

21-VARIANCE-0129

21-WAIVER-0118

**Dixie Highway
Variance and Waivers**



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

Zach Schwager, Planner I

November 1, 2021

Request

- **Variance:** from Land Development Code (LDC) section 5.3.2.C.2.a to allow a structure to encroach into the required side yard setback.
- **Waiver:** from Land Development Code section 10.2.4 to not provide the required Landscape Buffer Area (LBA) along the western property line.
- **Waiver:** from Land Development Code section 10.2.4 to not provide the required LBA along the northern and eastern property lines.

Location	Requirement	Request	Variance
Side Yard	25 ft.	1 ft.	24 ft.

Case Summary / Background

- The subject property is located in Pleasure Ridge Park on the west side of Dixie Highway at the intersection with Paramount Drive.
- The site currently has a one-story commercial structure and the applicant is proposing to construct an addition on the rear of the existing structure.

Case Summary / Background

- It is zoned C-1 Commercial in the Suburban Marketplace Corridor Form District.
- There is no required side yard setback unless adjacent to residentially zoned property or a structure with first floor residential use.

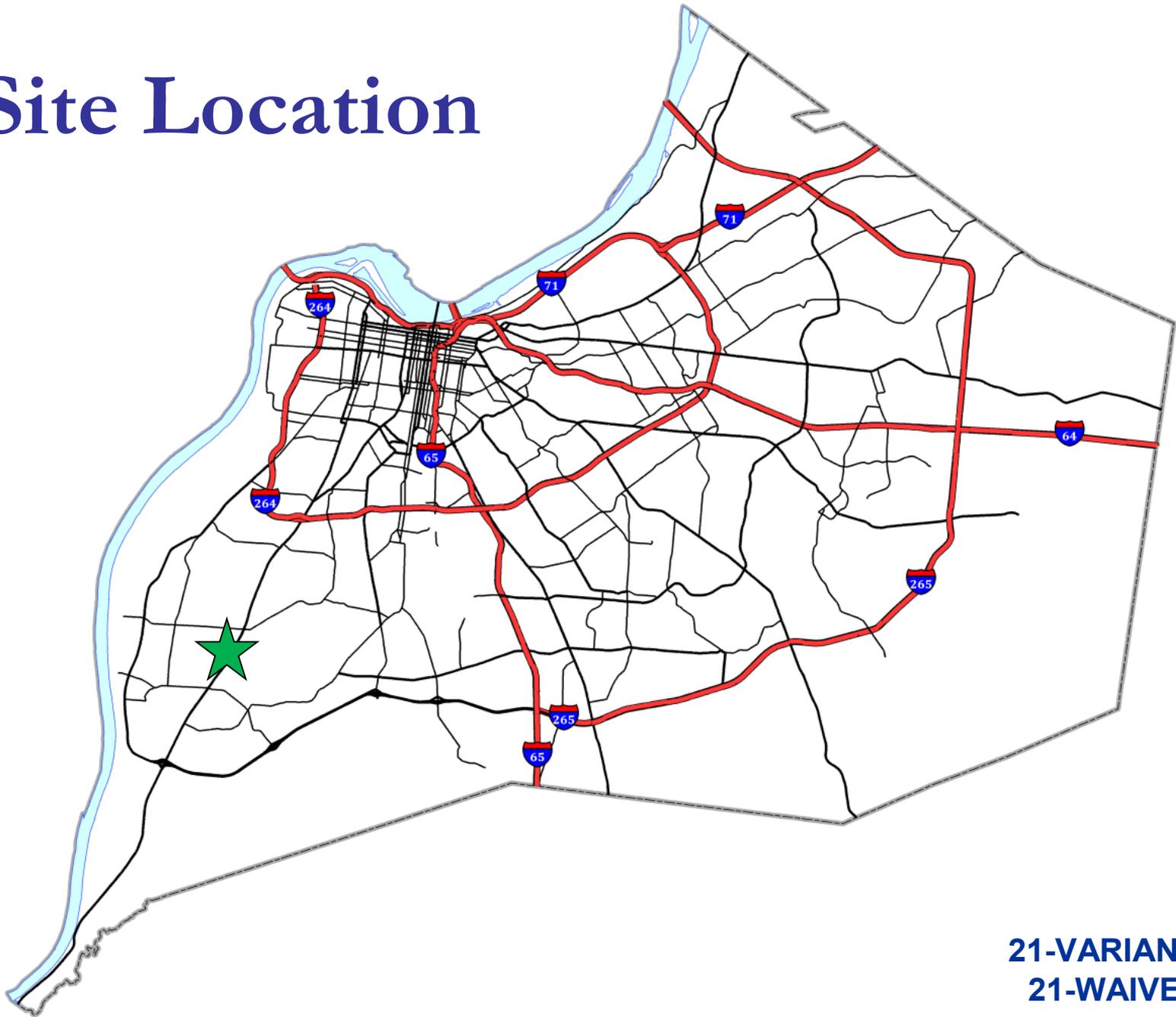
Case Summary / Background

- The property to the west has a multi-family structure with first floor residential use, therefore, the required setback is 25 ft.

