

## Docket No. 16VARIANCE1066

A Variance from the St. Matthews Development Code Section 6.3.C.3 to exceed the maximum 35 ft height allowed for the parapet wall and the hip roof of the clock tower on property located at 3901 and 3919 Shelbyville Rd



Member FDIC

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Land Planners, Landscape Architects & Engineers: Mindel Scott & Associates

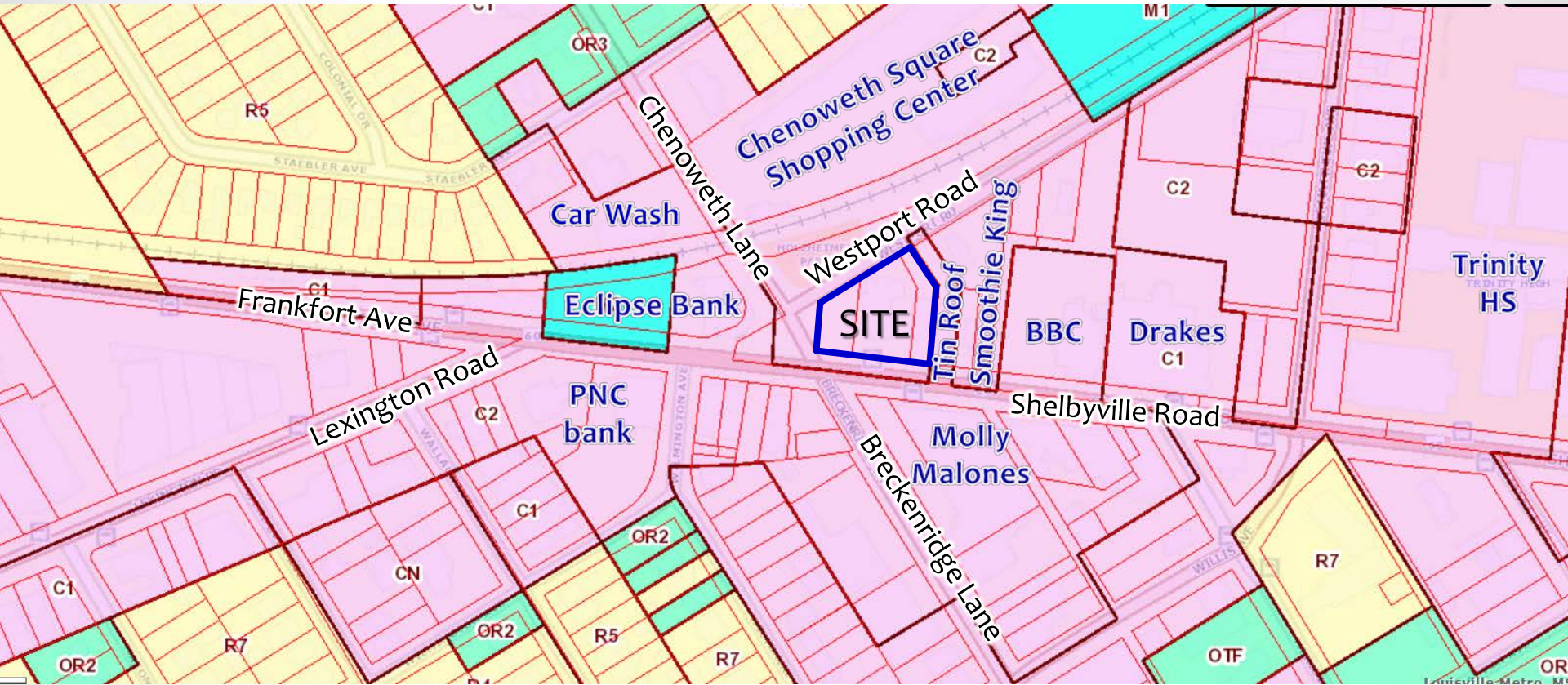
Architects: Axiom Architecture

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# Tab 1

## LOJIC Zoning Map



Tab 2

Aerial photograph of the site  
