

Kevin ORR
235 8899

Variance Staff Checklist

Date: 4/25/05 Intake Staff: JBW Docket Number: B-74-05 Fee: \$ 201

1. Completed Variance application

Question 1: Must have Section and subsection numbers of regulation;

The blank after "to permit" should have "existing" or "proposed" (structure, addition, garage, etc.) in the (front, side, rear) yard.

Question 5: a. Examples of Special Circumstances are "Topography", "Width & size of lot", "Location of existing home or structures on site."

b. What would happen if the variance were not granted? Example: "The (structure) could not be built."

c. Did the owner create the need for the variance? The answer must have more information than just "No". Example: "The owner did not create the lot or build the home on the site."

d. Will the proposed structure have an adverse impact on the neighborhood? Example: "Other homes in the area have enclosed porches in the required front yard. The proposed enclosure will not have an adverse impact on the neighborhood."

Certification Statement, if the owner is in the form of a partnership, corporation, or company

2. Development Information Sheet

3. Current Deed – Compare the owner's signature on the application with the deed. The deed must be recorded and every page submitted. End of Document Stamp on last page.

4. Legal description as shown on the deed on a separate 8 1/2" X 11" sheet of paper. *make copy*

5. Non-hearing form, affidavits, photographs, supporting documents, Certification Statement & other documents, if needed.

6. Land Use Restriction form.

7. Three copies of the drawing of the property and its surroundings.

A plan drawn to a reasonable scale

Vicinity map that shows the

North arrow.

Street name(s) abutting the site.

Property dimensions.

Building limit line.

Electric, telephone, drainage easements with dimensions.

Existing and proposed structures with dimensions and distance from property lines.

Ask the applicant to highlight (in yellow) the location of the variances.

8. Cash or check made payable to Louisville and Jefferson County Planning Commission.

Single-Family Use: \$70 Multi-Family Use & Churches: \$180 All other Uses: \$450 (Circle one)
Plus \$21 Clerk's fee for Land Use Restriction Form

(Note: If two or more applications requiring a land use restriction form are submitted simultaneously for the same site, only one \$21 Clerk's fee is required in addition to the application fees.)

he thought he needed a variance for a curb cut in his driveway

an architect's (1/8" = 1')].
the nearest intersecting street.

RECEIVED

APR 28 2005

PLANNING & DESIGN SERVICES

- _____ 9. At the time of submittal for Non-Hearing Variance cases, the Customer Service Staff will make a zoning map of the subject site with the addresses of the site and adjoining properties on it. Also, the staff will check to make sure that the Applicant has submitted the signatures of the adjoining property owners that are required for that specific case.
- ✓ _____ 10. If the above information and materials are submitted, assign the next docket number from BOZA log in G:\Logs\BOZA Case List, complete the BOZA log and the top of application form.
- ✓ _____ 11. Assign the next public hearing date with the appropriate Board (City of Louisville or Jefferson County), found in G:\Logs\BOZA Public Hearing Log and under the appropriate type of hearing (Public or Non-Hearing). Check Deadline Date. Include the docket number, date of filing, type of application, name of applicant and site location.

Note: Do not assign a date if this is a variance resulting from a dedication of right-of-way. This type of variance is approved by staff.

- ✓ _____ 12. Fill out a Blue Card identifying the docket number, time and date for the public hearing and give to the person submitting the request.
- ✓ _____ 13. Fill out a receipt (\$10.50 Clerk's Fee, other \$ in BOZA), sign it and give it to the applicant. Put the Docket No. on the bottom left of the check, stamp the back with the endorsement stamp and put in envelope in the file cabinet. Put money in cash drawer.
- _____ 14. Attach the material in the file folder in the following order from bottom to top.
- a. Copy of Refusal or letter from citing official
 - b. Application
 - c. Part 2 Submittal Sheet
 - d. Part 1 and attached DPI Sheet
 - e. Part 3 Environmental Constraints Checklist
 - f. Legal description on separate 8 ½" X 11" sheet of paper
 - g. Deed
 - h. Affidavits, photographs, or supporting documents/information
 - i. Drawing of the property
 - j. Checklist.
 - k. Land Use Restriction form (not attached).
- _____ 15. Stamp the date received on each page of all materials submitted.
- _____ 16. Write the docket number in **RED** in the lower right hand corner of each page.
- _____ 17. Create a blue label from the samples. The path is G:\Customer\Boza\Samples\Variance.doc
- _____ 18. For non-hearing variances, put a yellow tag on the edge of the folder.
- _____ 19. Put the folder in the BOZA file drawer.

3a. This requested variances requires an access to be developed from Rosewood Ave. to the proposed new structure. The property at 1505 Rosewood has designated parking in the rear on the alley and these garage structures preclude access to the new building. The lot adjacent to 1505 Rosewood is very desirable property in this neighborhood and in order to be developed, with parking on site, a curb cut is required. There are a significant number of existing driveways on the street that provide access including the following: 1401, 1405, 1442, 1444, 1506 Rosewood and 1335 Castlewood.

3b. Strict application of the regulations would not allow vehicular access to the lot for residents. This is the only way to have access to the proposed building. Without this access it would require more on street parking and limit access to the building to external entrances. The reasonable use of the land is for development as residential housing consistent with the neighborhood. Without the access from Rosewood Ave. to the property, the development potential is significantly, if not completely, adversely rendered to a marginal value.

3c. These circumstances are the result of the zoning and building codes over the history of the property at 1505 Rosewood. The development of this property existed prior to current code development and supercedes all of its context (streets, alleys, neighboring buildings). Parking for property owners in the neighborhood are a mixture of driveways, alley garages, and street parking. This variance will get the lot as close as possible to current zoning codes while maintaining the nature of the property.

3d. Given the historic significance of the property and its importance to the history of the neighborhood it would be advantageous to make this lot consistent with the context. It will certainly not adversely affect public health, safety or welfare and will not alter the essential character of the general vicinity. By providing an access to the property from Rosewood Ave., a significant amount of on street parking would be eliminated and it would provide convenient access to the property owners. It is not an unreasonable request and does not create a nuisance or hazard. There are no utilities that will be adversely affected by the request. There is a minor character alteration that would occur since access requires minimal disturbance of a slope greater than 20% at the very entrance (4.7.5 A-1) that would be landscaped to meet all requirements of the planning and zoning codes.

RECEIVED

APR 25 2015

PLANNING &
DESIGN SERVICES