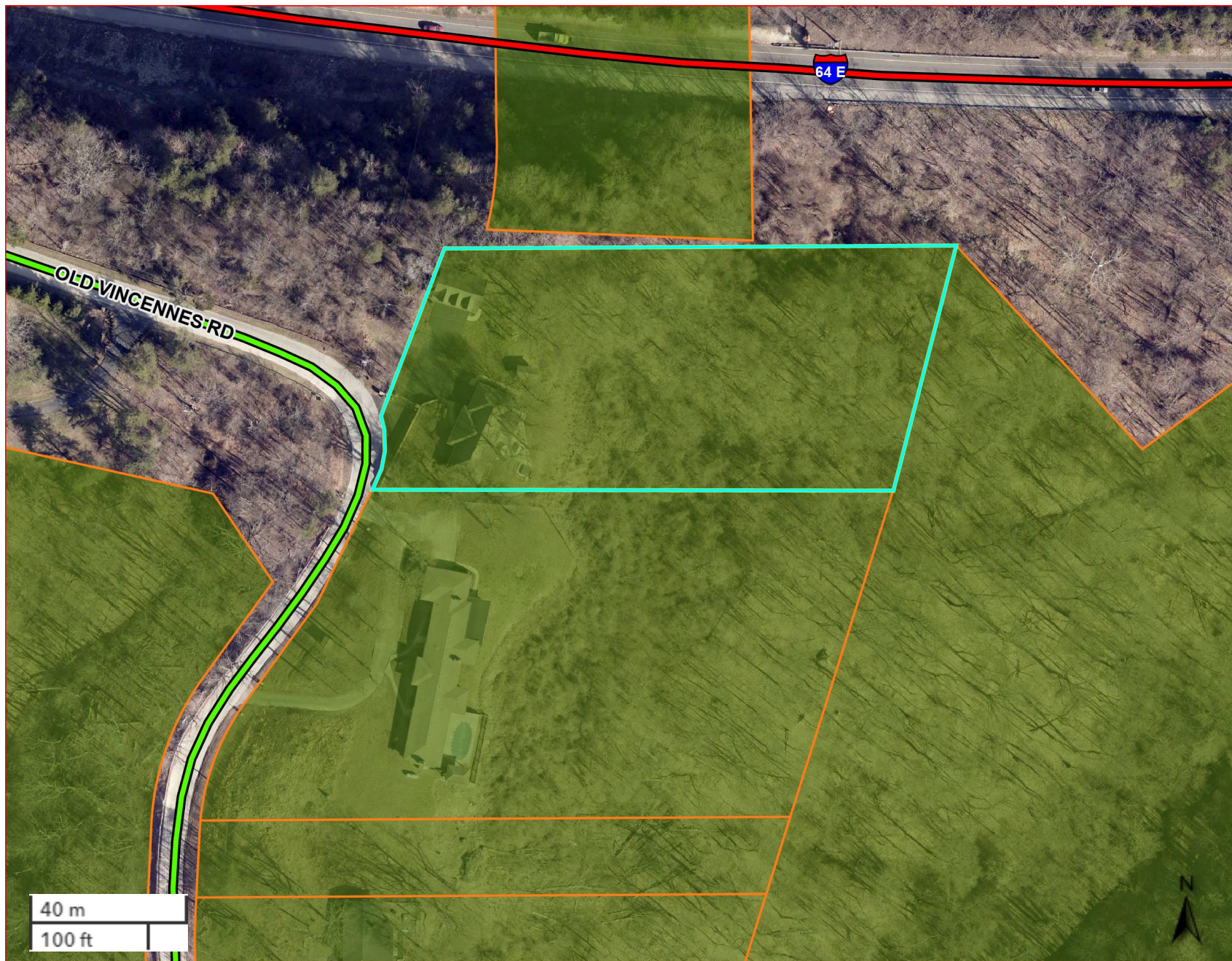
New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

Building@floydcounty.in.gov

Online: Floyd County Government Website www.floydcounty.in.gov



- Parcels
- County Zone Map
- AR - Agriculture
 - RR - Rural Residential
 - RS - Residential Suburban
 - RU - Residential Urban
 - MF - Multi-Family
 - NC - Neighborhood Commercial
 - HS - Highway Service
 - GC - General Commercial
 - PR - Park
 - GI - General Industrial
 - OB - Office Business
 - PU - Plan Unit
 - Other Values

Floyd County Board of Zoning Appeals

Frequently Asked Questions

1. How can I find out more about this docket?

You can either visit to the Floyd County Building and Development Services Office and review the file between the hours of 8AM to 4PM Monday through Friday or you can review the proposed application on-line at www.floydcounty.in.gov under the Plan Commission page

2. How does this process work?

Depending on the docket, there are several different processes. The Board of Zoning Appeals will take public comments on each proposal and values public comment in their decision-making process. The Board of Zoning Appeals is required to follow state statute when considering each application. Below is a brief description of application that may come before the board. Please note the check marked application on the notification form to the corresponding process listed below:

- **Development Standards Variance** – The applicant is seeking to vary from the County's development standards in the County's Zoning Ordinance. Per Indiana State statute, the Board of Zoning Appeals holds a public hearing. From the applicant, it determines if the applicant has met the standard that will allow for the requested variance of County rules. The Board of Zoning Appeals has the ability to approve, disapprove or may place reasonable conditions on the request per the ordinance standards.
- **Conditional Use**– The applicant is seeking to conduct a use on the property not otherwise permitted by right. By the County Zoning Ordinance, the proposed use must be reviewed and determined by the Board of Zoning Appeals if how the applicant is proposing the use to be conducted will affect the adjoining property owners. The Board of Zoning Appeals has the ability to approve, or disapprove. The Board can also place reasonable conditions on the request per the ordinance standards.
- **Special Exception** – The applicant is seeking to conduct a use that is not permitted by right in the certain zoning district. Similar to the conditional use, ordinance, and the proposed use must be reviewed and determined by the Board of Zoning Appeals if how the applicant is proposing the use to be conducted will affect the adjoining property owners. The Board of Zoning Appeals has the ability to approve or disapprove. The Board can also place reasonable conditions on the request per the ordinance standards.

