

Board of Zoning Adjustment
Staff Report
June 4, 2018



Case No:	18VARIANCE1042
Project Name:	Bridwell Car Wash
Location:	4856 Cane Run Rd
Owner(s):	Hogan Holdings 36, LLC.
Applicant:	The Car Wash Company.
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- Variance from Land Development Code section 5.1.12.A.2.a to allow a proposed structure to exceed the infill front yard setback standards along Bridwell Dr by approximately 160 ft.

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a self-service car wash on a vacant lot, zoned C-1. There is a row of existing houses along Bridwell Dr to the northwest of the subject site, which trigger infill standards per Land Development Code section 5.1.12. The applicant is proposing to set the structure back approximately 185 feet from Bridwell Dr. As the existing houses are setback approximately 25 feet from Bridwell Dr, a variance is requested to exceed the minimum front yard setback by approximately 160 feet. There is an existing detention basin on site that takes up most of the frontage along Bridwell Dr, and building to the required infill setbacks would require moving the entire detention basin elsewhere on site.

STAFF FINDING

The requested variance is adequately justified and meets the standard of review.

TECHNICAL REVIEW

Planning Commission will consider a Revised District Development Plan with associated waivers for the project on June 7, 2018.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM LDC SECTION 5.1.12.A.2.a TO ALLOW A PROPOSED STRUCTURE TO EXCEED THE INFILL MAXIMUM FRONT YARD SETBACK BY APPROXIMATELY 160 FT.

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The variance will not adversely affect the public health, safety or welfare because the structure will be constructed to all appropriate safety codes.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity because the structure is set up to face the commercial corridor along Cane Run Rd, and will meet all applicable standards for design of commercial structures.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public because all provisions for safe vehicular and pedestrian circulation will be provided for on site.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations because without a variance, the site would be rendered unbuildable by the existing detention basin.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The existing detention basin takes up the majority of the frontage along Bridwell Dr, limiting the area of the site that can be built on.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the existing detention basin occupies makes building up to the required infill setback virtually impossible.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Variances**

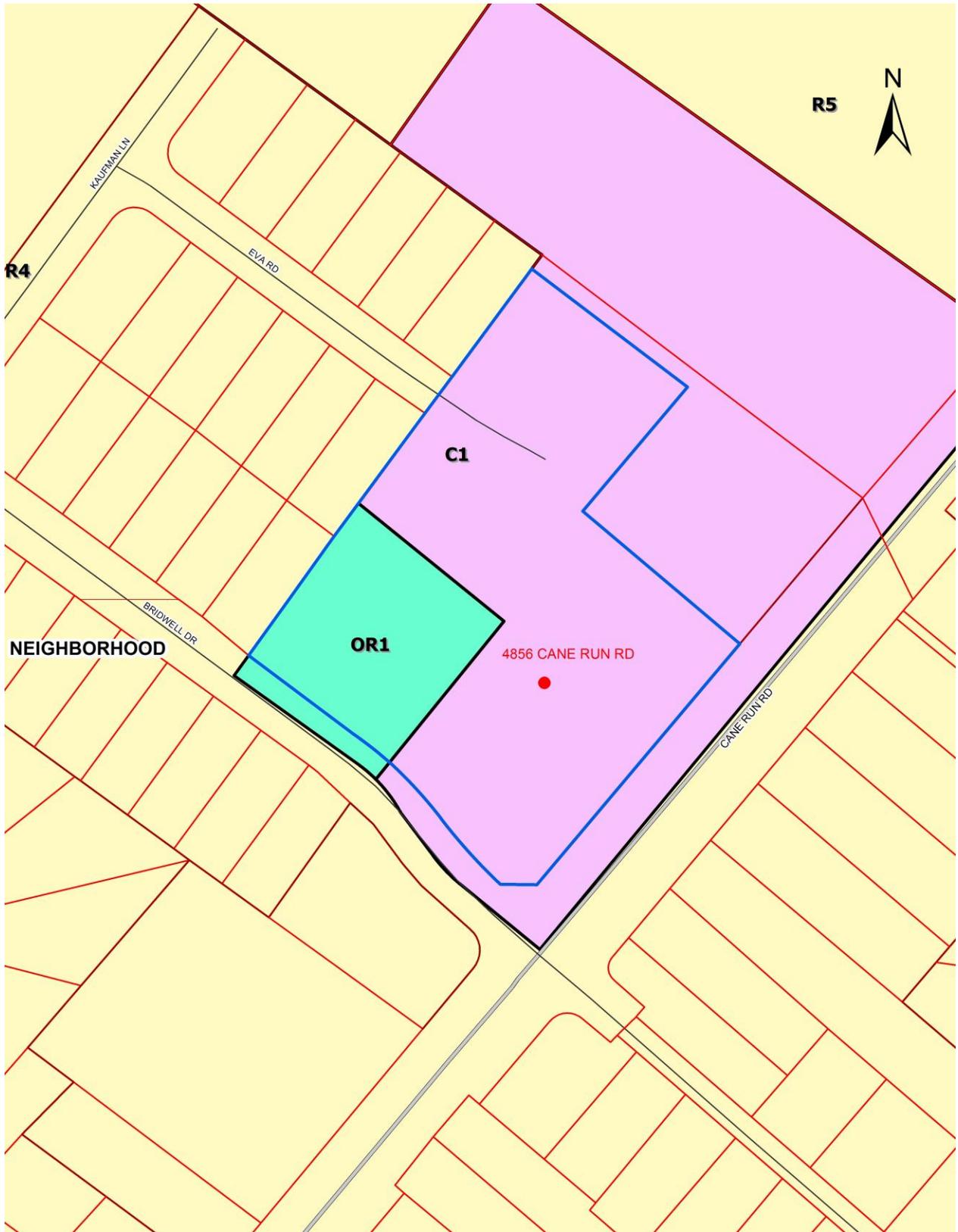
NOTIFICATION

Date	Purpose of Notice	Recipients
5-17-18	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 1

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

