

Board of Zoning Adjustment NON-HEARING Staff Report

August 18, 2014



Case No:	14VARIANCE1074
Project Name:	Home Addition
Location:	2202 Newmarket Drive
Owner(s):	Robert J. & Kathy A. Benish
Applicant(s):	Robert J. & Kathy A. Benish
Representative(s):	N/A
Project Area/Size:	200 sq. ft.
Existing Zoning District:	R-3
Existing Form District:	Neighborhood
Jurisdiction:	City of Northfield
Council District:	16 – Kelly Downard
Case Manager:	Regina Thomas, Associate Planner

REQUEST

- Variance from the Land Development Code to allow a proposed addition to the existing home.

Location	Requirement	Request	Variance
Side Yard	23 ft.	5.39 ft.	17.61 ft.

CASE SUMMARY/BACKGROUND

The proposal is an addition to the south side of the existing home. The setback standards are governed under the Infield Context of the Land Development Code. There are no additional reviews from Planning & Design. Also, the adjacent home at its closest point will be 23' from the subject property line.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Residential Single Family	R-3	Neighborhood
Proposed	Residential Single Family	R-3	Neighborhood
Surrounding Properties			
North	Residential	R-3	Neighborhood
South	Residential	R-3	Neighborhood
East	Residential	R-3	Neighborhood
West	Residential	R-3	Neighborhood

PREVIOUS CASES ON SITE

None

SITE CONTEXT

The home is located in the Northfield section 1 subdivision (plat book 12, page 59). The plat shows a recorded 40 foot building limit line across the front of the lot and a 15' Electric & Telephone easement across the rear of the lot (7.5' on each property). Upon viewing submitted photos bushes will have to be removed to allow construction of the addition, but no mature trees will be affected by this proposal.

INTERESTED PARTY COMMENTS

None

APPLICABLE PLANS AND POLICIES

Land Development Code (Section 5.4.2.C.1)

INFIELD CONTEXT:...Construction of new or expanded principal residential structure on lots created prior to the effective date of this regulation, or on parcels created by minor plat after the effective date, shall fall within the range of the front setbacks of the two nearest principal residential structures. The side setback shall fall within the range of the two nearest principal residential structures or three (3) feet, whichever is greater.....

STANDARD OF REVIEW ANALYSIS FOR VARIANCE (SIDE YARD SETBACK)

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

APPLICANT: "No effect on public health, safety or welfare. Addition will blend with the current house construction and not interfere with anyone's health, safety or welfare."

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

APPLICANT: "Addition will be in line with the home's design and features as well as blend with the neighborhood's characteristics."

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

APPLICANT: "No, addition will not cause a hazard or nuisance to the public. It will be set well back from the street and existing foliage prevents view from the street."

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

APPLICANT: "None, just one front corner is affected."

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.

APPLICANT: "No special circumstances, it will fit with the existing home, neighborhood, and current remodels in the neighborhood."

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.

APPLICANT: "The addition will provide us with a suitable amount of space for both our master bathroom and closet areas."

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.

APPLICANT: "Other than the survey and design drawings, actual construction has not been started."

STAFF: The owner's not responsible for the location of the existing home or the layout of the lot.

TECHNICAL REVIEW

Per PVA's records the house was built in 1959.

STAFF CONCLUSIONS

The owner is proposing a 200 sq. ft. living space addition to the existing residential structure. The addition will match the exterior material of the existing home; also the roof pitch will match that of the existing roof. The addition will be screened from the roadway by mature trees and shrubbery. At its closest point the addition will be approximately 28.5 feet from the adjacent home.

NOTIFICATION

The first tier adjoining property owners have signed the Non-Hearing Variance Consent form.

