

**Board of Zoning Adjustment
Staff Report**
June 3, 2019



Case No:	19CUP1108
Project Name:	Rumpke P-T Addition
Location:	1101 W. Oak Street
Owner:	Rumpke of Kentucky, Inc.
Applicant:	Paul Lichtefeld, Jr., Lichtefeld Inc.
Representative(s):	Bryce Fuller – Qk4 Engineering
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Zach Schwager, Planner I

REQUEST

- **Modified Conditional Use Permit** for a solid waste management facility (indoor recycling center), Land Development Code (LDC), section 4.2.49

CASE SUMMARY

A modified conditional use permit is being requested for an indoor recycling center. The original CUP was granted in 1995 under case number B-210-95 (approved 11/6/1995). The change relates to the size of one of the seven structures on site. This structure is used for storage and repair and is not related to the indoor recycling operations on site. The original structure was 5,880 sq. ft. and the new plan proposes a structure that is 10,700 sq. ft. This increase is much less than the 10% change required for a business session item.

Associated Cases

B-210-95: A Conditional Use Permit to allow an indoor recycling center
B-83-05: A variance to allow a proposed office building to exceed the maximum setback

STAFF FINDING

The conditional use permit appears to be adequately justified based on the staff analysis contained in the standard of review.

TECHNICAL REVIEW

Preliminary approvals have been received from MSD.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with the applicable policies of the Comprehensive Plan?

STAFF: Plan 2040 describes the Traditional Workplace in Goal 1 Policy 3.1.9 as a form characterized by predominantly small-to medium-scale industrial and employment uses. The streets are typically narrow, in a grid pattern and often have alleys. Buildings have little or no setback from the street. Traditional workplaces are often closely integrated with residential areas and allow a mixture of industrial, commercial and office uses. The proposal complies with

this description. Form Goal 2 is to encourage sustainable growth and density around mixed-use centers and corridors. The proposal complies with policies under this goal.

2. Is the proposal compatible with surrounding land uses and the general character of the area including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, appearance, etc?

STAFF: The proposal is compatible with surrounding uses and provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.

3. Are necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. adequate to serve the proposed use?

STAFF: Necessary public facilities are available or being provided by the proposal as demonstrated on the development plan.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?

Indoor Recycling Centers, if not in conflict with other laws or ordinances, may be located in the M-2, M-3 and EZ-1 Industrial Districts upon granting of a Conditional Use Permit after the location and nature of such use have been approved by the Board of Zoning Adjustment. The Board of Zoning Adjustment shall review the Comprehensive Plan, the plans and statements of the applicant and shall not permit such buildings, structures, or uses until it has been shown that the public health, safety, and general welfare will be properly protected, and that necessary safe guards will be provided for the protection of surrounding property and person. Recycling and/or storage of the following materials:

Glass and glass products

Paper and paper board and fiber

Non-ferrous metals

Ferrous metals (limited to food and beverage containers) Wallboard

Plastic and rubber products, and Insulation; may be permitted when developed in compliance with the following conditions:

- a. The operation including loading and unloading operations is completely enclosed in building(s) approved for such purposes by all applicable fire protection authorities.
- b. The operation will not have or require any fire, smelting, fumes, chemicals or other toxic materials, hazardous waste or by-products, and the use and site shall conform to such other requirements and conditions as the Board in the exercise of sound discretion may require for the protection of surrounding property, persons, and neighborhoods values.
- c. The building(s) shall be a minimum of 200 feet or a lesser distance if approved by the Board of Zoning Adjustment from any surrounding residential district(s).

STAFF: The conditional use permit was approved in 1995 and is not required to meet these current standards, however, the proposed addition will meet these standards.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the **Modified Conditional Use Permit** for an indoor recycling center, LDC, section 4.2.49.