Board of Zoning Appeals & Plan Commission Order of Meetings:

- Meeting is called to order, roll call, and approval of minutes
- Director presents docket item and staff report
- Petitioner will be given a total of ten (10) minutes to present application request
- Board members will ask petitioner questions
- Public comments are opened:
 - Favorable comments are allowed a combined total of ten (10) minutes
 - Opposition comments are allowed a combined total of ten (10) minutes
- Public comments are closed and will remain closed
- Petitioner will be given a total of five (5) minutes to respond to public comments
- Board discusses the case and makes a ruling



The Sprigler Company

DEVELOPMENT · CONSTRUCTION · CONSULTING

To whom it may concern,

I am writing to formally apply for a building permit for an addition to my personal residence located at 2580 Old Vincennes Road, New Albany, IN 47150. I plan to add approximately 1,250 square feet to my existing home.

Please let me know if you have any questions or concerns.

Thank you,

Brent Sprigler



Floyd County
Department of Building & Development Services
2524 Corydon Pike Suite 203
New Albany, IN 47150
Phone: (812) 981-7611
Fax: (812) 948-4744
Building@floydcounty.in.gov

Development Standards Variance Application

Please Note:

This Application is a document of public record. Any information disclosed on this application is available for review by the public. Incomplete applications will not be accepted. A pre-submission meeting with Building and Development Staff is strongly encouraged. Please contact the office at 812-981-7611 to schedule a meeting.

Variance: A modification of the specific requirements of this ordinance granted by the Board in accordance with the terms of this ordinance for the purpose or assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and district.

1. General Information:

Applicant:	Brent Sprigler
Applicant Address:	2560 Old Vincennes Rd.
Applicant Phone:	502-376-4114
Applicant Email:	Sprigg467@gmail.com

Applicant's Interest in Property:

Owner ☐ Option Holder ☒ Purchase Agreement ☐ Legal Representative ☐ Other ☐

Owner(s) of Property: (complete this section if owner is different than applicant)

Owner Name:	Mary Sprigler
Owner Address:	2600 Old Vincennes Rd N.A. IN
Owner Phone:	502-376-4110
Owner Email:	MarySprigler@gmail.com

Applicant's Representative:

Representative Name:	Brent Sprigler
Representative Address:	2560 Old Vincennes Rd.
Representative Phone:	502-376-4114
Representative Email:	Sprigg467@gmail.com

2. Site Information:

Parcel ID Number:	22-05-03-200-023,000-007
Total Acreage:	1.89 Acres
Address of Property/Location:	2580 Old Vincennes Road
Current Use of Property:	Residential
Current Zoning District:	R-1

3. Variance Request:

Detail the variance request:

Seeking approval to add onto existing home at 2580 Old Vincennes road. The corner of addition is on the ridge line and exceeds the 30% slope.

4. Zoning Map Amendment Justification:

Indiana Code and the Floyd County Zoning Ordinance establish specific criteria that each must be meet in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria:

1. Approval of the variance will not be injurious to the public health, safety, morals, and general welfare of the community:

No, the proposed addition will have no effect on any adjoining properties. The only area over on steep slope is less than 100 Sq Ft.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

No, there is no direct effect on any of my neighbors.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property:

The only area that is effected by steep slope is less than 100 Sq Ft of addition.

2. Site Information:

Parcel ID Number:	22-05-03-200-023,000-007
Total Acreage:	1.89 Acres
Address of Property/Location:	2580 Old Vincennes Road
Current Use of Property:	Residential
Current Zoning District:	R-1

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1. Approval of the variance will not be injurious to the public health, safety, morals, and general welfare of the community:

No

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

No

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property:

4. This variance (DOES /DOES NOT) involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

5. Required Documents:

- ☒ \$300.00 Filing Fee
- ☒ Deed for subject property
- ☒ Affidavit of Ownership (if applicable)
- ☒ Site plan drawn to scale, signed, and dated which clearly shows the entire layout of the property and all features relevant to the variance request.
- ☒ Letter from Floyd County Health Department indicating this variance will not negatively affect the operation of a septic system, if applicable
- ☒ Cover letter summarizing variance request.

6. Signature:

The undersigned states that the above information is true and correct.

Name: _____

Brent Sprigler

Signature: _____

Brent Sprigler

Date: _____

10-28-2024

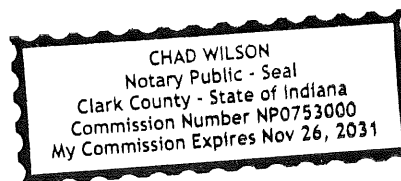
SUBSCRIBED AND SWORN BEFORE ME

THIS 28 DAY OF October, 2024.

[Signature]

NOTARY PUBLIC COUNTY OF Flagel

MY COMMISSION EXPIRES Nov 26, 2021





Floyd County Plan Commission
Floyd County Board of Zoning Appeals

AFFIDAVIT OF OWNERSHIP

If the owner(s) of the subject property are giving authorization for someone else to apply for this request, this attached attachment is to be completed and submitted at the time of the application.

I (We), Mary Sprigler, do hereby certify that I am (we are)
(Owners of subject property)

the owner(s) of the property legally described as 22-05-03-200-023, 000-007
(Parcel ID Number)

And hereby certify that I (we) have given authorization to Brent Sprigler
(Applicant/Petitioner/Representative)

To apply for the included application on this subject property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
MARY EVELYN Sprigler	22-05-03-200-023, 000-007	Mary Evelyn Sprigler	10/28/24

STATE OF Indiana)

COUNTY OF Floyd) SS:)

Subscribed and sworn to before me, a Notary Public within and for said County and State,

this 28 day of October, 2024.

