

Board of Zoning Adjustment Non-Hearing Staff Report

January 12, 2015



Case No:	14VARIANCE1111
Project Name:	Rear Addition
Location:	1027 East Breckinridge Street
Owner(s):	Daniel & Amanda Montgomery
Applicant(s):	Kyle Noltemeyer
Representative(s):	Owners
Project Area/Size:	344.42 sq. ft.
Existing Zoning District:	R-6, Residential Multi- Family
Existing Form District:	Traditional Neighborhood
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy
Case Manager:	Regina Thomas – Associate Planner

REQUESTS

- Variance to allow the existing house to encroach into the side yard a resultant of the proposed rear addition to the existing house.

Location	Requirement	Request	Variance
East Side Yard	3 ft.	0 ft.	3 ft.

CASE SUMMARY

The applicant is proposing to construct an attached 344.42 sq. ft. 2-story addition to the rear of the existing house. The exterior will match the existing lap siding and shingle roof. The proposed addition will meet the private yard requirements. Also the proposed addition will be the replacement an existing one-story addition. The addition will not be in alignment with the existing house, it will have a 6” inset from the corner of the existing house.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Residential Single Family	R-6	Traditional Neighborhood
Proposed	Residential Single Family	R-6	Traditional Neighborhood
<i>Surrounding Properties</i>			
North	Single Family Residence	R-6	Traditional Neighborhood
South	Single Family Residence	R-6	Traditional Neighborhood
East	Single Family Residence	R-6	Traditional Neighborhood
West	Single Family Residence	R-6	Traditional Neighborhood

SITE CONTEXT

The site is rectangular in shape fronts on East Breckinridge Street with Lampton Alley along the rear of the property. The property is surrounded by residential uses. The lot is flat with a detached garage and privacy wood fence at the rear of the property which allows no visual view of the rear yard from the alley. The structures north of the property along Lampton Alley face the subject property's rear yard.

PREVIOUS CASES ON SITE

None

INTERESTED PARTY COMMENTS

No interested party comments have been received by staff.

APPLICABLE PLANS AND POLICIES

Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

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

STAFF: The addition is to the rear of the house, this lot is enclosed by a wooden privacy fence allowing the owners addition needed square footage for their growing family.

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

STAFF: The addition will be constructed in the footprint of an existing one story addition. The exterior material will match the existing house. The current house has a second level this addition will extend the second level, nothing out of the ordinary for this area.

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

STAFF: The proposal is an addition to the existing house. It will be located in the footprint of the existing addition which will be removed; also, will not be more intrusive than the current home to the adjacent properties.

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

STAFF: The size of the lots in this area does not permit the owners to make any adjustment to the structures without receiving relief from this board.

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 lots in the area are narrow; the owner did not create the lot or the placement of the structures on it.

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 create an unnecessary hardship on the applicant because of the lot size and location of the existing structure; the existing structure will be more intrusive on the adjacent property than the proposed addition. Not granting the variance will not allow the owner to expand for their growing family.

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 home was built in the early 1900's the current owners were not responsible for the size or the layout of the lot and its structures.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF CONCLUSIONS

The owners are expanding the current home for needed additional square footage for their growing family. The addition will be located in the footprint of an existing addition, which will be removed. The existing house is zero feet from the east side property line this addition will be further from the property line than the existing house, thus not intruding further on the adjacent property.

NOTIFICATION

The applicant received the required signatures of the adjacent property owners.

