



# Variance Application

Louisville Metro Planning & Design Services

Case No.: 17 DEVPLAN 1199

Intake Staff: HP

Date: 10/23/17

Fee: \$600.00

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.C.2 of the Land Development Code, to allow A building height greater than 45 feet or three stories.

Primary Project Address: 938 E. Kentucky Street

Additional Address(es): 913 E. St. Catherine St.

Primary Parcel ID: 022H00680000

Additional Parcel ID(s): 022H00470000

Proposed Use: Residential Lofts Existing Use: Vacant Warehouse

Existing Zoning District: EZ1 Existing Form District: TNFD

Deed Book(s) / Page Numbers<sup>2</sup>: D.B. 6769, Pg. 204 & D.B. 7199, Pg. 598

The subject property contains 0.299 acres. Number of Adjoining Property Owners: 9

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 #: \_\_\_\_\_

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## **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.**

The variance will have no greater impact than the structure already has. The existing building is 57 feet tall. Redevelopment of the building into residential units will increase the integration of the structure into the existing neighborhood.

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

Adjacent buildings exceed the height of the proposed structure and the construction on the existing roof will not be visible from the street or sidewalk.

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

The redevelopment of this lot will convert an existing vacant building into a residential structure which will be in line with the neighborhood and adjacent properties.

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

The building has above average floor to floor heights and this variance is to allow for an additional story on the building. The existing building is 57 feet tall and due to the building being constructed to the lot lines. The opportunity to increase height based on additional setback is not available.

*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).**

The building has double height floor to floor heights, which means that the existing structure is oversized for the proposed use.

**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.**

In order to redevelop the property additional residential units are required to make the project feasible. The option to gain additional height due to increasing setback are not an option on the existing building which is constructed to the lot lines.

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

This is an existing building that was built in 1904 and was used as a warehouse. The applicant would like to convert the warehouse into lofts with an additional floor that would accommodate 4 penthouse lofts.

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