

Email:

Email: jr@architecturalartisans.net

Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Jeff Rawlins, in my capacity as **ARCHITECT**, hereby
plan preparer
representative/authorized agent/other

certify that Anne Fuller is (are) the owner(s) of the property which
Shelby Market LLC name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: [Signature] Date: 11/14/22

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

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.

- **Explain how the variance will not adversely affect the public health, safety or welfare.**

The existing single story structure is allowed to remain as non-conforming, The addition of a second floor of short term rental adjacent to a single family residential structure under the same ownership will not negatively impact anyone.

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

Examples of two and two and a half story commercial buildings exist immediately across Spring Street

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

The wall of the second floor new construction and existing first floor will be rated construction. No windows or openings will exist on the new addition facing the adjacent property.

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

The addition does not violate C-1 zoning, only the 5'-0" side yard set back that is only required due to being adjacent to SF Residential. As the second floor addition is similar to other commercial properties in the adjacent area, this is not felt to be an unreasonable circumvention.

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PLANNING & DESIGN SERVICES

Additional consideration:

22-VARIANCE-05

- Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).
- 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.
- Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

Please submit the completed application along with the following items:

Project application and description

- Land Development Report¹
- A copy of the current recorded deed² (must show "End of Document" stamp on last page)
- Legal description on a separate 8.5 x 11" sheet of paper

Site plan, drawings, and photographs

- One elevation drawing for new construction (including home additions, garage additions, and fences)
- Six copies of the site plan or building rendering (whichever is applicable), including the following elements. LOJIC maps are not acceptable. *See site plan example on the last page.*
 - Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
 - Vicinity map that shows the distance from the property to the nearest intersecting street
 - North arrow
 - Street name(s) abutting the site
 - Property address, parcel ID, and dimensions
 - Building limit lines
 - Electric, telephone, drainage easements with dimensions
 - Existing and proposed structures with dimensions and distance from property lines
 - Highlight (in yellow) the location of the variances

Supplemental documentation

- A copy of Refusal Letter from citing official, if applicable (**required** if a STOP WORK ORDER or CITATION has been received)
- If the proposed structure encroaches into an easement (MSD, LG&E, or Bell South), then the applicant must submit written documentation from the utility company indicating approval for the encroachment

Mailing labels to notify Adjoining Property Owners (APOs)³

- One set of legible mailing label sheets for: 1st tier APOs and those listed on the application
- One copy of the APO mailing label sheets

Requirements for Non-Public Hearing Applications Only