

Board of Zoning Adjustment Staff Report

May 1, 2017



Case No:	17VARIANCE1020
Request:	Variance from the required 20% private yard area
Project Name:	1004 Camden Ave Addition
Location:	1004 Camden Ave
Area:	4,943 Square Feet
Owner:	Mitchell Jackson
Applicant:	Jump Start Realty and Development
Representative:	Deondrea Robinson – Jump Start Realty & Dev.
Jurisdiction:	Louisville Metro
Council District:	15 – Marianne Butler
Case Manager:	Dante St. Germain, Planner I

REQUEST

- Variance from Land Development Code section 5.4.1.D.3 to allow a private yard area to be less than 20% of the area of the lot for a lot less than 6,000 square feet.

Location	Requirement	Request	Variance
Private Yard Area	989 sq. ft.	0 sq. ft.	989 sq. ft.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject property contains a one-story single-family residence. The lot is 4,943 square feet in area and is located in the Traditional Neighborhood form district, requiring a private yard area of 989 square feet. The applicant proposes to construct a new 533.5 square foot addition onto the rear of the existing structure. The addition will wrap around the existing garage, being 2' 10" from the front of the garage and 2' 6" from the side of the garage. The addition will have gutters, directing the run-off to the east and west sides of the building. The applicant requests a variance from Land Development Code section 5.4.1.D.3 to eliminate the private yard area.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Single Family Residential	R-5	Traditional Neighborhood
Proposed	Single Family Residential	R-5	Traditional Neighborhood
Surrounding Properties			
North	Single Family Residential	R-5	Traditional Neighborhood
South	Single Family Residential	R-5	Traditional Neighborhood
East	Single Family Residential	R-5	Traditional Neighborhood
West	Single Family Residential	R-5	Traditional Neighborhood

PREVIOUS CASES ON SITE

No previous cases on site.

INTERESTED PARTY COMMENTS

No interested party comments were received by staff.

APPLICABLE PLANS AND POLICIES

Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCES FROM SECTION 5.4.1.D.3

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

STAFF: The requested variance will not adversely affect the public health, safety or welfare as the proposed reduced private yard area will not be visible to the right-of-way.

- (b) The requested variance will alter the essential character of the general vicinity.

STAFF: The requested variance will alter the essential character of the general vicinity as surrounding lots have retained their private yard areas.

- (c) The requested variance will cause a hazard or nuisance to the public.

STAFF: The requested variance will cause a hazard or nuisance to the public as the proposed addition will reduce the amount of green space able to handle rain events, and direct run-off to neighboring properties.

- (d) The requested variance will allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will allow an unreasonable circumvention of the zoning regulations as the addition will eliminate the private yard area and leave very little open space remaining behind the structure.

ADDITIONAL CONSIDERATIONS:

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

STAFF: The requested variance does not arise from special circumstances which do not generally apply to land in the general vicinity or the same zone as the lot is regular in shape, all of the lots in the general vicinity are of similar dimensions, and the land is flat.

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 create an unnecessary hardship on the applicant by requiring the applicant to move to another house to obtain the desired space.

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 the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant is requesting the variance and has not yet constructed the proposed addition.

TECHNICAL REVIEW

- MSD stated that stormwater run-off should be directed to the right-of-way in the front of the property, rather than to the sides, in order to not increase run-off to adjacent properties.

STAFF CONCLUSIONS

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 established in the Land Development Code from section 5.4.1.D.3 allowing the private yard area to be less than the required 20% of the total lot area.

