

16VARIANCE1066

3901 and 3919 Shelbyville Road



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

Ross Allen, Planner I

Oct. 17, 2016

Request(s)

Variance #1: from the Development Code (Dec. 2003) Article 6 section 6.3.C.3 to allow the parapet wall of the main building to exceed the maximum height of 35 feet as defined for a C-1 zoned property in the City of St. Matthews.

Location	Requirement	Request	Variance
Height of main building (parapet or Brustwehr)	35 feet	51 feet	16 feet

Request(s)

Variance #2: from the Development Code (Dec. 2003) Article 6 section 6.3.C.3 to allow the hip roof below the clock tower to exceed the maximum height of 35 feet as defined for a C-1 zoned property in the City of St. Matthews.

Location	Requirement	Request	Variance
Height of main hip roof below the Clock Tower	35 feet	47 feet 2 inches	12 feet 2 inches

Case Summary / Background

- The applicant is proposing to construct a new bank on three C-1 zoned parcels located at the intersections of Breckenridge Lane/Chenoweth Lane/Westport Road/Shelbyville Road within the City of St. Matthews. The subject site contains three parcels that will be consolidated into one parcel.
- The proposed structure has a colonial revival style with a parapet wall which exceeds the height requirements as found in the St. Matthews Development Code.
- The clock tower also exceeds the height requirement but only for that portion below the excluded ornamental tower (clock tower/cupola) per Development Code Article 9 section 9.3.A, height exceptions.

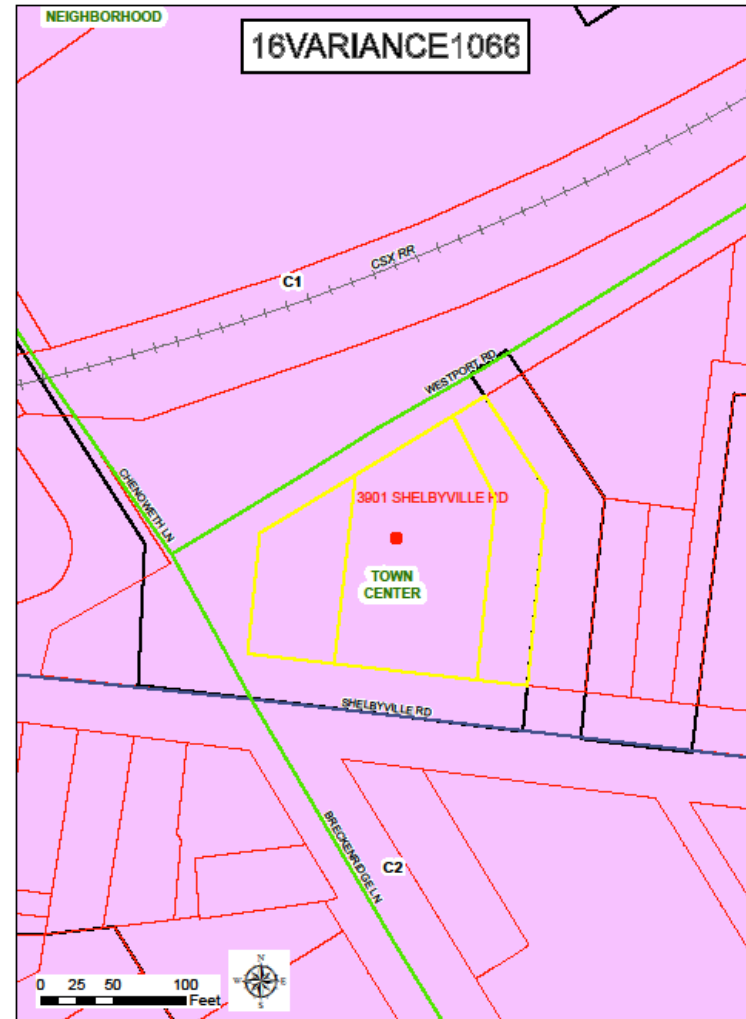
Zoning/Form Districts

Subject Property:

- Existing: C-1/Town Center
- Proposed: C-1/Town Center

Adjacent Properties:

- North: C-1/Town Center
- South: C-1/Town Center
- East: C-1/Town Center
- West: C-1/Town Center



Aerial Photo/Land Use

Subject Property:

- Existing: Commercial
- Proposed: Commercial

Adjacent Properties:

- North: Commercial
- South: Commercial
- East: Commercial
- West: Commercial



Site Photos-Subject Property



The subject site looking from Chenoweth/Breckenridge Lane.

Site Photos-Subject Property



Looking from Shelbyville Road at the subject property.

