

19VARIANCE1059

John Paul Lane Variance



**Louisville Metro Board of Zoning Adjustment
Public Hearing**

**Zach Schwager, Planner I
October 21, 2019**

Request

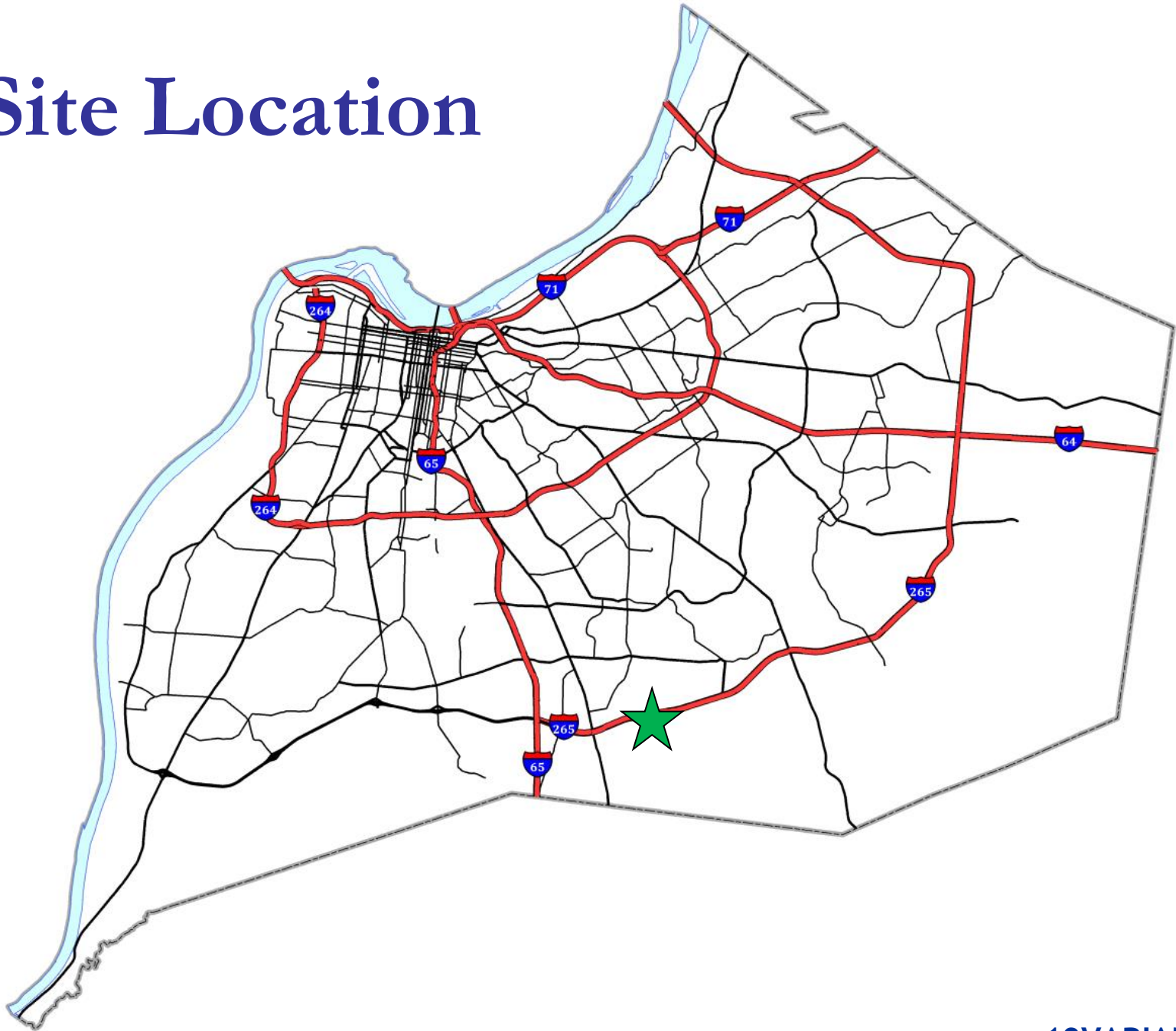
- **Variance:** from Land Development Code section 4.4.3.A.1.a.ii to allow a fence in the side yard setback to exceed in the Neighborhood Form District to exceed eight feet in height.
- **Variance:** from land Development Code table 5.3.1 to allow an existing deck to encroach into the required side yard setback.