ATTACHMENTS

1. Zoning Map
2. Site Plan
3. Applicants Justification
4. Elevation Drawings
5. Photos



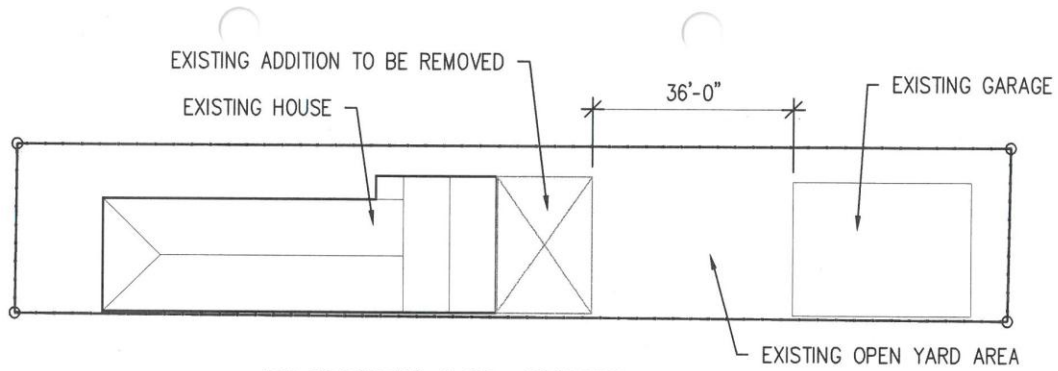
R-R RURAL RES.	R-5 RES. S.FAM.	R-8A RES. M-FAM.	C-R COMM./RES.	M-1 IND.	DRO DEV. REVIEW OV.
R-E RES. EST.	RRD RES. REDEV	OR-1 OFF./RES.	C-1 COMM.	M-2 IND.	W-1 WATERFRONT
R-1 RES. S.FAM.	R-5A RES. M-FAM.	OR-2 OFF./RES.	C-2 COMM.	M-3 IND.	W-2 WATERFRONT
R-2 RES. S.FAM.	R-5B TWO-FAM.	OR-3 OFF./RES.	C-3 CBD	CRO CRO. REVIEW OV	W-3 WATERFRONT
R-3 RES. S.FAM.	R-6 RES. M-FAM.	OTF OFF./TOUR	C-M COMM. MAN.	PRO PLAN. RESEARCH	WRO WATER. REVIEW OV.
R-4 RES. S.FAM.	R-7 RES. M-FAM.	C-N NEIGH. COMM.	EZ-1 ENTERPRISE	PEC PLAN. EMP. CEN.	



Zoning District Map
 Louisville/Jefferson Metro Government
 Planning and Design
 Services

14VAR1111
VARIANCE
 Scale: 1:871 Date: 12/16/2014



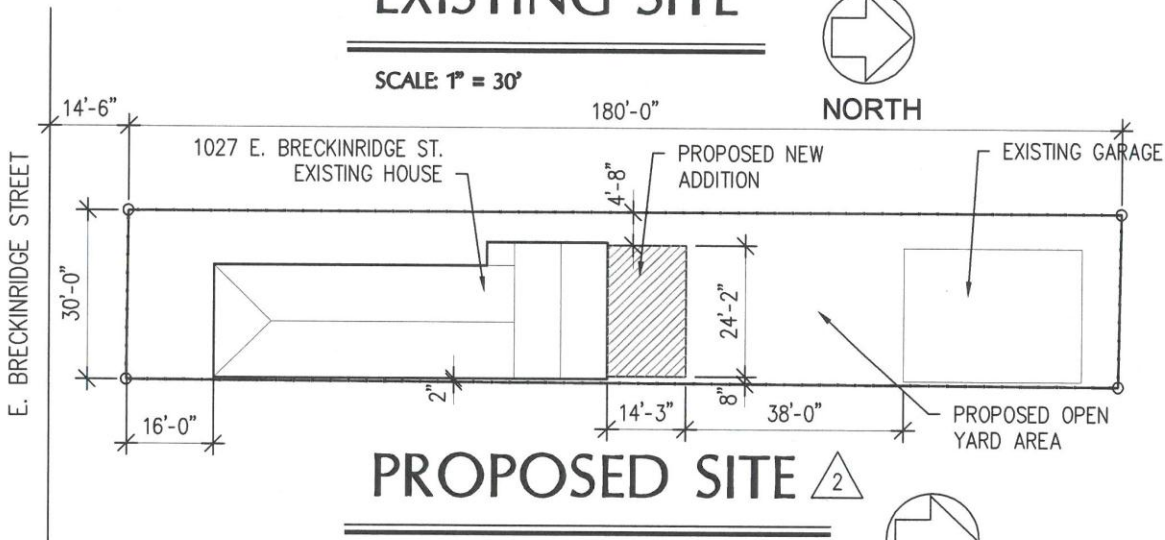


EXISTING SITE

SCALE: 1" = 30'