ATTACHMENTS

1. Zoning Map
2. Site Plan
3. Elevation Drawing
4. Photos



R-R RURAL RES.	R-5 RES. S.FAM.	R-8A RES. M-FAM.	C-R COMM./RES.	M-1 IND.	DRO DEV. REVIEW OV.
R-E RES. EST.	RRD RES. REDEV	OR-1 OFF./RES.	C-1 COMM.	M-2 IND.	W-1 WATERFRONT
R-1 RES. S.FAM.	R-5A RES. M-FAM.	OR-2 OFF./RES.	C-2 COMM.	M-3 IND.	W-2 WATERFRONT
R-2 RES. S.FAM.	R-5B TWO-FAM.	OR-3 OFF./RES.	C-3 CBD	CRO CRO. REVIEW OV	W-3 WATERFRONT
R-3 RES. S.FAM.	R-6 RES. M-FAM.	OTF OFF./TOUR	C-M COMM. MAN.	PRO PLAN. RESEARCH	WRO WATER. REVIEW OV.
R-4 RES. S.FAM.	R-7 RES. M-FAM.	C-N NEIGH. COMM.	EZ-1 ENTERPRISE	PEC PLAN. EMP. CEN.	



Zoning District Map

Louisville/Jefferson Metro Government
Planning and Design
Services

14VAR1074
VARIANCE

Scale: 1:1142 Date: 07/31/2014



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METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER
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①
backyard house

