

22-CUP-0333

4624 Poplar Level Road



Louisville Metro Board of Zoning Adjustment

Joel Dock, AICP, Planning Coordinator

December 19, 2022

Requests

- **Conditional Use Permit** for Child Care Center (LDC 4.2.19) with relief from item A.3 to allow off-street parking in front of the residence
- **Variance** from Land Development Code (LDC), Section 5.3.1.C to encroach upon the required front yard:

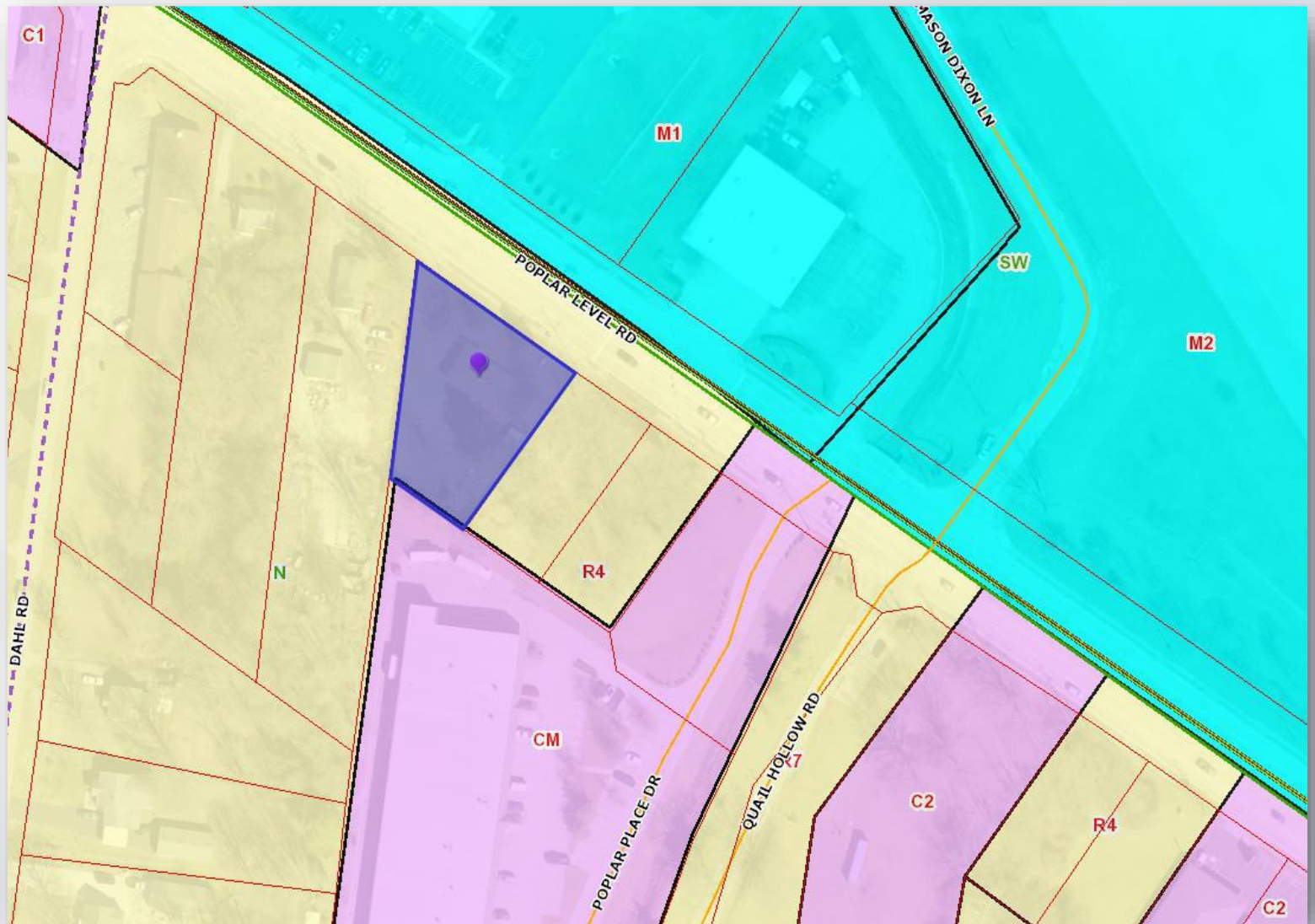
	Required	Proposed	Variance
Front Yard	30'*	12'	18'

**15' (Table 5.3.1) + 15' supplemental (arterial) = 30' total*

Case Summary

- Child care center to allow for the care of up to 12 children
- The applicant currently operates a family child care home, which provides for the care of up to 6 children
- The operator of the proposed center is the primary resident as required by the license offered by the State for this type of child care service, known as Type II child care
- Outdoor activities and play will occur in the rear yard where a wood fence secures the area
- Relief is necessary from item A.3 to safely provide pick-up/drop-off in an off-street location
- A variance will also be necessary since this parking/loading area does not lead to the home, garage, or rear yard and is in the front setback.

