

May 19, 2014

Docket No. 14Variance1022

Variance from Section 9.2.C, adopted by the City of St. Matthews, to allow the existing 1-story office building, parking and maneuvering to encroach into the 32 ft minimum street side and front yard setbacks.

c/o Zach Leonardo

Attorneys: Bardenwerper Talbott & Roberts, PLLC

Land Planners, Landscape Architects & Engineers: Milestone Design Group



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Tab 1



LOJIC Zoning Map







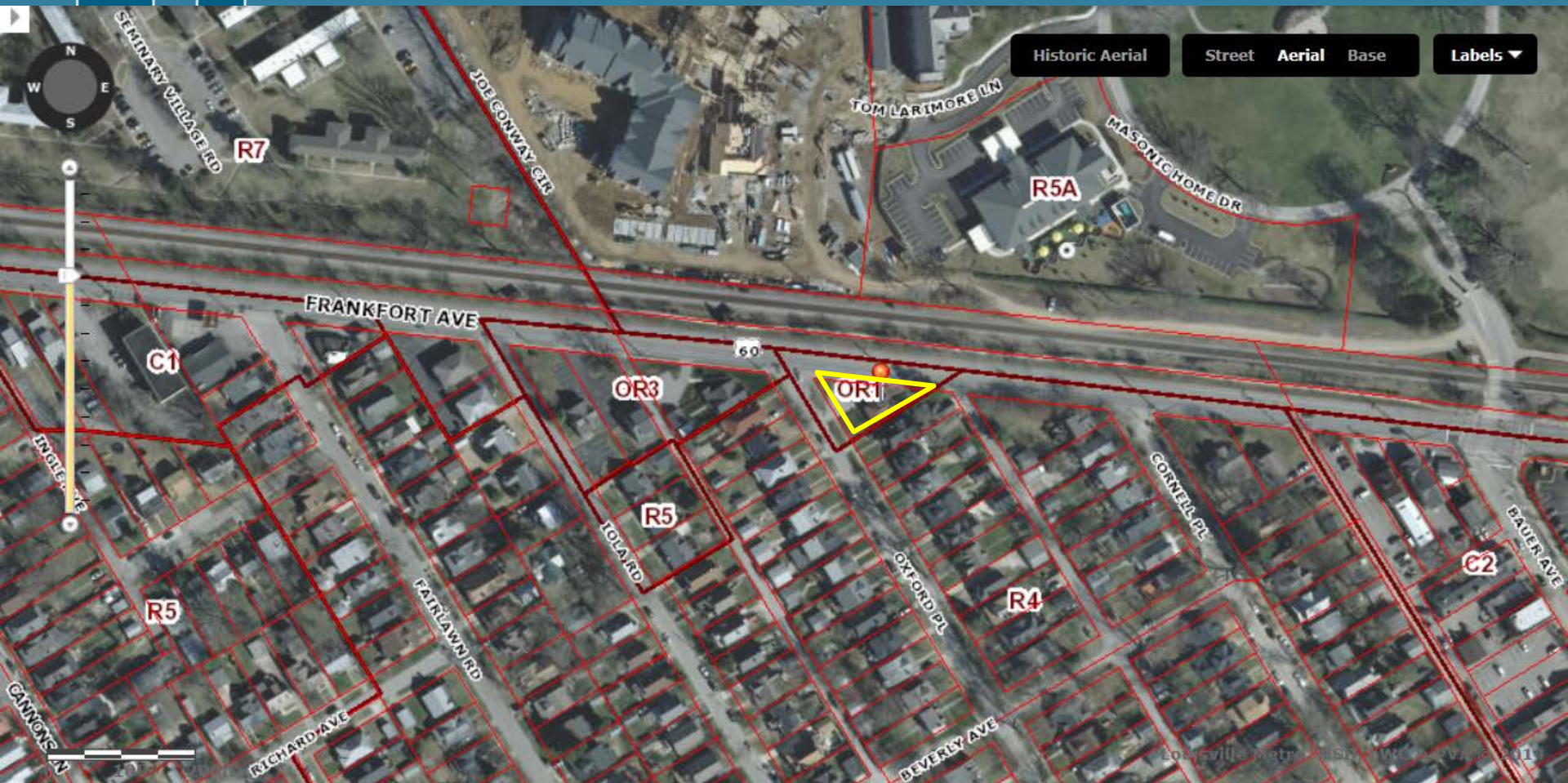
Tab 2



Aerial photographs of the site and  
surrounding area













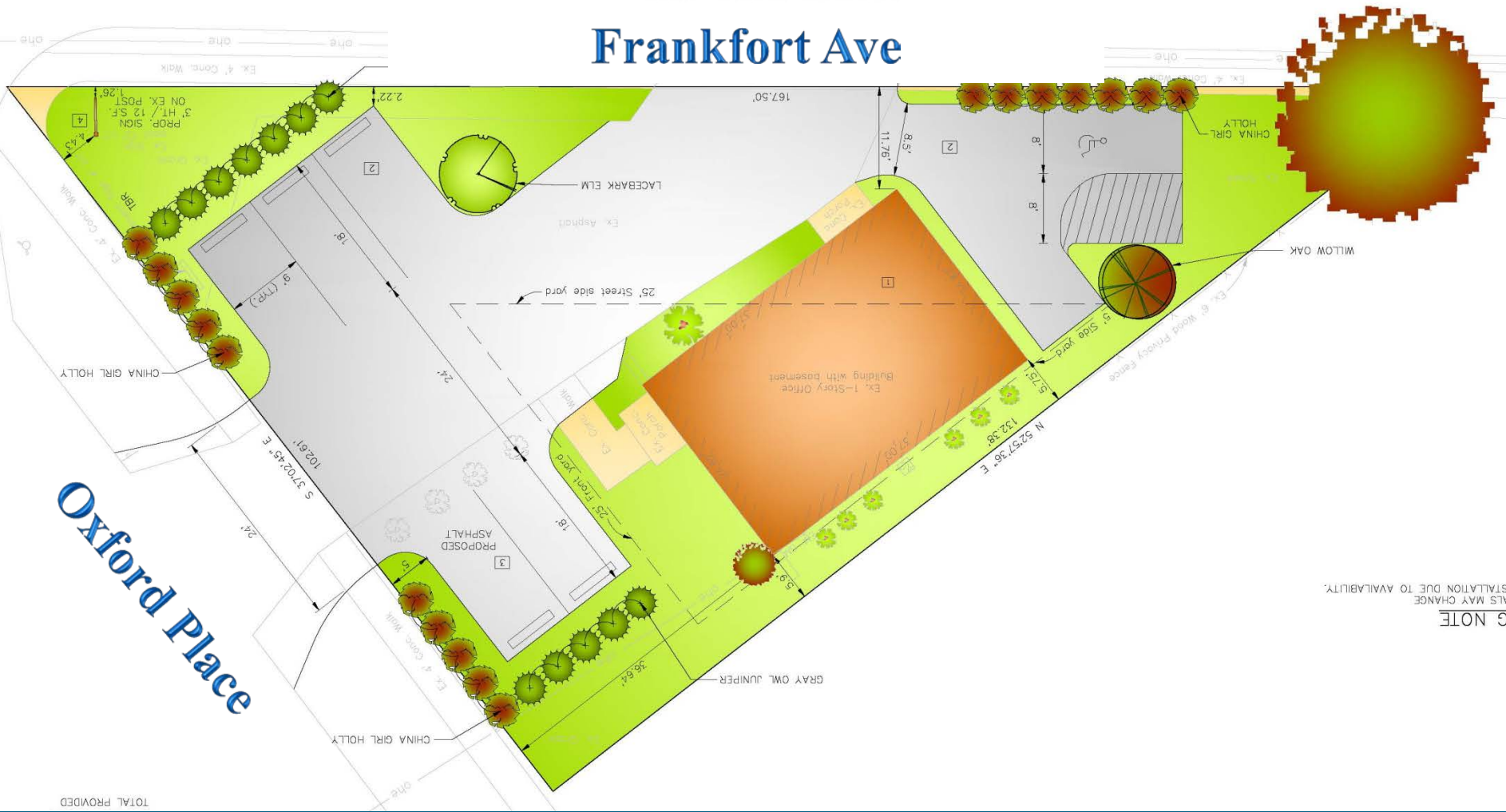
# Tab 3

## Color Development Plan





**Oxford Place**



G NOTE  
ALS MAY CHANGE  
INSTALLATION DUE TO AVAILABILITY.

TOTAL PROVIDED



# Tab 4

## Sign detail







Tab 5



Letters of Support from the adjoining  
property owners







## Letter of support from the adjoining neighbors

March 12, 2014

Robert D. Royer  
Annette Royer  
103 Oxford Place  
Louisville, Kentucky 40207

To whom it may concern,

We are the property owners and residents of the property located at 103 Oxford Place, Louisville, KY 40207. We understand that Zach Leonardo is planning to improve his property at 101 Oxford Place. Further, we understand as part of these improvements he will be seeking variances to allow his use of the existing sign post for his signage, and will be expanding his parking area towards our residence in the required front and street side yards.

We have no objection and fully support his variance requests.

<u>Robert D. Royer</u>	103 Oxford Place, 40207	3-13-14
Name	address	date