MY COMMISSION EXPIRES:

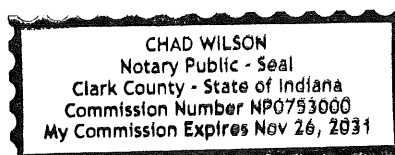
Nov 26, 2031

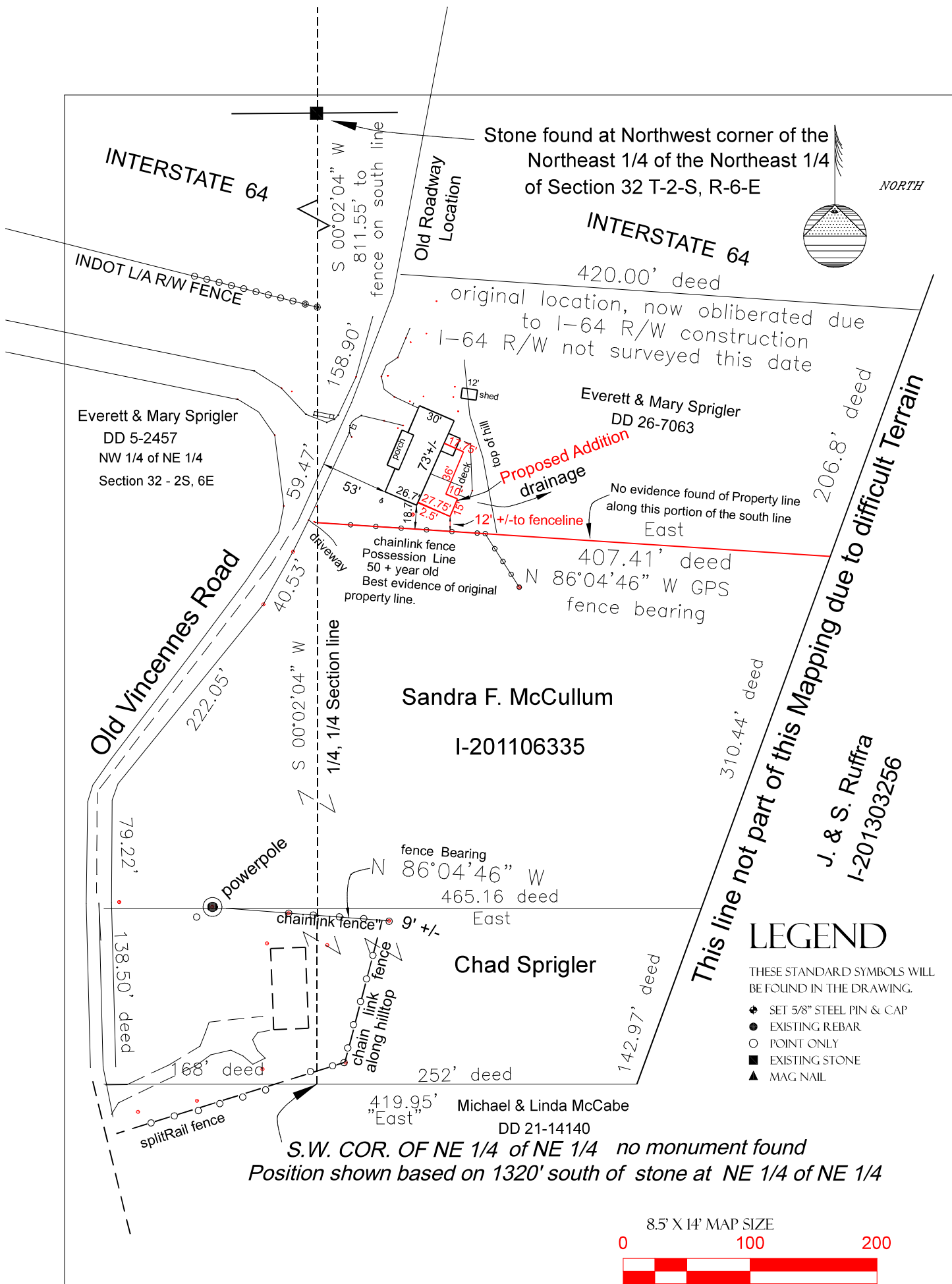
MY COUNTY OF RESIDENCE:

Clark

Notary Public

Printed Signature





Note:
Home is shown with a Proposed addition for Building Permit purposes

CERTIFICATE OF SURVEY
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED WHOLLY UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF WAS EXECUTED ACCORDING TO THE REQUIREMENTS OF IAC 865 H21 THROUGH H2-26. I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW, AND THIS DOCUMENT PREPARED BY:

David J. Ruckman
DAVID J. RUCKMAN, P.S. # 80040393

DAVID J. RUCKMAN
REGISTERED
LS-80040393
STATE OF INDIANA
LAND SURVEYOR

SCALE = 1" = 100'	DATE: 11/18/24	DRAWN: DJR	REV: 01/18/25
MAP FOR: BRENT SPRIGLER 214 E. ELM STREET NEW ALBANY, IN 47150			
SPRIGLER HOMEPLACE PART OF SECTION 32 T-2-S, R-6-E FLOYD COUNTY, INDIANA			
RUCKMAN LAND SURVEYORS TITLE BOUNDARY LAND SURVEYORS LICENSED TO PRACTICE IN INDIANA, KENTUCKY DAVID J. RUCKMAN, P.L.S. 1001 STARWOOD VALLEY BORDEN, INDIANA 47106 812 670 8385 DAVIDJRUCKMAN@AOL.COM			

SURVEYOR'S REPORT

In accordance with IAC Title 865, Article 1, Chapter 12, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey because of:

- A. Availability and condition of reference monuments.
- B. Occupation or possession lines.
- C. Clarity or ambiguity of the record description used and of adjoiners descriptions and the relationship of the lines of the subject tract with adjoiners lines.
- D. The relative positional accuracy of the measurements.

This is a Retracement Survey of the property described in DD 26-7063, Everett & Mary Sprigler of the Floyd County, Indiana records. The basis of bearings shown on this survey plat are per the Indiana State Plane Coordinate System, East Zone using Real-Time Kinematic (RTK) GPS observations INDOT BASE.. Purpose of this Survey is limited to the South line only.

The lines and corners shown hereon were established with the aid of the following:

1. Prior retracement survey by T. J. Boofter LS of the McCullum Tract - no monuments found
2. deeds per said county records, and
3. found corner monuments.

Stone was found at the Northwest corner of the NE 1/4 of the NE 1/4. No other deed monuments were found. Map shows 50+ year old possession fenceline from road to break of hilltop, being the best evidence of the south line of subject property. Fenceline built by the Sodrel Family, now The McCullums. Peace and Harmony is associated with this fenceline as no disputes discovered.

As a result of this above observations, it is my opinion that the ambiguities in the locations of lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: none found or called.
Subject deed does not close by 24'.

Due to occupation or possession lines: up 9 feet due to fences shown,
Due to Clarity or ambiguity of the record description used and of adjoiners descriptions and the relationship of the lines of the subject tract with adjoiners lines: 24'

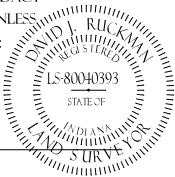
Due to random errors in measurement: the relative positional accuracy of the corners of the subject tract established this survey is within the specifications for an Rural Survey (0.26 feet plus 100 parts per million).