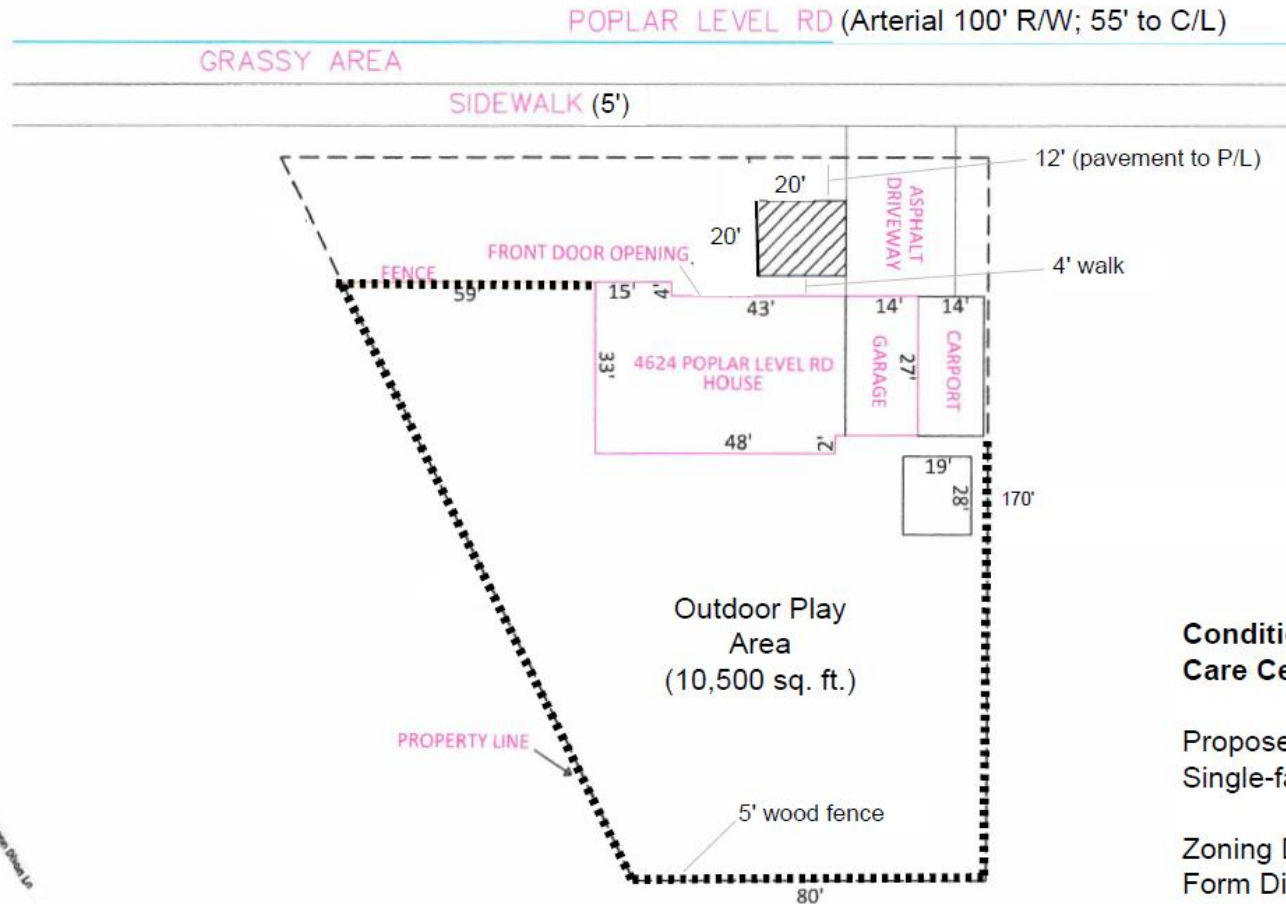
Zoning/Form Districts



Aerial Photo



Plans

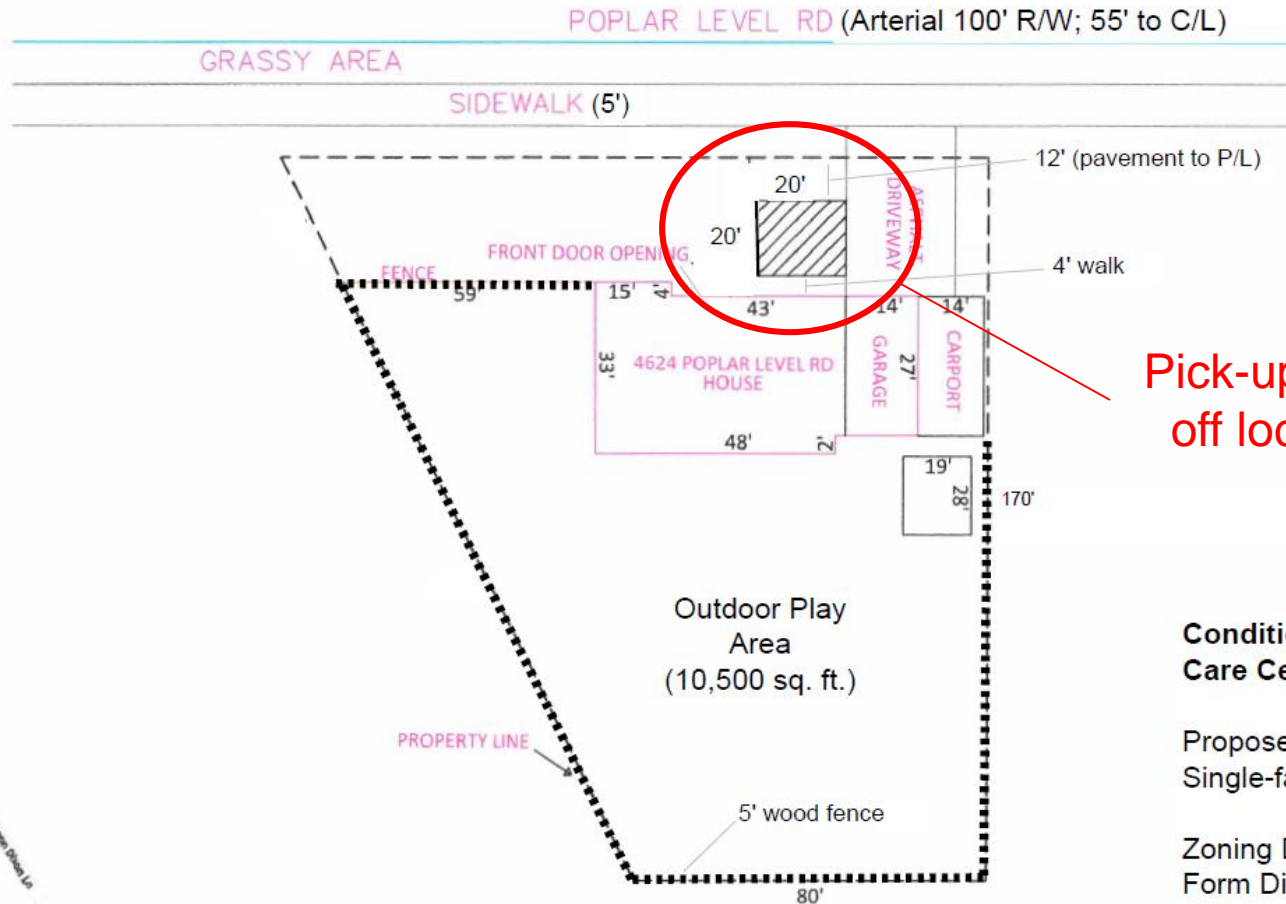


Conditional Use Permit for Child Care Center (LDC 4.2.17)

Proposed Use: Child Care (Type II)/
Single-family Residential

Zoning District: R-4
Form District: Neighborhood
Site Acres: 0.5 acres

Plans (Variance and A.3 Relief)



