

Case No. 14Variance1013
Proposed Fence
3201 Brownsboro Rd.



Louisville Metro Board of Zoning Adjustment

Latondra Yates, Planner II

March 17, 2014

Request(s)

- Variance of Sec. 4.4.3.A.1.a.i. of the Land Development Code (LDC) to allow a proposed fence the exceed the maximum 48 inch height in the street side yard (Winton Ave.) The request is 72 inches, a variance of 24 inches.

Case Summary / Background

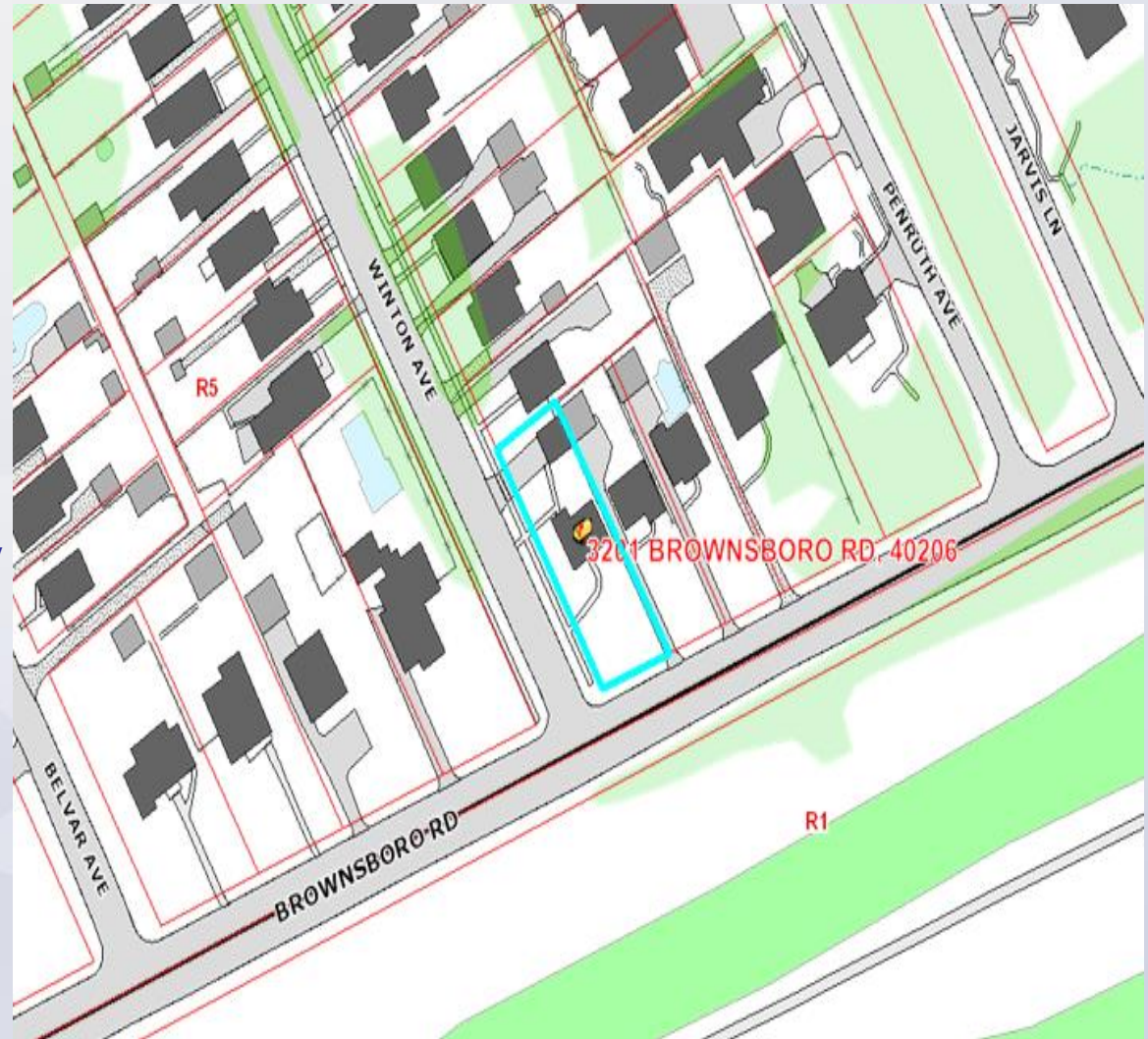
- The variance is to replace a 4-ft. fence with 6-ft. fence.