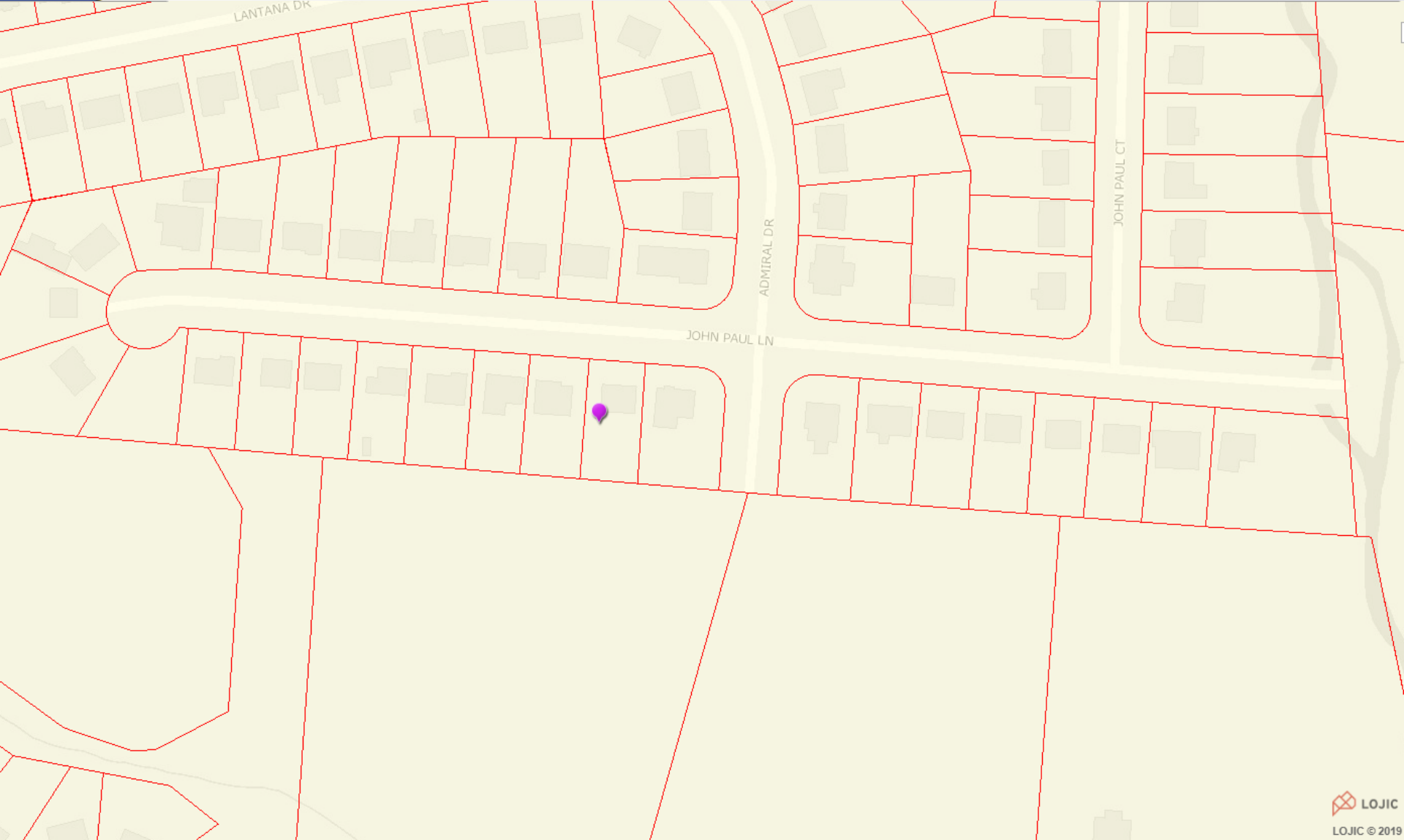
Location	Requirement	Request	Variance
Fence in Side Yard	8 ft.	8 ft. 6 in.	6 in.
Side Yard	5 ft.	0 ft.	5 ft.

Case Summary / Background

- The subject property is located in the Jefferson Meadows Section 1 subdivision. It currently contains a two-story single-family residence. The applicant has constructed a deck that encroaches into the required side yard setback. The applicant has also constructed a fence that is 8 ft. 6 in. in height.
- The applicant therefore requests variances to allow the deck to encroach into the required side yard setback and to allow a higher fence.

