

Board of Zoning Adjustment
Staff Report
 July 22, 2019



Case No:	19VARIANCE1056
Project Name:	Sycamore Avenue Variance
Location:	2120 Sycamore Avenue
Owner:	Cassandra Culin & Thomas Ellison
Applicant:	Gary Watrous – Watrous Assoc. Architects
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Zach Schwager, Planner I

REQUEST

- **Variance** from Land Development Code section 5.4.1.D.2 to allow a private yard area to be less than the required 30% of the area of a lot.

Location	Requirement	Request	Variance
Private Yard Area	3,385 sq. ft.	2,575 sq. ft.	810 sq. ft.

CASE SUMMARY/BACKGROUND

The subject property is zoned R-5B and is in the Traditional Neighborhood Form District. It is located in the Clifton neighborhood and preservation district and contains a one-story single-family residence. The applicant is proposing a one-story addition on the rear of the house. This addition will reduce the private yard area to be less than the required 30% of the area of the lot.

The Clifton Architectural Review Committee approved the addition on condition under case number 19COA1165 on July 10, 2019. See attachment #5. Planning & Design Staff does not have any recommended conditions.

STAFF FINDING

Staff finds that the requested variance is adequately justified and meets the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the Land Development Code from section 5.4.1.D.2 to allow a reduction in the private yard area.

INTERESTED PARTY COMMENTS

No interested party comments were received.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM SECTION 5.4.1.D.2

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The requested variance will not adversely affect the public health, safety or welfare as the structure will need to be constructed to comply with all building codes, including fire codes.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity as the structure will need to be in compliance with the conditions of approval of the approved Certificate of Appropriateness.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public as there would still be substantial private yard area.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations as there would still be substantial private yard area.

ADDITIONAL CONSIDERATIONS:

1. The requested variance does not arise from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The requested variance does not arise from special circumstances which do generally apply to land in the general vicinity or the same zone as the subject property is similar in size to surrounding properties.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would not create an unnecessary hardship on the applicant because the applicant could reduce the size of the addition to meet the private yard area requirement.

3. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant is requesting the variance and has not begun construction.