Surrounding - Subject Property



Looking South across Shelbyville Rd.,
notice the parapet walls.

Surrounding-Subject Property



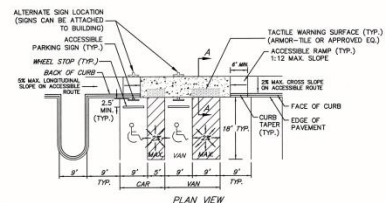
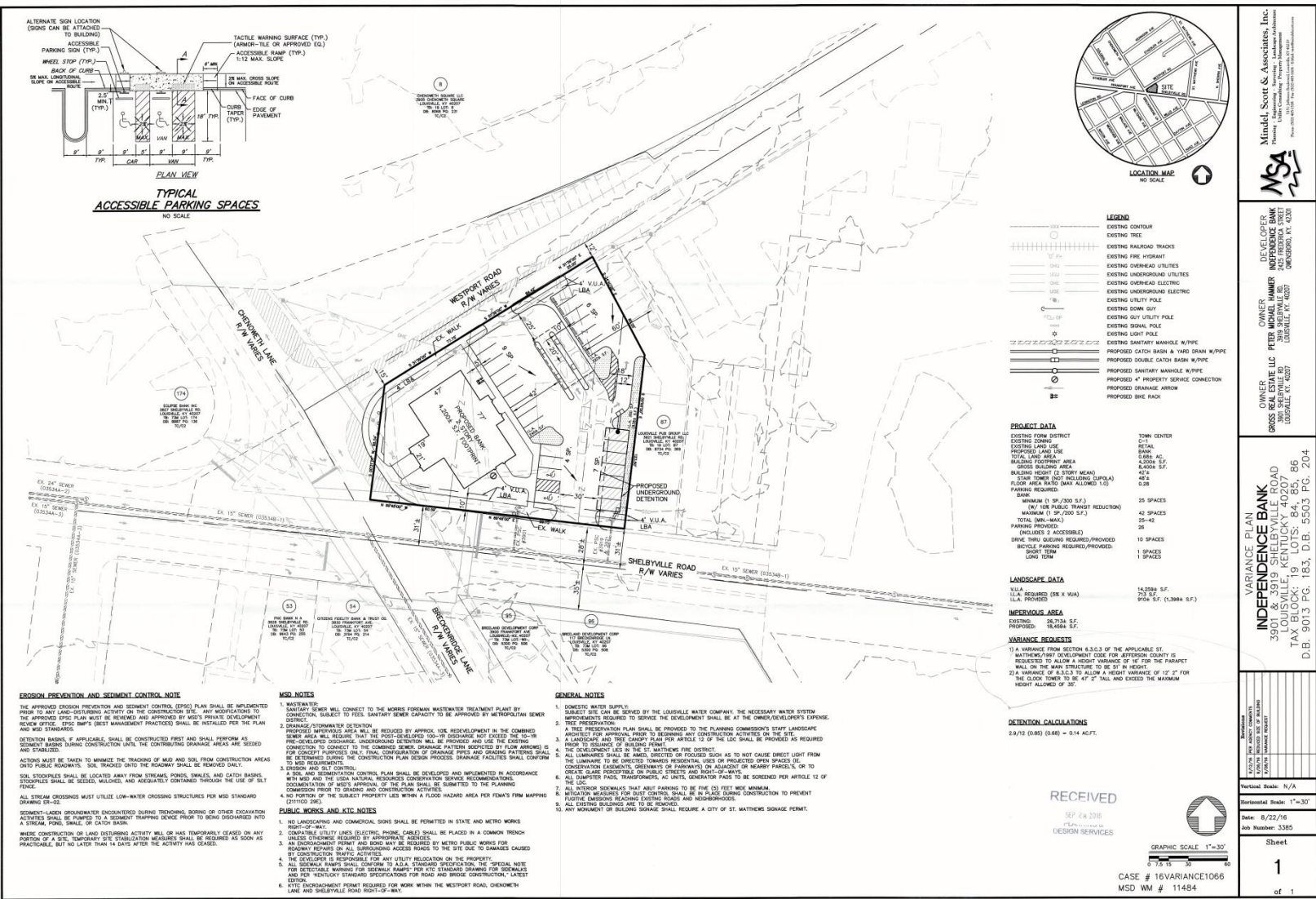
PNC Bank located southwest of the subject site
off of Shelbyville Road.

Surrounding-Subject Property



Eclipse Bank located West of the subject site
off of Shelbyville Road.

