

Board of Zoning Adjustment Staff Report

March 20, 2017



Case No:	17VARIANCE1007
Request:	Variance from the required 12' street side yard setback
Project Name:	3400 Grandview Ave Addition
Location:	3400 Grandview Ave
Area:	.1714 Acres
Owner:	Gregory Schanding
Applicant:	Gregory Schanding
Representative:	Gregory Schanding
Jurisdiction:	City of St. Matthews
Council District:	9 – Bill Hollander
Case Manager:	Dante St. Germain, Planner I

REQUEST

- Variance from City of St. Matthews Development Code section 4.6.C.2.c for an addition to encroach into the required street side yard.

Location	Requirement	Request	Variance
Street Side Yard Setback	12 ft.	5.43 ft.	6.57 ft.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes a 554 square foot single-story addition onto the rear of the existing 1 ½ story residence on the subject property. The existing primary structure and existing garage are between 5.28' to 5.43' from the street side property line. The applicant proposes to build the addition in line with these structures.

Development Code section 4.6.C.2.c requires a street side yard of 30 feet. Section 9.2.C allows the reduction of the required street side yard from 30 feet to 12 feet on this lot due to the lot being nonconforming in width and area. The addition will therefore encroach into the required street side yard by 6.57 feet. A variance from Development Code section 4.6.C.2.c is requested for this encroachment. The subject property is 50 feet in width and 150 feet deep, a total of 7,500 square feet in area. Development Code section 4.6.C.1 states that a standard lot for R-4 has minimum dimensions of 60 feet in width and 9,000 square feet in area.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Single-Family Residential	R-4	Neighborhood
Proposed	Single Family Residential	R-4	Neighborhood
Surrounding Properties			
North	Single-Family Residential	R-5	Neighborhood
South	Single Family Residential	R-4	Neighborhood
East	Single Family Residential	R-4	Neighborhood
West	Single-Family Residential	R-5	Neighborhood

PREVIOUS CASES ON SITE

No previous cases on site.

INTERESTED PARTY COMMENTS

No interested party comments were received by staff.

APPLICABLE PLANS AND POLICIES

Development Code for the City of St. Matthews.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM SECTION 4.6.C.2.c

- (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 addition will be in line with the existing structures on the property, which have caused no known adverse effects.

- (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 addition will be in line with the existing structures.

- (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 the addition will be constructed in line with the existing structures, which have caused no known hazard or nuisance to the public.

- (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 the addition will be placed in line with the other structures on the lot.

ADDITIONAL CONSIDERATIONS:

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

STAFF: The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone as the lot is nonconforming in both width and area for the R-4 zoning district, and the existing structures encroach into the required street side yard.

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 create an unnecessary hardship on the applicant by preventing the applicant from aligning the addition with the side of the existing residence.

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 existing primary structure was built in 1948, prior to the adoption of the zoning regulation.

TECHNICAL REVIEW

- No technical review undertaken.

STAFF CONCLUSIONS

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting variances established in the Development Code from section 4.6.C.2.c allowing the street side yard to be less than 12 feet.

NOTIFICATION

Date	Purpose of Notice	Recipients
03-02-2017	Public Hearing before BOZA	1 st tier adjoining property owners Subscribers of Council District 9 Notification of Development Proposals
03-03-2017		Sign posted on property

