

**21-VARIANCE-0011, 21-WAIVER-
0016 & 21-WAIVER-0017
Scooters Coffee Shelbyville Road
Variance and Waivers**



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

Rachel Mandell, Planner I

March 15th, 2021

Request

- **Variance:** from the Middletown Land Development Code section 5.5.1.A.2 to allow a structure to exceed the maximum setback.

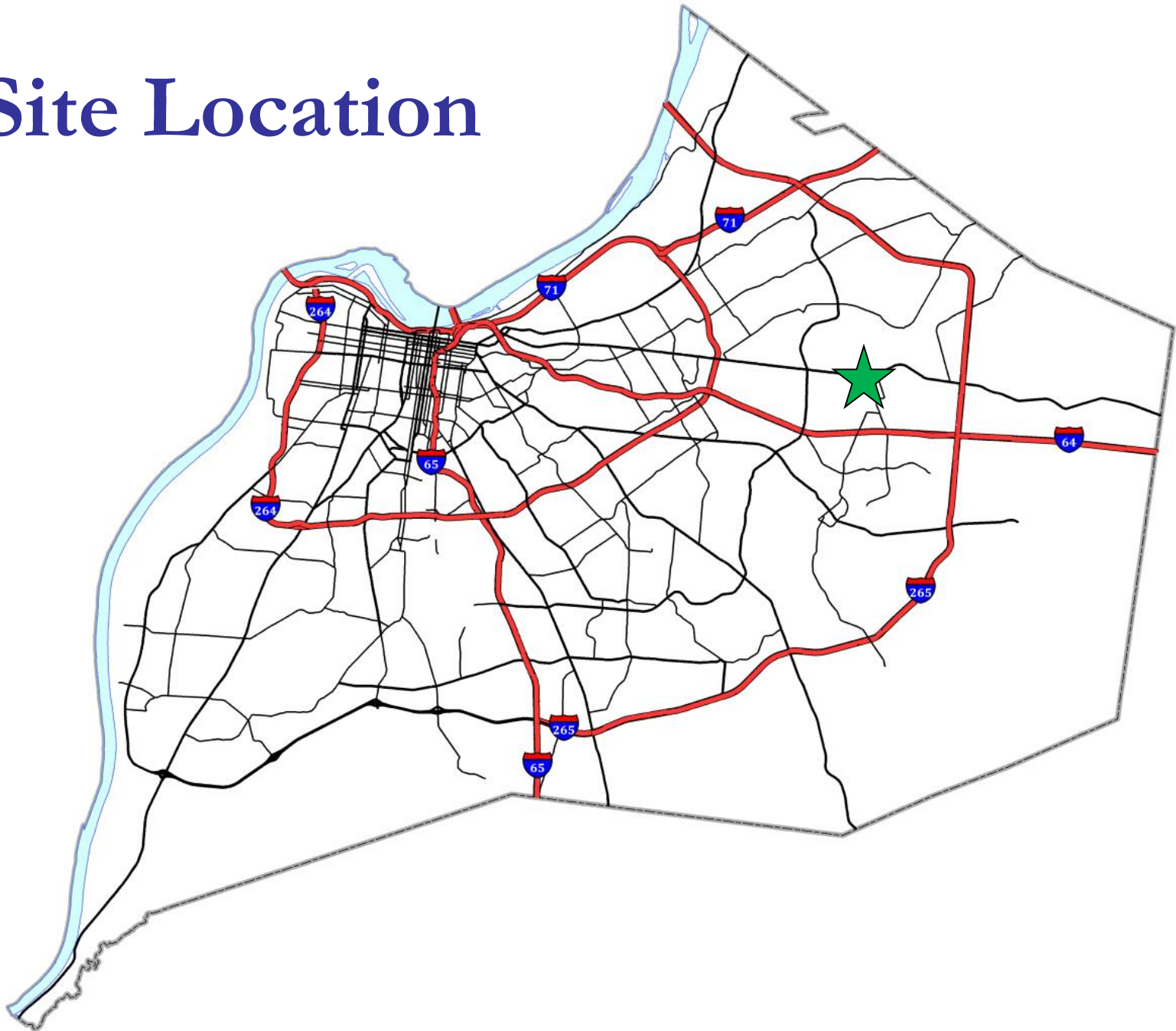
Location	Requirement	Request	Variance
Street Side Yard	0ft	87.80ft	87.80ft

