

**Board of Zoning Adjustment
Staff Report**
March 2, 2015



Case No:	14Variance1094
Project Name:	Chatsworth Park Apartments Office Addition
Location:	122 North Peterson Avenue
Owner(s):	Brown Noltemeyer Company
Applicant:	Brown Noltemeyer Company
Representative:	William Bardenwerper, Bardenwerper, Talbott & Roberts, PLLC
Project Area/Size:	8.62 Acres
Jurisdiction:	Louisville Metro
Council District:	9 – Tina Ward-Pugh
Case Manager:	Sherie' Long, Landscape Architect

(Continued from February 2, 2015)

REQUEST

Variances from the Land Development Code to allow a structure to exceed the maximum setback; and a waiver to not provide the required entrance and not provide 50% of the wall surface in clear glass windows and doors along the North Peterson Avenue frontage.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The Board approved the variances and waivers requested on November 3, 2014, with the following conditions:

1. Additional landscaping shall be provided along the North Peterson Avenue side of the property.
2. The two existing windows along North Peterson Avenue shall be enlarged three times the current size with direction from staff's architect.
3. The applicant shall receive all necessary inspections and permits; and a Codes and Regulations/Building Inspector shall report back to the Board regarding the status as a business session item on the agenda.

The applicant has completed two of the three conditions.

The applicant received approval of a landscape plan (14LSCAPE1180) on November 14, 2014. A copy of the approved plan is included as Attachment 1. However, the additional landscape plant materials provided along the North Peterson Avenue frontage does not match the approved planting as specified on the landscape plan, but the "number" of plants proposed is the same as the approved plan, even if, the species are not the same. If the board determines the planting provided meets the intent of the "Condition of Approval" the applicant will need to revise the landscape plan to match the provided plantings. If the Board determines the planting provided does not meet the intent then, the applicant will need to replace the provided plantings with the plantings shown on the approved landscape plan.

The two existing windows along the North Peterson Avenue frontage have been increased as required by Condition 2. A copy of the staff architect's approved elevation plan is included in this report as Attachment 2. Building photographs documenting the previous condition and the existing condition of the building facades are included as attachment 4 and 5. As you can see from the photographs, attachment 5, the windows have been added as requested.

"Condition of Approval" 3 is being addressed by this report and the information included as Attachment 3. The inspection record and final approval of the building addition are documented in the email provided by David Marchal, Develop Louisville Assistant Director/Construction Review Manager. All three of the required inspections, foundation, rough-in, and final, were completed during December 2014 and January 2015. The final inspection was completed January 16, 2015 with the "Letter of Approval" (LOA) being issued to allow the structure to be occupied.

ATTACHMENTS

1. Landscape Plan – Approved November 11, 2014 (14LSCAPE1180)
2. Building Elevations – Revised November 4, 2014 and Approved November 5, 2014
3. Building Inspection Report
4. Previous Site Photographs as presented November 3, 2015
5. As built - Site Photographs taken February 3, 2015



RECEIVED
NOV 05 1914
TRAINING &
DESIGN SERVICES
Keep in file
Condition 77, Appendix

Attachment 3: Building Inspection Report

From: Marchal, David
Sent: Friday, January 23, 2015 4:56 PM
To: Long, Sherie; Arnett, David
Cc: Hendrix, Steve
Subject: RE: 122 N. Peterson - Noltemeyer Capital

I can do Feb 2. But - if we have the option of doing it written – which is what I would prefer – what does that need to look like? Here is the record. All inspections passed without any problems. You can see dates and times. The final result “LOA” on the Final Inspection means “Letter of Acceptance” – the space may be occupied. Ideally this alone will suffice as our report.

PREVIOUS NEXT ACTION PRINT

INFORMATION - APPLICATION# BL917863

Application Type BUILDING Building Permit
 Primary Applicant NOLTENEYER CO BROWN
 Address 122 N PETERSON AVE LOUISVILLE KY 40206-0000
 Location

- Application is Finaled.
- Application has been finalized on 1/16/201
- Current unpaid amount of \$0.00.



- Job Description
- Application Details
- Reviews
- Inspections**
- Conditions
- Required Licenses
- Fees
- Bonds
- Valuations
- Applicants
- Sites
- Employees
- Related Records
- Logs
- Attachments

Inspections (4 records)

Insp #	Type	Description	#	Result	Result By	Assigned To
2115803	FOUNDATION	FOUNDATION	1	PASSED	DARNETT	DARNETT
2115804	ROUGH-IN	ROUGH-IN	1	PASSED	DARNETT	DARNETT
2116816	FINAL	Final Inspection	1	PHONE	DARNETT	DARNETT
2124940	FINAL	Final Inspection	2	LOA	DARNETT	DARNETT

+ New Item

Attachment 4: Previous Site Photographs as presented November 3, 2015



View from Lexington Avenue toward new addition and existing parking



View of new addition from intersection of Lexington Avenue and North Peterson Avenue



View of new addition from North Peterson Avenue

Attachment 5: As built - Site Photographs taken February 3, 2015



View from Lexington Avenue toward new addition and existing parking



View of new addition from North Peterson Avenue