There may be additional unwritten rights associated with the 50+ year old fenceline along South line
Client is advised to seek legal counsel if a dispute arises as to this long held fence possession line.

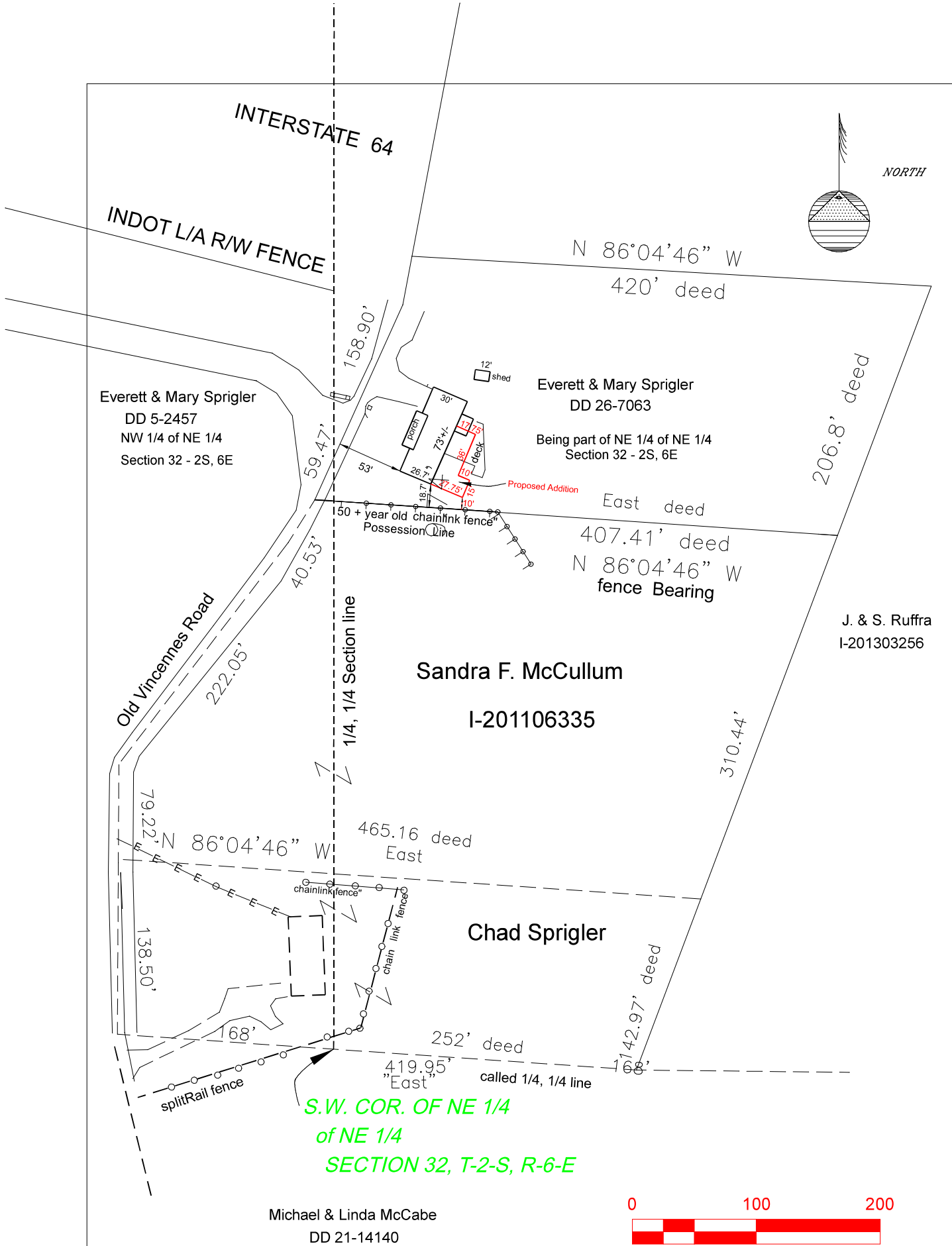
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[Signature]

DAVID J. RUCKMAN, P.S. # 80040393



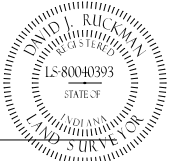
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Surveyors Location Report
Based on possession lines (FENCE)