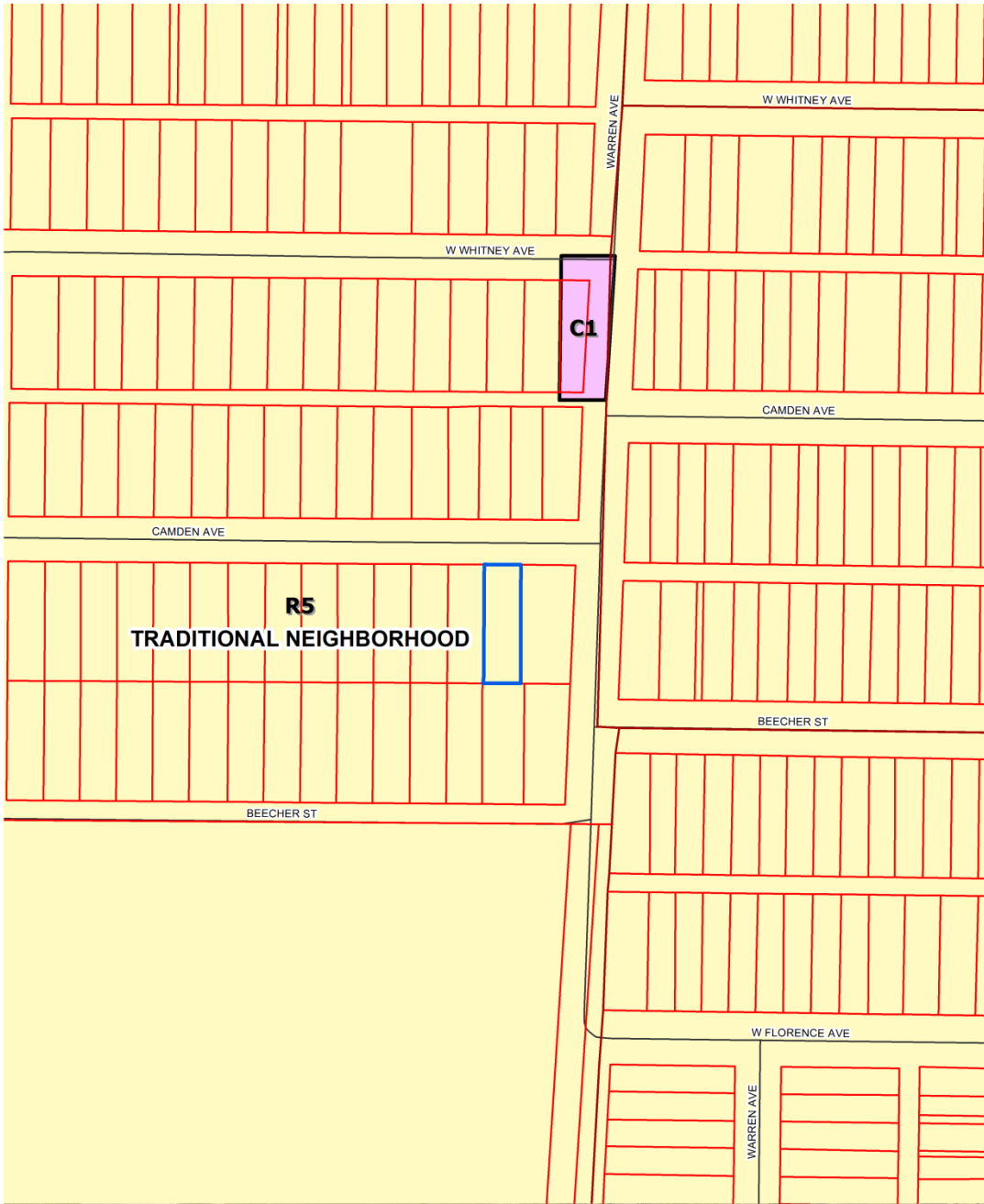
NOTIFICATION

Date	Purpose of Notice	Recipients
04-14-2017	Public Hearing before BOZA	1 st tier adjoining property owners Subscribers of Council District 15 Notification of Development Proposals
04-14-2017		Sign posted on property

