

Case No. 16VARIANCE1018
551 Barberry Lane



Louisville Metro Board of Zoning Adjustment
Non-Public Hearing
Ross Allen, Planner I
May 16, 2016

Request

- Variance from LDC section 5.3.1 table 5.3.1 Dimensional Standards - Residential Development to encroach into the minimum required side yard setback.

Case Summary / Background

- The applicant is requesting a variance from LDC section 5.3.1 table 5.3.1 due to an existing garage and concrete driveway encroaching into the five foot minimum side yard setback along the northern property line. The subject property is located on Barberry Lane in the Loretto Subdivision in an R-5 zoned district within a Neighborhood Form District in Louisville Metro. The owners are attempting to come into compliance with the current Land Development Code.
- The variance would allow both the driveway for an approximate linear distance of 11 ft. beyond the front setback (25 ft.) and the attached garage for an approximate linear distance of 2 ft. to encroach into the minimum side yard setback of 5 feet on the northern property line.

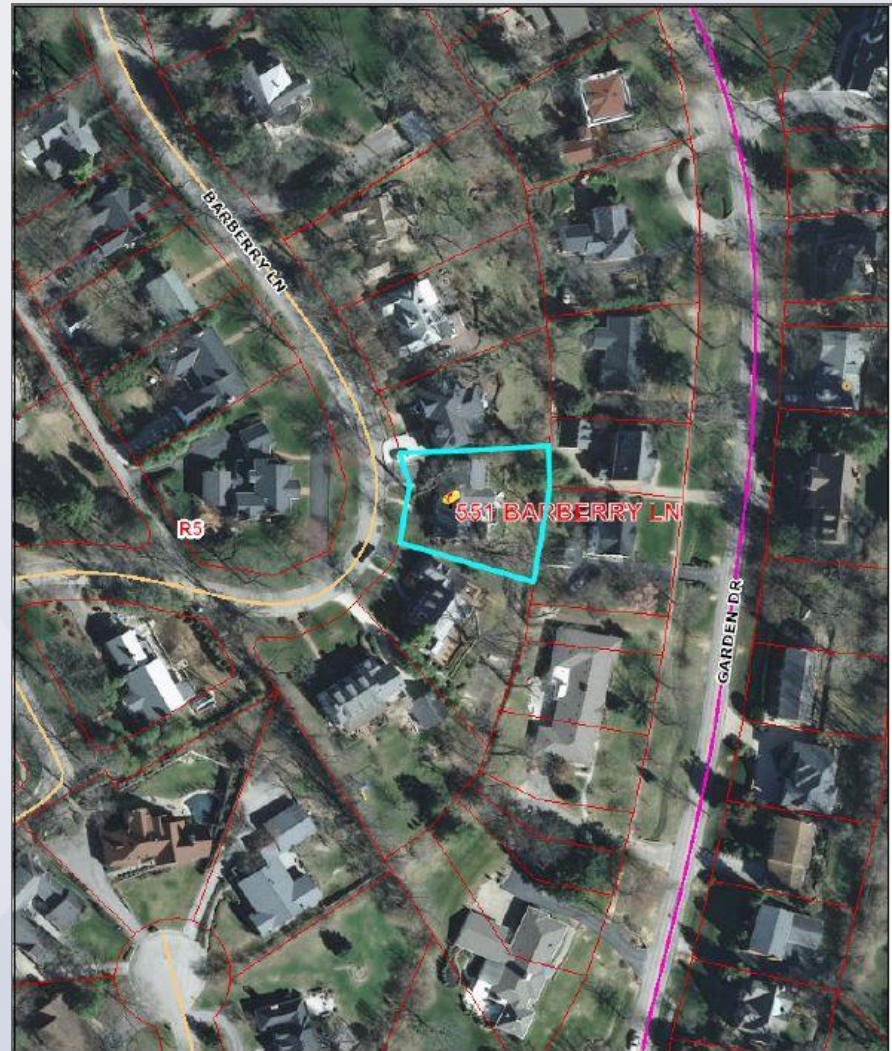
Zoning/Form Districts

- **Subject Property:**
 - Existing: R-5/Neighborhood (N)
 - Proposed: R-5/Neighborhood (N)
- **Adjacent Properties:**
 - North: R-5/Neighborhood (N)
 - South: R-5/Neighborhood (N)
 - East: R-5/Neighborhood (N)
 - West: R-5/Neighborhood (N)



Aerial Photo/Land Use

- **Subject Property:**
 - Existing: Residential Single Family
 - Proposed: Residential Single Family
- **Adjacent Properties:**
 - North: Residential Single Family
 - South: Residential Single Family
 - East: Residential Single Family
 - West: Residential Single Family