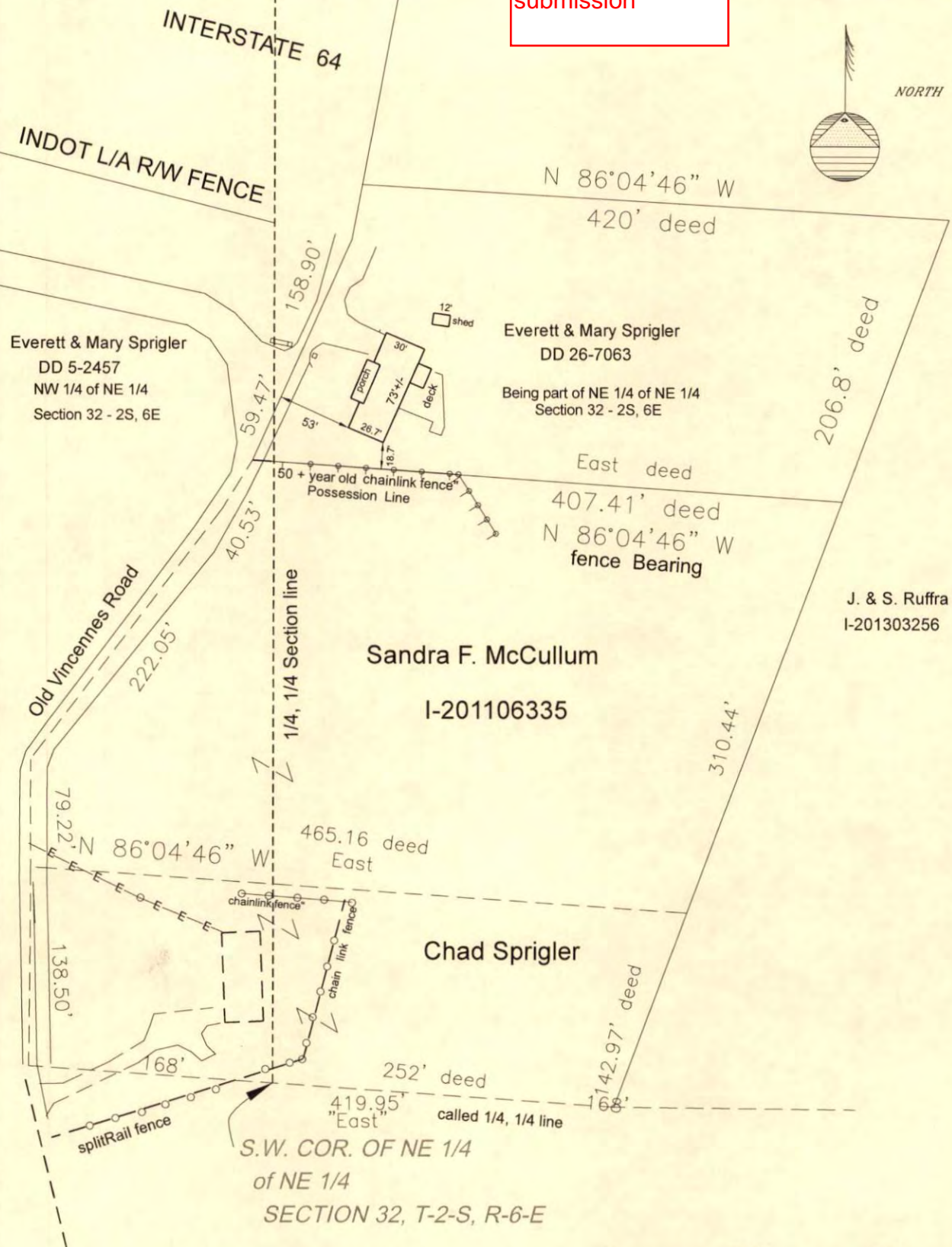
David J. Ruckman

DAVID J. RUCKMAN, P.S. # 80040393

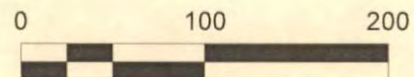


SCALE = 1" = 100'	DATE: 11/18/24	DRAWN: DJR	REV: 01/14/25
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SPRIGLER HOMEPLACE PART OF SECTION 32 T-2-S, R-6-E FLOYD COUNTY, INDIANA			
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Original
submission



J. & S. Ruffra
I-201303256



Surveyors Location Report
Based on possession lines (FENCE)
In Agreement with McCullum Family

PRELIMINARY

NOT FINAL

SCALE = 1" = 100'	DATE 11/18/24	DRAWN: DJR	REV:
MAP FOR: BRENT SPRIGLER 214 E. ELM STREET NEW ALBANY, IN 47150			
SPRIGLER HOMEPLACE PART OF SECTION 32 T-2-S, R-6-E FLOYD COUNTY, INDIANA			

FLOYD COUNTY HEALTH DEPARTMENT

1917 Bono Road
New Albany, Indiana 47150-4607
Website: www.floydcounty.in.gov

Telephone (812) 948-4726
Fax (812) 948-2208

SITE APPROVAL PERMIT FOR CONSTRUCTION

OF
OUTBUILDINGS, ADDITIONS and/or
INSTALLATION OF SWIMMING POOLS
GEOTHERMAL HEAT SYSTEM
UNDERGROUND UTILITY CONNECTION and/or
UNDERGROUND LAWN SPRINKLER SYSTEM

RECEIPT NO: 24106

PERMIT NO.: SA-93-24

Date Issued: 11/15/2024

Permit is void the last day of the thirty-sixth (36th) month following the month of permit issuance.

ISSUED TO: Brent Sprigler

PROPERTY OWNER: Brent Sprigler

ADDRESS: 2580
House Number

Old Vincennes Rd
Street/Road/Drive

Floyds Knobs
City/Town

Indiana
State

47119
Zip Code

CONTRACTOR/INSTALLER:

SITE APPROVAL FOR: Home addition. (See attached plans.)

ISSUED BY: Anthony Lieber

NOTES: Protect area of septic and during all phases of construction. The home will remain a 3 bedroom.

