

16VARIANCE1067

1600 Cherokee Road



Louisville Metro Board of Zoning Adjustment

Public Hearing

Ross Allen, Planner I

October 17, 2016

Request(s)

- **Variance:** from the Land Development Code section 4.4.3.A.1.a to allow an existing metal aluminum/wrought iron fence of 7.5 feet to exceed the 3.5 foot maximum height in the front yard along Bonnycastle Avenue for an R-7 zoned parcel in a Traditional Neighborhood Form

Location	Requirement	Request	Variance
Front Yard Height	3.5 feet	7.5 feet	4 feet

Case Summary / Background

- The applicant has constructed a 7.5 foot tall fence in the street side yard along Bonnycastle Avenue, the fence was encroaching into the public right of way.
- Conditions of approval if variance is granted:
 - Applicant would apply for a Right of Way License Agreement between the owner and Metro Public Works (a fee paid).
 - Louisville Metro will need to be named on the owner's insurance policy as an Additional Insured and maintained for an amount to be determined by the Dept. of Public Works.

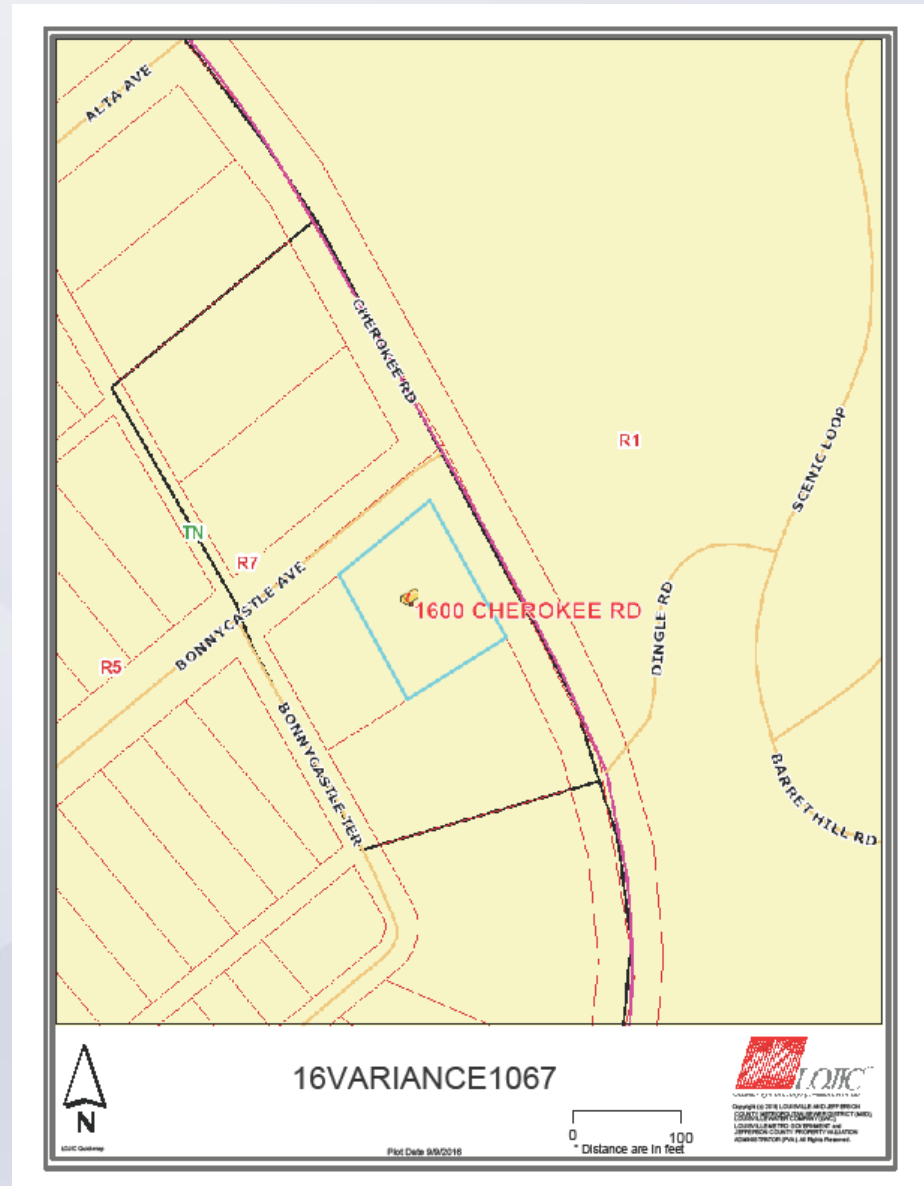
Zoning/Form Districts

Subject Property:

- Existing: R-7/Traditional Neighborhood
- Proposed: R-7/Traditional Neighborhood

Adjacent Properties:

- North: R-7/Traditional Neighborhood
- South: R-7/Traditional Neighborhood
- East: R-1/Traditional Neighborhood
- West: R-7/Traditional Neighborhood



Aerial Photo/Land Use

Subject Property:

- Existing: Residential Multi-Family
- Proposed: Residential Multi-Family

Adjacent Properties:

- North: Residential Multi-Family
- South: Residential Multi-Family
- East: Residential Single Family
- West: Residential Multi-Family



Site Photos-Subject Property



Looking Cherokee Road at the Subject Site, fence is to the right.

