



Variance Application

Louisville Metro Planning & Design Services

Case No.: _____ Intake Staff: _____

Date: _____ Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

This is a variance from Section 4.8.6.E of the Land Development Code, to allow Prop. 30' access esmt. & exist. 18' driveway located within the protected waterway buffer

Primary Project Address: 4319 Barbour Lane

Additional Address(es): _____

Primary Parcel ID: W0040042

Additional Parcel ID(s): _____

Proposed Use: Residential Existing Use: Vacant

Existing Zoning District: R-4 Existing Form District: Neighborhood

Deed Book(s) / Page Numbers²: 08755-0454

The subject property contains 2.4 acres. Number of Adjoining Property Owners: 2

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 15MINORPLAT1155 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

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.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Approval of the variance will not impact health, safety, or welfare of the public because the proposed houses will sit well above the stream elevation and out of the floodplain.

2. Explain how the variance will not alter the essential character of the general vicinity.

Approval of the variance will not alter the character of the vicinity because there is already two existing driveways between the proposed houses and the existing stream located in the 25 foot and 50 foot buffers.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

Approval of the variance will not cause a nuisance to the public because the construction of the homes will be made out of the floodplain keeping the existing 50' stream buffer in place.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Approval of the variance will allow homes to be constructed on this property while keeping the existing 25' and 50' buffers in place.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The proposed 30' access easement and 18' access drive are being placed at the same location as the existing driveway which accesses the site of the original treatment plant that served the nearby subdivisions.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Strict application of the regulation would deprive the applicant from accessing the site since this is the only point of access from a roadway.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No, the circumstances are not the result of actions the application has taken subsequently. They are a result of the stream protection being added after the access to the site was previously constructed.