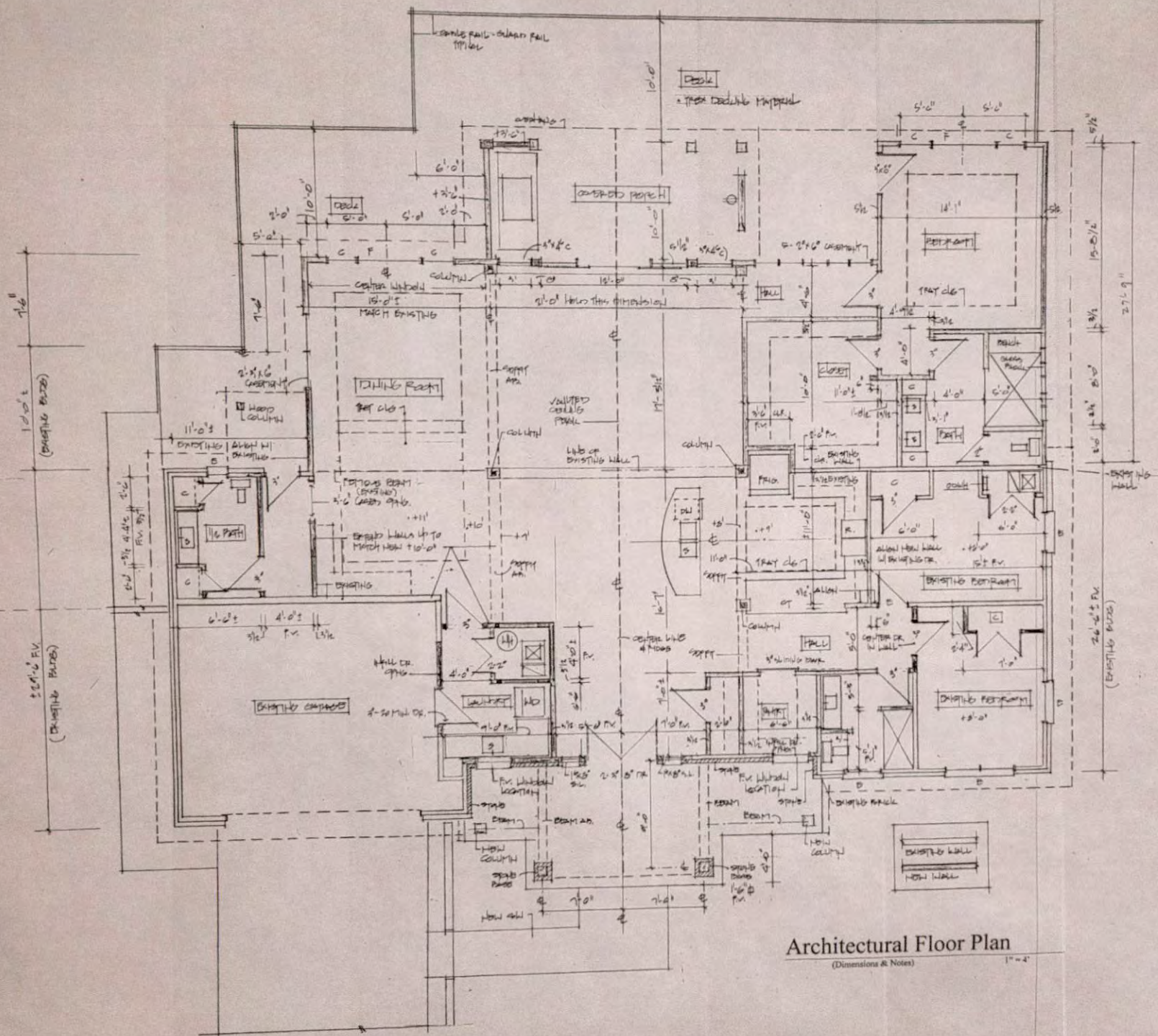


**ANY CHANGE TO THE LOCATION OR INSTALLATION OF DESIGN WITHOUT PRIOR APPROVAL
FROM THE FLOYD COUNTY HEALTH DEPARTMENT WILL VOID THIS PERMIT**

The Yardstick by which we measure our prosperity is the health and happiness of our people.



The Yardstick by which we measure our prosperity is the health and happiness of our people.



Architectural Floor Plan
(Dimensions & Notes) 1" = 4'

Ron C. Stiller, AIA
Architectural & Historic Preservation Planning
RCS+ASSOCIATES
4800 Smith Road
Floyds Knobs, IN 47119

New Add
to
Existing
Residence

2580 Old Vincennes Rd
New Albany, IN 47150

Revisions:

Date: 6/22/14

Sheet: Dimension/Notes
Floor Plan

A1.1

Scale: 1" = 4'

Key No.: 005-2700-024

RECEIVED FOR RECORD
TIME 9:31 am DATE May 7, 1999
RECORDED IN 0 DRA 26
INSTR. NO. 7063
Carolyn E. Egan
RECORDER OF FLOYD COUNTY

WARRANTY DEED

THIS INDENTURE WITNESSETH, that Raymond M. Donnelly and Barbra Donnelly, husband and wife, of Floyd County, Indiana, as grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

CONVEYS AND WARRANTS

unto Everett L. Sprigler and Mary E. Sprigler, husband and wife, of Floyd County, Indiana, as grantees, the following described real estate in Floyd County, Indiana, to-wit:

A part of the north half of the northeast quarter of Section 32, Township 2 South, Range 6 East. Commencing at a stone in the southwest corner of the northeast quarter of the northeast quarter of said Section 32; thence East 252 feet; thence North 14 degrees 45 minutes East 453.2 feet to the true place of beginning of the tract to be herein described; thence North 14 degrees 45 minutes East 206.8 feet to a stake; thence West 420 feet to the center of Old Vincennes Road; thence South 21 degrees West 158.9 feet; thence South 28 degrees West 59.47 feet; thence East 407.41 feet to true place of beginning, containing 1.89 acres.

EXCEPTING THEREFROM, however, so much thereof as was conveyed to the State of Indiana by right-of-way grant dated September 10, 1964, recorded in Deed Record 175, page 586 of the Floyd County, Indiana records. *LEAVING AFTER SAID EXCEPTION 1.366 ACRES*

This conveyance is made subject to all applicable easements, rights-of-way, restrictions and agreements of record.

Real estate taxes having been apportioned between the grantors and grantees herein, the grantees hereby assume and agree to pay the fall installment of real estate taxes for the year 1999, payable in 2000, and all subsequent real estate taxes.

IN WITNESS WHEREOF, the said grantors have hereunto set their hand this 6th day of May, 1999.

Raymond M. Donnelly
Raymond M. Donnelly

Barbra Donnelly
Barbra Donnelly



PRIMAVERA & ASSOCIATES

ENGINEERING & LAND SURVEYING

Jason M. Copperwaite,
PE, PS, FAA-UAS
President

David A. Sanders,
PE
Vice President

William McDonough,
EIT
Project Manager

J. Michael Rich,
PE, CPESC,
Project Manager

Daniel Hartman,
PE
Project Manager

Chase Blakeman,
FAA-UAS
Project Manager

Travis Andres,
PE
Principal Geotechnical
Engineer

Paul Foster,
Project Draftsman

Paul Primavera,
PE, PS
President Emeritus

October 10, 2024

Brent Sprigler
2580 Old Vincennes Road
New Albany, IN 47150
502-376-4114
Spriggy67@gmail.com

RE: **Geotechnical Evaluation of Proposed Building and Deck Addition Footprint and Surrounding Slopes**
2580 Old Vincennes Road, New Albany, IN

Dear Brent,

The purpose of this letter is to summarize our geotechnical site exploration and review with respect to the proposed residential structure and patio expansion. Per the Floyd County, Indiana Director of Development, the site is located within the Steep Slope Overlay District of the Zoning Ordinance. Therefore, an analysis of soil conditions, hydrology, bedrock conditions and any other engineering/environmental considerations is required and was the focus of this engineering consultation. A summary of the site review, exploration, and evaluation follows with photographic documentation provided as an attachment.

Review of available geologic mapping of the area indicates the site is underlain by Mississippian aged siltstone, sandstone, shale, and limestone of the Floyds Knobs Member of the Borden Group. Overlying soils are typically formed in residuum, or in-situ natural weathering of the underlying and interbedded rock, or as sediment from eroded slopes and hilltops upgradient of the subject location. For this project area, the near surface soils gradually stiffen and transition from soil at the surface to completely weathered to weathered siltstone to sound siltstone with depth.

