



Variance Application

Louisville Metro Planning & Design Services

Case No.: _____ Intake Staff: _____

Date: _____ Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

This is a variance from Section 5.2.4.C.3 of the Land Development Code, to allow A greater than 15' setback from the front property line.

Primary Project Address: 10300 BROOKRIDGE VILLAGE BLVD

Additional Address(es): _____

Primary Parcel ID: 350500050000

Additional Parcel ID(s): _____

Proposed Use: Hotel Existing Use: vacant

Existing Zoning District: OTF Existing Form District: Town Center

Deed Book(s) / Page Numbers²: 11338x401

The subject property contains 2.51+/- acres. Number of Adjoining Property Owners: _____

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ ☒ Yes ☐ No

If yes, please list the docket/case numbers:

Docket/Case #: 09-026-98W Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

Contact Information:

Owner: ☐ *Check if primary contact*

Applicant: ☐ *Check if primary contact*

Name: Tom Million, President

Name: Junior Patel

Company: Brookridge Village Condo Assn

Company: Derby City Hospitality

Address: 5508 Hidden Road

Address: 18420 Standwick Drive

City: Louisville State: KY Zip: 4

City: Louisville State: KY Zip: 40245

Primary Phone: _____

Primary Phone: 606 255-6065

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: jpatel@derbycityhospitality.com

Owner Signature (required): _____

Attorney: ☐ *Check if primary contact*

Plan prepared by: ☐ *Check if primary contact*

Name: _____

Name: Kathy M. Linares

Company: _____

Company: Mindel Scott

Address: _____

Address: 5151 Jefferson Blvd. Suite 101

City: _____ State: _____ Zip: _____

City: Louisville State: KY Zip: 40219

Primary Phone: _____

Primary Phone: 502 485-1508

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: klinares@mindelscott.com

Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Tom Million, in my capacity as President, hereby
representative/authorized agent/other

certify that Brookridge Village Condo Association is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: _____ Date: _____

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Since the buildings on either side of this proposal both obtained a variance to exceed the maximum 15' front setback the variance will allow a similar setback and will not adversely affect the public health, safety or welfare.

2. Explain how the variance will not alter the essential character of the general vicinity.

Since the existing adjacent uses are also further setback than the 15' maximum allowed in this form district, a similar deviation for this development will conform to the existing pattern and will not alter the essential character of the immediate or general vicinity.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

Since the use proposed is a hotel and a drop off/loading area in front of the building is a standard and essential feature for this use and it results in the building being further setback from the road, rather than create a hazard, it allows safe and convenient access for its guests and is not a nuisance.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Since a variance was previously approved for this site and for the existing adjacent structures; and since the design of the building to provide safe and convenient access for its guests results in the need for the variance, the request will not allow an unreasonable circumvention of the requirements.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The proposed use and the access required to allow safe and convenient access for guests staying at this hotel is a special circumstance which does not generally apply to other uses to the same extent.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Since the front loading area and circulation is a standard design necessary for guest access, since the narrowness of the lot and there not being the ability to rotate the building or provide access on the side, the strict application of the regulation would deprive the applicant the reasonable use of the land

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

It is standard design that guest access, including a covered drop off area, is provided at the front of the hotel building and additional vehicular circulation required in front of this. This design is not a circumstance that is the result of actions of the applicant taken subsequent to regulation adoption.