Site Location

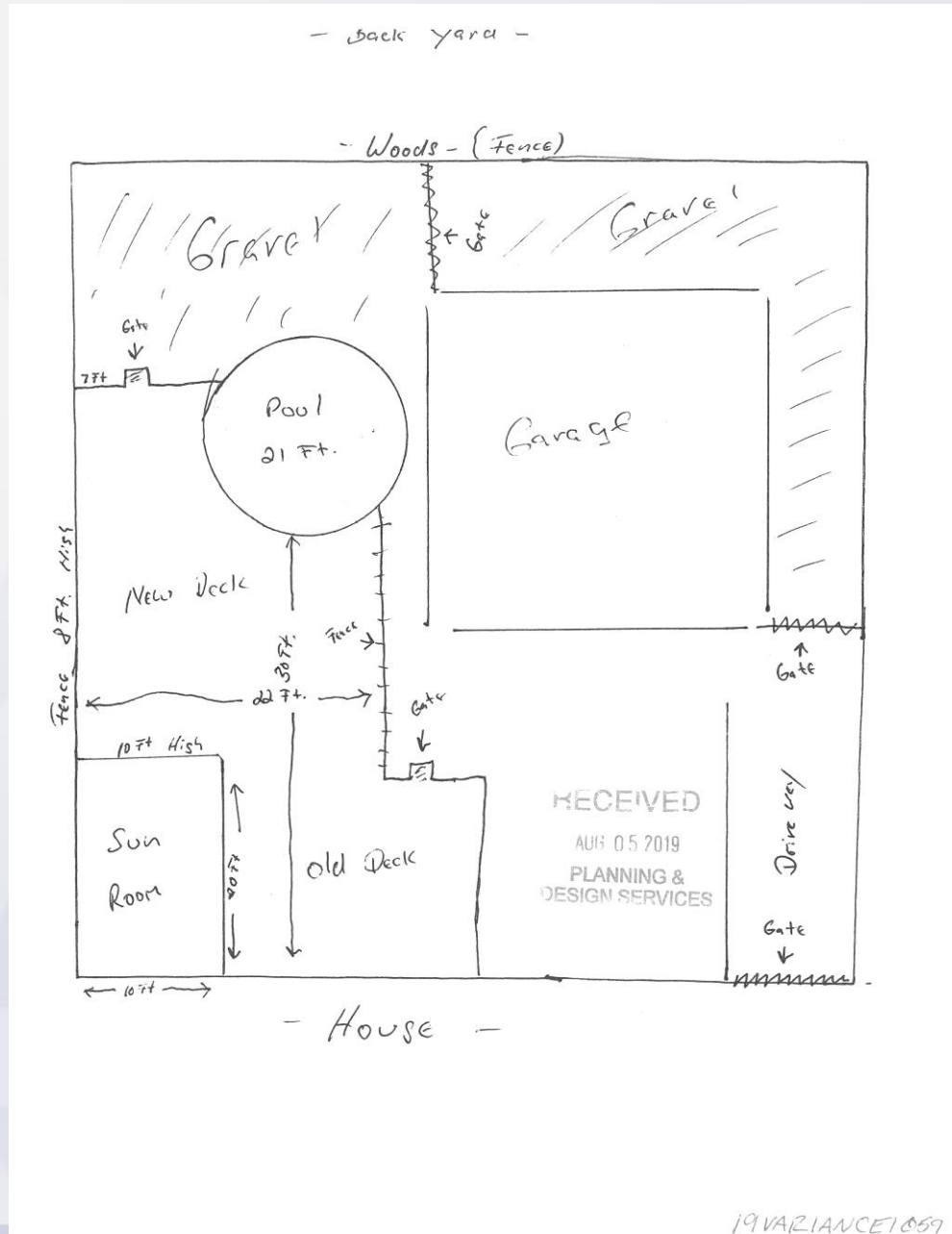






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Site Plan



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Conclusion

- Staff is unable to determine if the requested variances are adequately justified and meet the standards of review. The applicant has agreed to provide a property line survey of the eastern property line to determine if the deck and fence are on the subject property. The applicant requests a continuance until October 21 in order to have the survey completed.

Required Action

- **Variance:** from Land Development Code section 4.4.3.A.1.a.ii to allow a fence in the side yard setback to exceed in the Neighborhood Form District to exceed eight feet in height. Approve/Deny
- **Variance:** from land Development Code table 5.3.1 to allow an existing deck to encroach into the required side yard setback. Approve/Deny

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