

Case No. 16VARIANCE1021

3004 Sherbrooke Road



**Louisville Metro Board of Zoning Adjustment Public
Hearing**

**Ross Allen, Planner I
May 2, 2016**

Request(s)

- Variance from LDC section 5.3.1 table 5.3.1 Dimensional Standards - Residential Development to encroach into the minimum required side yard setbacks along the north and south property lines.

Case Summary / Background

- The applicant is requesting a variance from LDC section 5.3.1 table 5.3.1 to construct onto the side and rear of the principal structure. The home is a 2 story brick home with an attached garage located in the R-5 zoning District within a Neighborhood Form District. The principal structure has a finished square footage of 1518 square feet (PVA) and the proposed addition would add approximately 1370 square feet more to the principal structure, for a combined total of 2888 square feet. The proposed addition will convert the one car garage to a one story living space and extend the width of the existing structure by approximately 4.92' ft. towards the northern property line for a side yard setback of 2 feet. The addition will continue along the northern property line to the rear by approximately 33.5' ft. The addition will wrap around the full length of the rear and extend out past the existing principal structure towards the southern property line by 8 feet (from the existing principal structure), allowing a distance of 4.33' ft. from the southern property line. The rear center portion of the proposed addition will have two stories. The proposed addition will allow the applicant to consolidate the living space into a single floor allowing for ease of access for age.

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)



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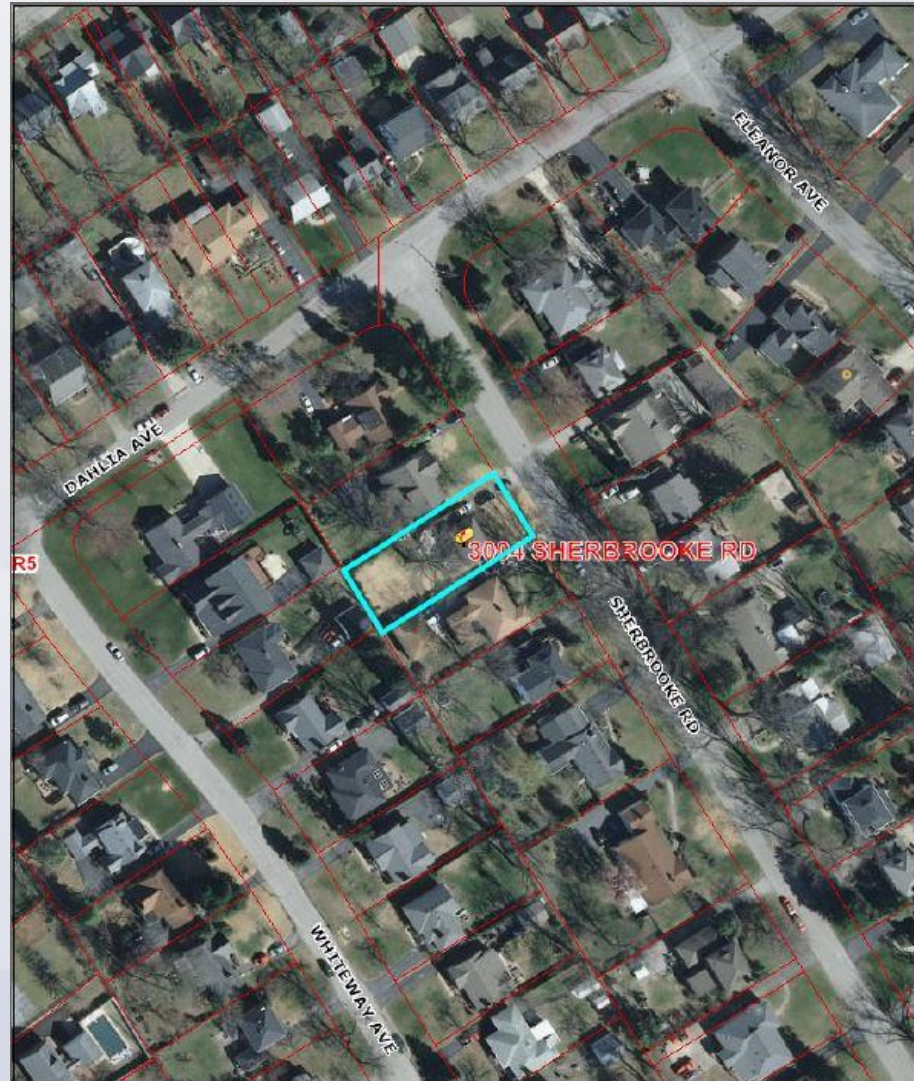
Plot Date 4/8/2016