Applicant's Site Plan



LEGEND

---	EXISTING CONTOUR
---	EXISTING TREE
---	EXISTING RAILROAD TRACKS
---	EXISTING FIRE HYDRANT
---	EXISTING UNDERGROUND UTILITIES
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING UTILITY POLE
---	EXISTING DRAIN GUY
---	EXISTING GUY UTILITY POLE
---	EXISTING SIGNAL POLE
---	EXISTING LIGHT POLE
---	EXISTING SANITARY MANHOLE W/PPE
---	PROPOSED CATCH BASIN & YARD DRAIN W/PPE
---	PROPOSED DOUBLE CATCH BASIN W/PPE
---	PROPOSED SANITARY MANHOLE W/PPE
---	PROPOSED 4" PROPERTY SERVICE CONNECTION
---	PROPOSED DRAINAGE ARROW
---	PROPOSED EASE BACK

PROJECT DATA

EXISTING FORM DISTRICT	TOWN CENTER
EXISTING ZONING	RETAL
EXISTING LAND USE	8,682 AC.
PROPOSED LAND USE	4,032 S.F.
TOTAL LAND AREA	4,032 S.F.
BUILDING FOOTPRINT AREA	474 S.F.
BUILDING HEIGHT (2 STORY MEAN)	474 S.F.
STAIR TOWER (NOT INCLUDING LOUVER)	474 S.F.
FLOOR AREA RATIO (MAX ALLOWED 1:0)	0.58
PARKING REQUIRED:	
MINIMUM (1 SP/300 S.F.)	25 SPACES
MAXIMUM (1 SP/200 S.F.)	42 SPACES
TOTAL (MIN-MAX)	25-42
PARKING PROVIDED:	26
(INCLUDES 2 ACCESSIBLE)	
DRIVE THRU QUEUING/PROVIDED	10 SPACES
SCHOOL PARKING REQUIRED/PROVIDED	1 SPACES
LONG TERM	1 SPACES
LONG TERM	

LANDSCAPE DATA

V.L.A. -	14,258 S.F.
L.A. PROVIDED (EX. X V.M.)	732 S.F.
L.A. PROVIDED	9704 S.F. (3,388 S.F.)

IMPERVIOUS AREA

EXISTING	26,238 S.F.
PROPOSED	18,488 S.F.

VARIANCE REQUESTS

1A VARIANCE FROM SECTION 8.3.3.3 OF THE APPLICABLE ST MATTHEWS/1997 DEVELOPMENT CODE FOR DEFLECTION COUNTY IS REQUESTED TO ALLOW A HEIGHT VARIANCE OF 16' FOR THE PARAPET WALL ON THE MAIN STRUCTURE TO BE 5' IN HEIGHT.

2A VARIANCE OF 8.3.3.3 TO ALLOW A HEIGHT VARIANCE OF 12' 2" FOR THE CLOCK TOWER TO BE 47' 2" TALL AND EXCEED THE MAXIMUM HEIGHT ALLOWED OF 30'.

DEFLECTION CALCULATIONS

2.8/12 (0.83) (0.83) = 0.14 ACFT.

EROSION PREVENTION AND SEDIMENT CONTROL NOTE

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DEVELOPING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY METRO'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S (BEST MANAGEMENT PRACTICES) SHALL BE INSTALLED FOR THE PLAN AND METRO STANDARDS.

DEFLECTION BARRIERS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BARRIERS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDS AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC HIGHWAYS. SOIL TRACKING INTO THE HIGHWAYS SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDS, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SOIL FENCE.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER WSD STANDARD DRAWING 87-02.

SEDIMENT-LADEN DISCHARGES ENCOUNTERED DURING BORING, DRIVING OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING FENCE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SMALL, OR CATCH BASIN.

WHERE CONTINUOUS OR LAND DEVELOPING ACTIVITY WILL BE TEMPORARILY CEASED OR ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE INSTALLED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 DAYS AFTER THE ACTIVITY HAS CEASED.

MSO NOTES

1. MAIN WATER MAIN SHALL CONNECT TO THE WORKS FOREMAN WASTEWATER TREATMENT PLANT BY SANITARY SEWER LINE, SUBJECT TO THE SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
2. DRAINAGE AUTOMATIC WATER DEFLECTION PROTECTED IMPROVED AREA WILL BE REQUIRED BY APPROVAL FOR REDEVELOPMENT IN THE COMBINED SEWER AREA. ALL REQUIREMENTS SHALL BE POST-DEVELOPMENT 100% OR OTHERWISE, NOT EXCEED THE 10% CONNECTION TO CONNECT TO THE COMBINED SEWER. DRAINAGE PATTERN IDENTIFIED BY FLOW ARROWS IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION OF DRAINAGE LINES AND GRADING PATTERNS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSO REQUIREMENTS.
3. EROSION AND SEDIMENT CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH THE MSO AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS. DOCUMENTATION OF MSO'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
4. NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER PLANNING COMMISSION (CIVIL) 06-01.