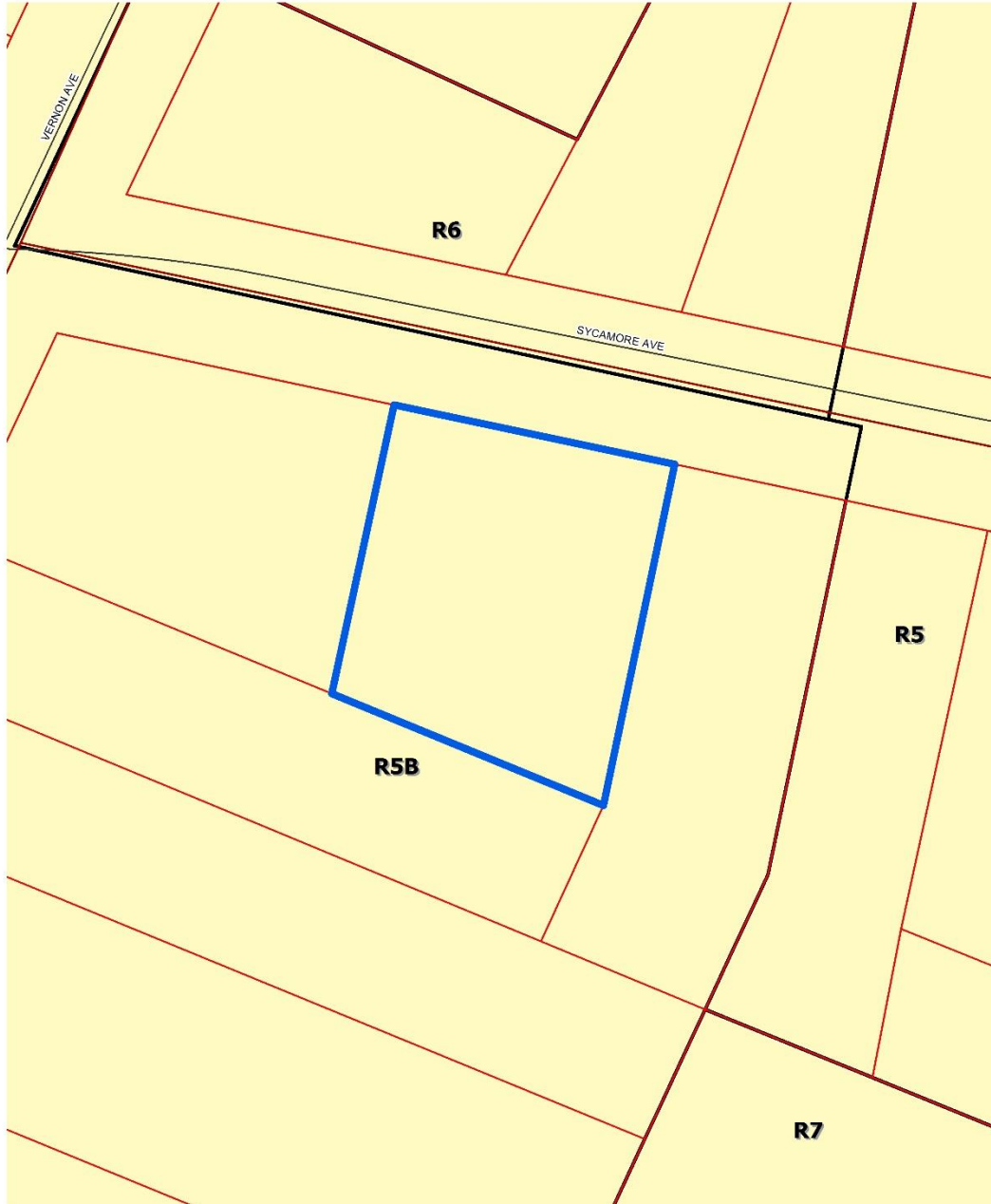
NOTIFICATION

Date	Purpose of Notice	Recipients
06/14/2019	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 9
07/08/2019	Hearing before BOZA	Notice posted on property

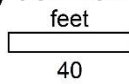
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Site Photos
5. Certificate of Appropriateness

1. Zoning Map



2120 Sycamore Avenue



Map Created: 7/15/2019



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2. Aerial Photograph



2120 Sycamore Avenue

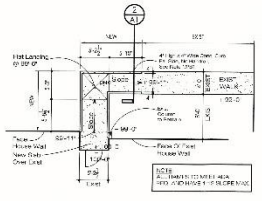
feet
40

Map Created: 7/15/2019



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3. Site Plan

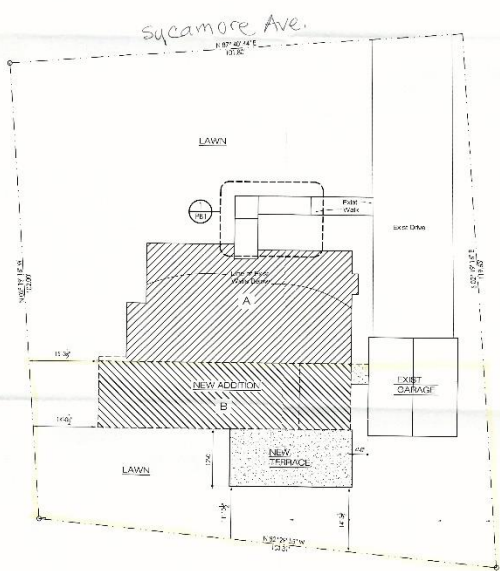


SECTION @ CONC. RAMP
SCALE: 1/2" = 1'-0"



- SITE WORK NOTES**
1. IF PROVISIONS FOR CURB CUTS, CURBS, AND SIDEWALKS ARE NOT SHOWN, PROVIDE AS SHOWN.
 2. ALL CURBS AND SIDEWALKS SHALL BE CONCRETE.
 3. SOIL CONDITION: PROVIDE COMPACTED SUBGRADE TO ALL WALKWAYS AND SIDEWALKS.
 4. SOIL COVER: ALL EXPOSED SOIL SHALL BE COVERED WITH A MINIMUM 2" LAYER OF TOPSOIL OR EQUIVALENT.
 5. LANDSCAPE: PROVIDE PLANTINGS AS SHOWN.
 6. UTILITIES: ALL UTILITIES SHALL BE DEEPER THAN THE PROPOSED CONSTRUCTION.
 7. ALL FOUNDATIONS SHALL BE CONCRETE ON A MINIMUM 4" THICK COMPACTED SUBGRADE.
 8. FOUNDATION: ALL FOUNDATIONS SHALL BE CONCRETE ON A MINIMUM 4" THICK COMPACTED SUBGRADE.