0 100
Distance are in feet



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



Site Photos-Subject Property



Looking down the northern property line where the proposed 1-story addition to the side of the home leading to the rear yard area. Notice the fence along the neighboring home the proposed variance would allow a distance of two feet near the corner of the proposed addition and existing fence.



Looking down the northern property line, a more detailed view, of the existing one car garage and the neighbor's fence. The variance is the same the applicant is requesting a 2 foot variance towards the front portion of the home will the addition will step back as it moves towards the rear of the home allowing three feet of space.

Site Photos-Subject Property



Looking down the southern property line where the rear addition will have a 4.33' ft. setback.



Looking at the rear of the property where the proposed addition is to be constructed.

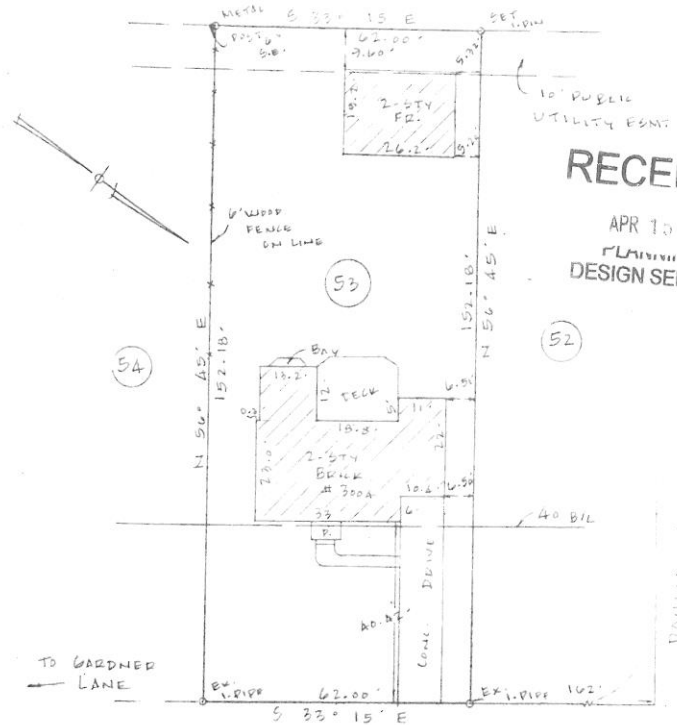
Site Photos-Surrounding Areas



Homes in the surrounding area of 3004 Sherbrooke Road.



Applicant's Survey



SHERBROOKE ROAD
(60' R/W)

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this survey as depicted hereon was performed under my supervision and was conducted under the standards for survey defined under KAR 18-150. It is an "Urban Survey", with an unadjusted closure of 1 part in 10,000 and is witnessed by monuments as shown. The survey method used was that of random traverse and the bearings have been rotated and adjusted for closure using bearing N 56° 45' E. This survey is subject to all road way, easements, and right of ways, if any whether shown hereon or not. The property is not located in a flood hazard area as shown by FEMA map No. 21012-600, dated 12-5-06.



[Signature]
Gary J. Dukes PLS #3061
Dated: 2-5-16

Gary Dukes PLS
Land Surveying
3602 Briarglen Lane
Louisville, KY 40220
garydukespls@gmail.com
502-553-4912



Location: 300A SHERBROOKE ROAD
LOT 53
Description: SHERBROOKE (P.B. 4115)
(D.B. 5181 P. 383)
BLOCK 304 - PARCEL 153

For: WILLIAM AND SHARON HIGGINS

Scale: 1" = 20' Date: 2-5-16 By: G.J.D.

