

Board of Zoning Adjustment Staff Report

October 16, 2017



Case No:	B-17987-12
Project Name:	Condition #2A
Location:	7331 Global Drive
Owner:	Yamamoto FB Engineering, Inc.
Representative:	Darryl Keels
Project Area/Size:	8.03 acres
Existing Zoning District:	EZ-1
Existing Form District:	Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	12 – Rick Blackwell
Case Manager:	Steve Hendrix, Planning Supervisor

REQUEST

Condition of Approval #2A Status

CASE SUMMARY/BACKGROUND

On November 5, 2012, the Board approved an application for a variance from the Land Development Code to allow a proposed addition to exceed the maximum height, but with conditions.

The final condition to be addressed is listed below:

Codes and Regulations shall inspect the site after the seismographic analysis is complete and verify the applicant's attempts to mitigate the noise to the adjacent neighbors by opening the garage doors only as needed during the hours of 7:00 pm and 7:00 am.

The facts to be determined by Planning & Design Zoning Enforcement with the cooperation of Staff and Legal Counsel and report the findings to the Board of Zoning Adjustment on a two-month periodic basis for a period of six months.

A total of 6 site inspections have been conducted from March 6, 2017 through September 11, 2017.

Three reports have been submitted to the Board; the first on May 1, 2017, the second report on July 10, 2017 and the final report on September 11, 2017.

STAFF FINDINGS

Door 1 has always been closed.

Door 2 was open once and closed the other 5 inspections.

Door 3 was always closed.

Door 4 was always closed.

Door 5 was open twice and closed the other 4 inspections.

Door 6 was open once and closed the other 5 inspections.

Door 7 was open twice and closed the other 4 inspections.

Door 8 was open four times and closed the other 2 inspections.

Door 9 was open five times and closed once.

Please note:

Door 1 is on the eastern most end of the building and Door 9 is the one closest to Cane Run Road. Recycling storage bins are located behind Door 7 & Door 8. Storage area is located behind Door 9.

Doors were open 27% of the time. However, when doors 7, 8 and 9 were not counted, the opening dropped to 11%.

It appears to staff that the property owner has attempted to mitigate the noise to adjacent neighbors by opening the garage doors only as needed during the hours of 7:00 pm and 7:00 am.

