



Civil Engineering
Land Planning
Construction Inspection

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Louisville Metro Planning & Development Services
444 S. Fifth Street
Louisville, KY 40202

April 12, 2019

**SUBJECT: Freys Hill Road Mini-Storage
3331 Freys Hill Road
Justification Statement/Request**


Dear Planning & Design Services:

Application is being provided for rezoning of the subject property from R-4 to C-2, with Conditional Use Permit, to allow for construction of Mini-Storage with Office (46,364 SF) to provide additional outdoor storage units to supplement the existing climate controlled storage building at 3383 Freys Hill Road. This property is currently vacant and lies directly behind the existing commercial area along Westport Road at Freys Hill Road. The site has accessibility from the existing drive off of Freys Hill Road, and also cross-over access to the commercial property to the north. The site is served by existing utilities, and will protect the existing waterway buffer at the rear of the site. The site generally conforms to existing grades, with stormwater detention being provided at the rear of the site and discharging to the existing stream along the rear.

Based on the need for additional storage in the area the owner feels this site works well in conjunction with the existing storage project, meets Land Development Code Requirements, and also Cornerstone 2040 guidelines. The project also sits well back from roadways and will be screened and hardly seen.

Please review this submittal and let us have your comments. As always, thank you for your assistance. Please do not hesitate to give me a call at 292-9288 should you have questions.

Sincerely,


Christopher T. Crumpton, P. E.
Director of Engineering/Principal

CTC/mlr

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The waiver will not adversely affect adjacent property owners because the buffer is along the existing access drive, as well as the neighboring property is currently being operated as an AT&T service center.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive Code because there is no other location to put the access drive, and this access drive has been in place since the property was created.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant to allow the access drive to the property to remain in place.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and create unnecessary hardship on the applicant, since no access would be able to be provided to the property.

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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.

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

The variance will not adversely affect the public health, safety or welfare because the south property line abuts an existing ATT maintenance facility and a vacant piece of property.

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

The variance will allow the storage buildings to be constructed adjacent to the access drive and not set back an additional 20 feet from the drive. There is currently an existing drive in place.

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

The variance will not cause a hazard or nuisance since the existing ATT facility operates like an industrial maintenance center, and the other adjoining property is vacant.

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

The variance will not allow an unreasonable circumvention of the requirements since the access drive is already in place and cannot be relocated.

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Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

This variance arises since the property is a "flag lot" and the access drive runs along the south side of the property.

2. 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.

The strict application of the provision of the regulation would create unnecessary hardship by preventing the owner from developing the additional 20' of buildings with the 50' setback.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No, buildings are being proposed, however the access drive is currently existing and runs along the south property line where the setback is required.