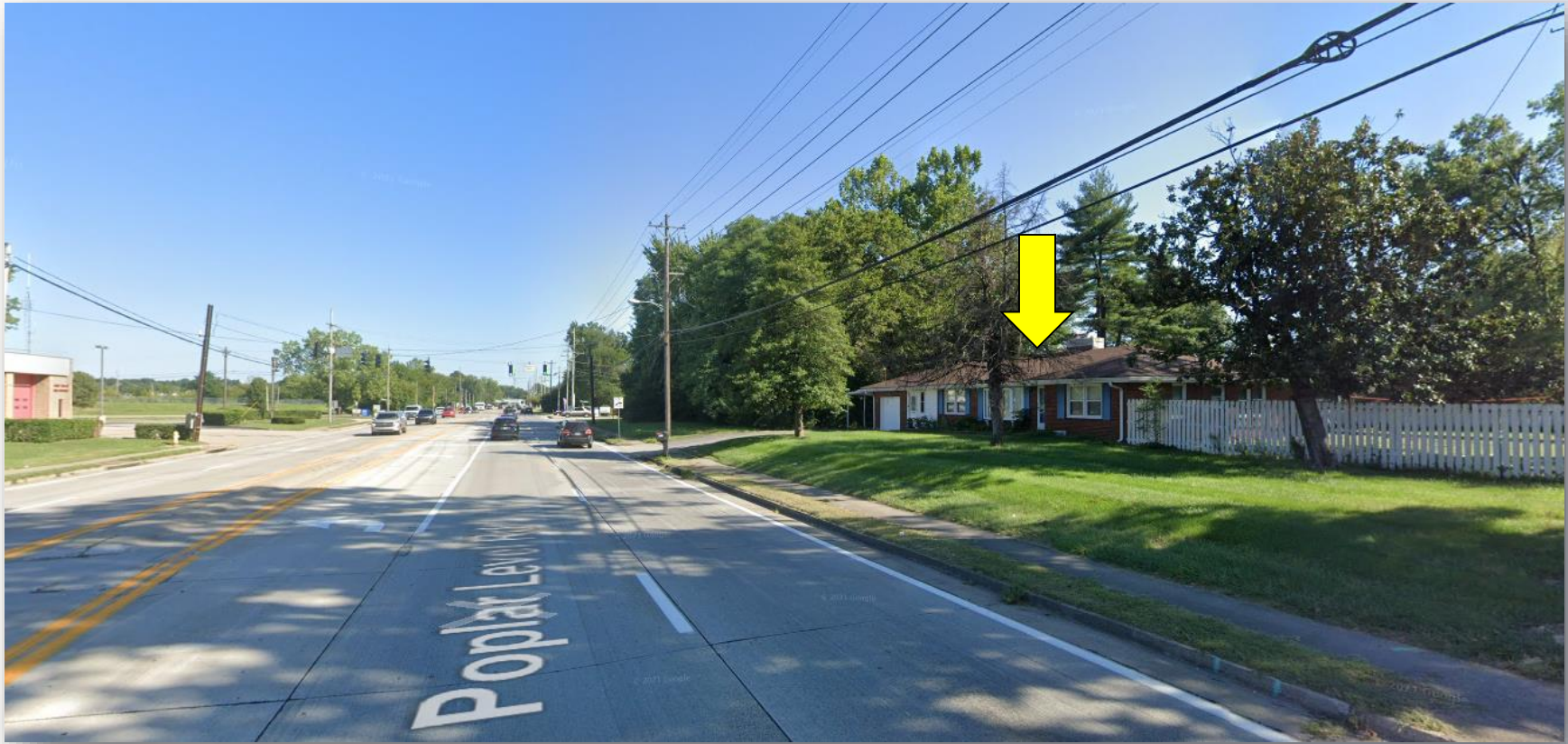
Pick-up/drop-off location

Conditional Use Permit for Child Care Center (LDC 4.2.17)

Proposed Use: Child Care (Type II)/
Single-family Residential

Zoning District: R-4
Form District: Neighborhood
Site Acres: 0.5 acres

Street View



Street View (north)



Street View



Pick-up/Drop-off
(Area of relief and variance)

Staff Finding

- The conditional use permit with relief for the location of parking (pick-up/drop-off) and variance each appear to be adequately justified for approval based on staff's analysis contained in the standard of review.

Proposed Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for child care center until further review and approval by the Board.
3. The child care center shall be limited to a maximum of 12 children.
4. Passenger pick-up/drop-off shall occur in the area designated on the approved plan, unless otherwise approved by the Board of Zoning Adjustment.

Required Actions

- **APPROVE** or **DENY** the **Conditional Use Permit** for Child Care Center (LDC 4.2.19) with relief from item A.3 to allow off-street parking in front of the residence
- **APPROVE** or **DENY** the **Variance** from Land Development Code (LDC), Section 5.3.1.C to encroach upon the required front yard:

	Required	Proposed	Variance
Front Yard	30'*	12'	18'

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