



# 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 5<sup>th</sup> 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 5.2.2 of the Land Development Code, to allow encroachment into the front yard setback.

Primary Project Address: 232 E Jacob Street

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 030B00190000

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: Multi-family Residential Existing Use: Religious Facility

Existing Zoning District: C2 Existing Form District: TN

Deed Book(s) / Page Numbers<sup>2</sup>: 12250 / 766

The subject property contains 0.77 acres. Number of Adjoining Property Owners: 1

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)*<sup>1</sup>  Yes  No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

**Contact Information:**

**Owner:**  Check if primary contact

**Applicant:**  Check if primary contact

Name: \_\_\_\_\_

Name: Ramona Vasta

Company: LDG Land Holdings LLC

Company: LDG Development

Address: 1469 S. 4th Street

Address: 1469 S. 4th Street

City: Louisville State: KY Zip: 40208

City: Louisville State: KY Zip: 40208

Primary Phone: 502-638-0534

Primary Phone: 502-916-2427

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: rvasta@ldgdevelopment.com

**Owner Signature (required):** 

**Attorney:**  Check if primary contact

**Plan prepared by:**  Check if primary contact

Name: Cliff Ashburner

Name: Matt McLaren

Company: Dinsmore & Shohl LLP

Company: Gresham Smith

Address: 101 S. 5th St, Ste 2500

Address: 111 W. Main Street

City: Louisville State: KY Zip: 40202

City: Louisville State: KY Zip: 40202

Primary Phone: (502) 540-2382

Primary Phone: (502) 627-8926

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: Clifford.Ashburner@DINSMORE.COM

Email: matt.mclaren@greshamsmith.com

**Certification Statement:** A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Chris Dischinger, in my capacity as Owner, hereby *representative/authorized agent/other*

certify that LDG Multifamily LLC is (are) the owner(s) of the property which *name of LLC / corporation / partnership / association / etc.*

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature:  Date: \_\_\_\_\_

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

## **VARIANCE JUSTIFICATION**

### **232 E. Jacob Street**

The proposed variance, which will permit the applicant to encroach into the front yard setback requirement under Section 5.2.2 will not adversely affect the public health, safety, or welfare. The applicant proposes to develop an affordable multi-family residential community on the subject property. The proposed variance will not result in any impact to adjacent lots and will not affect the adjacent sidewalks. The accessibility of the building will also be maintained. The proposed variance is necessary to permit the applicant to fully utilize this property while still providing adequate screening to adjacent commercial lots.

The variance will not alter the essential character of the general vicinity. The subject property was previously the location of a synagogue housed within a 3-story building built to the street. The proposed development will be taller but will also be built close to the right of way line. While the subject property is in the Traditional Neighborhood Form District, it is adjacent to property in the Downtown Form District. The proposed variance will create a transition between the Traditional Neighborhood and Downtown Form Districts.

The variance will not cause a hazard or nuisance to the public as the applicant proposes to deviate from the setback as little as possible. The adjacent sidewalks will continue to be a minimum of 5' wide. The southern portion of the property facing the brick alley requires an underground detention area. The proposed variance provides necessary space for the detention area. A needed retention basin to collect runoff is essential in this part of our community.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The adjacent property uses are commercial. The minimal reduction to the required front yard setback will have no impact on surrounding properties and reflects the condition of the site before the synagogue was destroyed by fire.

The strict application of the regulations would create an unnecessary hardship on the applicant. Due to the layout of the property and the limited space for expansion, the proposed variance effectively provides maximized usage and adequate screening to the adjacent properties, sidewalks, and roadway.

The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance as the applicant has not yet developed or taken any action with respect to the property.