- GENERAL NOTES:**
1. CONTRACTOR TO VERIFY ALL DIMENSIONS AND VERIFY ARCHITECT OF ANY DISCREPANCIES BEFORE STARTING WORK.
 2. ALL PLAN DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 4. ALL WINDOW DIMENSIONS DIMENSIONED FROM PLAN UNLESS OTHERWISE NOTED.
 5. ALL FOUNDATIONS SHALL BE CONCRETE ON A MINIMUM 4" THICK COMPACTED SUBGRADE.
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 8. ALL FOUNDATIONS SHALL BE CONCRETE ON A MINIMUM 4" THICK COMPACTED SUBGRADE.



PROPOSED SITE PLAN DIAGRAM
SCALE: 1" = 10'-0"
LEGEND:
- NEW ADDITION AREA B (SEE PLAN)
- EXIST. HOUSE AREA A
- EXIST. GARAGE
- EXIST. DRIVEWAY
- EXIST. SIDEWALK
- EXIST. LAWN
- EXIST. DRIVEWAY
- EXIST. SIDEWALK
- EXIST. LAWN

DRAWING INDEX

- A1 - Site Plan & Notes & Index
- A2 - Main Level Floor Plan
- A3 - Foundation Plan & Framing Plan
- A4 - Roof Plan & Isometric Drawing
- A5 - Building Sections
- A6 - Elevations
- A7 - Wall Sections

- NOTES TO CONTRACTOR:**
1. THE OWNER HAS BEEN ADVISED THAT THE PROPOSED CONSTRUCTION IS SUBJECT TO THE FOLLOWING REGULATIONS:
 - a. ZONING: R-10
 - b. SETBACKS: 5' FRONT, 5' SIDE, 10' REAR
 - c. HEIGHT: 12' MAXIMUM
 - d. AREA: 10,000 SQ. FT. MAXIMUM
 - e. LOT COVERAGE: 30% MAXIMUM
 - f. LOT AREA: 10,000 SQ. FT. MINIMUM
 - g. LOT WIDTH: 30' MINIMUM
 - h. LOT DEPTH: 100' MINIMUM
 - i. LOT AREA: 10,000 SQ. FT. MINIMUM
 - j. LOT WIDTH: 30' MINIMUM
 - k. LOT DEPTH: 100' MINIMUM
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

SYCAMORE ADDITION
2120 SYCAMORE AVE.
LOUISVILLE, KY 40208

Matrows
ASSOCIATES ARCHITECTS
1100 W. MARKET ST.
LOUISVILLE, KY 40202

DATE: 5-14-19
PROJECT: SYCAMORE ADDITION
PROGRESS PRINTS
NOT FOR CONSTRUCTION
SHEET: A1

4. Site Photos



Front of the subject property.



Properties to the left.



Properties across Sycamore Avenue.



Private yard area.



Private yard area.



Private yard area.

5. Certificate of Appropriateness



**Historic Landmarks and Preservation
Districts Commission**

Report to the Committee

To: Clifton Architectural Review Committee
Thru: Cynthia Elmore, Historic Preservation Officer
From: Anthony Schneider, Historic Preservation Specialist
Date: July 2, 2019

Case No: 19COA1165
Classification: Committee Review

GENERAL INFORMATION

Property Address: 2120 Sycamore Avenue

Applicant: Cassandra Culin
185 N. Bellaire Avenue
Louisville, KY 40206
502-594-4405
Kyspring@bellsouth.net

Owner: Same as Applicant

Estimated Project Cost: \$50,000.00

Description of proposed exterior alteration:

The applicant is seeking approval to construct a new 850sf addition on the rear and side façade of the home. The new addition will have a more modern design with two projecting gables and will be clad in brick masonry to match that of the existing structure.

Communications with Applicant, Completion of Application

The application was received on May 28, 2019 and was considered complete and requiring committee review on June 19, 2019. Staff discussed the application with the applicant via email and phone prior to submittal. Staff also met with the applicant on the date of submission and described the committee process to her.

