



# 26-VARIANCE-0095

Board of Zoning Adjustment  
Staff Report  
August 17, 2026

## Tennis Boulevard Garage

**Location:** 13512 Tennis Boulevard  
**Applicant:** Estate of Charles McCandless Sr.  
**Representative:** Christopher McCandless  
**Jurisdiction:** Louisville Metro  
**Council District:** 14 – Crystal Bast  
**Case Manager:** Abby Bills, Planner I

### REQUEST & RECOMMENDED ACTION

1. **26-VARIANCE-0095:** Variance from Land Development Code Section 5.4.2.C.2 to allow a proposed accessory structure to encroach into the Street Side Yard Setback of 15 feet. (Proposed Street Side Yard Setback of 5 feet, for a Variance of 10 feet).
  - Staff finds the justification for the request is adequate and recommends the Board of Zoning Adjustment **APPROVE** the Variance.

### CASE SUMMARY

The subject site is currently zoned R-4 Single-Family Residential within the Neighborhood Form District on 0.3 acres, located at the intersection of Tennis Boulevard and Nathan Hale Way. The parcel is currently developed as a single-family residence with an existing accessory structure adjacent to the home. The applicant is proposing to demolish the existing accessory structure and construct a 1,200 square foot garage in its place. The proposed garage will be encroaching into the street side yard setback along Nathan Hale Way, therefore a Variance is being requested.

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

**STAFF FINDING:** The requested variance will not adversely affect the public health, safety, or welfare because the garage is located adjacent to a dead-end street and will not impede the safe movement of vehicular or pedestrian traffic along Nathan Hale Way. The structure will additionally have to comply with building code regulations.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

**STAFF FINDING:** The requested variance will not alter the essential character of the general vicinity as the proposed structure will match the setbacks of multiple other accessory structures on corner lots in the general area.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

**STAFF FINDING:** The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property, as nearly every corner lot in the general area is a similar size and has a similar orientation of the principal structure on the lot. However, many of the nearby corner lots feature accessory structures projecting past the principal structure and into the front and street side yards, similar to the applicant's proposal.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

**STAFF FINDING:** The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the orientation of the principal structure on the corner lot significantly reduces space for accessory structures in the side and rear yards, depriving the applicant of compliant space to construct a garage.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

**STAFF FINDING:** The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant has not yet constructed the proposed building.

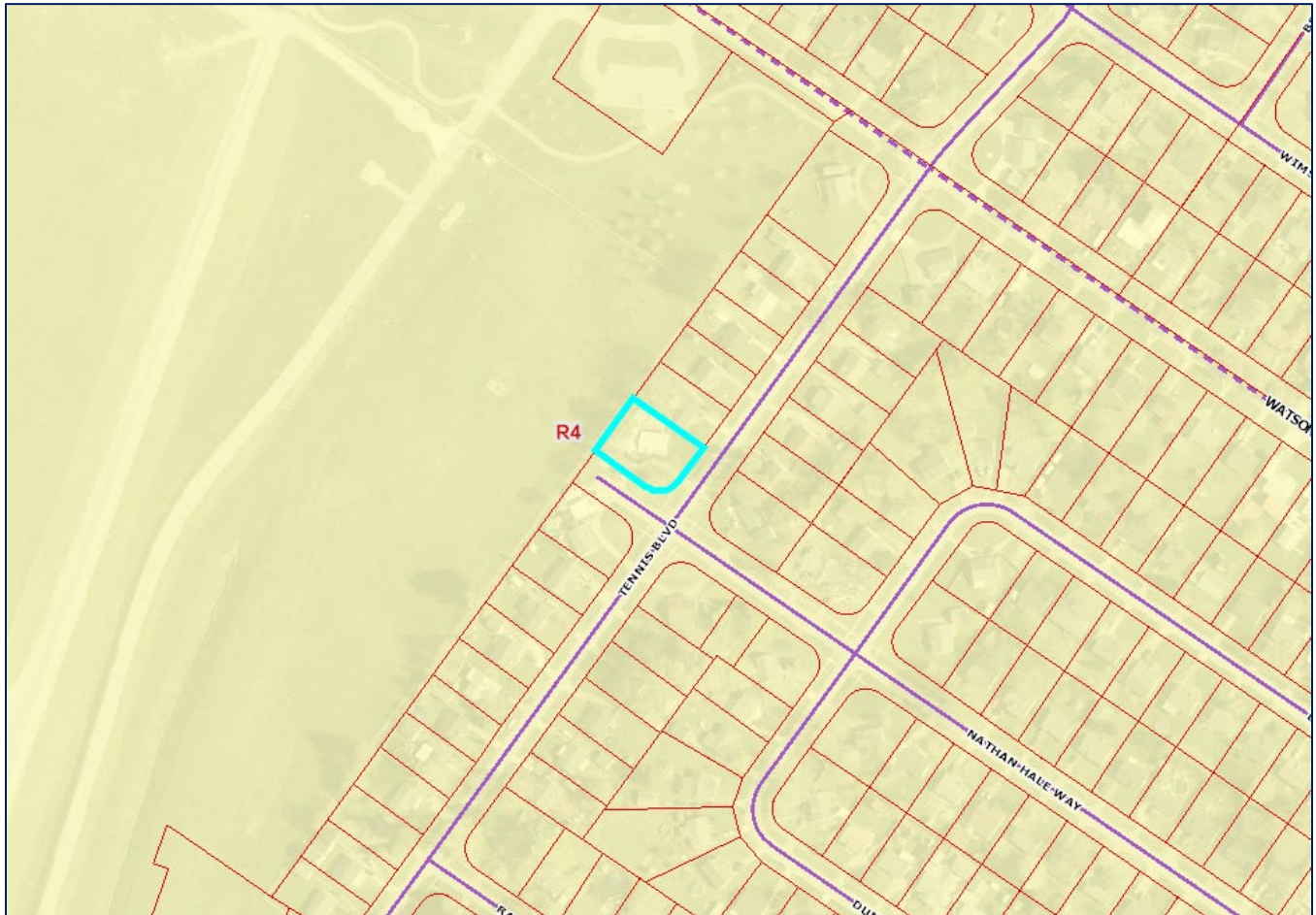
#### **NOTIFICATION**

| DATE      | PURPOSE OF NOTICE                         | RECIPIENTS                                                                                                      |
|-----------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 7/29/2026 | Board of Zoning Adjustment Public Hearing | 1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 14 |
| 7/31/2026 | Board of Zoning Adjustment Public Hearing | Sign Posting on Property                                                                                        |

#### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



**2. Aerial Photograph**