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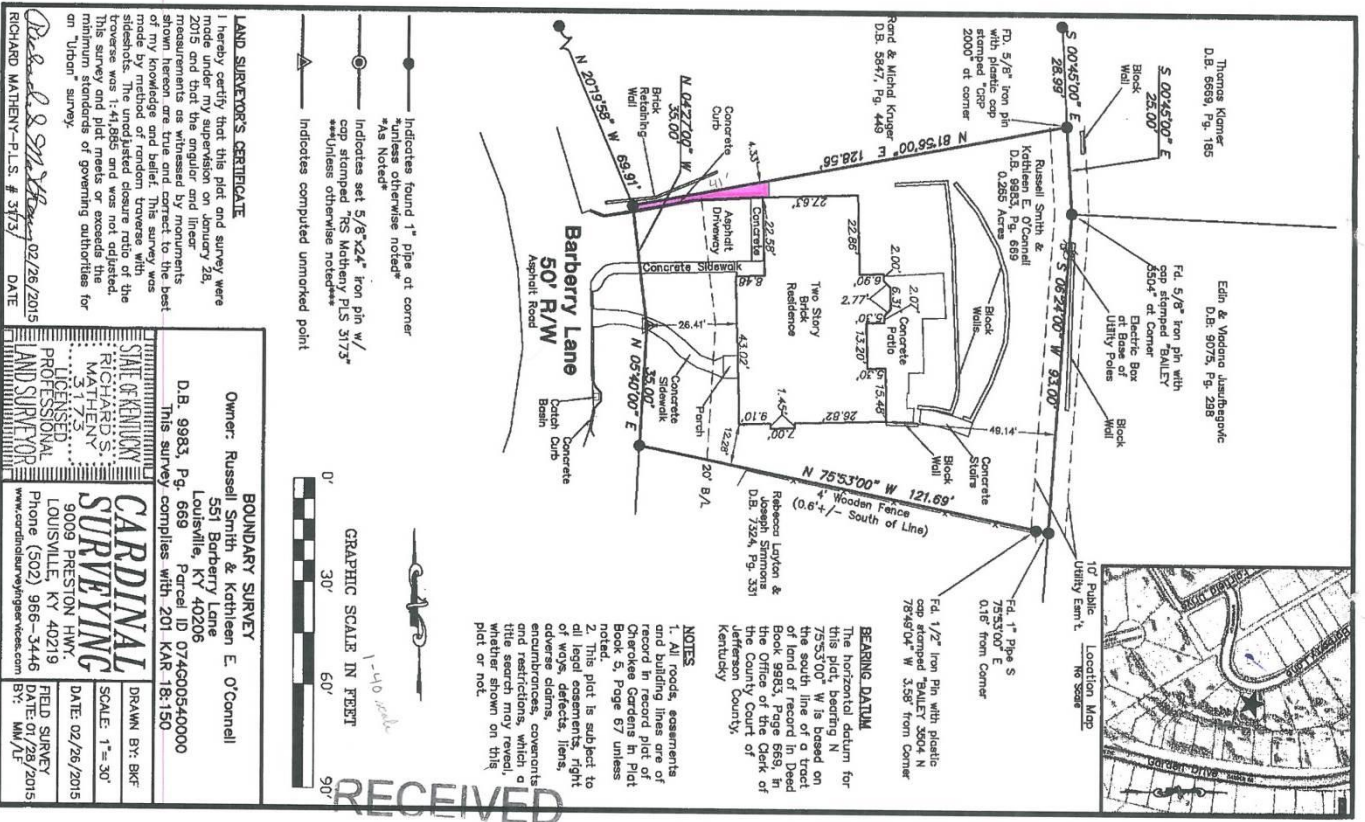
0 100
* Distance are in feet



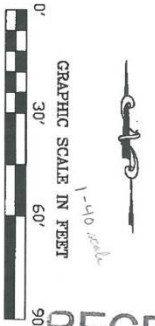
Site Photos-Subject Property

Site Photos-Surrounding Areas

Applicant's Site Plan



- Indicates found 1" pipe at corner unless otherwise noted*
- As Noted**
- Indicates set 5/8"x24" iron pin w/ cap stamped "RS MATHENY PLUS 3173"
- **Unless otherwise noted***
- △ Indicates computed unmarked point



NOTES

1. All roads, easements and building lines are of record in record plot of Cherokee Gardens in Plat Book 5, Page 67 unless noted.
2. This plot is subject to all legal assessments, right of ways, defects, liens, encumbrances, covenants and restrictions, which a title search may reveal.
3. The owner of this plot or not.

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plot and survey were made by me or under my direct supervision on 02/26/2015 and that the angular and linear measurements as witnessed by monuments shown hereon are true and correct to the best of my knowledge and belief. This survey was made by method of random traverse with theodolite and steel tape. The length of the traverse was 1:41,885 and was not adjusted. This survey and plot meets or exceeds the minimum standards of governing authorities for an "Urban" survey.

Richard Matheny, P.L.S. # 3173 DATE 02/26/2015

<p>OWNER: Russell Smith & Kathleen E. O'Connell 551 Barberrly Lane Louisville, KY 40206 Parcel ID 074900540000 This survey complies with 201 KAR 18-150</p>	<p>BOUNDARY SURVEY</p>
<p>STATE OF KENTUCKY RICHARD S. MATHENY PROFESSIONAL LAND SURVEYOR No. 3173 www.cordisland.com/wyfigs/ks-ks.com</p>	<p>CARDINAL SURVEYING 9009 PRESTON HWY. LOUISVILLE, KY 40219 Phone (502) 966-3446 By: MM/JV</p>
<p>DATE: 02/26/2015 FIELD SURVEY PLS-01/2015</p>	<p>SCALE: 1"=30' DRAWN BY: BKF</p>

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PLANNING & DESIGN SERVICES

16 VARIANCE 1018

Applicable Plans & Policies

- Land Development Code (2016): section 5.3.1 table 5.3.1 Dimensional Standards: Residential Development
 - Minimum Side Yard Setback – 5 ft.

Technical Review

- No Technical Review was conducted.

Staff Analysis and Conclusions

- The variance would allow the applicant's, at 551 Barberry Lane, garage and portion of the driveway to come into compliance for the required side yard setback along the northern property line.

Required Actions

- The Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the Land Development Code from sections 5.3.1, table 5.3.1 Dimensional Standards: Residential Development for a garage and driveway within an R-5 zoned parcel in a Neighborhood Form District. [Approve/Deny](#)