Paul Primavera & Associates (PPA) Principal Geotechnical Engineer, Travis Andres, PE visited the site on October 9, 2024, and met with Brent Sprigler, owner representative. Proposed for construction is an addition to the existing structure, expected to extend approximately 10 feet eastward from the eastern exterior wall of the existing structure. The addition is planned to be constructed with a crawl-space with foundation wall and footings extending to bear on bedrock. A deck is also planned to be constructed as part of the addition, with support columns bearing on concrete piers extending to and bearing on bedrock. The planned addition area graded from level at the existing structure to sloping downward to the east at a measured 2.5:1 slope. This existing slope was vegetated with existing mature trees, ground creeping ivy, and grass. No signs of slope instability, foundation or vegetation distress, or other signs of concern with respect to slope and structural stability were visually observed. No reports of prior foundation or ground instability or distress are known for the project area.



The engineer performed a subsurface exploration via test pit excavation in the proposed expansion and interest area. A total of two (2) test pits, TP-1 and TP-2 were explored. A steel probe rod and dynamic cone penetrometer were used to assist in characterization of the encountered materials. In general, each test pit encountered apparently natural, lean clay, stiff to hard in consistency, slightly moist, and including nearly horizontally bedded weathered rock fragments to depths up to 2.5 feet below surface. Beneath the soil, weathered siltstone bedrock was encountered and was able to be penetrated up to 9 inches prior to reaching excavator refusal on sound siltstone bedrock, where the test pits were terminated. In-situ strength measurements of the encountered soil and rock materials suggest allowable soil bearing pressures exceeding 3,000 psf for the softest condition encountered, suggesting a very stiff to hard soil profile and apparently stable subsurface condition.

Observed topography, existing underlying and surrounding ground conditions, and adjacent structures and mature trees appeared stable, with no apparent signs of instability such as slumping, tension cracking, bent or distressed vegetation, or scarps were observed in the immediate uphill, downhill, and lateral direction of project area. An existing rock outcrop located downhill of the development and in the nearby surrounding area roadway cuts consisted of competent siltstone and sandstone with minor limestone. Review of geologic mapping suggests this competent bedrock extends beneath the existing structure and property, suggesting a stable hilltop condition.

Although no signs of instability were observed in the immediate project area, uncontrolled surface erosion via precipitation, runoff, or utility outlets, or increased infiltration of surface water could pose a hazard to the existing slope conditions. Therefore, erosion control measures in the form of reinforced turf matting, limiting cut/fill slopes to maximum 2.5:1, and ensuring sufficient vegetative or protective cover of all slope areas are recommended where possible to minimize the potential risk of long-term instability outside of the expansion footprint. PPA recommends that foundations for the proposed residential structure and deck expansion be designed as shallow spread footings bearing on weathered to sound siltstone bedrock with an allowable soil/rock bearing pressure not exceeding 3,000 psf. It is recommended that the engineer or local building authority representative observe the excavated foundation subgrade condition at the time of construction to confirm competent weathered to sound bedrock bearing conditions have been encountered throughout the foundation bearing areas.

To minimize the potential for differential settlement and/or lateral displacement of the new foundations in relation to the existing foundations, vertical steel re-bar (sized #5 or larger and epoxy-coated) should be drilled and grouted into the underlying rock subgrade a minimum of 18 inches and extending a minimum of 18 inches up into the overlying reinforced concrete footing and foundation wall on maximum 5 feet centers along the entire easternmost exterior wall line. Considering the age of the existing structure and the proposed foundation type of the addition, some differential performance between the two should be expected and accounted for in the structural/architectural design.

Based on our observations, evaluations, and construction and design considering our recommendations, the proposed construction area and adjacent slopes are considered stable and suitable for the proposed installations. Due to the nature of the site, it is recommended that the owner monitor the property for any signs of instability or uncontrolled erosion and contact the geotechnical engineer in the event any issues arise.



We appreciate the opportunity to be of service to you on this project. If we can be of any further assistance, or if you have any questions regarding this report, please do not hesitate to contact either of the undersigned.

Sincerely,

Travis Andres, P.E.
Principal Geotechnical Engineer
Geotechnical Services Manager
502-693-9412

