

17VARIANCE1080

Future Car Sales Shed



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

**Dante St. Germain, Planner I
December 4, 2017**

Requests

- **Variance:** from Land Development Code section 5.3.2.C.2.b to allow a structure to encroach into the required side yard setback where a non-residential use abuts a structure with first floor residential use.

Location	Requirement	Request	Variance
Side Yard	25 feet	16.9 feet	8.1 feet

Case Summary / Background

- The subject property is located at the corner of Dixie Highway and Paramount Drive.
- The applicant proposes a shed in the rear of the building, which is the side yard of the property.
- The side yard abuts a single-family residential property, and a 25-foot side yard is therefore required. The shed is proposed to be 16.9 feet from the property line at its point of greatest encroachment.
- The side yard is enclosed with a privacy fence, and the shed will be entirely inside this fence.

Zoning/Form Districts

Subject Property:

- Existing: C-2/Suburban Marketplace Corridor
- Proposed: C-2/Suburban Marketplace Corridor

Adjacent Properties:

- North: C-1/Suburban Marketplace Corridor
- South: C-1/Suburban Marketplace Corridor
- East: C-1 & C-2/Suburban Marketplace Corridor
- West: C-1 & R-4/Suburban Marketplace Corridor & Neighborhood



8038 Dixie Highway

feet
140
Map Created: 11/20/2017



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Aerial Photo/Land Use

Subject Property:

- Existing: Auto Sales and Service
- Proposed: Auto Sales and Service

Adjacent Properties:

- North: Commercial
- South: Commercial
- East: Commercial
- West: Single Family Residential



8038 Dixie Highway
feet

140

Map Created: 11/20/2017



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Site Photos-Subject Property



The front of the building, and street side yard of the subject property.

Site Photos-Subject Property



The property to the right of the subject property.

Site Photos-Subject Property



The property to the left of the subject property across Paramount Drive.

Site Photos-Subject Property



The property across Dixie Highway.

Site Photos-Subject Property



The privacy fence which separates the subject property from the residence.

Site Photos-Subject Property



The residence adjacent to the fence and proposed shed.

Site Photos-Subject Property

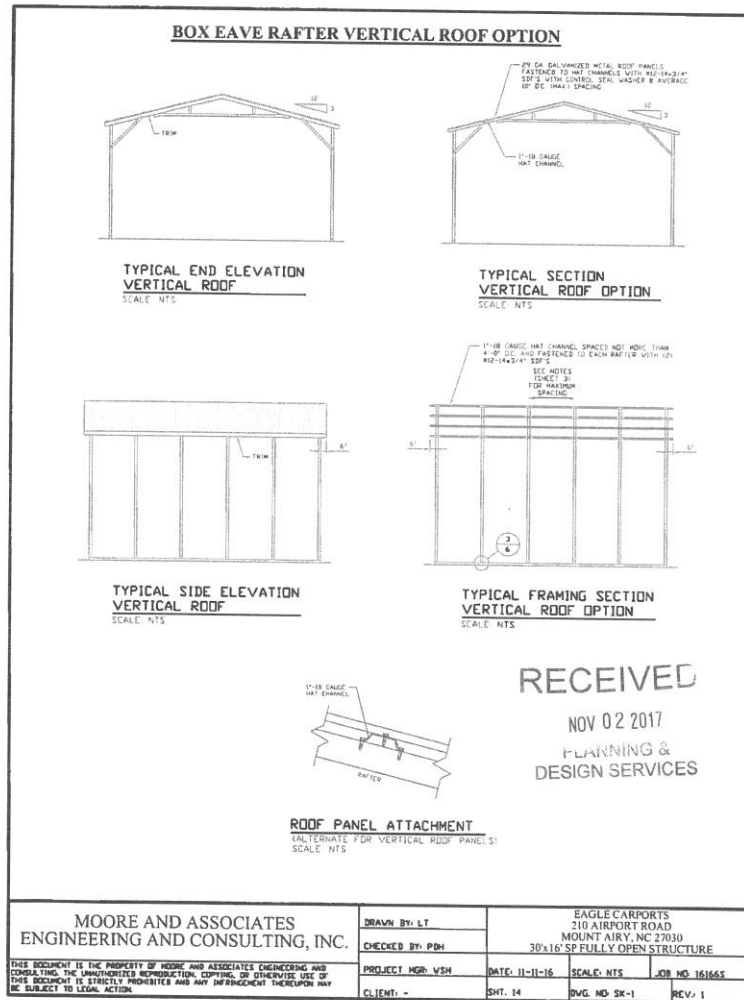


The location of the proposed shed inside the fence.

Site Plan



Elevation



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Conclusions

- The variance request appears to be adequately justified and meets the standard of review.
- Must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code (August 2017) from section 5.3.2.C.2.b to allow a structure to encroach into the required side yard setback.

Required Actions

- **Variance:** from Land Development Code section 5.3.2.C.2.b to allow a structure to encroach into the required side yard setback where a non-residential use abuts a structure with first floor residential use.
Approve/Deny

Location	Requirement	Request	Variance
Side Yard	25 feet	16.9 feet	8.1 feet