- **Waiver:** from the Middletown Land Development Code section 5.5.1A.3.c to allow surface parking to be located between the public right-of-way and the building façade.
- **Waiver:** from the Middletown Land Development Code 10.3.6.A.9 to allow vehicular use area to encroach into the Scenic Corridor buffer

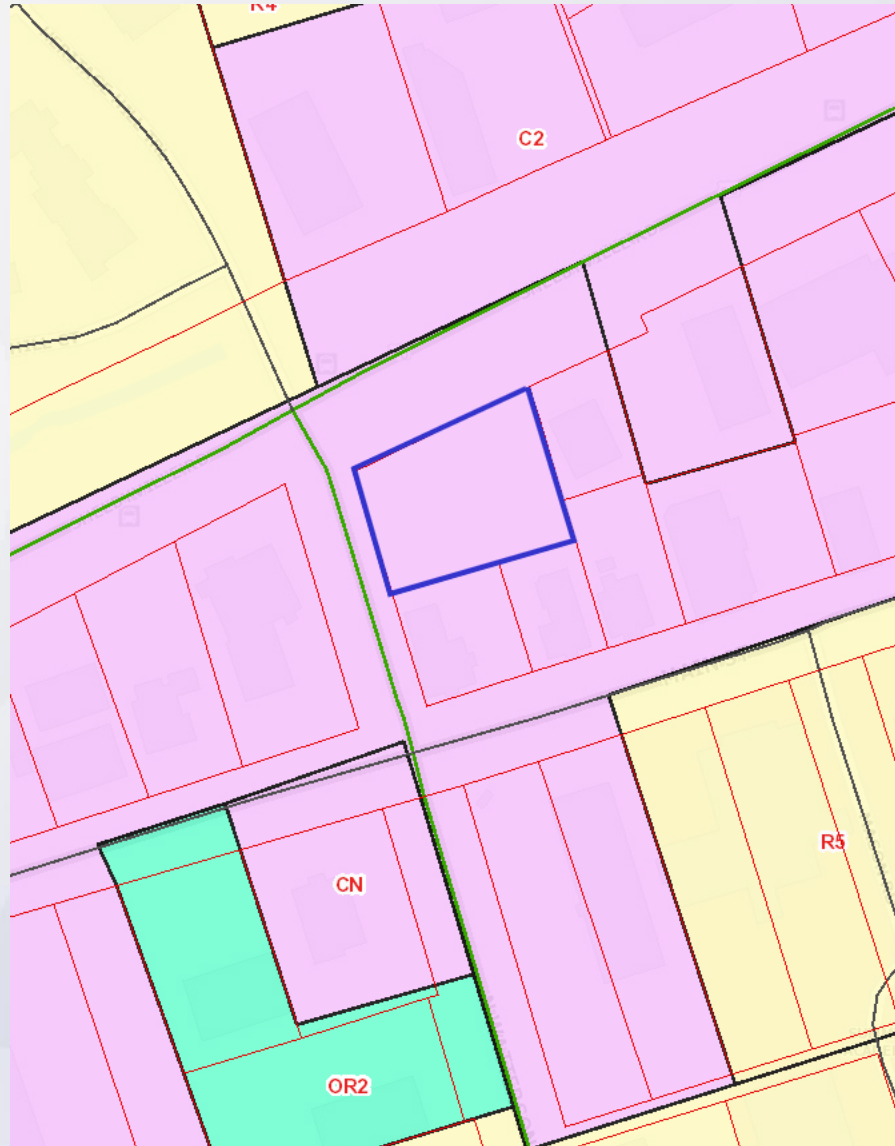
Case Summary / Background

- The site is zoned C-1 Commercial in the Town Center form district.
- The site is in the city of Middletown and is currently vacant.
- The applicant is proposing a 561 SF drive-thru coffee shop with no indoor dining.