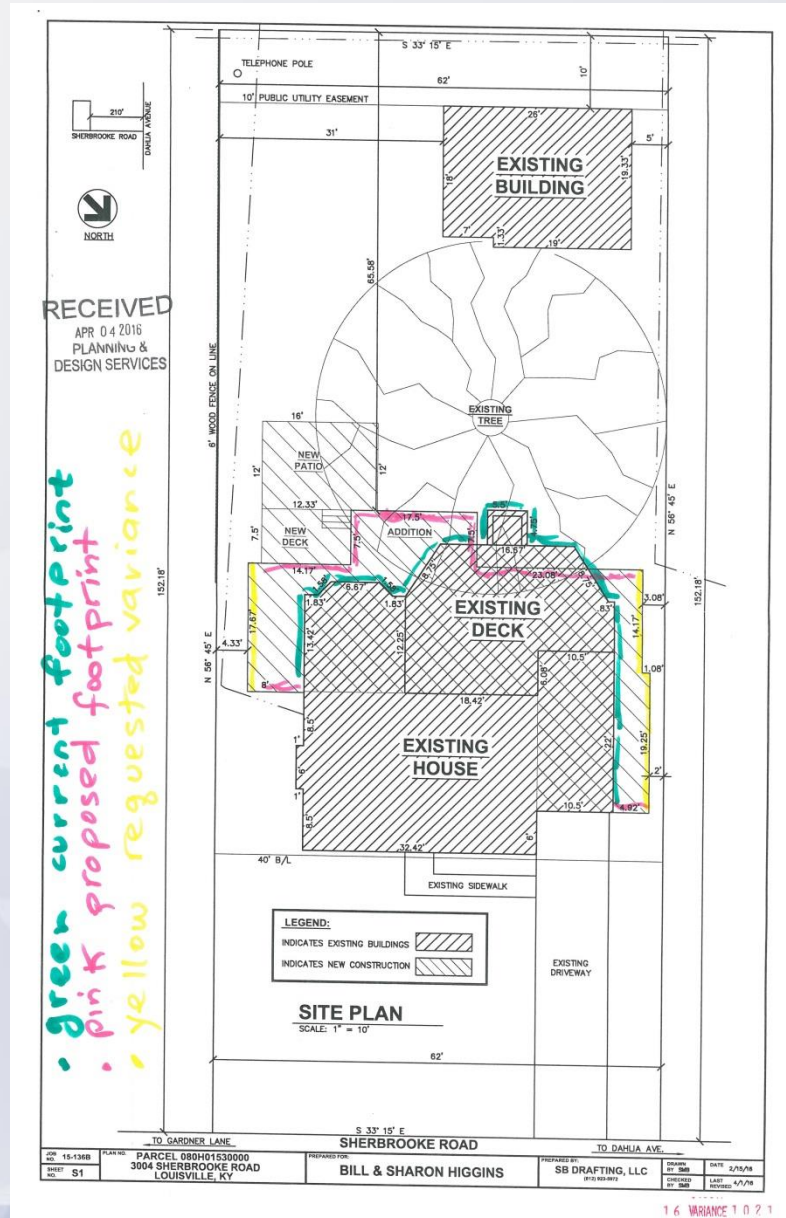


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Applicant's Development Plan

Highlights:

- Proposed Use: R-5 Single Family Residential Rear Addition
- Size: approx. 1370 SF additional



Variiances

- Variance from LDC section 5.3.1 table 5.3.1 Dimensional Standards – Residential Development to encroach into the minimum required side yard setbacks along the north and south property lines.

Location	Requirement	Request	Variance
Side Yard Setback (North)	5' ft.	2' ft.	3' ft.
Side Yard Setback (South)	5' ft.	4.33' ft.	.67' ft. or 8 inches

Applicable Plans & Policies

- Land Development Code (LDC) section 5.3.1 table 5.3.1 states that the minimum setbacks for the minimum side yard/s in the Neighborhood Form District for an R-5 zoned property should be 5 ft.

Technical Review

- No Technical Review

Staff Analysis and Conclusions

- The applicant's request to have a proposed side yard setback of 2' feet along the northern property line and a proposed side yard setback of 4.33' feet along the southern property line meet the standard of review.

Required Actions

- 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 LDC section 5.3.1 table 5.3.1 Dimensional Standards - Residential Development [Approve/Deny](#)