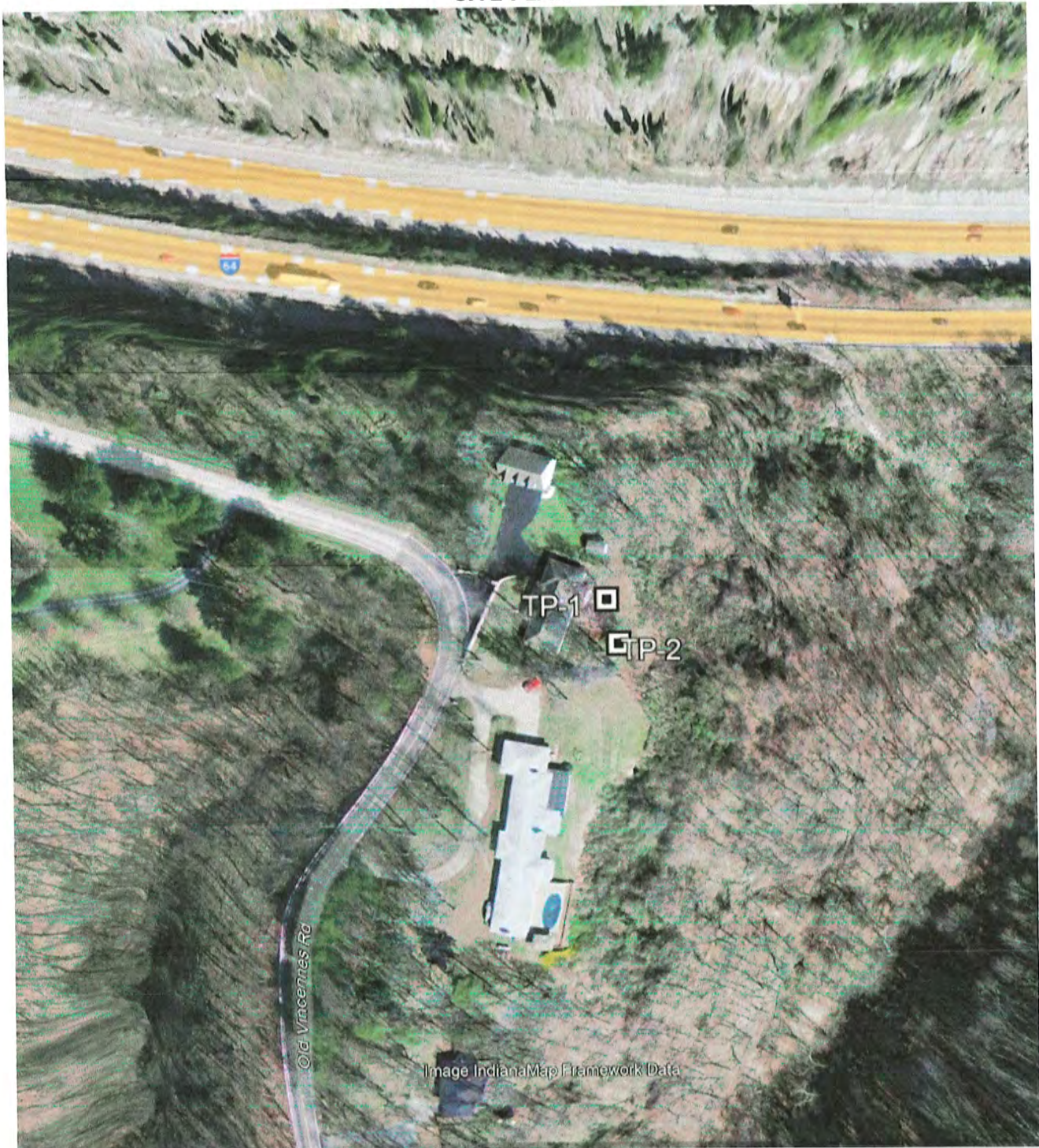


Attachments:

Site Plan
Photographs

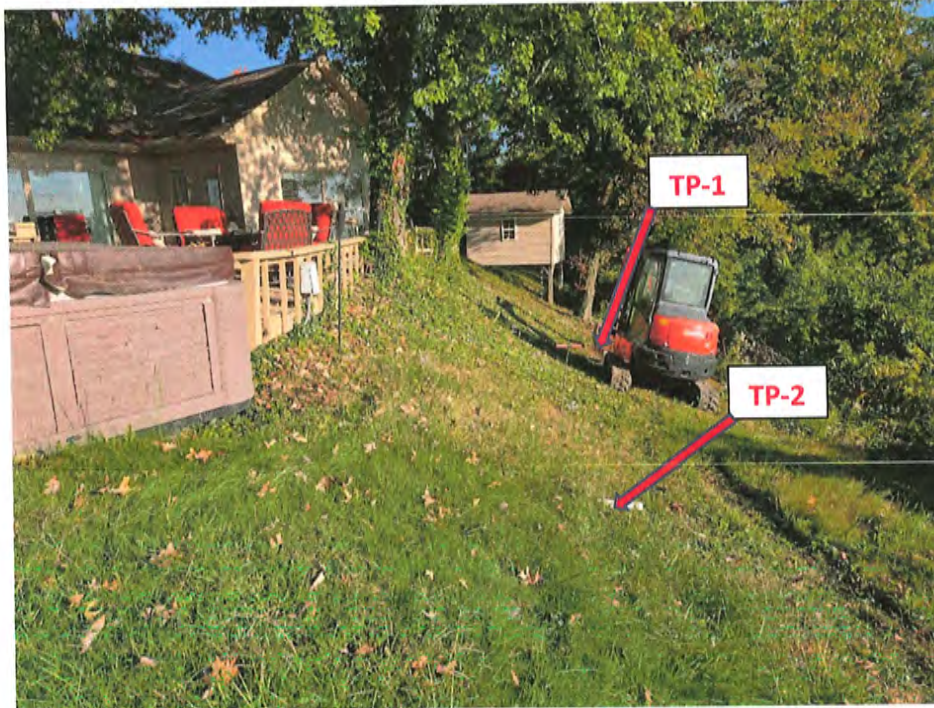


SITE PLAN

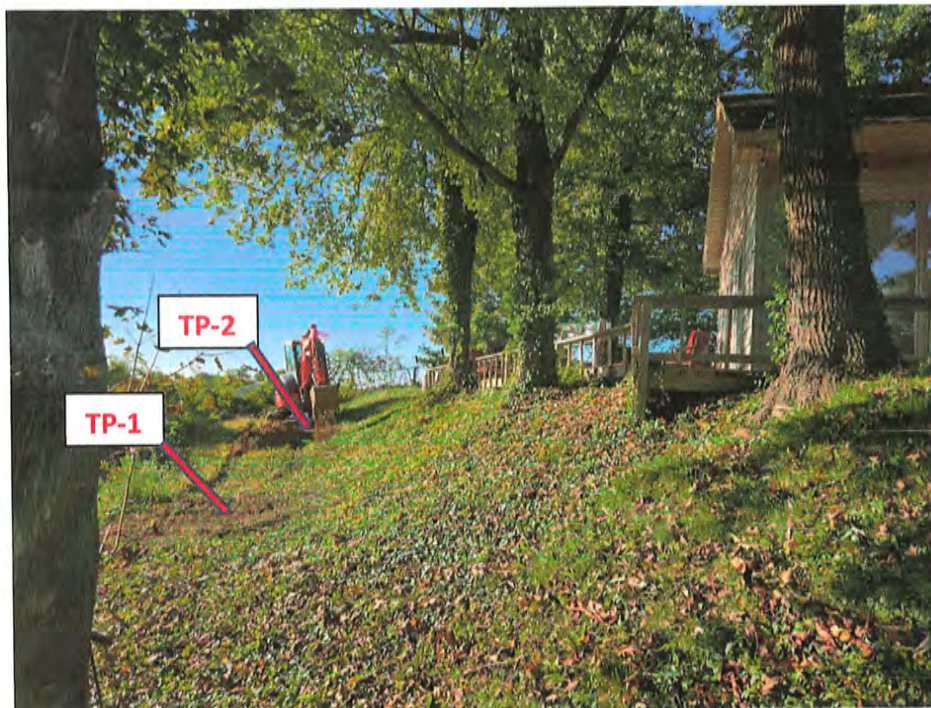




SITE PHOTOS



Expansion Area, Viewing North



Expansion Area, Viewing South



Test Pit 1 Excavation



Test Pit 2 Materials



Test Pit 2 Excavation



Test Pit 2 Materials