This case is scheduled to be heard by the Clifton Architectural Review Committee on Wednesday July 10, 2019 at 5:30p.m. in Conference Room 101 of the Metro Development Center, 444 S 5th Street.

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FINDINGS

Guidelines

The following design review guidelines, approved for the Clifton Preservation District, are applicable to the proposed exterior alterations: **Addition** and **Site**. The report of the Commission Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

The following additional findings are incorporated in this report:

Site Context/ Background

The R-5B zoned property within the Traditional Neighborhood Form District is located mid-block on the south side of Sycamore Avenue between Vernon Avenue and N Clifton Avenue. This home is a mid-century tradition constructed circa 1955 with a brick veneer and a side gable roof. At the time of district designation, this structure is shown as non-contributing; however, the structure could be considered potentially contributing based on age.

Conclusions

The project generally meets the Clifton design guidelines for **Addition** and **Site**. The proposed addition of 850sf to the western side and southern rear facades exceeds more than 50% of the original structure's square-footage which would not fully meet Design Guideline **A5** thus requiring a committee review. The addition is in keeping with the period of construction of the home. The design is wholly modern with steep rooves and projecting forms with large amounts of glass and brick veneers. The majority of the design is not visible from Sycamore Avenue with the exception of the addition to the western side that extends and existing architectural projection. The street-facing portions will also feature modern designs with square windows arranged vertically to emphasize the verticality. The applicant has agreed, after staff suggestion, to salvage the existing brick veneer to be removed and reuse it on portions of the new addition. The window openings will be trimmed in a material that mimics that of the existing window trim on the home. Lastly, the applicant is proposing the use of ridge vents on the roof. Staff recommends the use of a "turtle-vent" but given the age of the home and the modern design, the ridge vents could be deemed appropriate.

The setback of the house on the lot, 50+ feet from right-of-way, and the size of the addition will require a discretionary variance from the Board of Zoning Adjustment for Private Yard Area. The addition would effectively remove a large portion of the functional private yard; however, staff finds that the nature of the site and design of the addition compliment the existing landscape and wooded features on the lot.

Recommendation

On the basis of the information furnished by the applicant, staff recommends that the application for a Certificate of Appropriateness be **approved with the following conditions**:

1. **The applicant shall obtain all necessary building permits.**

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2. Should the request for a variance be denied, the applicant shall return to the ARC for review and approval of design changes.
3. Excavations, trenching or re-grading adjacent to a building or site shall be performed cautiously so as not to cause the foundation to shift or destroy significant archeological resources. Every reasonable effort shall be made to protect and preserve architectural resources affected by, or adjacent to, any project.
4. Auxiliary fixtures, such as air conditioning units, satellite dishes, rain barrels, greenhouse additions, and overhead wiring, shall be located on secondary elevations (side or rear) so they do not detract from the street-address façade and the character of the site.
5. If the design changes, the applicant shall contact staff for review and approval.

 Anthony Schneider
 Historic Preservation Specialist

 Date

Attached Documents / Information

1. Staff Guideline Checklist

Addition

Clifton Design Guideline Checklist

- + Meets Guidelines
- NA Not Applicable
- Does Not Meet Guidelines
- NSI Not Sufficient Information
- +/- Meets Guidelines with Conditions

	Guideline	Finding	Comment
A1	The design of any new addition or expansion should be compatible and in proportion with the mass and scale of the historic building, adjacent structures, and the district.	+	
A2	New additions should be designed in a manner that makes clear what is historic and what is new. Do not design additions to appear older than the original building.	+	
A3	Additions should be designed so there are subtle distinguishing characteristics between the historic portion and the new alteration. This may include simplifying details, changing materials, or slightly altering proportion. Do not duplicate the exact form, material, style, and detailing of the historic building in the new addition.	+	
A4	Additions should be attached to side or rear elevations (façades) and should be set back from the street front façade, and should not damage or obscure character-defining features.	+	Addition is on the rear and west, side facades.
A5	The design of the new addition should be subordinate to the original building. Rear and side additions should not exceed half of the original building's total floor area or building footprint.	+/-	The addition is 850sf and the original structure is 1275sf. The Addition exceeds by approximately 213sf.

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