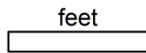
ATTACHMENTS

1. Zoning Map
2. Aerial
3. Site Plan
4. Elevations
5. Site Photos

1. Zoning Map



3400 Grandview Ave

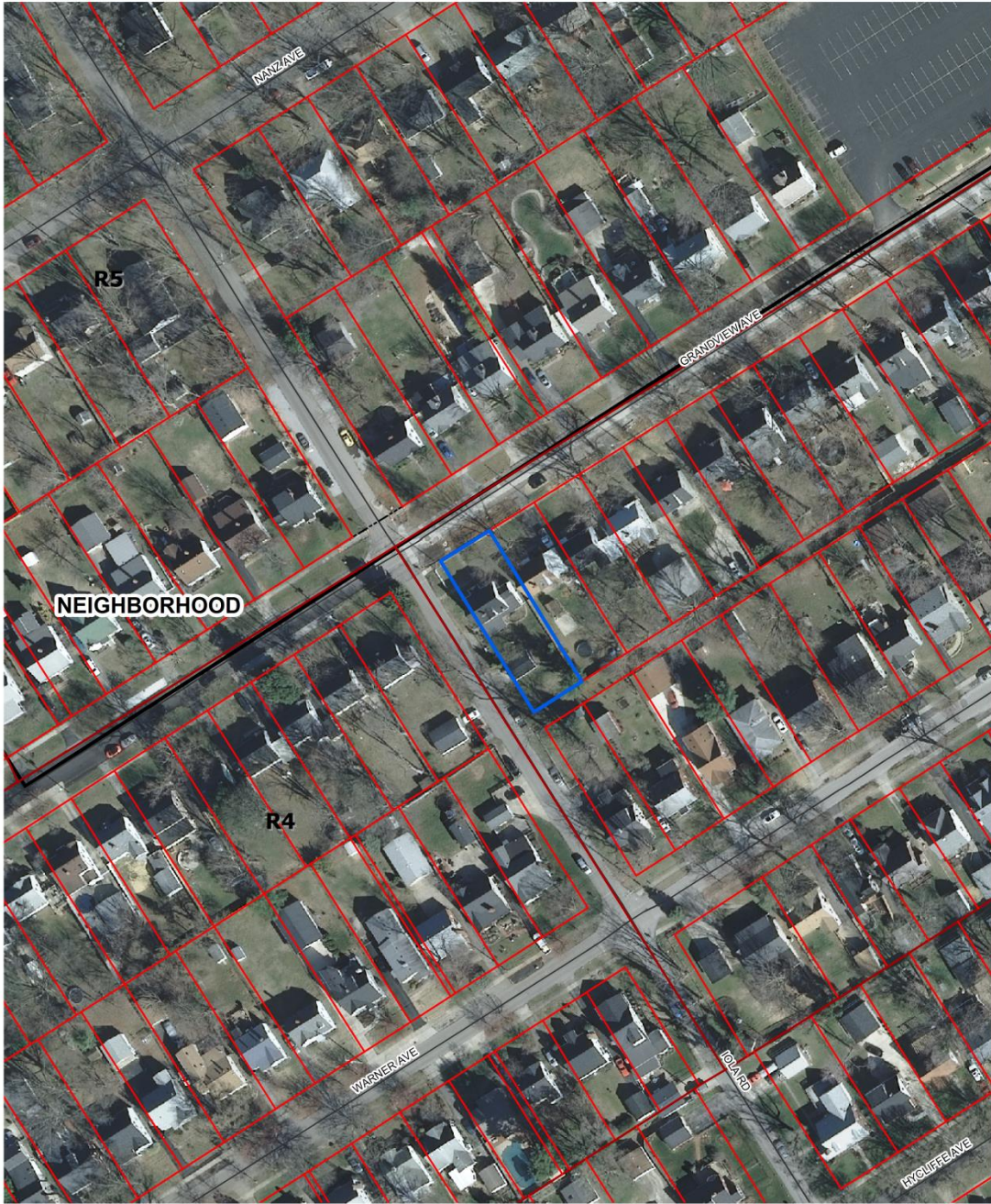


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Map Created: 3/3/2017

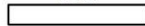


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2. Aerial



3400 Grandview Ave
feet

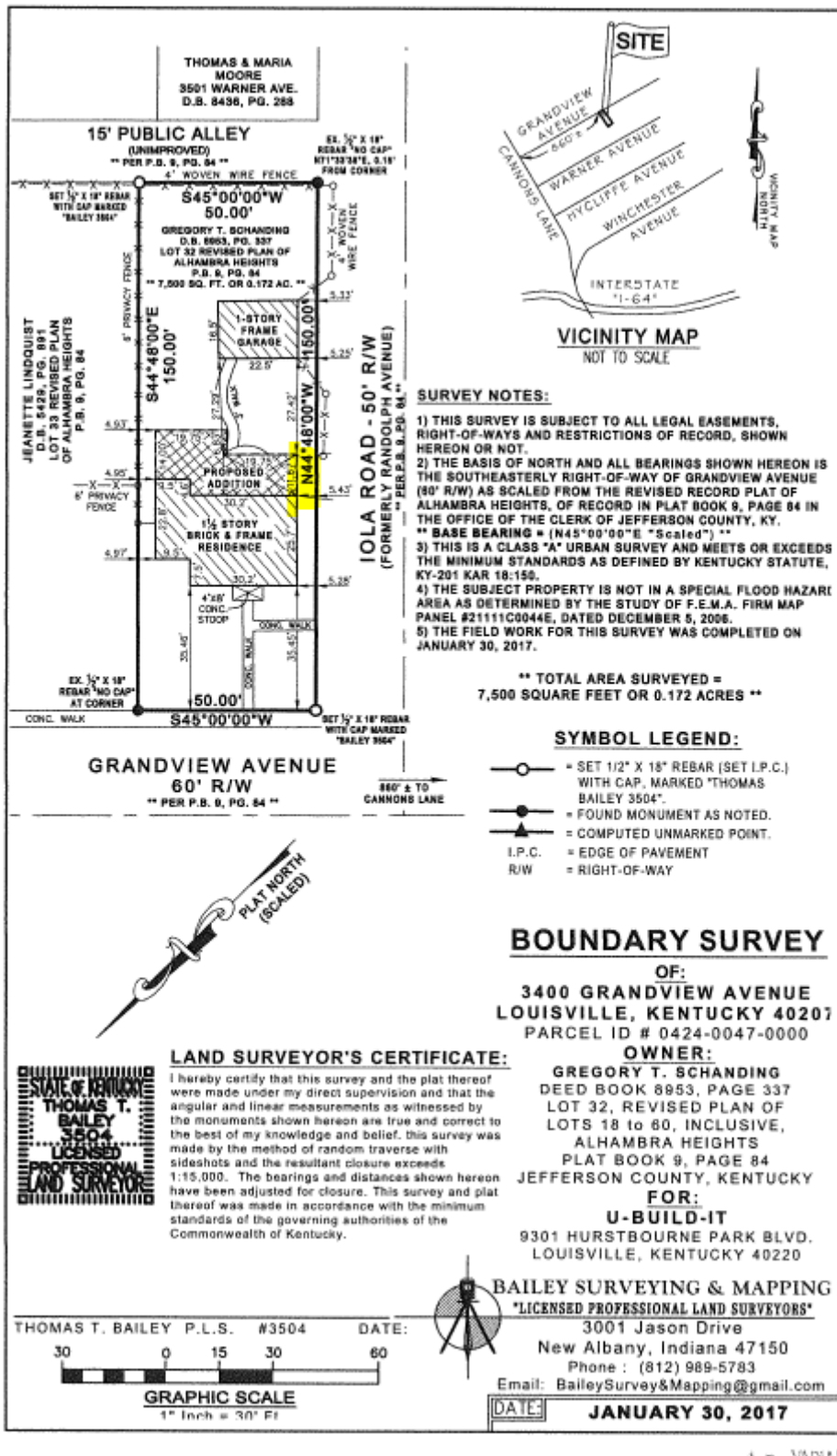


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Map Created: 3/3/2017



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3. Site Plan



4. Elevations

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The Sehanding Addition

17 VARIANCE 1007

EXISTING:
FRONT ELEVATION



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LEFT SIDE ELEVATION SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION SCALE: 1/4" = 1'-0"

The Schanding Additi

PROPOSED:
LEFT SIDE ELEVATION
RIGHT SIDE ELEVATION

Barry D. Early Designs
ARCHITECTURAL RESIDENTIAL
DESIGN DRAFTING

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17 VARIANCE 1007

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REAR ELEVATION SCALE: 1/4" = 1'-0"

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PROPOSED:
REAR ELEVATION

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17 VARIANCE 1007

5. Site Photos



The front of the house.



Looking at the side of the house where the addition is proposed.



The side of the house where the addition is proposed.



The side of the house where the addition is proposed.



The rear of the garage.



The addition is proposed to be in line with the existing structures.



The addition is proposed to be in line with the existing structures.