and surrounding area





## Tab 3

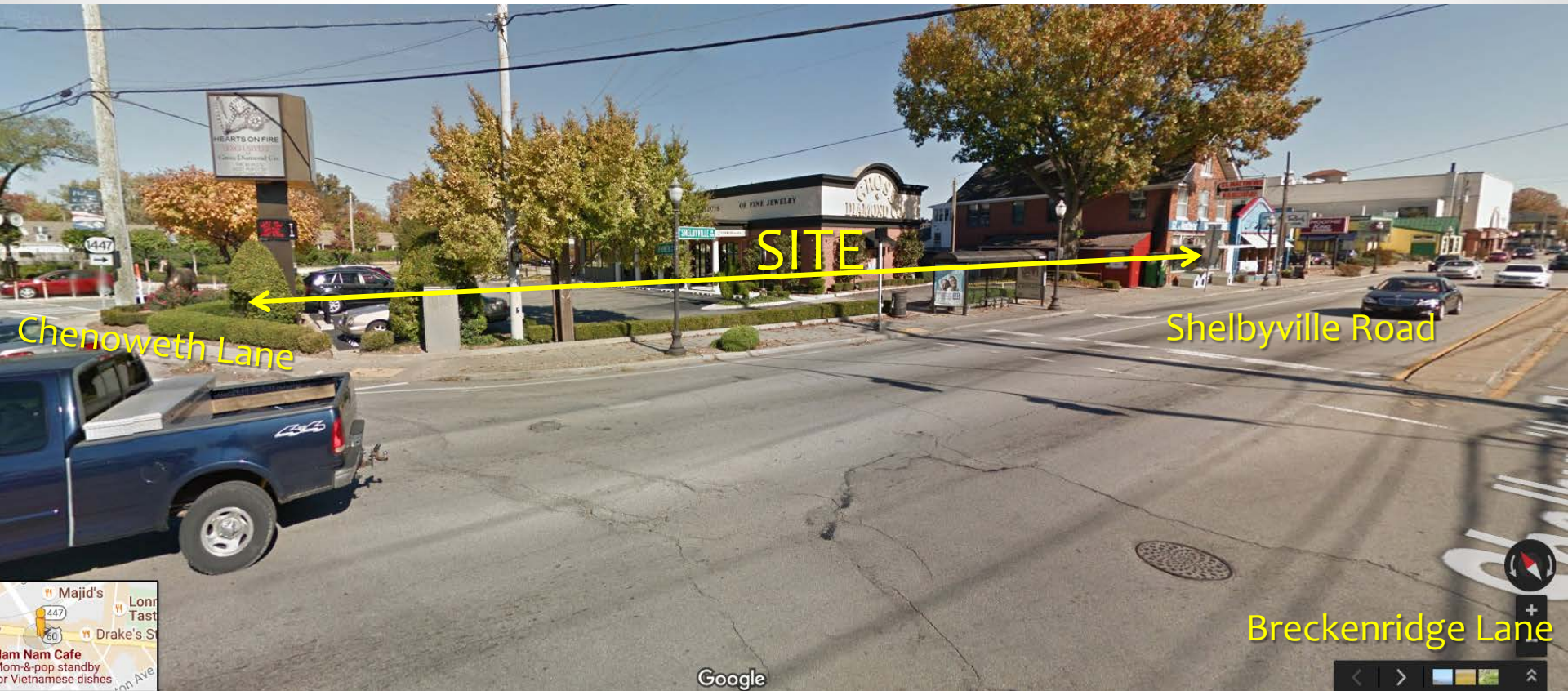
Ground level photographs of  
the site and surrounding area





View of Shelbyville Road/Frankfort Avenue looking east towards Breckenridge and Chenoweth Lanes. Site is on the left.





View of site from Shelbyville Road at the Breckenridge and Chenoweth Lane intersection.



Google

View of site from Shelbyville Road looking north.





View of Shelbyville Road looking west towards Frankfort Avenue. Site is to the right.





View of site from Chenoweth Lane looking eastwardly.