NORTH

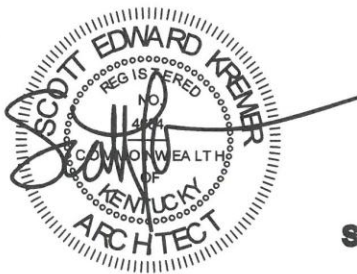


PROPOSED SITE

SCALE: 1" = 30'



NORTH



FLOOR PLANS AND SECTION

PROPOSED RENOVATION
 1027 EAST BRECKENRIDGE ST
 LOUISVILLE, KENTUCKY 40204

DATE: 11-10-2014
 DRAWN BY: sk
 CHECKED BY:
 REVISIONS:
 12-3-2014
 12-30-2014

2
 12-30-2014

14Variance1111

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.

~~It's~~ It's a second story addition in a backyard.

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

It will be a second story on an existing area. It will not increase the size of the footprint + blends in perfectly.

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

It's a home addition

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

It is not changing the existing footprint of the house. The house sits on the lot line + will continue to do this.

Additional consideration:

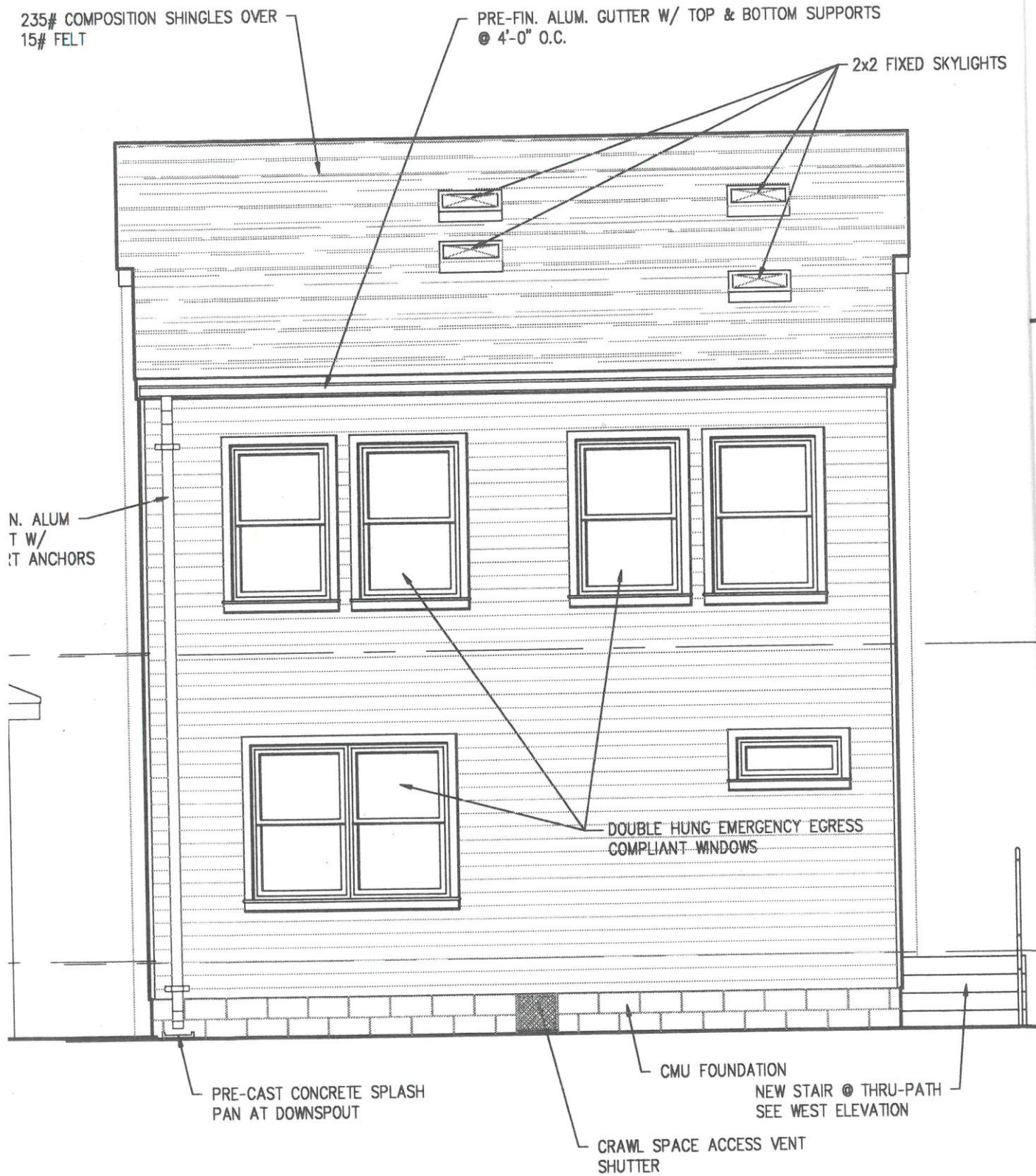
1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

