

Board of Zoning Adjustment
Staff Report
 October 28, 2019



Case No:	19-VARIANCE-0042
Project Name:	Hampe Variance
Location:	3917 Kennison Avenue
Owner(s):	Kurt Hampe
Applicant:	Kurt Hampe
Jurisdiction:	City of St. Matthews
Council District:	9- Bill Hollander
Case Manager:	Zachary Schwager, Planner I

REQUESTS:

Variance from City of St. Matthews Development Code Section 9.2.Q to allow an accessory structure to encroach into the required rear yard setback.

Location	Requirement	Request	Variance
Rear Yard	5 ft.	2 ft.	3 ft.

CASE SUMMARY/BACKGROUND

The subject site is zoned R-4 Single Family Residential in the Neighborhood Form District. It is a single-family structure located in the Chenoweth Place neighborhood. The applicant is proposing to replace the existing garage and add additional square footage over the existing footprint.

STAFF FINDINGS

Staff finds that the requested variance is adequately justified and meets the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the City of St. Matthews Development Code Section 9.2.Q to allow an accessory structure to encroach into the required rear yard setback.

TECHNICAL REVIEW

Staff has received no comments from other agencies.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this proposal.

RELATED CASES

There are no open zoning enforcement cases.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM TABLE 5.2.2

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The requested variance will not adversely affect the public health, safety or welfare as the structure will be constructed to comply with all building codes, including fire codes.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity as the proposed structure will align with the existing garage and keep in character with other structures in the general vicinity.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public as there is an existing garage and the new garage will be built in the same location and will be constructed to comply with all building codes, including fire codes.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations as the setback does not meet the existing conditions of the subject property and the applicant proposes to build the new garage over the footprint of the existing garage.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: There not special circumstances associated with this variance. However, there are similar structures within the general vicinity of the subject property.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would not permit the property owner to replace the existing garage with a structure that is consistent with the character of the neighborhood.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant is requesting the variance and has not begun construction.