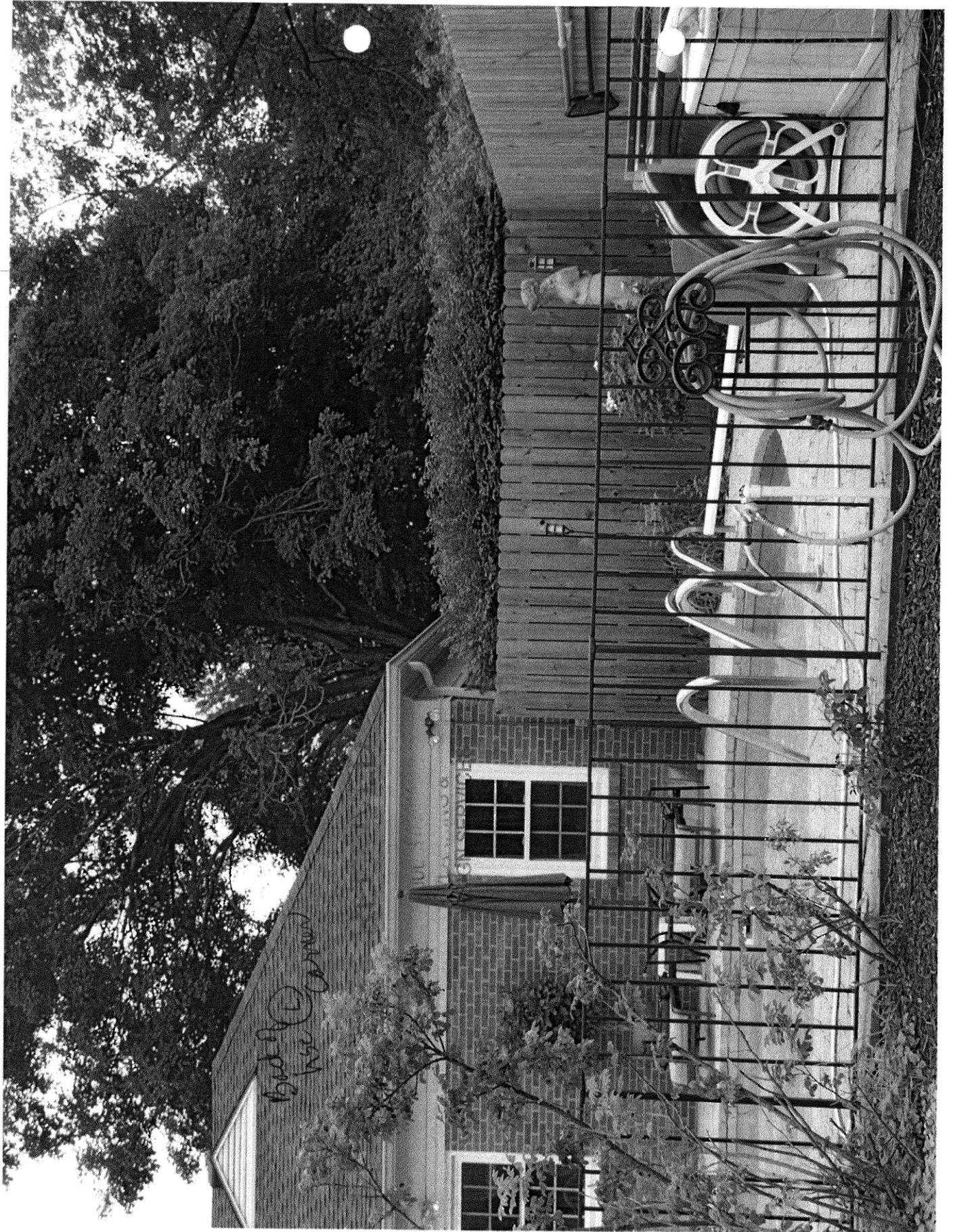
RECEIVED
JUL 30 2014
LANDSCAPING &
DESIGN SERVICES

A black and white photograph of a two-story brick house. The house has a gabled roof and several windows, some with shutters. A large, leafy tree stands to the left of the house. In the foreground, there is a metal fence with a gate. A satellite dish is visible on the roof. The image is oriented horizontally on the page.