<u>Annette Royer</u>	103 Oxford Place, 40207	3-13-14
Name	address	date

Bonnie Carter  
Notary  
My commission expires March 2, 2016



## Letter of support from the adjoining neighbors

May 9, 2014

Ruby McKleskey  
102 Oxford Place  
Louisville, Kentucky 40207

To whom it may concern,

I am the property owner and resident of the property located at 102 Oxford Place, Louisville, KY 40207. I understand that Zach Leonardo is planning to improve his property at 101 Oxford Place. Further, I understand as part of these improvements he will be seeking variances to allow his use of the existing sign post for his signage, and will be expanding his parking area towards our residence in the required front and street side yards.

We have no objection and support his variance requests.

Ruby McKleskey 5.12.14  
Name address date



X Kirk Nelson DATE 5-12-14  
NOTARY ID # 507934



# Tab 6

## Variance Justification



**Variance Justification:**

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

Variance of Section 9.2.C of the LDC, adopted by the City of St. Matthews, to allow the existing 1-story office building, parking and maneuvering to encroach into the 32 ft minimum street side and front yard setbacks.

1. The variances will not adversely affect the public health, safety or welfare because they represent existing built conditions, without which this office zoned and utilized property would have no or virtually no parking and vehicular access to it at all. These encroachments are existing, and so the application for variances does not change the public health, safety or welfare that currently exists.
2. The variances will not alter the essential character of the general vicinity because these encroachments represent built conditions that are known to nearby residents and who have lived with these conditions for some time.
3. The variances will not cause a hazard or a nuisance to the public because these encroachments are built conditions that have never been complained about by neighbors or the City of St. Matthews, to the best information and belief of this new property owner.
4. The variances will not allow an unreasonable circumvention of the requirements of the zoning regulations because these encroachments are built conditions, and the property to be utilized in accordance with its office zoning as it long has been requires a grant of these variances.

Additional consideration:

1. The Variances arises from special circumstances, which do not generally apply to land in the general vicinity because this property exists at the corner of Oxford Place with significant frontage along Frankfort Ave where other businesses proliferate. Others used for similar commercial purposes may involve similar encroachments. But in any event this office use has long existed with parking and access as presently shown.
2. Strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship because the applicant could no longer utilize the property as it long has been and in accordance with the office zoning in existence for the office building that he purchased.
3. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulation, but rather are a consequence of the existing conditions the applicant inherited when he purchased the property.