PUBLIC WORKS AND ETC. NOTES

1. NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND METRO WORKS RIGHT-OF-WAY.
2. COMPLETE UTILITY LINES (INCLUDING POWER LINES) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
3. AN ENCROACHMENT PERMIT AND ROAD WAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
4. THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY REDUCTION ON THE PROPERTY.
5. ALL SIDEWALK RAMPS SHALL CONFORM TO A.D.A. STANDARD SPECIFICATIONS. THE SPECIAL NOTE FOR DETAILABLE RAMPS FOR SIDEWALK RAMPS PER STD STANDARD DRAWING FOR SIDEWALKS AND PER KENTUCKY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION.
6. UTILITY ENCROACHMENT PERMIT REQUIRED FOR WORK WITHIN THE WESTPORT ROAD, CHONDRIETH LANE AND SHELBYVILLE ROAD RIGHT-OF-WAY.

GENERAL NOTES

1. DOMESTIC WATER SUPPLY SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER/DEVELOPER'S EXPENSE.
2. TREE PRESERVATION: TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S LEAFY LANDSCAPE ARCHITECT FOR APPROVAL. PRIOR TO CONSTRUCTION ACTIVITIES, ON THE SITE, A LANDSCAPE AND TREE CANOPY PLAN FOR ARTICLE 12 OF THE LOS SHALL BE PROVIDED AS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
3. ALL LANDSCAPES SHALL BE ADEQUATELY FENCED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE OFFICED TOWARDS RESIDENTIAL USES OR PROTECTED OPEN SPACES OF OBSERVATION PLATFORMS, OBSERVATION OR PARKING OR ALMOST OR NEARBY PARKS OR TO GREAT GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT-OF-WAYS.
4. ALL QUARTER PANEL TRANSFORMERS, ALL UNITS, GENERATOR PADS TO BE SCREENED PER ARTICLE 12 OF THE LOS.
5. ALL INTERIOR SIDEWALKS THAT ADJUT PARKING TO BE FIVE (5) FEET WIDE MINIMUM.
6. ALL INTERIOR SIDEWALKS THAT ADJUT PARKING SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FLUENT LUMINAIRS READING EXISTING SPACES AND NEIGHBORHOODS.
7. ALL EXISTING BUILDINGS ARE TO BE REMOVED.
8. ANY MONUMENT OF BUILDING SIGNAL SHALL REQUIRE A CITY OF ST. MATTHEWS SIGNAL PERMIT.



GRAPHIC SCALE 1"=30'
0 7.5 15 30 60

CASE # 16VARIANCE1066
MSD WM # 11484

Developer: MINDL, SCOTT & ASSOCIATES, INC.
10000 WOODLAND DRIVE, SUITE 100
LOUISVILLE, KY 40258

Owner: GROSS REAL ESTATE LLC
3901 & 3919 SHELBYVILLE ROAD
LOUISVILLE, KENTUCKY 40202

Developer: INDEPENDENT BANK
10000 WOODLAND DRIVE, SUITE 100
LOUISVILLE, KY 40258

Owner: FRED MORALE HAMMER
10000 WOODLAND DRIVE, SUITE 100
LOUISVILLE, KY 40258

VARIANCE PLAN
INDEPENDENT BANK
3901 & 3919 SHELBYVILLE ROAD
LOUISVILLE, KENTUCKY 40202
TAX BLOCK: 19 - LOTS: 84, 85, 86
D.B. 9013 PG. 183, D.B. 5503 PG. 204

EXCISE TAX	N/A
STATE TAX	N/A
CITY TAX	N/A
COUNTY TAX	N/A

Vertical Scale: N/A
Horizontal Scale: 1"=30'
Date: 8/27/26
Job Number: 3385
Sheet: 1 of 1



Conclusions

- The Board of Zoning Adjustment must determine if the proposal meets the standard of review for granting variances as established in the Land Development Code from Article 6 Section 6.3.C.3 to allow a proposed clock tower (portion below the clock and above the hip roof) and parapet wall to exceed the maximum height of 35 feet in a C-1 zoning district in the City of St. Matthews.

Required Actions

Variance #1: from the Development Code (Dec. 2003) Article 6 section 6.3.C.3 to allow the parapet wall of the main building to exceed the maximum height of 35 feet as defined for a C-1 zoned property in the City of St. Matthews.

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