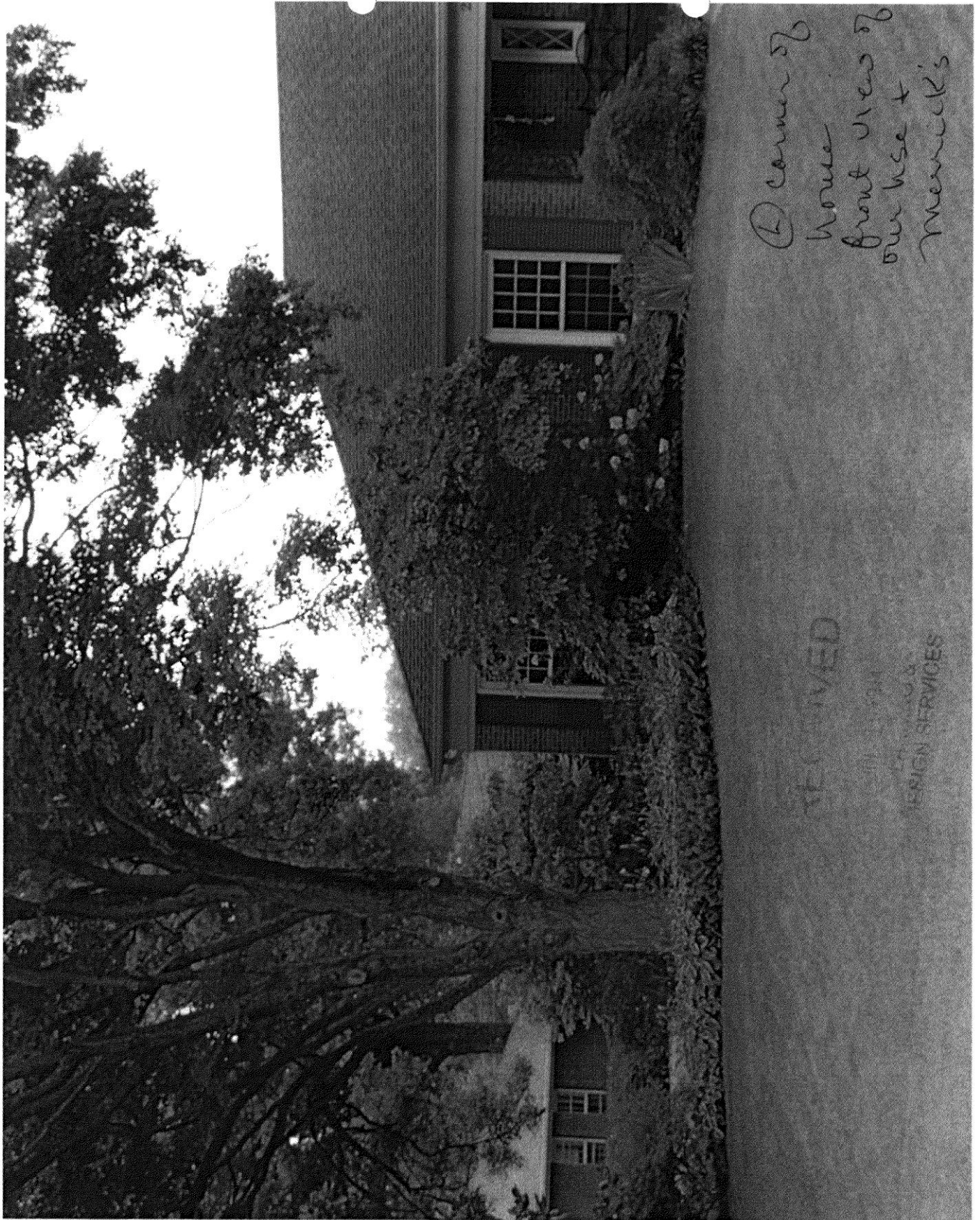
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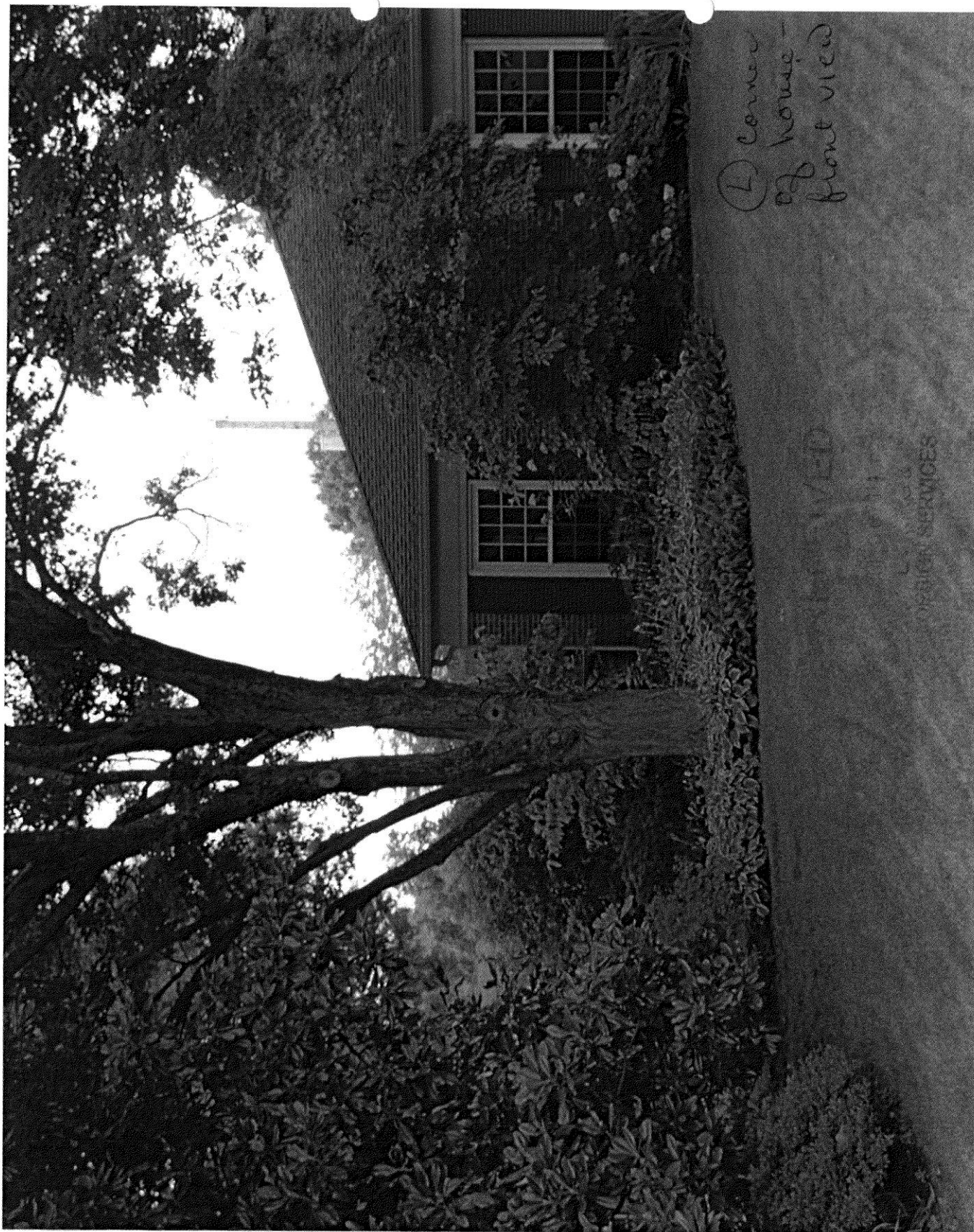


