

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.

Site distance from the alley in a vehicle is the only concern associated with the setback variance. However, since Clay Street setback could be 0', and this setback is actually 7.7', site distance is actually better than the code permits.

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

This area is a mix of residential and institutional with a variety of setback patterns. It is not uncommon that a structure take up most of a parcel. Furthermore, the downtown form district is the centerline of Muhammad Ali, which encourages 0' setbacks.

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

Site distance from the alley in a vehicle is the only concern associated with the setback variance. However, since Clay Street setback could be 0', and this setback is actually 7.7', site distance is actually better than the code permits.

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

Internal space and circulation will not be able to meet the needs of the facility without the variance i.e. small office space (less than 8' width).

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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).

This building is a retrofit of an old church and functions as a 501(c)3 non-profit with help from volunteers and donations. Relocating to a larger parcel is not an option.

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.

Retrofitting and adding onto a small parcel with no possibility for expansion of land creates the need to utilize as much of the land as possible for interior spaces.

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

Structure was built before zoning laws were implemented in Louisville.

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