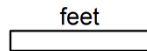
ATTACHMENTS

- Zoning Map
- Aerial
- Site Plan
- Elevations
- Site Photos

1. Zoning Map



1004 Camden Avenue

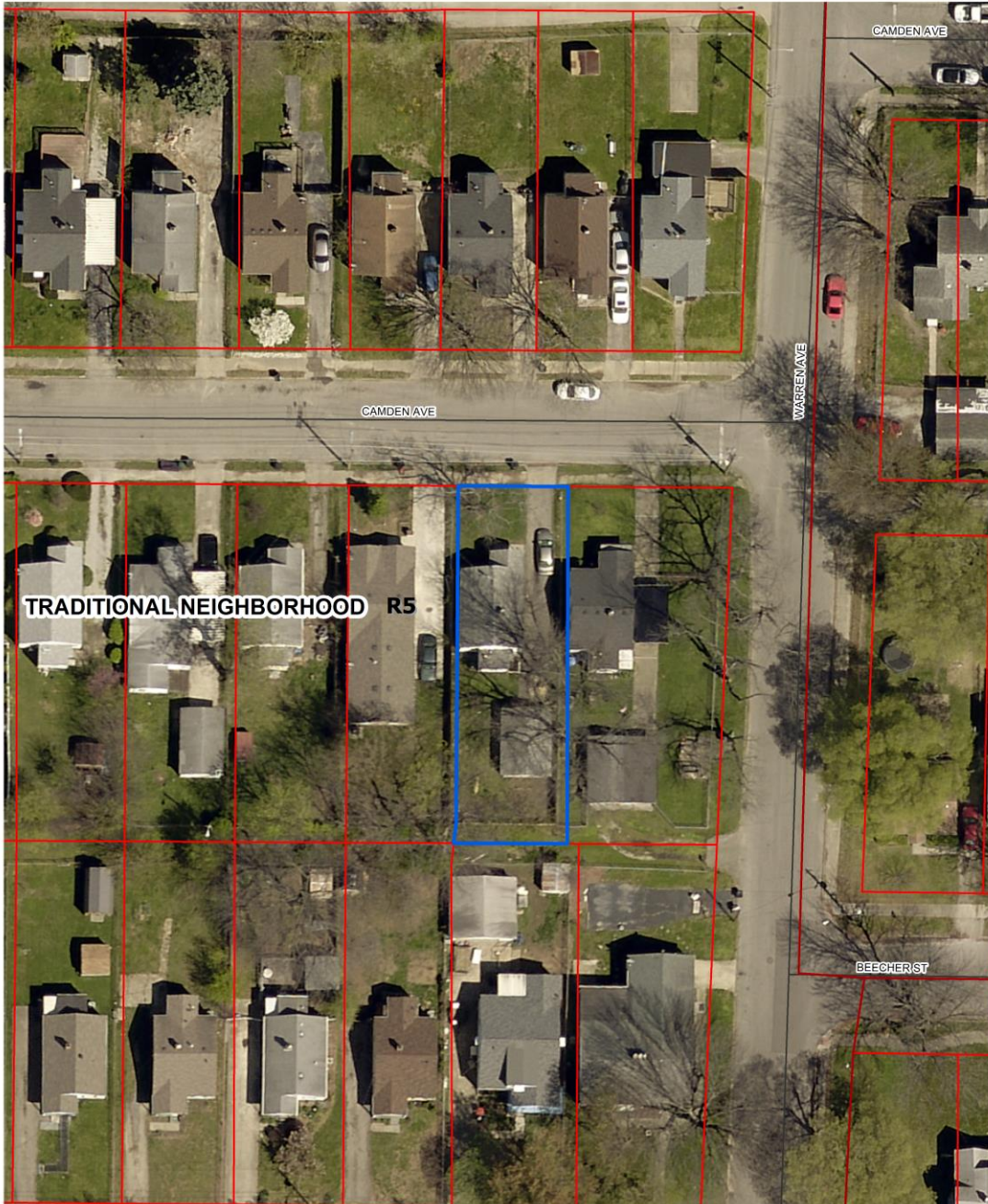


140
Map Created: 4/20/2017



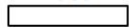
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2. Aerial