Corner of
House
front view of
our base &
Merrick's

RECEIVED

DESIGN SERVICES

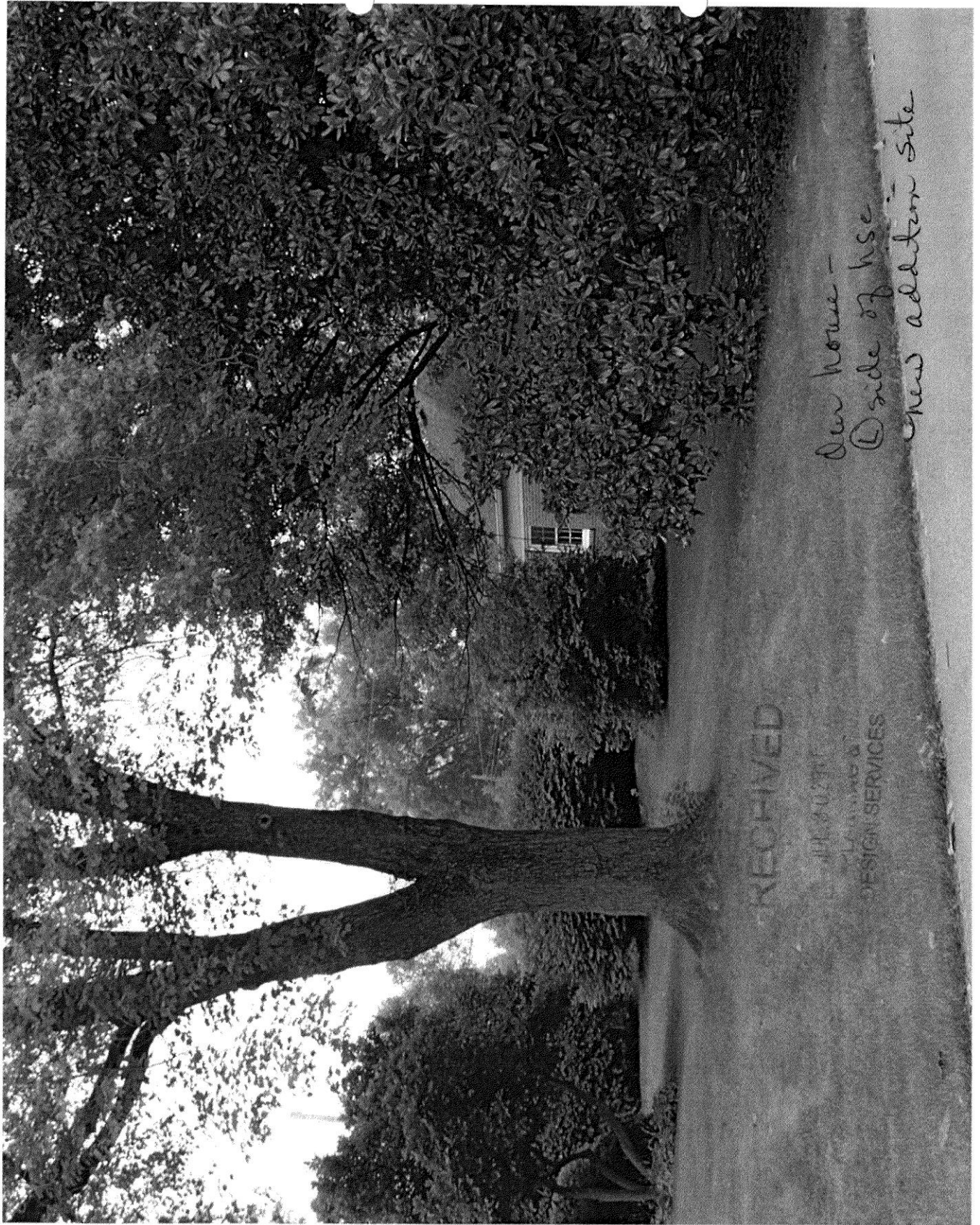