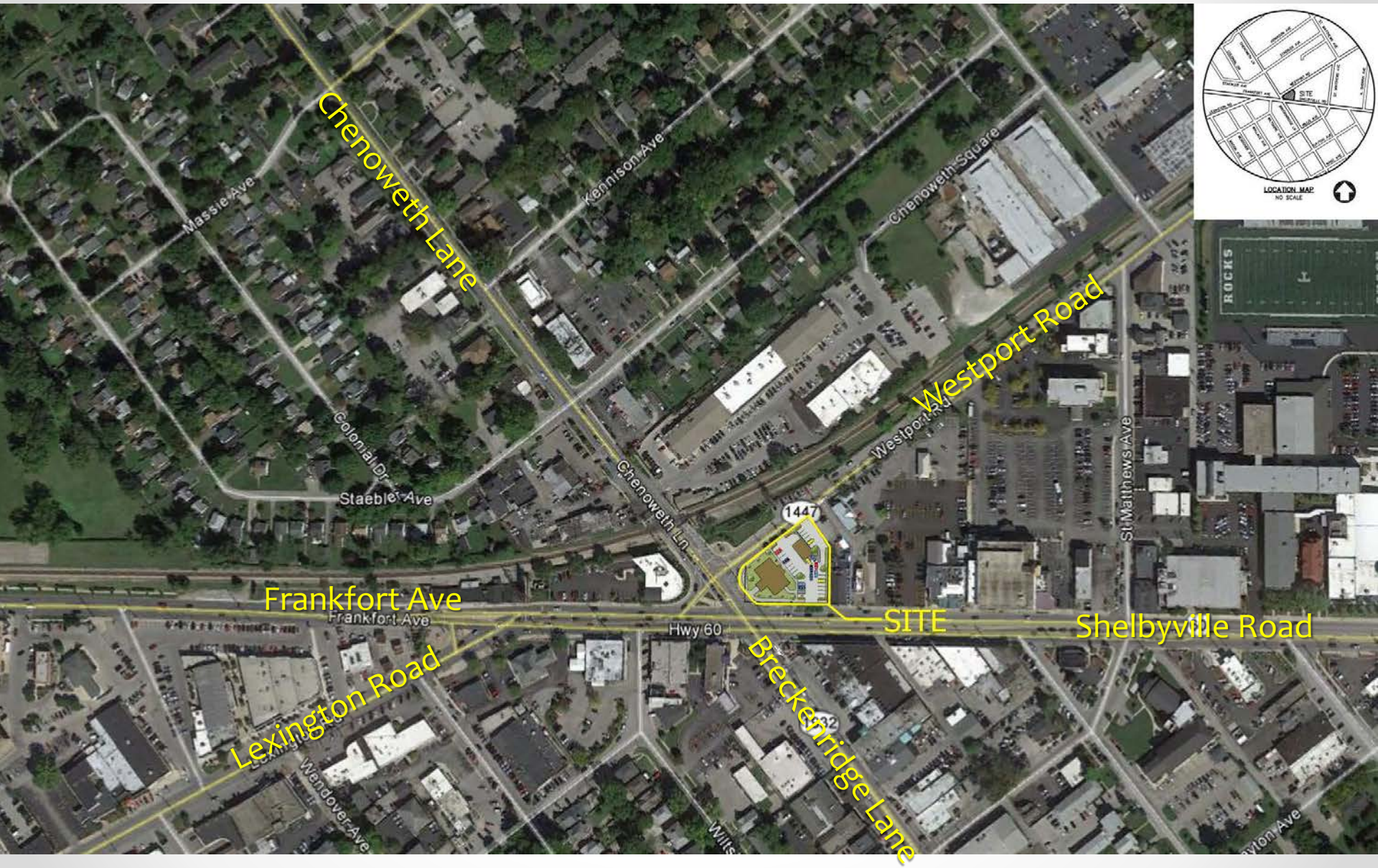


View of site from Breckenridge Lane and Shelbyville Road intersection. Site is to the northeast.

# Tab 4

## Development Plan









Chenoweth Lane  
CHENOWETH LANE  
R/W VARIES

Westport Road

WESTPORT ROAD  
R/W VARIES

SHELBYVILLE ROAD  
R/W VARIES

Shelbyville Road

Breckinridge Lane  
BRECKINRIDGE LANE  
R/W VARIES







# Tab 5

## Building Elevations

# Building Height Exhibit





# Tab 6

## Variance Justification

**REVISED Variance Justification (09-28-16) 16VARIANCE1066:**

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.

Variance of: Section 6.3.C.3 under the St. Matthews version of the Land Development Code to allow a height variance of 16 feet for the parapet wall on the main structure to be 51 feet in height and to allow a height variance of 12 feet 2 inches for the clock tower to be 47 feet 2 inches tall and exceed the maximum height allowed of 35 feet.

1. The variance will not adversely affect the public health, safety or welfare because these are aesthetic, not public health, safety or welfare issues. In other words, the issue is whether the added height to accommodate the style and design of this particular bank building aesthetically fits with the area, which it does, given the wide diversity of building styles and designs nearby. The added height bears no relationship to public health, public safety or public welfare issues.
2. The variance will not alter the essential character of the general vicinity because the area includes about as wide a variety of building styles and designs as can be found anywhere in the larger community – from a modern design bank building to the west across Chenoweth Lane; to a car wash and auto repair to the northwest of no particular style and design; to a vacant lot, then RR tracks, then semi-colonial style retail center to the north and northeast; to a variety of various aged retail/restaurant buildings, both low and taller profile, to the south and east of the subject property.
3. The variance will not cause a hazard or a nuisance to the public because, once again, the issue is an aesthetic compatibility one, unrelated to hazards or nuisances, such as those involving traffic, noise, odors, and the like.
4. The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because, as stated in #2 above, a variety of both low and taller profile buildings exist in the immediate vicinity. Furthermore, parapet and clock tower/cupola added height, that are subject to this variance application, relates to the architectural ornamental parapet and clock tower/cupola features at the top of this colonial architecture-style building.



Additional consideration:

1. The Variance arises from special circumstances, which do not generally apply to land in the general vicinity because of the fact that a wide variety of architectural styles and designs are evident in the immediate vicinity, including colonial-style architecture. The described architectural features to the slightly higher profile bank building enhance the colonial design of this structure.
2. Strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship because the particular colonial architecture of this particular bank building would be compromised in the event the clock tower/cupola and slightly taller profile were eliminated.
3. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulation because of the wide variety of architectural styles and designs of buildings in this area and by virtue of the special architectural features, such as this building's stature with clock tower/cupola, evident in this design form.