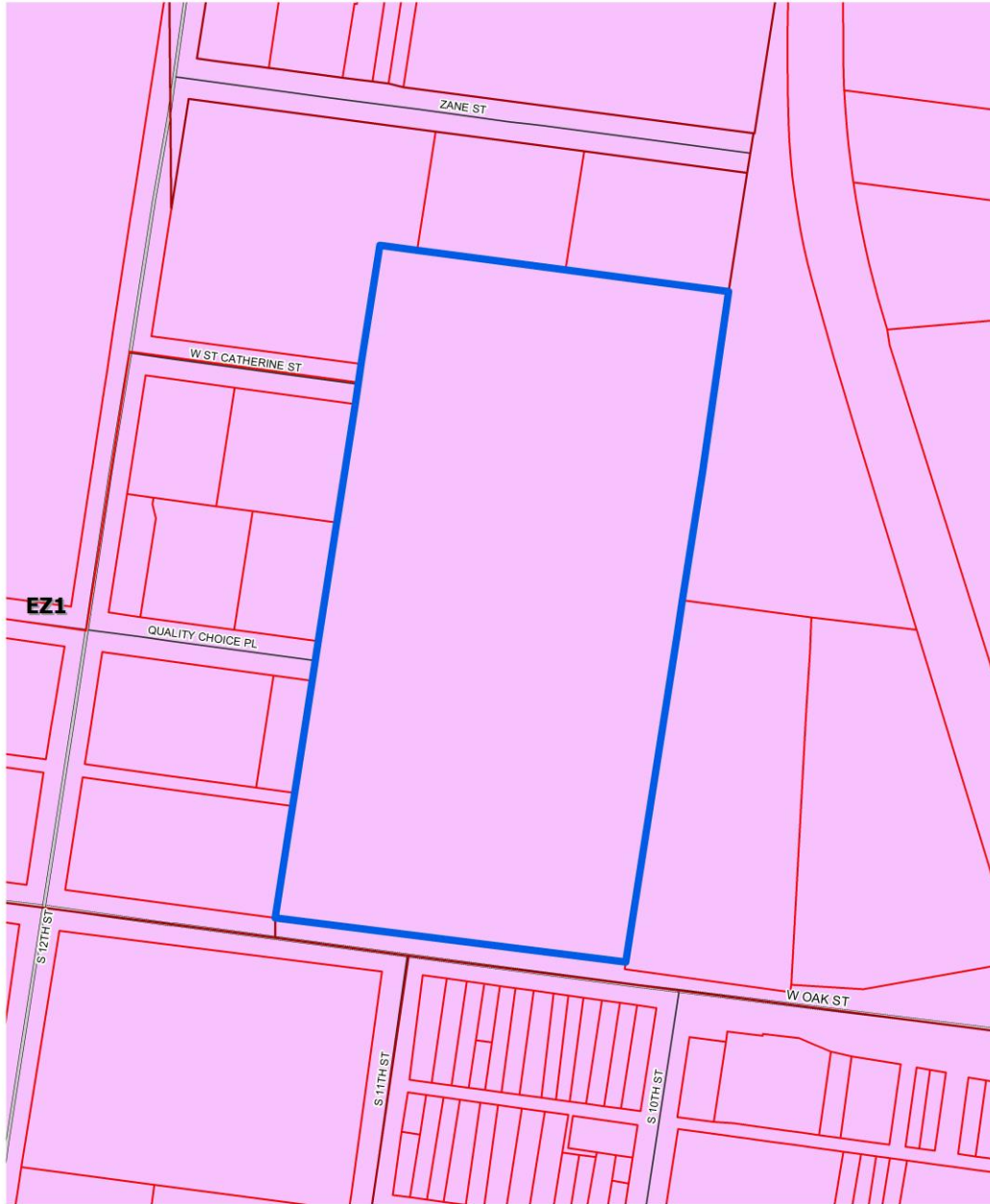
NOTIFICATION

Date	Purpose of Notice	Recipients
06/03/2019	Hearing before BOZA	Not required for Business Session item

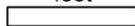
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



1101 W. Oak Street
feet



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Map Created: 5/24/2019

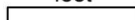


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2. Aerial Photograph



1101 W. Oak Street
feet



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Map Created: 5/24/2019



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