N/A

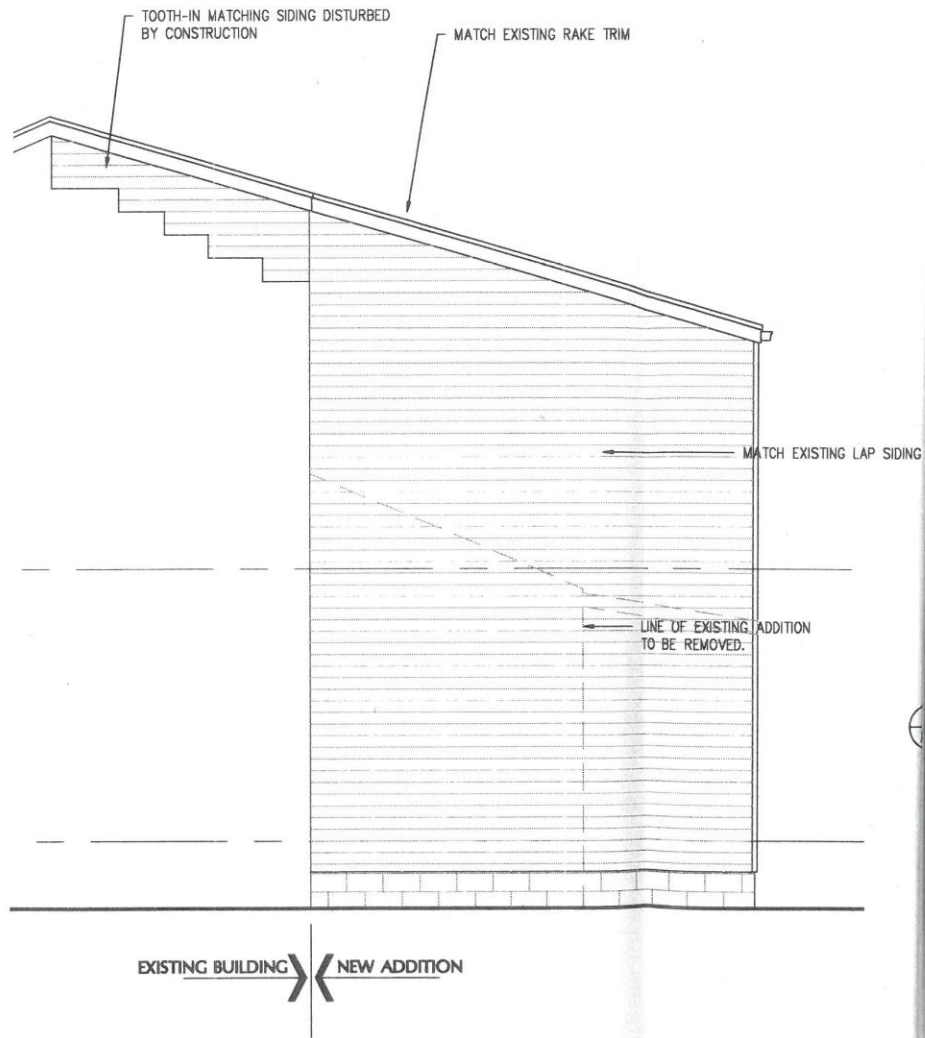
2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