1004 Camden Avenue

feet

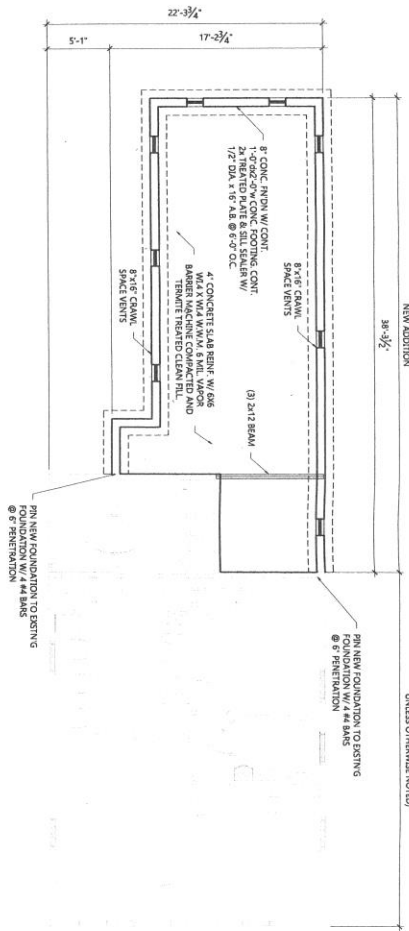


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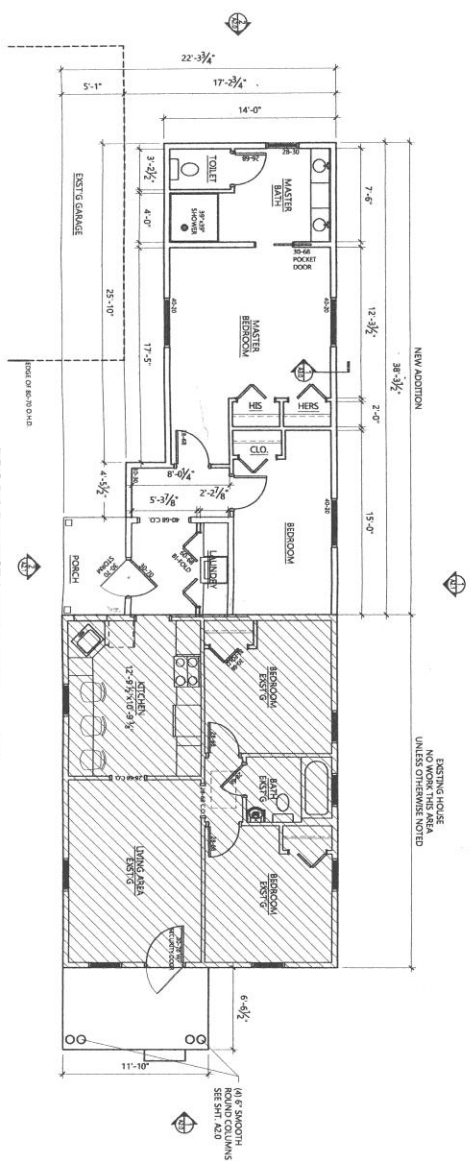
Map Created: 4/20/2017



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PROPOSED FOUNDATION PLAN 1
SCALE: 1/4"=1'-0"
A1.0



