

17VARIANCE1078/17CUP1084 SPROUTLINGS DAYCARE



Louisville Metro Board of Zoning Adjustment

Public Hearing

Joel Dock, Planner II

November 20, 2017

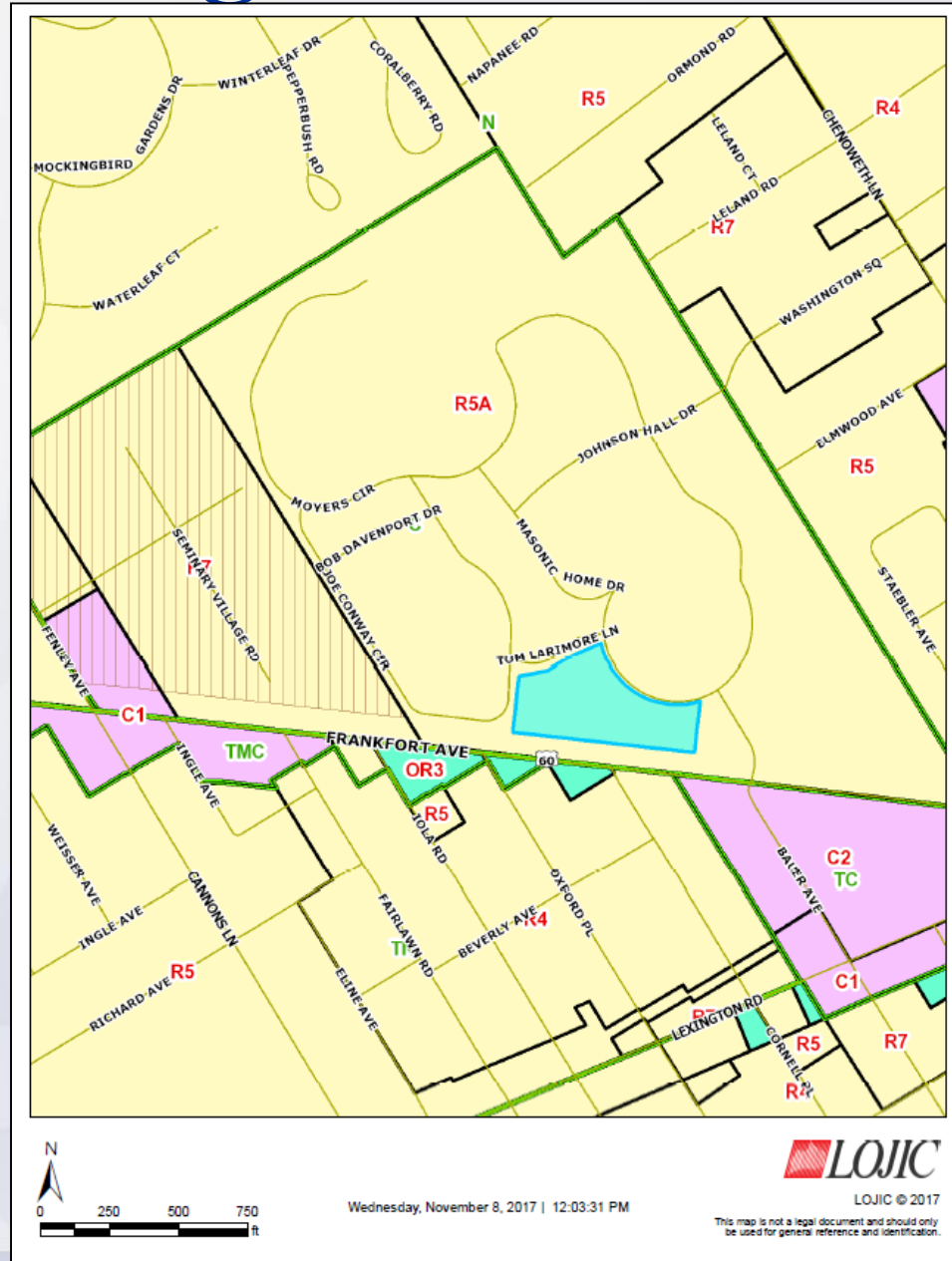
Request

- **Variances** of Land Development Code (LDC), section 5.3.5.C.3.a to allow for parking and an accessory structure to encroach upon the street side yard setback at various locations as shown on the development plan
- **Variance** of Land Development Code (LDC), section 5.3.5.C.3.b to allow for parking to encroach upon the side yard setbacks as shown on the development plan
- **Modified Conditional Use Permit** to allow for revisions and an expansion to the existing approved conditional use permit of docket 13371 (approved 9/9/10)

Case Summary / Background

- The existing daycare with associated offices is proposing an expansion of 10,200 square feet with a net increase of twenty-seven parking spaces. Existing rain gardens are also present on the site
- A variable encroachment into the 25' street side yard setback for parking facilities is requested along Tom Larimore Ln and Masonic Home Drive.
- A variance from the 50' required setback for parking facilities and a dumpster is requested along Frankfort Avenue, with the closest point of the parking appearing to be only a few feet from the property line.
- An additional variance into the 20' side yard setback and slight expansion of the approved conditional use permitted is needed for the parking facilities along and crossing the West property line.

