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**Advanced Business Solutions, Case #17devplan1110  
Variance Request Justifications**

1. A variance from Section 5.2.2.C., table 5.2.2. of the LDC to allow a greater than 25' maximum front yard,
  2. A variance from Section 5.2.2.C., table 5.2.2. of the LDC to allow a less than 15' rear yard,
  3. A variance from Section 5.5.1.A.3. of the LDC to allow parking to be located in front of the building.
- **Will not adversely affect the public health, safety or welfare:** The requested variances will not adversely affect the public health, safety or welfare since the site is located in a somewhat remote location on the south side of the railroad tracks and behind the Payne Street and S. Charlton St. lots. At this location, neither the reduced rear yard, the increased front yard, nor the proposed parking in front of the building will negatively impact the neighborhood. In addition, the proposed use, light manufacturing for the assembly and repair of computers, will be significantly less intense than the Louisville Paving facility which has occupied this site for many years.
  - **Will not alter the essential character of the general vicinity:** The variances will not alter the essential character of the general vicinity as the site is located behind and on the other side. It is located behind the lots on Payne Street and S. Charlton Street, on the other side of the railroad track and on the other side of the alleys that lie along the sites north and south property line and reducing any effect the variances might have had on the adjacent developments.
  - **Will not cause a hazard or a nuisance to the public:** The site only lies directly adjacent to the D.D. Williamson Inc property along its east property line and otherwise separated from other lots by alleys and the railroad track to the north. There is a request to close some of these alleys and then the property will back up to the lots on S. Charlton Street which are also zoned M2 and back up to the 3 lots east of Stoll Avenue but with the closure of the alley the required landscape buffers will be provided. This use will be a lower intensity user than the existing facility and for all of these reasons the variances requested will not impact or negatively affect these adjacent uses or the public.
  - **Will not allow an unreasonable circumvention of the requirements of the zoning regulations:** Since there are no negative impacts resulting from the variances or even the use proposed, the granting of this request will not result in an unreasonable circumvention of the requirements of the zoning regulations.

**Additional consideration:**

- **The requested variance arises from special circumstances, which do not generally apply, to land in the general vicinity, or in the same zone. (Please specify/identify):** The sites location is a special circumstance. It is unique in its location and the surrounding alleys which separate it from other developments. Stoll Avenue deadends

into the site and so its 50' width is the sites only true road frontage. As such, the site does not conform to the typical building setback requirements. With the sites primary access being from Stoll Avenue, it is unreasonable to accommodate this access and locate the building within the form district minimum 15' and maximum 25' front setback. Parking in front of the building does not negatively impact other uses on Stoll Avenue as they back up to this site. The site is bordered by several alleys, the one on the north side which deadends into the site has a railroad on its other side so that the request to reduce the rear yard is appropriate especially since it shall be used for deliveries.

- **How the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant:** Due to the sites location and separation from the nearby developments with the railroad and alley along the north property line, the alley along the south and west property line and being located behind the lots fronting on Payne Street and S. Charlton Street, the proposed variances to the front and rear yards will have little to no effect on the adjacent developments and therefore strict application would deprive the applicant of the reasonable use of the land and create an unnecessary hardship on the applicant.
- **Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought?** The unique location of the site, its access and lot configuration is an existing condition that the applicant is working with to provide a new facility that when completed will be a better fit with the area.

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