

Board of Zoning Adjustment

Staff Report

May 4, 2026



Case No:	26-VARIANCE-0042
Project Name:	Parking Lot Infill
Location:	10014 3 rd Street Road
Applicant:	Richard Orsoto
Representative:	Richard Orsoto
Jurisdiction:	Louisville Metro
Council District:	12 – Jonathan Joseph
Case Manager:	Abby Bills, Planner I

REQUEST:

- **Variance** from Land Development Code (LDC) Section 5.1.12.B.2.a. to allow a parking lot to encroach in the front yard infill setback.

Location	Requirement	Request	Variance
Front Yard	90 ft.	10 ft.	80 ft.

CASE SUMMARY

The site is approximately 0.74 acres in the C-1 Commercial zoning district and Neighborhood form district. The subject property is located on 3rd Street Rd, east of Dixie Hwy. There is an existing 67' x 77' parking lot on the property, which the applicant plans to expand south by approximately 40'. The new parking lot will be a total of 107' x 77', with 22 striped parking spaces. This site is subject to infill context, so the front yard setback is approximately 90'. The proposed parking lot expansion will have a front yard setback of 10', therefore, a variance is required.

STAFF FINDING

The requested variance is adequately justified for approval based on the analysis contained in the standard of review.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

1. The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not adversely affect public health, safety, or welfare, because the requested parking lot will be internal to the site and will be required to provide a landscape plan and landscape buffers in compliance with Chapter 10 of the Land Development Code.

2. The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

STAFF: The requested variance will not alter the essential character of the general vicinity. The subject site is a commercial lot in an otherwise residential area and has been for at least 30 years. Expanding the existing parking lot will not constitute an alteration of the essential character of the area, because the parking lot is part of that essential character. Additionally, there is a church less than 500 ft away from the subject site with a parking lot in a front yard infill setback as well.

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

STAFF: The requested variance does arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone. The subject property is the only commercially zoned and used property in the general vicinity. No other property in the area would meet the same level of demand for parking as the subject site, and due to the varying width of the parcel, there is limited space to provide parking in the rear.

4. The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land. Strict application of the infill setback would deprive the applicant of the entire front yard, whereas if infill did not apply, the setback would only be the first 10'. The existing building meets the infill setback and intent of the regulation already as well.

5. The circumstances are the result of action 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 action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought, as work has not begun on the parking lot for which the variance is being requested.

REQUIRED ACTION

- **APPROVE** or **DENY** the **Variance** from Land Development Code (LDC) Section 5.1.12.B.2.e. to allow a parking lot to encroach in the front yard infill setback.

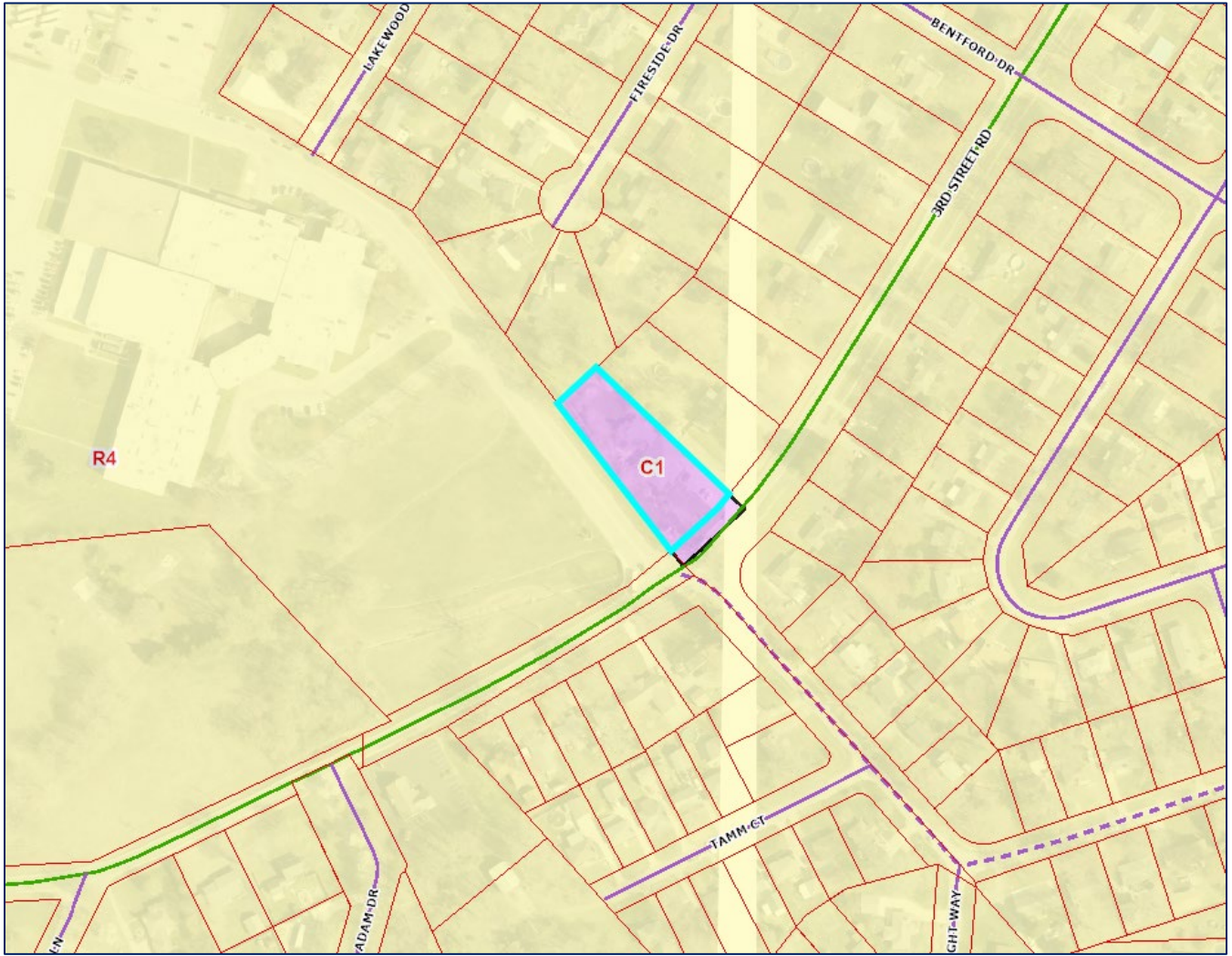
NOTIFICATION

Date	Purpose of Notice	Recipients
04/20/2026	Hearing before Board of Zoning Adjustment	1 st tier adjoining property owners and current residents
04/21/2026		Registered Neighborhood Groups in Council District 12
04/20/2026		Sign Posting on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