Site Photos-Subject Property



The existing fence in the street sideyard, looking from Cherokee Road towards Bonnycastle.

Site Photos-Subject Property

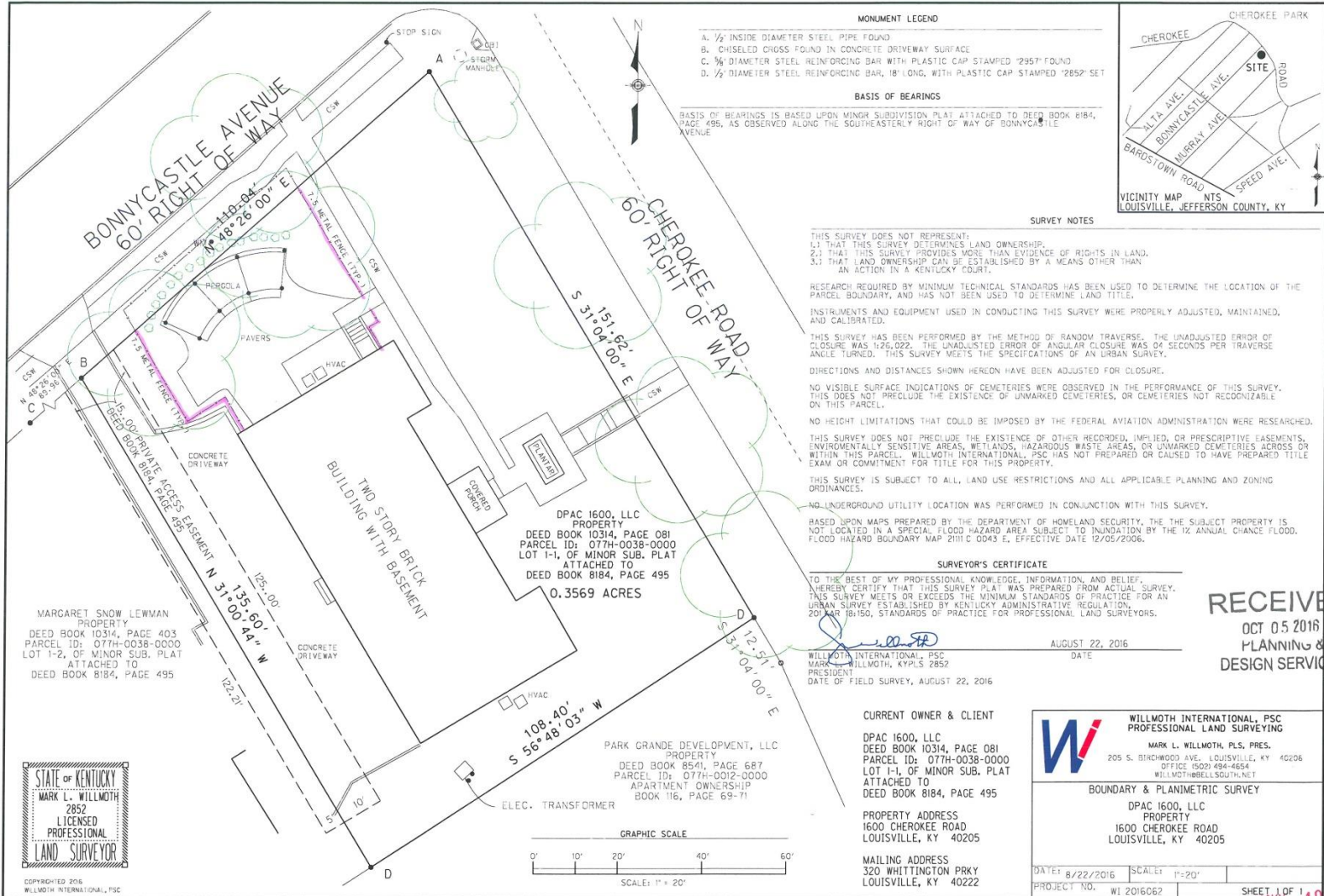


Surrounding-Subject Property



Looking at the fence along the rear of the subject property, to the left is a private access easement leading to Bonnycastle Ave.

Applicant's Site Plan



Conclusions

- The variance request appears to be adequately justified and meets the standard of review.
- The Board of Zoning Adjustment must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code from section 4.4.3.A.1.a to allow an existing metal aluminum/wrought iron fence of 7.5 feet to exceed the 3.5 foot maximum height in the front yard along Bonnycastle Avenue.

Required Actions

- **Variance:** from the Land Development Code section 4.4.3.A.1.a to allow an existing metal aluminum/wrought iron fence of 7.5 feet to exceed the 3.5 foot maximum height in the front yard along Bonnycastle Avenue for an R-7 zoned parcel in a Traditional Neighborhood Form Approve/Deny
- **Conditions of approval if variance is granted:**
 - Applicant would apply for a Right of Way License Agreement between the owner and Metro Public Works (a fee paid).
 - Louisville Metro will need to be named on the owner's insurance policy as an Additional Insured and maintained for an amount to be determined by the Dept. of Public Works.