

16VARIANCE1098

6928 Village Gate Trace



Louisville Metro Board of Zoning Adjustment

Public Hearing

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January 9, 2017

Request(s)

- **Variance**: from the Land Development Code (Oct. 2016) from section 4.4.3.A.1.a.i, to allow fence to exceed the 4 ft. height on a R-5 zoned parcel within a Neighborhood Form District by approximately 2 ft.

Location	Requirement	Request	Variance
Street Side Yard (Fence Height)	4 ft.	6 ft.	2 ft.

Case Summary / Background

- Applicant has constructed a fence in the street side yard exceeding the 4 foot height as allowed in the LDC on a R-5 zoned parcel within a Neighborhood Form District.
- Fence was expanded between the dates of Sept. 2014 and/or Sept. 2016, at the rear by approximately 24 feet out towards Fernview Rd. (Perpendicular to Fernview Rd.) extending south towards Village Gate Trace (parallel to Fernview Rd.) in the Street Side Yard by approximately 54 feet and then extends west for approximately 24 feet and terminates at the principal structure.

Zoning/Form Districts

Subject Property:

- Existing: R-5/Neighborhood
- Proposed: R-5/Neighborhood

Adjacent Properties:

- North: R-4/Neighborhood
- South: R-5/Neighborhood
- East: R-5/Neighborhood
- West: R-5/Neighborhood



Aerial Photo/Land Use

Subject Property:

- Existing: Residential Single Family
- Proposed: Residential Single Family

Adjacent Properties:

- North: Residential Single Family
- South: Residential Single Family
- East: Residential Single Family
- West: Residential Single Family



Site Photos-Subject Property



The subject property with fence shown looking parallel to Fernview Rd.

Site Photos-Subject Property



Looking at the fence along Fernview Rd.,
the height exceeds the required 4 ft.

Site Photos-Subject Property



Looking at the fence from the rear on the northwest side of Fernview Rd.

Surrounding-Subject Property



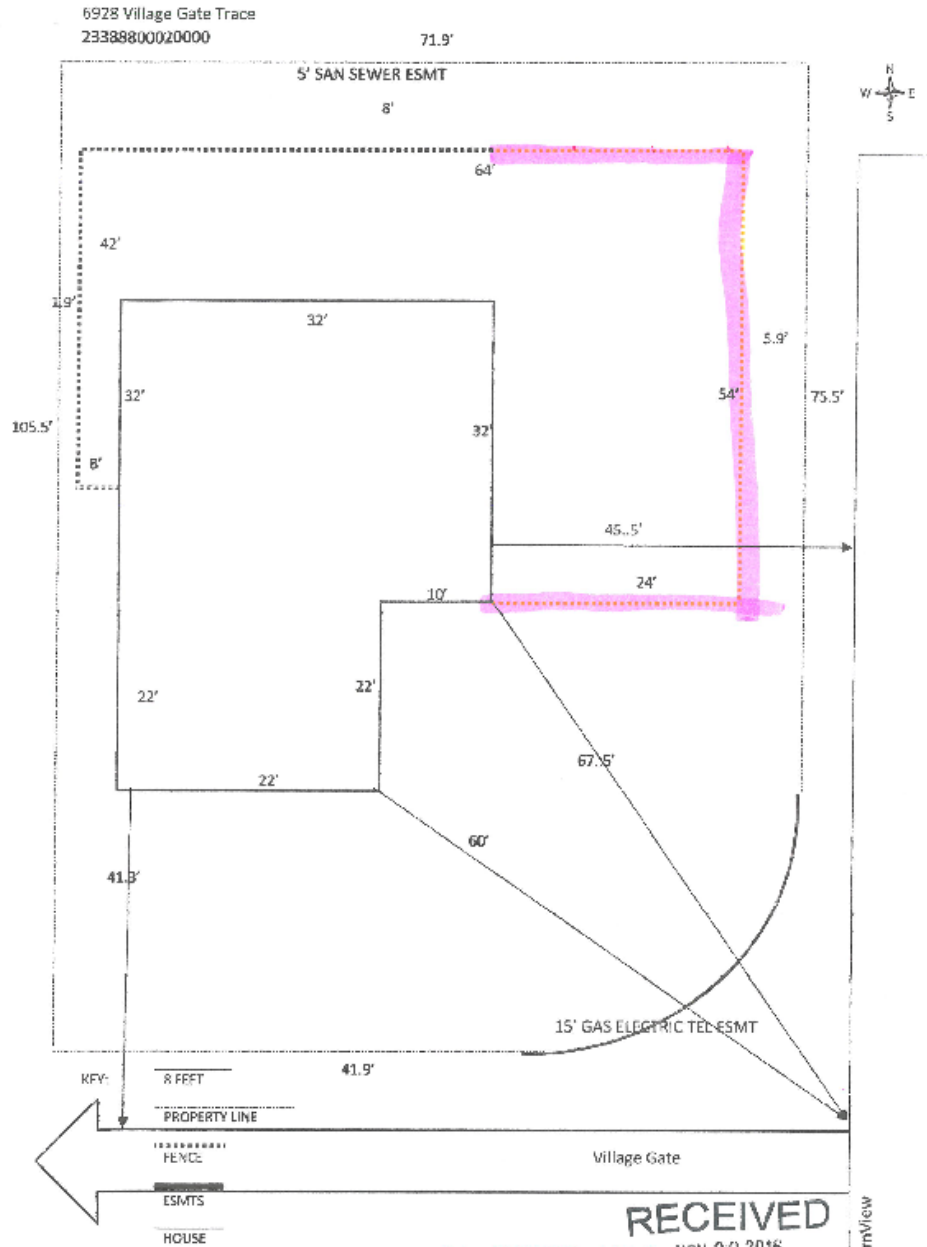
Looking at a similar fence to the applicants as found off of Avanti Way.

Surrounding-Subject Property



Looking at a similar fence to the applicants as found
At 6908 Village Gate Trace.

Applicant's Site Plan



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Conclusions

- The variance request appears to be adequately justified and meets the standard of review.
- The Board of Zoning Adjustment must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code from section 4.4.3.A.1.a to allow an existing vinyl fence of 6 feet to exceed the 4 foot maximum height in the street side yard along Fernview Rd.

Required Actions

- **Variance:** from the Land Development Code (Oct. 2016) from section 4.4.3.A.1.a.i, to allow fence to exceed the 4 ft. height on a R-5 zoned parcel within a Neighborhood Form District by approximately 2 ft.
Approve/Deny