

**APTITUDE 4<sup>TH</sup> STREET, LLC**

**2400-2420 S. Fourth Street.**

**VARIANCE JUSTIFICATION**

The proposed variance, which will allow for a ten story student apartment building, will not adversely affect the public health, safety or welfare. The proposed structure will have two stories of parking, and eight stories of housing. The proposal is appropriate for the area as it is located one block from the University of Louisville main campus, and is bordered to the east across Fourth Street by four-story student housing developments known as The Arch Apartments and Reynolds Lofts. The proposed development will comply with all aspects of the Land Development Code (LDC) for a residential building of its size, and will include a multi-level parking garage on the lower levels of the building to accommodate the parking needs of residents and minimize impacts on the surrounding neighborhood.

The variance will not alter the essential character of the general vicinity as the height of the proposed building is consistent with the other student apartment buildings nearby. The subject property is located one block from the University of Louisville main campus, and is bordered to the east across Fourth Street by four-story student housing developments known as The Arch Apartments and Reynolds Lofts. The applicant's proposed student housing building will be very similar in appearance, density, and use as these neighboring properties, but will have the added benefit of a built-in parking garage, without which the proposed building would be nearly identical in height and density to the surrounding student apartment buildings.

The variance will not cause a hazard or nuisance to the public. The proposed development will comply with all aspects of the LDC for a residential building of its size, and will include a multi-level parking garage on the lower levels of the building to accommodate the parking needs of residents and minimize impacts on the surrounding neighborhood and the need to create additional off-street parking lots.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The proposal balances the need for off-street parking and the size limitations of the subject property. The variance will allow for a denser development while still providing all necessary parking on-site.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The variance is the result of the need to create off-street parking on the site sufficient to service a multi-story student apartment building within the size limitations of the subject property. The other student apartment buildings in the area have large lots that accommodate multi-story apartment buildings and off-street surface parking lots. The small size of the subject property requires a multi-story parking garage to service a similar density student apartment building, which in-turn requires variance from the height restrictions of the LDC.

The strict application of the regulations would create an unnecessary hardship because the size of the subject property limits the possible configurations of the property to accommodate

both a multi-story student housing building and the requisite off-street parking. Strict application of the regulations would force the applicant to significantly reduce the number of housing units and/or on-site off-street parking spaces. The proposed variance will permit the applicant to provide student housing that is similar in density to surrounding apartment buildings while offering the requisite number of on-site off-street parking spaces.

The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance but are, instead, the result of misapplication of the height requirements to this property for what will essentially be a commercial use. The proposed building will be very similar in appearance, density, and use as the other student apartment buildings across Fourth Street and near the University of Louisville campus, but will have the added benefit of a built-in parking garage.

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