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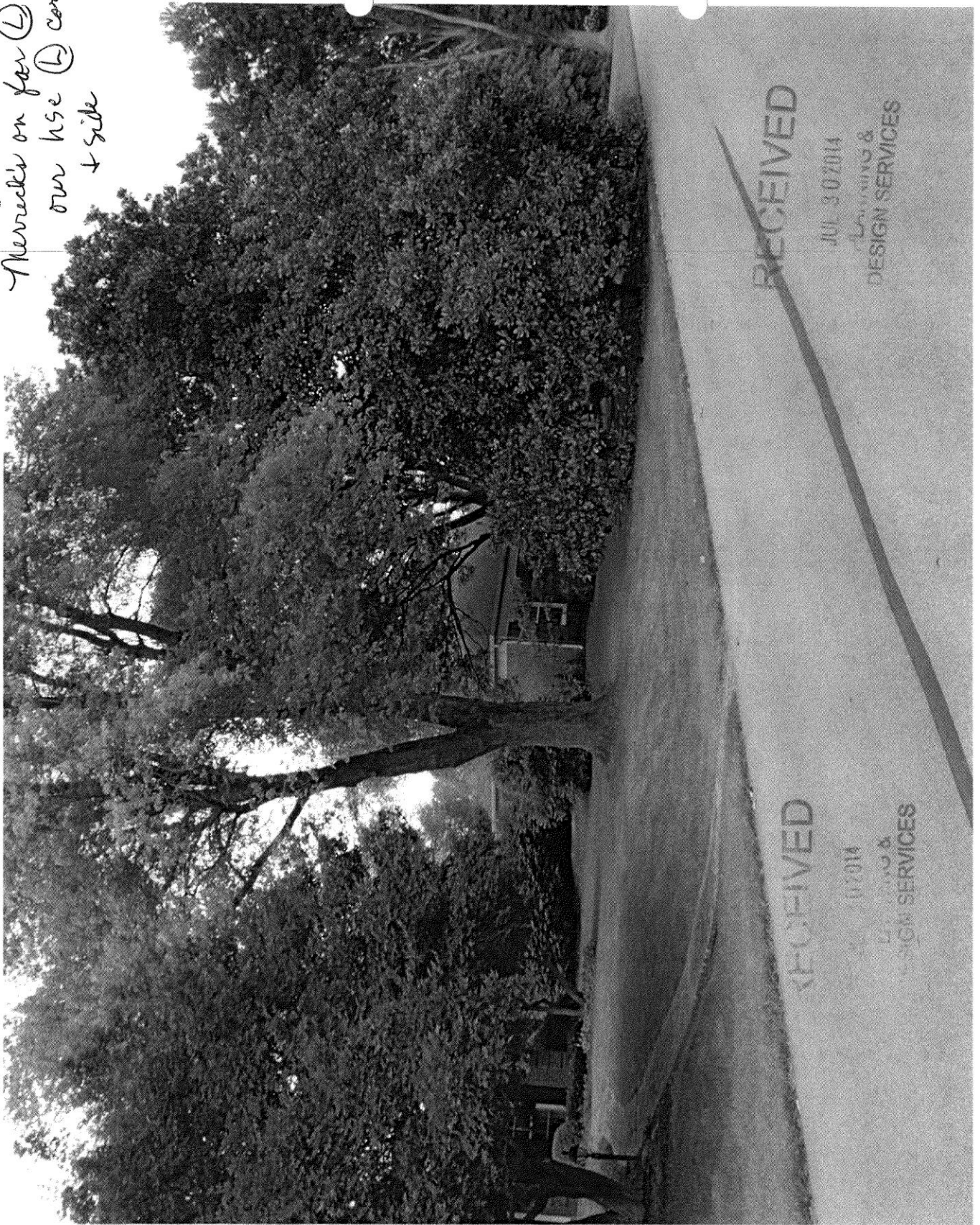
Our house -
side of hse
new addition site