Site Location

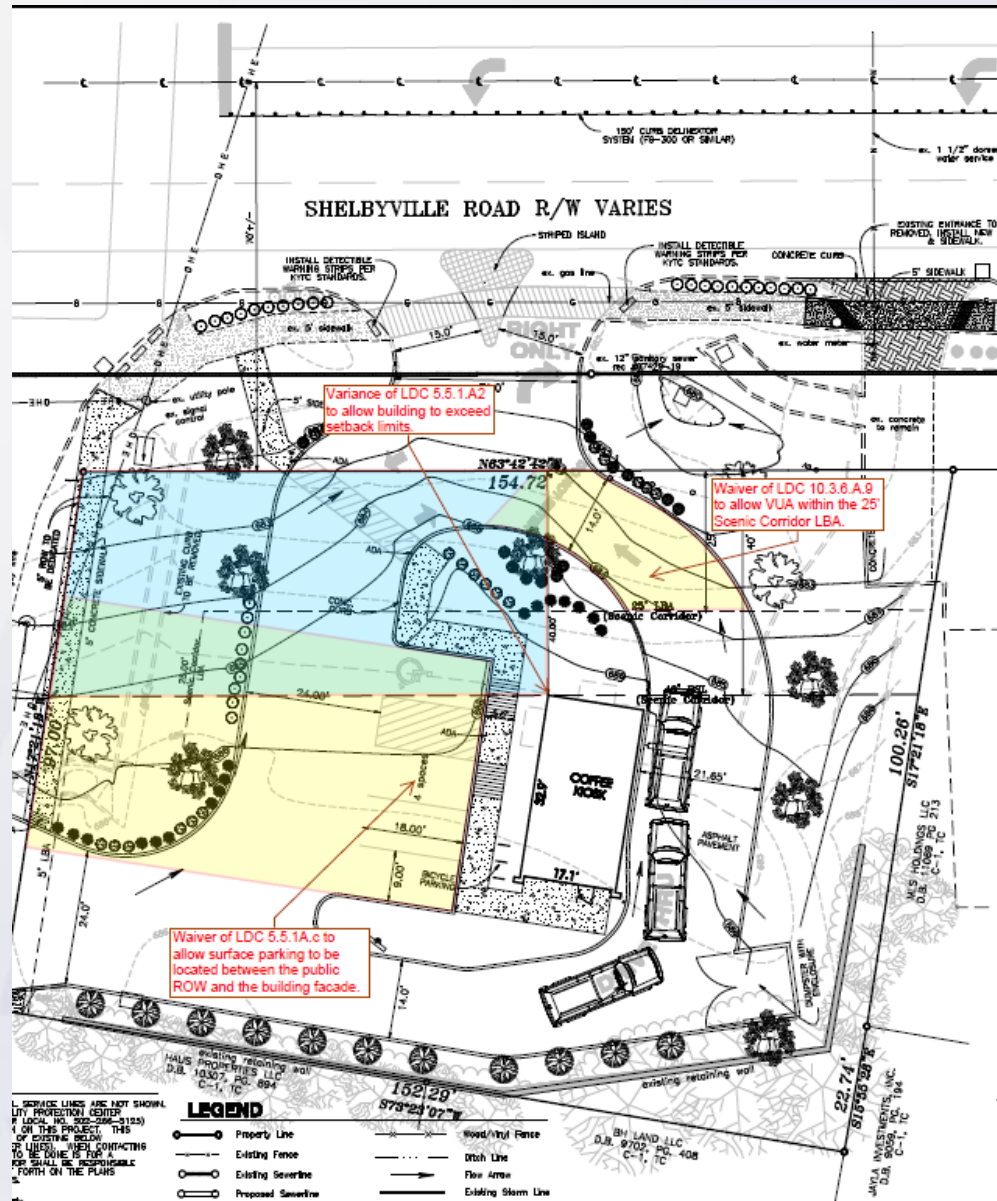


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Site Photos



Front of subject property.





Conclusion

- Staff finds that the requested variance to exceed the maximum setback meets the standard of review.
- Staff finds that the requested waiver to allow surface parking between the front façade and public right of way meets the standard of review.
- Staff finds that the requested waiver to encroach into the scenic corridor buffer area meets standard of review c, but does not meet standards a, b and d.

Required Action

- Approve/Deny: Variance from the Middletown Land Development Code section 5.5.1.A.2 to allow a structure to exceed the maximum setback.

Location	Requirement	Request	Variance
Street Side Yard	0ft	87.80ft	87.80ft

- Recommend that the city of Middletown **APPROVE** or **DENY** the Waiver from Middletown Land Development Code section 5.5.1A.3.c to allow surface parking to be located between the public right-of-way and the building façade.
- Recommend that the city of Middletown **APPROVE** or **DENY** the Waiver from Middletown Land Development Code 10.3.6.A.9 to allow vehicular use area to encroach into the Scenic Corridor buffer.