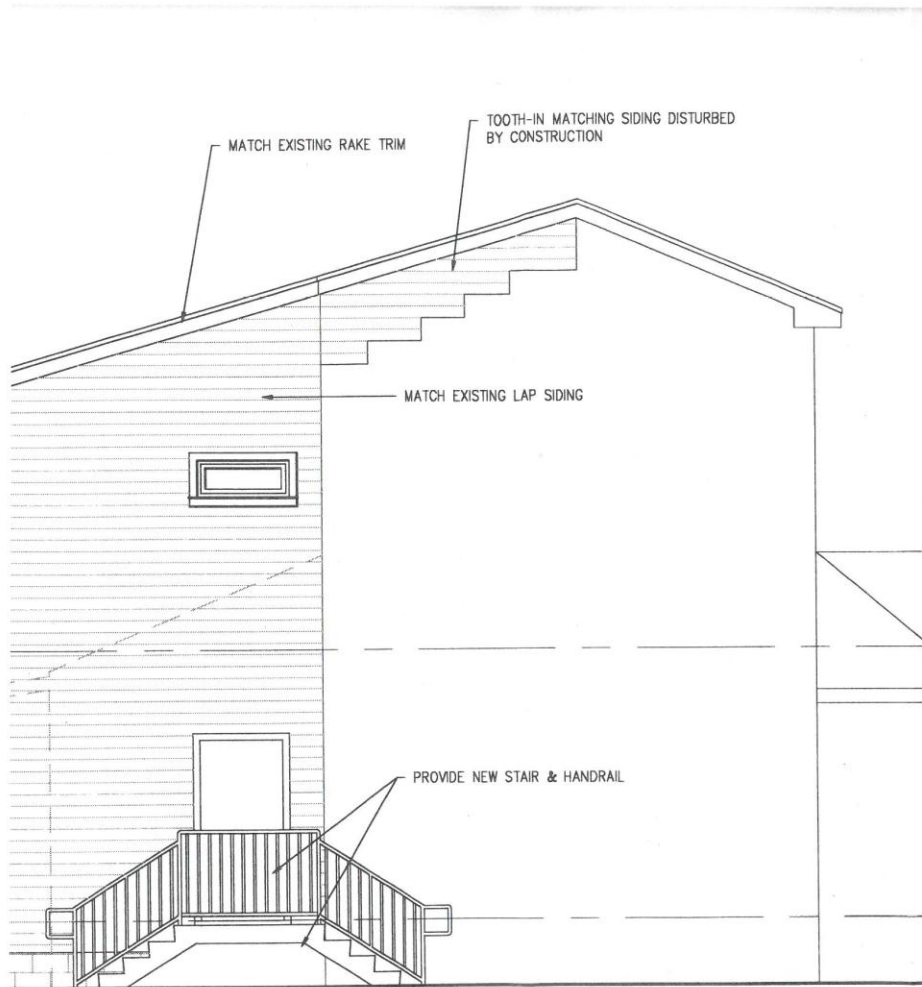
Adding a second story so that this family can continue to raise their 4 children is all we are doing. They cannot continue to house their growing children in the current space.