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JUL 20 2011
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DESIGN SERVICES

10/10/2011/10/10/11

Merricks on far (L)
over hse (L) corner
+ side



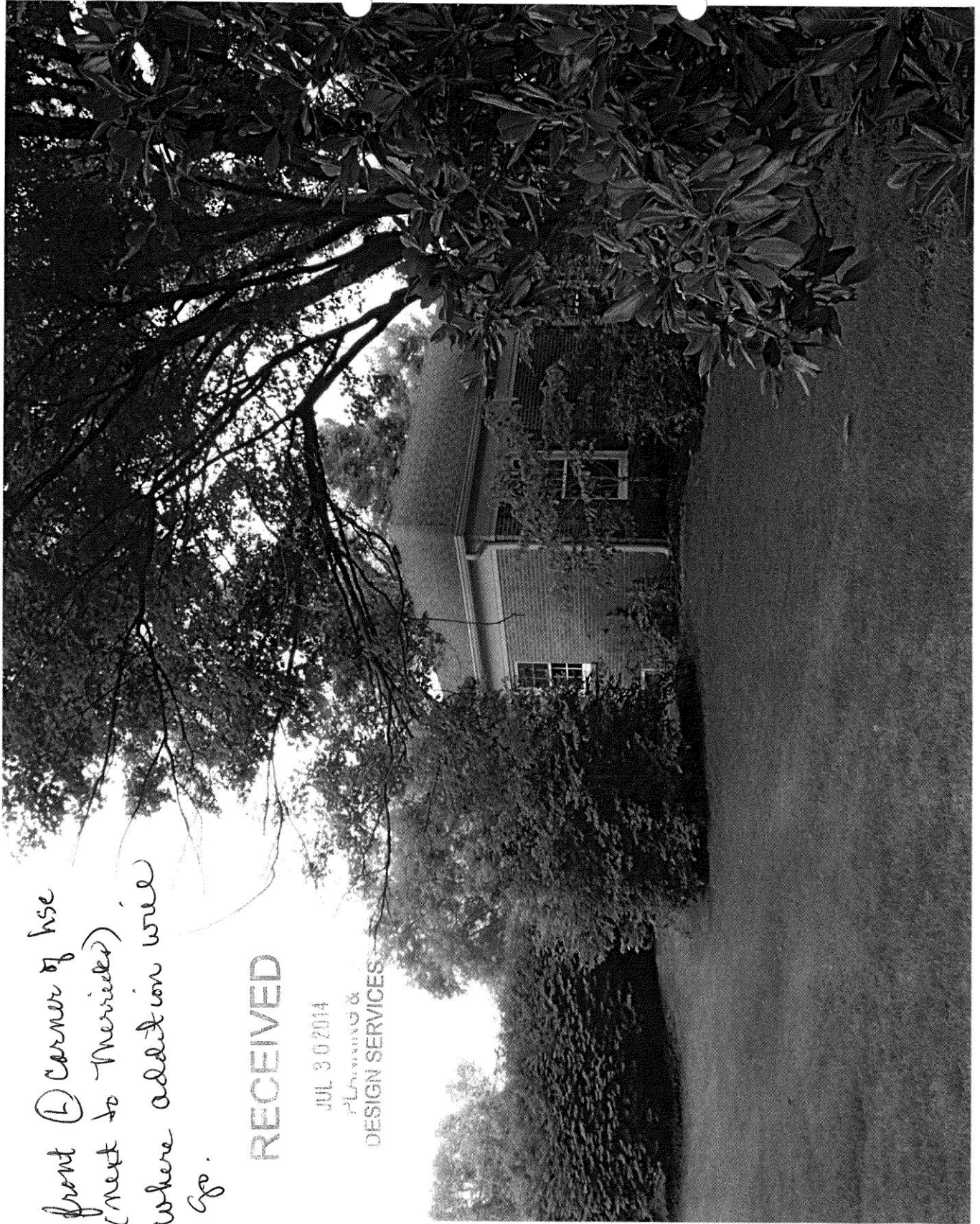
14VARIANCE1074

front (corner of hse
(next to driveway)
where addition will
go.

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