

17VARIANCE1045

1300 Cherokee Road Fence



**Louisville Metro Board of Zoning Adjustment
Public Hearing**

**Dante St. Germain, Planner I
August 7, 2017**

Requests

- **Variance:** from Land Development Code section 4.4.3 to allow a fence in the street side yard in a Traditional form district to exceed 42 inches in height

Location	Requirement	Request	Variance
Fence Height	42 in.	72 in.	30 in.

Case Summary / Background

- The subject property is located in the Cherokee Triangle neighborhood, at the corner of Longest Avenue and Cherokee Road.
- The applicant proposes to replace an existing chain-link fence with a 72-inch board-on-board privacy fence.
- The fence is proposed to be located in the street side yard along Longest Avenue.

Case Summary / Background

Prior Cases on Site

- 17COA1168 - Historic Landmarks and Preservation Commission staff approved the fence on condition that the fence shall be painted or opaque stained. The Certificate of Appropriateness was issued on July 21, 2017.

Zoning/Form Districts

Subject Property:

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

Adjacent Properties:

- North: R-5B & R7/
Traditional Neighborhood
- South: R-5B & C2/
Traditional Neighborhood &
Traditional Marketplace
Corridor
- East: R-5B/Traditional
Neighborhood
- West: R-5B/Traditional
Neighborhood



1300 Cherokee Road
feet



110
Map Created: 7/27/2017



Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

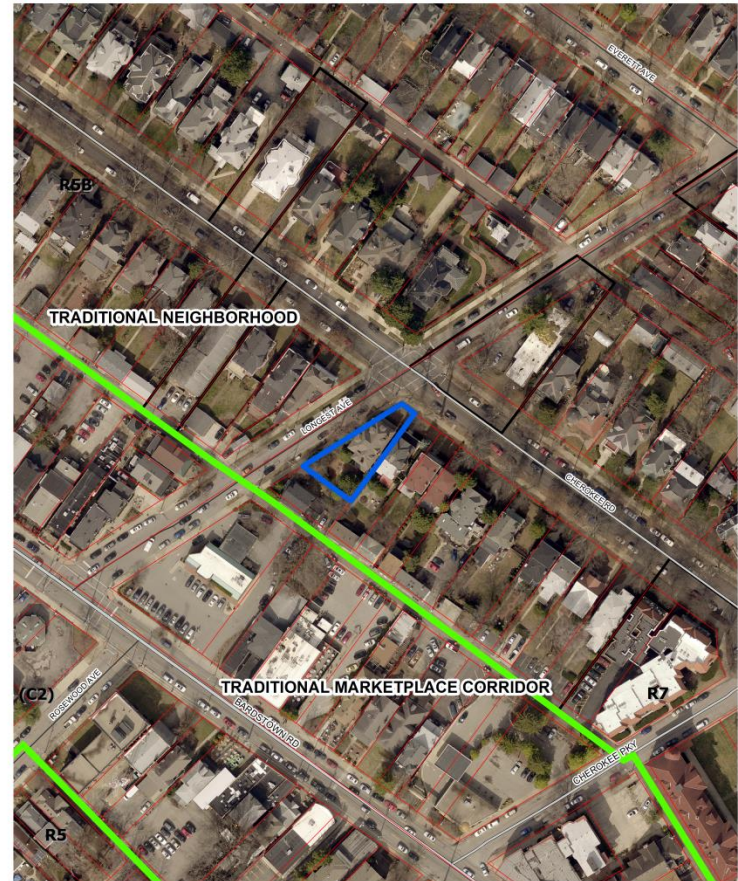
Aerial Photo/Land Use

Subject Property:

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

Adjacent Properties:

- North: Single Family Residential & Multi Family Residential
- South: Single Family Residential & Commercial
- East: Single Family Residential
- West: Single Family Residential & Multi Family Residential



1300 Cherokee Road
feet

110

Map Created: 7/27/2017



Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

Site Photos-Subject Property



The front of the subject property.