Case Summary / Background

The site is zoned R-5 in the Neighborhood Form District (NFD). It is surrounded by residential property zoned R-5 in the NFD, except to the south, across Brownsboro Rd., where there is a golf course, zoned R-1.

Zoning/Form Districts

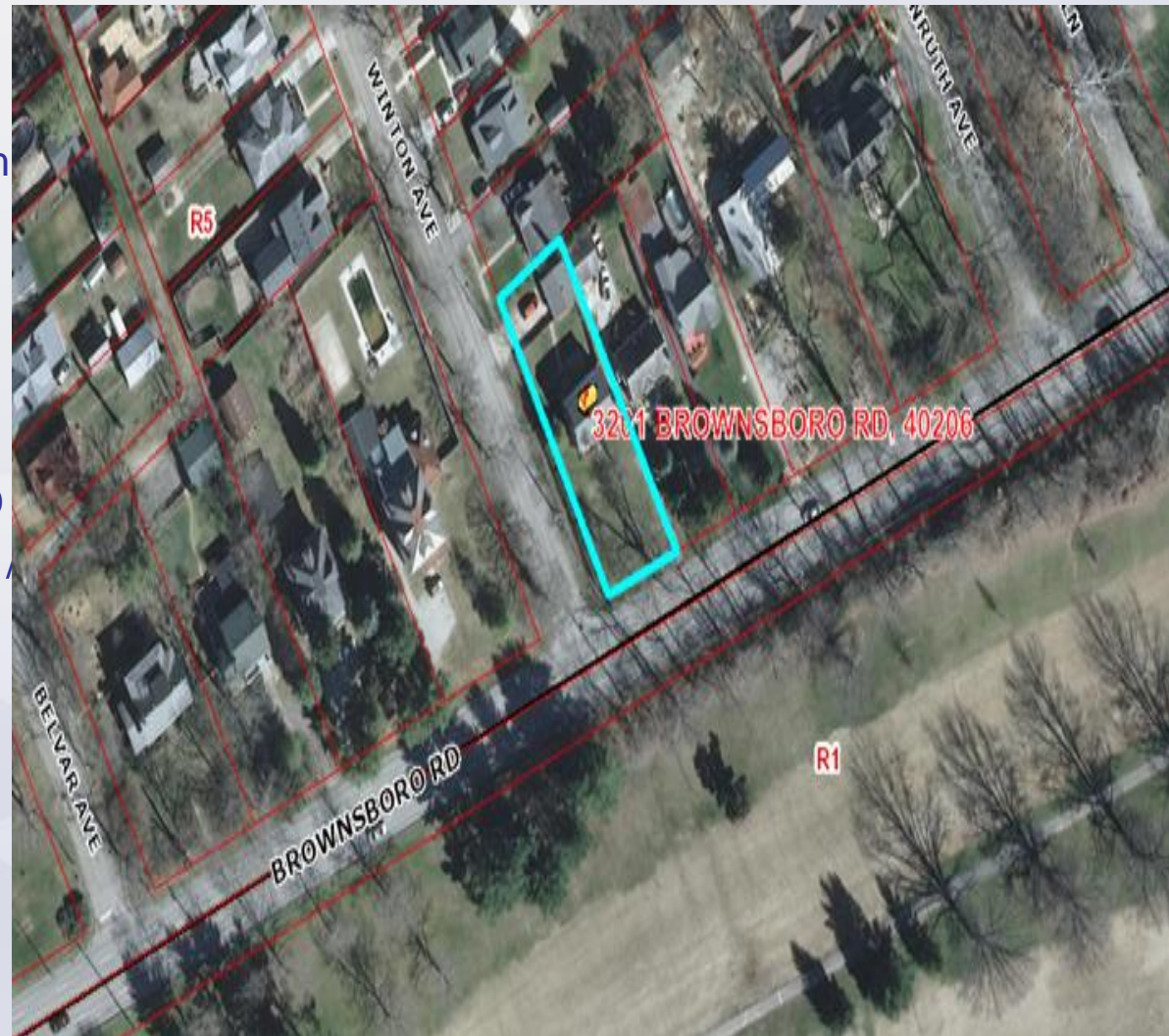
- **Subject Property:**
 - Existing: Vacant R-4 / Neighborhood Form District (NFD)
 - Proposed: Single-family residence
- **Adjacent Properties:**
 - North: Vacant R-4 / NFD
 - South: Golf Course R-1 / NFD
 - East: Single-family residential R-4 / NFD
 - West: Single-family residential R-4 / NFD