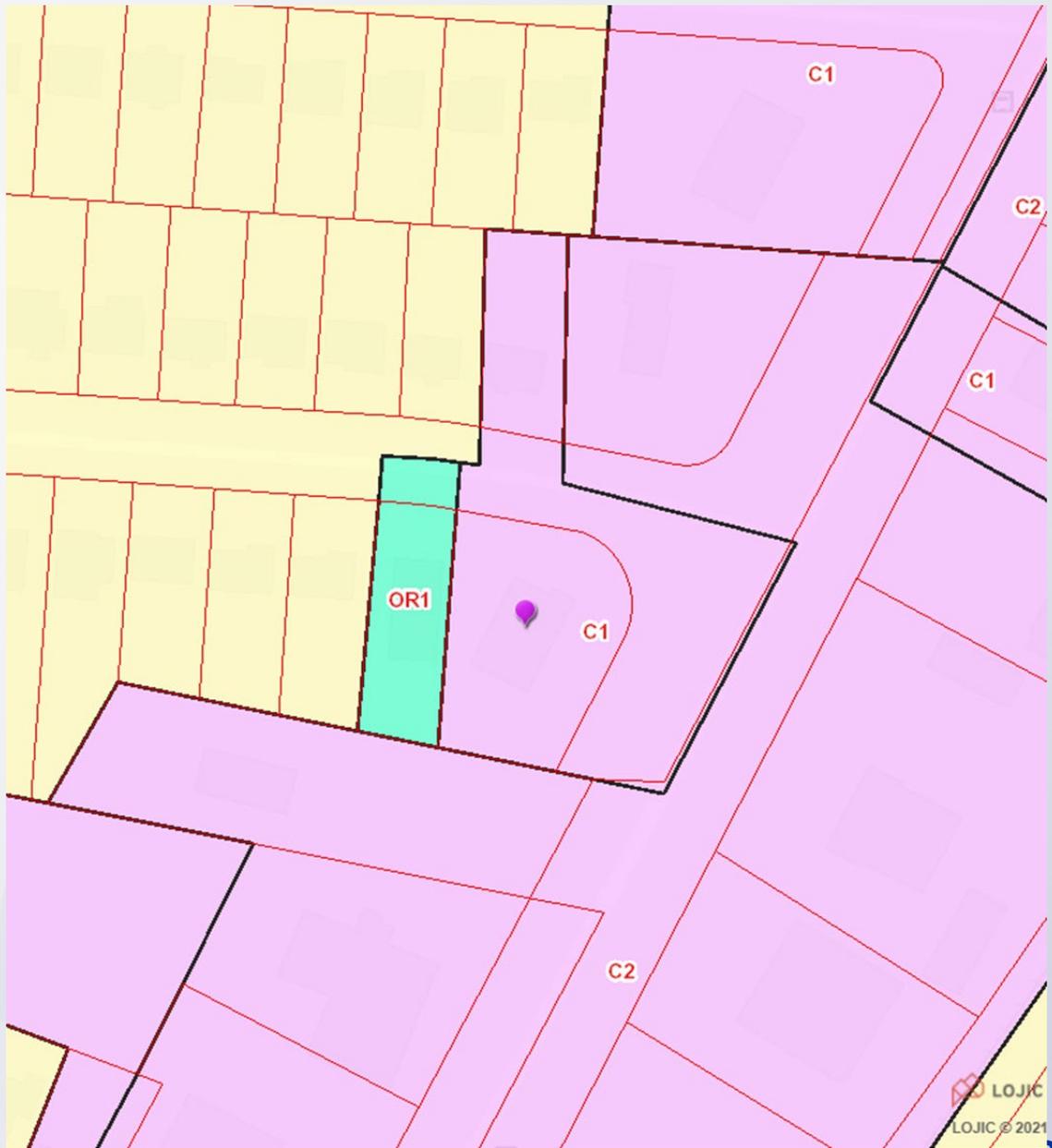
Case Summary / Background

- The proposed addition also requires the applicant to provide LBAs along the eastern, western, and northern property lines.
- The addition will prevent buffering along a portion of the western property line and there are existing trees along a portion of the rest.
- The northern and eastern property lines are within the existing parking lot.

Site Location



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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 finds that the requested variance meets standards (b), (c), and (d), but staff is concerned that the variance request does not meet standard (a) because construction and maintenance of the addition may have an adverse impact on the adjoining property owner.

Conclusion

- Staff finds that the requested waivers to not provide the LBAs along the eastern, western, and northern property lines are adequately justified and meet the standards of review.

Required Action

- **Variance:** from Land Development Code (LDC) section 5.3.2.C.2.a to allow a structure to encroach into the required side yard setback.
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