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



PROPOSED NORTH ELEVATION





NEW ADDITION >> EXISTING BUILDING

PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0"





RECEIVED

DEC 15 2014

DRAWING &
DESIGN SERVICES

MVAKIANCIII

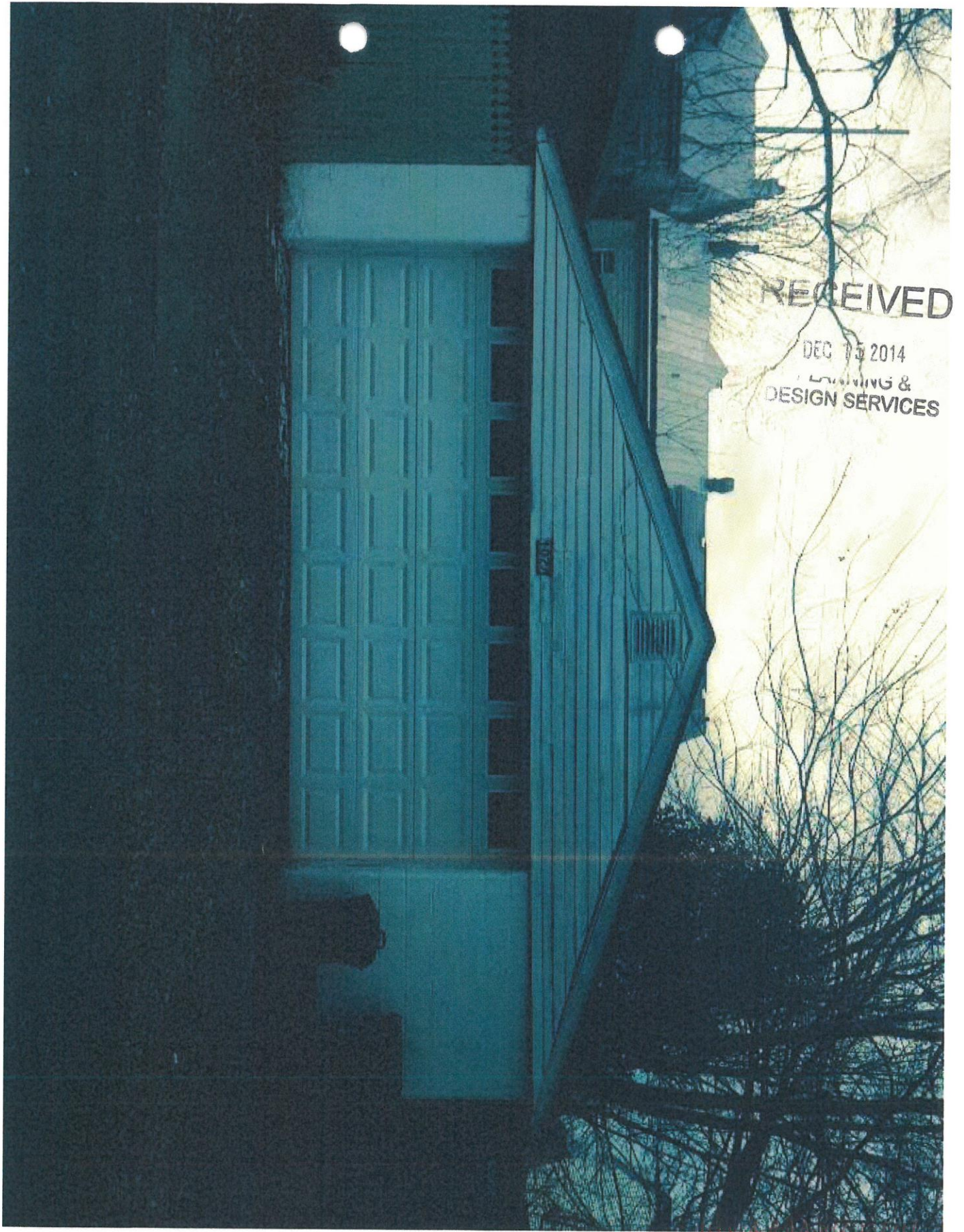


RECEIVED

DEC 15 2014

DRAWING &
DESIGN SERVICES

14VARIANCE1111



RECEIVED

DEC 15 2014

LANDSCAPING &
DESIGN SERVICES

14VARIANCE.COM