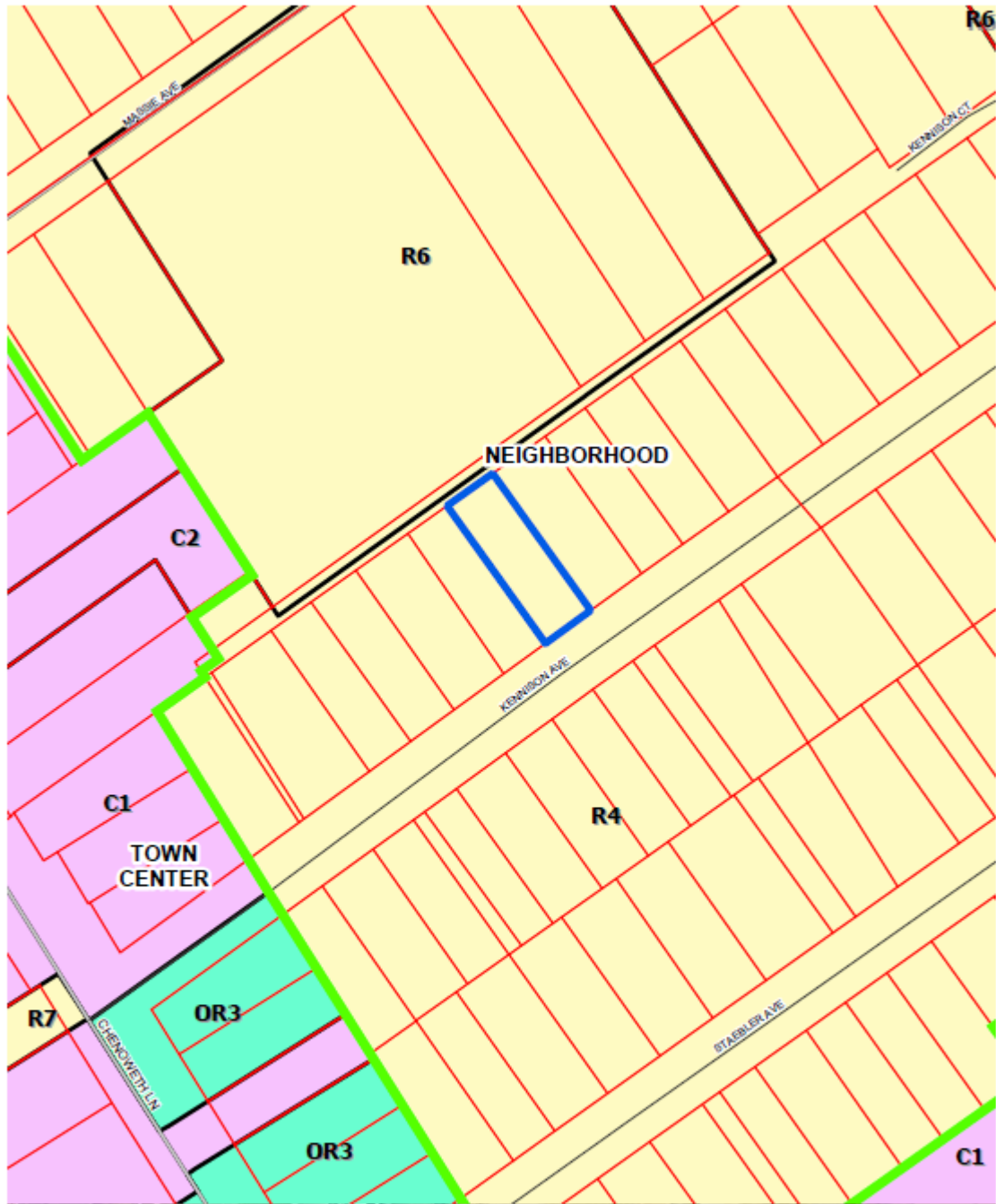
NOTIFICATION

Date	Purpose of Notice	Recipients
10/10/2019 10/11/2019	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4
10/10/2019	Hearing before BOZA	Notice posted on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Site Photos

1. Zoning Map



3917 Kennison Avenue
feet



100

Map Created: 1/9/2019



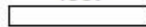
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2. Aerial Photograph



3917 Kennison Avenue

feet



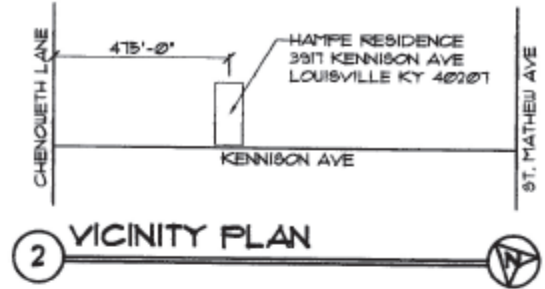
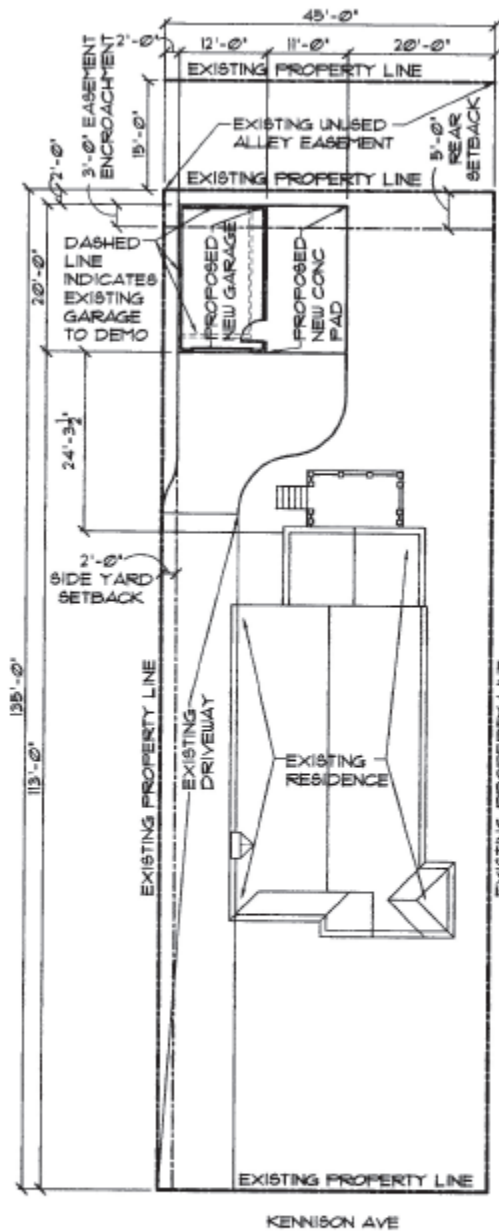
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Map Created: 1/9/2019