PROPOSED 1ST FLOOR PLAN 2
SCALE: 1/4"=1'-0"
A1.0

RECEIVED
APR 10 2017
PLANNING &
DESIGN SERVICES

17 WATSON 1020

HD DS
inc
DESIGN • BUILD • INNOVATE

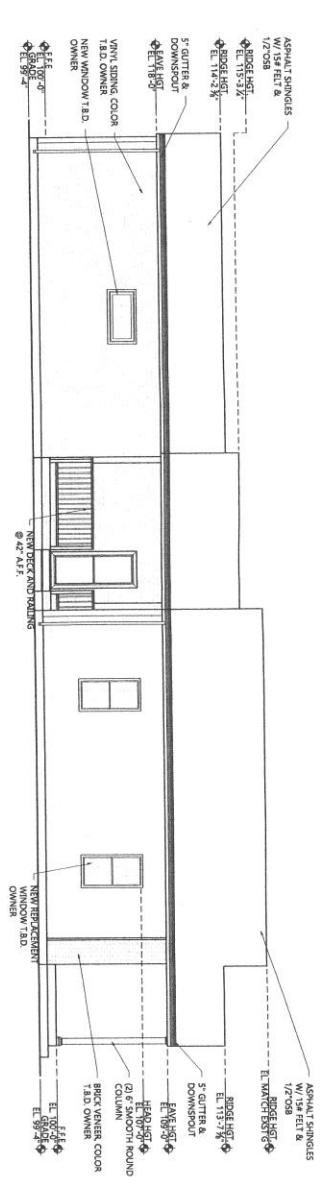
PROJECT: RESIDENTIAL ADDITION FOR JACKSON RESIDENCE
DATE: 10/20/16
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]
REVISIONS:

PROPOSED FOUNDATION & FLOOR PLAN

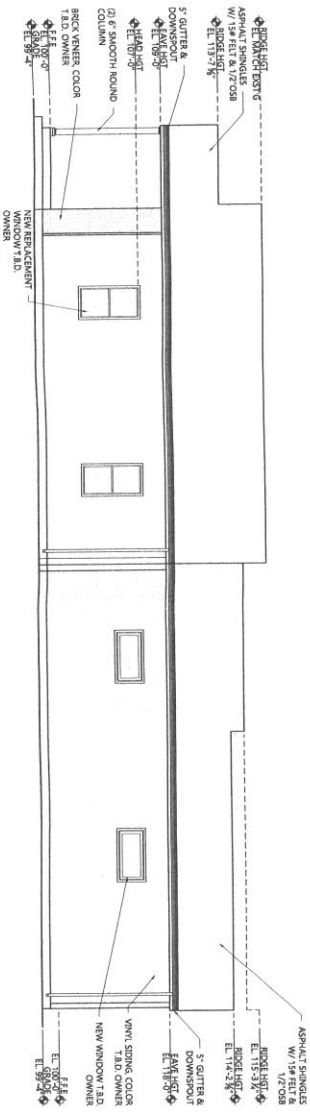
RESIDENTIAL ADDITION FOR JACKSON RESIDENCE
1004 CAMDEN AVENUE, LOUISVILLE, KENTUCKY 40215

NO.	DATE	DESCRIPTION
1	10/20/16	ISSUED FOR PERMIT
2	11/15/16	REVISED PER PERMIT COMMENTS
3	12/15/16	REVISED PER PERMIT COMMENTS
4	01/15/17	REVISED PER PERMIT COMMENTS
5	02/15/17	REVISED PER PERMIT COMMENTS
6	03/15/17	REVISED PER PERMIT COMMENTS
7	04/15/17	REVISED PER PERMIT COMMENTS
8	05/15/17	REVISED PER PERMIT COMMENTS
9	06/15/17	REVISED PER PERMIT COMMENTS
10	07/15/17	REVISED PER PERMIT COMMENTS
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99	12/15/24	REVISED PER PERMIT COMMENTS
100	01/15/25	REVISED PER PERMIT COMMENTS

RECEIVED
 APR 10 2017
 PLANNING &
 DESIGN SERVICES



PROPOSED RIGHT ELEVATION
 SCALE: 1/4" = 1'-0"
 2



PROPOSED LEFT ELEVATION
 SCALE: 1/4" = 1'-0"
 1

PROJECT NO. 17-0000
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS
 APPROVED BY: J. HARRIS
 PLOT DATE: 4/10/17
 REVISIONS:

RESIDENTIAL ADDITION FOR JACKSON RESIDENCE
 1004 CAMDEN AVENUE, LOUISVILLE, KENTUCKY 40215

PROPOSED ELEVATIONS

HD DS
 DESIGN • BUILD • INNOVATE

17-0000-1020
 17-0000-1020
 17-0000-1020

5. Site Photos



The subject property from the front.



The properties across Camden Avenue.



The existing garage.



The new addition will extend into the area beside the existing garage.



The rear yard behind the existing garage.



The addition will extend into this area next to the garage.



The rear of the existing house and existing private yard area.