Zoning/Form Districts

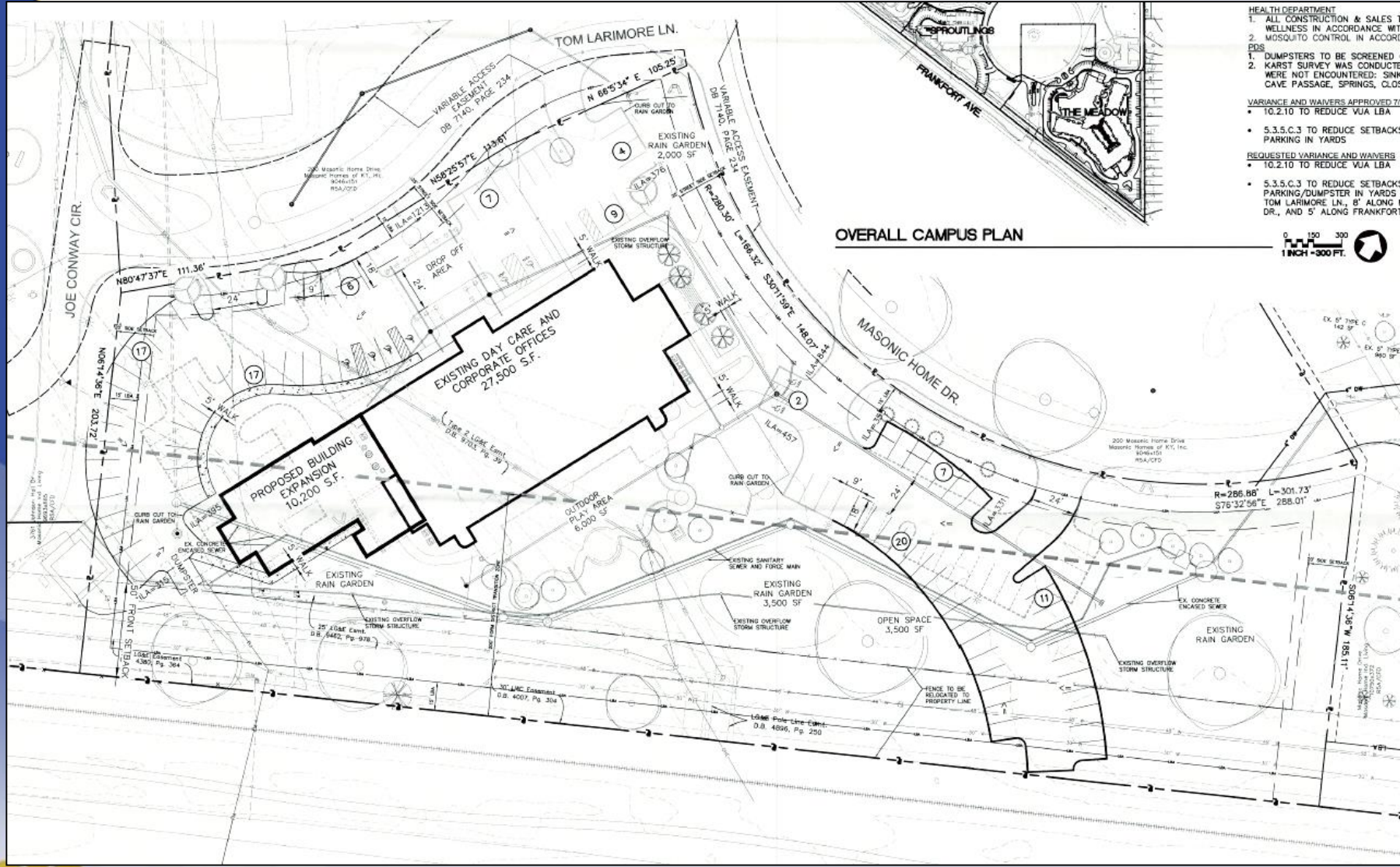


Aerial Photo/Land Use





Site Plan



Technical Review

- There is no minimum requirement for non-residential side yard setbacks in the Campus form district, except where adjacent to a residential use or zoning district, in which case a minimum side setback of 20 feet shall be maintained. This regulation is applicable to the West property line. Because the parking facilities are expanding a bit beyond the property lines, an expansion to the CUP is needed and the application of the setback applies on each side of the line for the parking facilities. All setbacks along the property line are requested in this particular variance.

Conclusions

- The variances and modified conditional use permit appear to be adequately justified and meet the standard of review based on staff analysis in the staff report.
- The Masonic Homes property is an integrated development with mixed-uses, shared parking facilities, internal drives, and open space. Existing and proposed vegetative screening provides sufficient buffers at appropriate locations. No hazards or nuisance appear to result from these requests, and the public health, safety, and welfare does not appear to be adversely impacted.

Required Actions

- **APPROVE** or **DENY** the **Variations** of Land Development Code (LDC), section 5.3.5.C.3.a to allow for parking and an accessory structure to encroach upon the 50' street side yard setback at various locations for variable distances as shown on the development plan
- **APPROVE** or **DENY** the **Variance** of Land Development Code (LDC), section 5.3.5.C.3.b to allow for parking to encroach upon the 20' side yard setback for variable distances as shown on the development plan
- **APPROVE** or **DENY** the **Modified Conditional Use Permit** to allow for revisions and an expansion to the existing approved conditional use permit of docket 13371 (approved 9/9/10)