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3. Site Plan

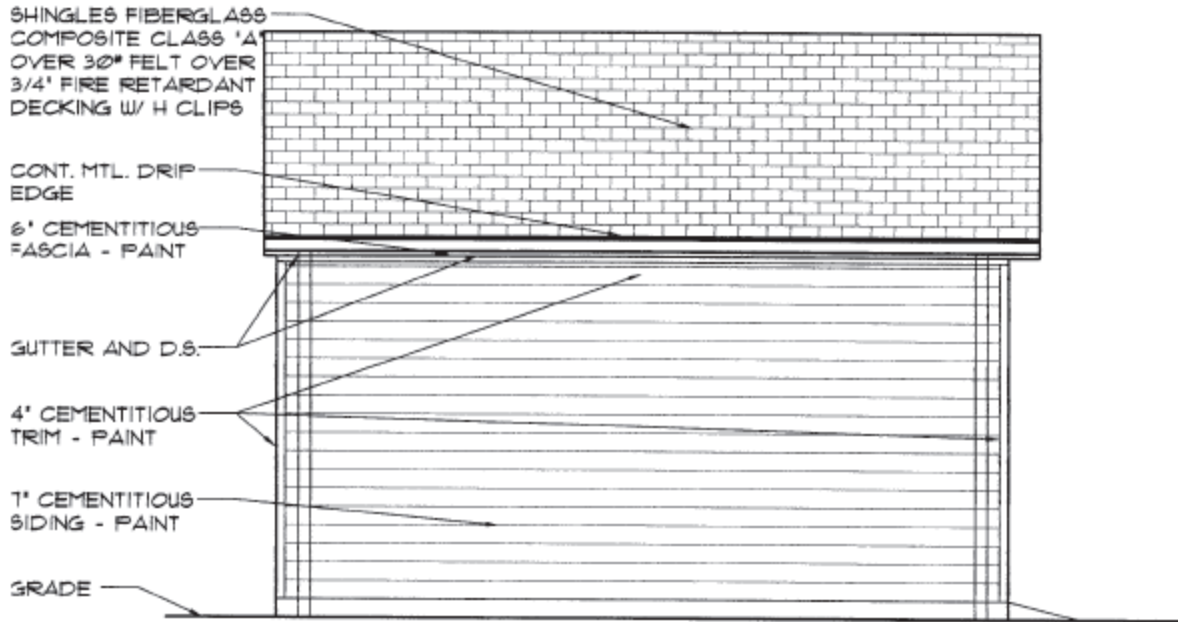


HAMPE RESIDENCE 3917 KENNISON AVE LOUISVILLE KY 40207 PARCEL ID: 027B00310010 ZONE: R4 - SINGLE FAMILY FORM DISTRICT: NEIGHBORHOOD
VARIANCE FOR REAR YARD SETBACK
REQUIRED: 5FT REQUESTED: 2FT (EXISTING)

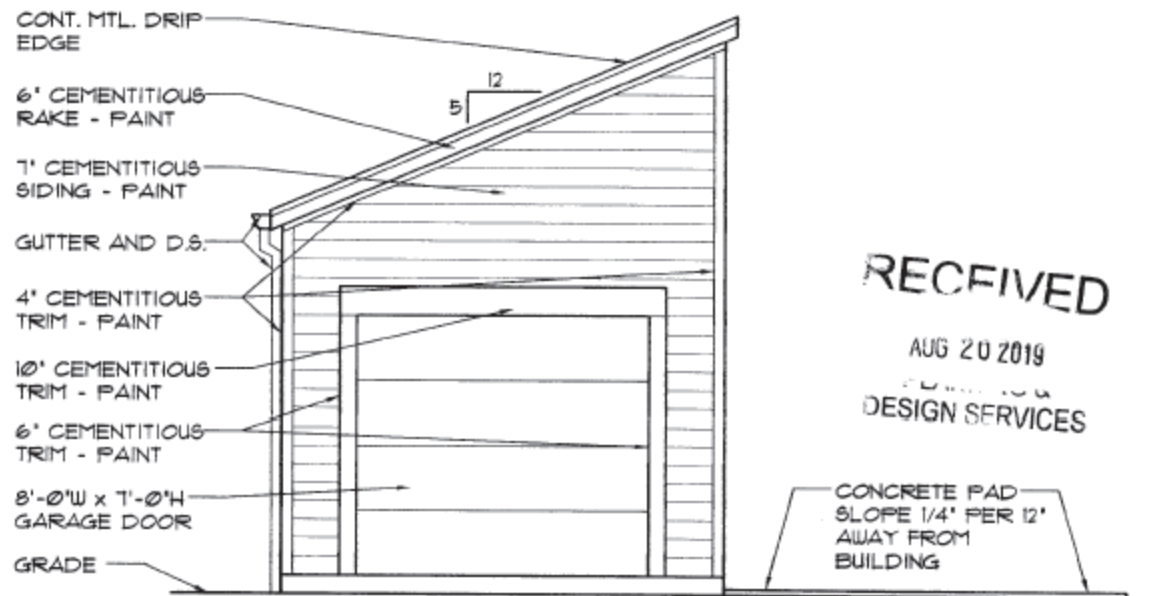
RECEIVED
AUG 20 2019
DESIGN SERVICES

1 SITE PLAN
SCALE: 1" = 20'-0" JOB NORTH

SITE PLANS	HAMPE RESIDENCE 3917 KENNISON AVE LOUISVILLE KY 40207	GIRDLER GROUP, LLC 135 CHENOWETH LANE 40207 TEL 502.897.9303 www.girdlergroup.com
A-1 08-15-2019		



2 BUILDING ELEVATION-WEST
 SCALE: 1/4" = 1'-0"



RECEIVED
 AUG 20 2019
 DESIGN SERVICES

CONCRETE PAD
 SLOPE 1/4" PER 12"
 AWAY FROM
 BUILDING

1 BUILDING ELEVATION-SOUTH
 SCALE: 1/4" = 1'-0"

ELEVATIONS	HAMPE RESIDENCE 3917 KENNISON AVE LOUISVILLE KY 40207	GIRDLER GROUP, LLC 135 CHENOWETH LANE 40207 TEL 502.897.9303 www.girdlergroup.com
08-15-2019		

4. Site Photos

Front of the Subject Property



Existing Garage