Aerial Photo/Land Use

- **Subject Property:**
- Existing: Vacant
R-4 / Neighborhood Form District (NFD)
- Proposed: Single-family residence

- **Adjacent Properties:**
- North: Vacant R-4 / NFD
- South: Golf Course R-1 / NFD
- East: Single-family residential R-4 / NFD
- West: Single-family residential R-4 / NFD



Across Winton, existing fence



Across Winton, existing



Along Winton toward Brownsboro



Along Winter toward Brownsboro



Along Winton toward Brownsboro



Along Brownsboro Rd.



House and street side yard



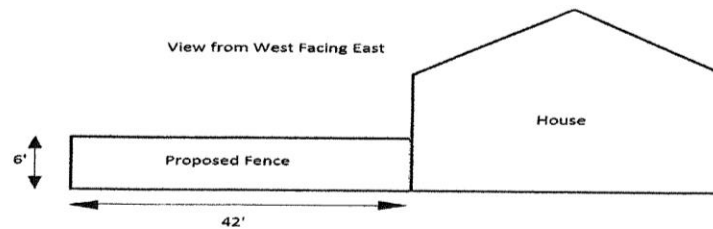
Applicant's Development Plan

3. Site Plan

Elevation Drawing.png

<https://mail.google.com/mail/u/0/?shva=1#inbox/14418dd1f67918ec...>

Elevation Drawing for Request for Variance for Six Foot Fence
3201 Brownsboro Road, Louisville, 40206
William J. Kishman (Owner and Applicant)

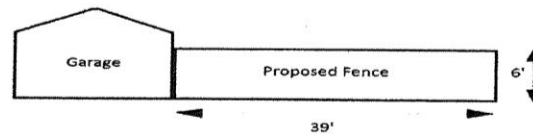


Variance for side yard fence

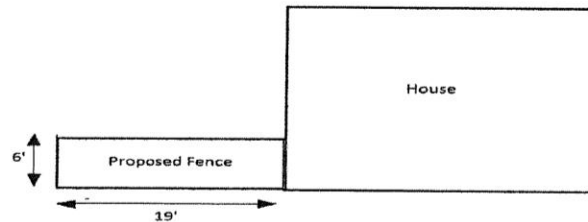
Maximum Permitted: 4 ft.
Requesting: 6 ft.

3201 Brownsboro Road
R5
Neighborhood
Property Id. 05-072K-0085-0000

View from North Facing South



View from South Facing North



Applicable Plans & Policies

- Land Development Code
- Cornerstone 2020 Comprehensive Plan-checklist attached

Technical Review

- No outstanding technical review items.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCES

- See Page 3 of staff report

Staff Analysis and Conclusions

- The variance to allow the proposed fence to exceed the maximum height meets 3 of the applicable guidelines of the Comprehensive Plan. The proposed fence appears to be compatible in that there appear to be other fences of a similar height in the neighborhood. The fence is situated in a manner that does not appear to impede sight distance or negatively affect the views of adjacent properties.
- Three of the guidelines can be addressed during construction review.
- Staff's analysis of the standards of review supports the granting of the variance.
- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance as established in the Land Development Code.

Required Actions

- Variance of Sec. 4.4.3.A.1.a.i. of the Land Development Code (LDC) to allow a proposed fence to exceed the maximum 48 inch height in the street side yard. The request is 72 inches, a variance of 24 inches.