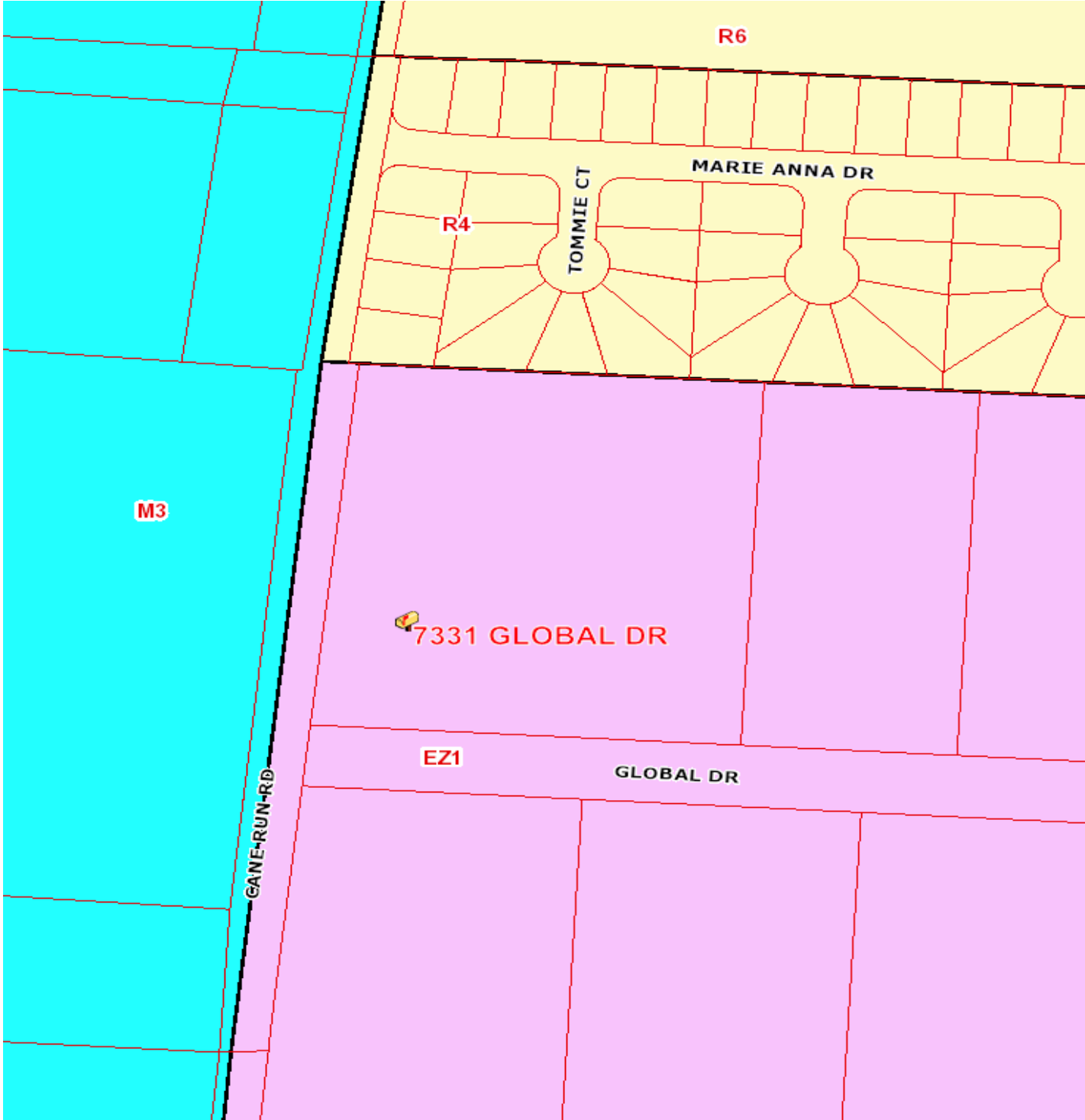
NOTIFICATION

Date	Purpose of Notice	Recipients
9/26/17	BOZA Hearing	Adjacent property owners Registered Neighborhood Groups in Council District 12

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine whether the attempt to mitigate the noise to the adjacent neighbors by opening the garage doors only as needed during the hours of 7:00 pm and 7:00 am has been met and if not, what needs to take place.

ATTACHMENTS

1. Zoning Map
2. Aerial Map
3. Site Inspection Reports from May 1, 2017, July10, 2017 and September 11, 2017.





Third Report---September 11, 2017

Site Inspections were made on the following:

Friday, August 25, 2017, 5:00 am -5:15 am

All of the doors were closed.

Monday, August, 28, 2017, 7:01 pm to 7:20 pm.

Door 1 was closed.	Door 6 was closed.
Door 2 was closed.	Door 7 was open.
Door 3 was closed.	Door 8 was open.
Door 4 was closed.	Door 9 was open.
Door 5 was closed	

Doors 7 & 8 are areas where the scrap metal bins are located.
Door 9 is the storage area.

Door 1—eastern most side of the building at the rear
Door 9—closest to Cane Run Road (storage area).

Second Report ---July 10, 2017

Site Inspections were made on the following:

Thursday, June 22, 2017, 6:15 am-6:30 am

Door 1 was closed.

Door 2 had a small opening.

Doors 3 & 4 were closed.

Doors 5 & 6 were both open

Door 7 was closed.

Door 8 had a small opening.

Door 9 was open.

No pressurized noise detected.

No stamping noise was observed.

Thursday, June 8, 2017, 1:30 am-1:50 am

All doors were closed, except for the one closest to Cane Run Road, **#9**, that might have had a foot of opening.

No pressurized noise detected.

No stamping noise observed.

First Report ---May 1, 2017

Tuesday, April 4, 2017, 10:50 -11:15 pm

Doors 1-4 were closed, Door 5 had a small opening, (less than a foot).

Door 6-closed

Doors 7,8 & 9 were open, areas where Mr. Keels said recycling bins **and storage** were located.

Same type of pressurized release noise, but not loud.

No stamping noise observed.

Wednesday, March 29, 2017, 9:35-10:00 pm

Doors 1-6 were closed, 7,8 & 9 were open.

Doors 7,8 & 9 were areas where Mr. Keels stated recycling bins, **& storage** were located and were open in previous pictures.

Some noise was detected, sounded like some type of pressurized release.

No stamping noise observed.

*Door One –eastern most

*Door Nine-closest to Cane Run Road (storage area).

May 15, 2017—Mr. Keels responds back that the systematic pressurized release sounding noise was the air compressor release valves, which helps keep water out of the plant air supply.