Site Photos-Subject Property



The residence to the left of the subject property.

Site Photos-Subject Property



The tri-plex across Longest Avenue.

Site Photos-Subject Property



The condominiums across Cherokee Road.

Site Photos-Subject Property



The property across the intersection.

Site Photos-Subject Property



The side of the residence where the fence is proposed to be constructed.

Site Photos-Subject Property



The existing chain-link fence to be replaced.

Site Photos-Subject Property



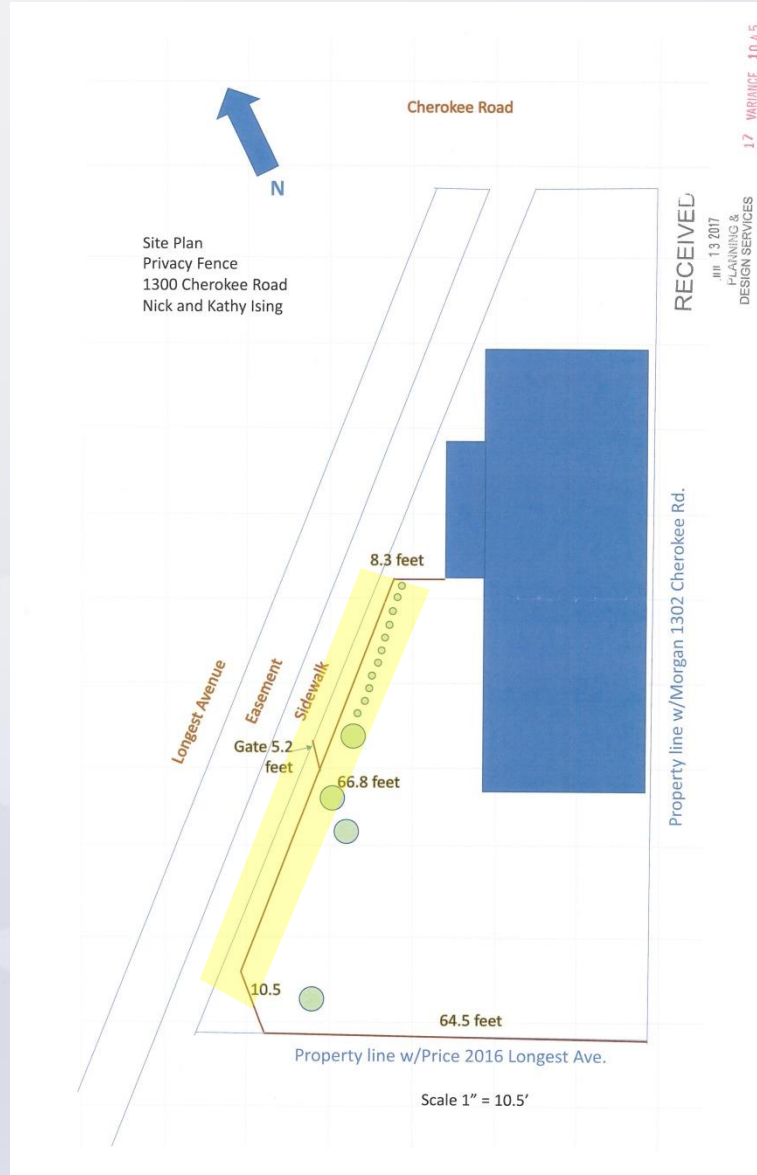
The existing chain-link fence to be replaced.

Site Photos-Subject Property



The rear yard of the property, which currently has little privacy.

Site Plan



Conclusions

- The variance request appears to be adequately justified and meets the standard of review.
- Must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code (May 2017) from section 4.4.3 to allow a fence in the street side yard setback in a Traditional form district to exceed 42 inches in height.

Required Actions

- **Variance:** from Land Development Code section 4.4.3 to allow a fence in a Traditional form district to exceed 42 inches in height. Approve/Deny

Location	Requirement	Request	Variance
Fence Height	42 in.	72 in.	30 in.