

# Board of Zoning Adjustment

## Staff Report

November 16, 2020



<b>Case No:</b>	20-VARIANCE-0130
<b>Project Name:</b>	Wallingford Ln Townhouse
<b>Location:</b>	4200 Wallingford Ln
<b>Owner(s):</b>	Syr International Inc
<b>Applicant:</b>	Syr International Inc
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	10 – Pat Mulvihill
<b>Case Manager:</b>	Jay Lockett, AICP, Planner I

### REQUEST(S)

- **Variance:**
  1. **Variance** from Table 5.3.1 to allow a building and parking area to encroach into the 15' minimum required front and street side yards by up to 10 feet as shown on the proposed development plan.

### CASE SUMMARY/BACKGROUND

The applicant is proposing to remove an existing structure and construct a new building with 6 residential units. The subject site is zoned R-7 in the Neighborhood form district and is located along Six Mile Ln near the Buechel area of central Louisville Metro. The location of the new building and parking area will be similar to the existing site layout.

### STAFF FINDING

The request is adequately justified and meets the standards of review. The site is very narrow, and the setback requirements would significantly constrain the area available for development. The proposed development will be in keeping with the character of the area and existing development on the site. The additional dwelling units will provide additional housing options in the area.

### TECHNICAL REVIEW

The Development Review Committee approved a Revised Detailed District Development Plan and a Waiver at the October 28, 2020 meeting.

### INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE**

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

STAFF: The requested variance will not adversely affect public health, safety, or welfare as the proposed variance does not impede the safe movement of pedestrians or vehicles, and the proposed development will be in keeping with the character of the area.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity as there are a mix of single family and multifamily housing and commercial designs within the area.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public as the development will follow all building and safety requirements.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of zoning regulations as there are a range of site designs and housing types in the area. The variance will allow for a previously developed site to be redeveloped into additional housing variety that complements other uses in the area.

### **ADDITIONAL CONSIDERATIONS:**

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

STAFF: The requested variance does arise from special circumstances not generally applicable to land in the vicinity. The site is very narrow and the application of required setbacks would greatly limit the development potential of the site.

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 deprive the applicant of reasonable use of the land, as it would likely be impossible to construct a development that is appropriate for the zoning of the site.

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 not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the site has not been developed and relief is being sought.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Variance**

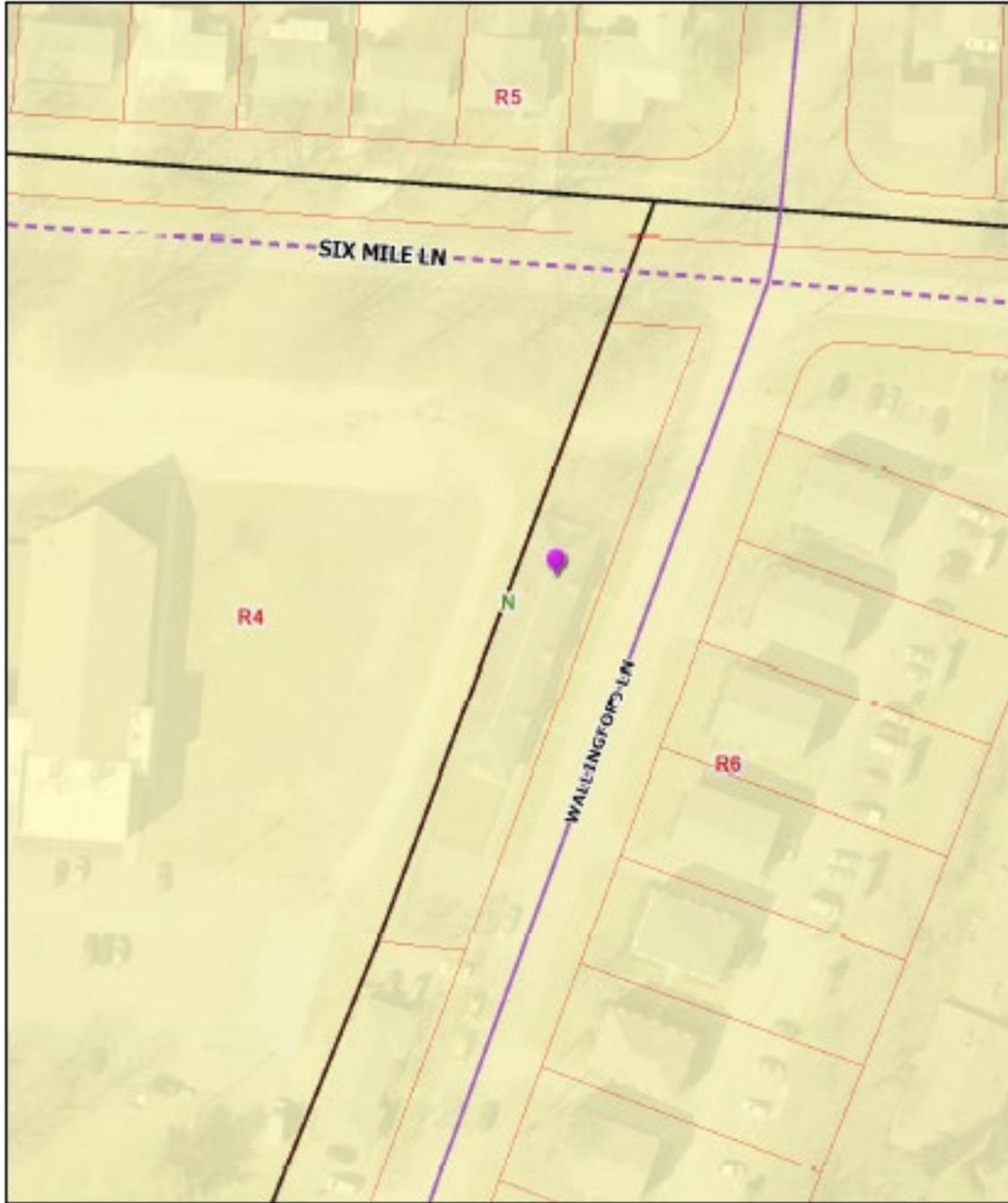
**NOTIFICATION**

Date	Purpose of Notice	Recipients
10-30-20	Hearing before BOZA	1 <sup>st</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 10

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



**20-DDP-0046**

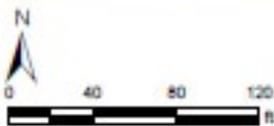
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2. Aerial Photograph



**20-DDP-0046**

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