

Land Development and Transportation Committee Staff Report

November 30, 2017



Case No:	17WAIVER1038
Project Name:	Norton Security Booth
Location:	230 E Broadway
Owner(s):	Norton Properties Inc
Applicant:	Norton Properties Inc
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- Waiver of Land Development Code section 5.5.5.B.1 to allow an accessory structure be located in front of the principle structure and be constructed of different materials than the principle structure within the Downtown Form District.

CASE SUMMARY/BACKGROUND

The applicant is proposing to install a small security booth at the corner of E Broadway and S Floyd St. This is to allow for a security guard to monitor the property while being protected from inclement weather. Land Development Code section 5.5.5.B.1 would normally require all accessory structures in the Downtown Form District to be located behind the principle structure and to be constructed of the same materials as the principle structure. The applicant is seeking a waiver of these requirements.

STAFF FINDING

The waiver request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are no outstanding technical review issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no interested party comments concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LDC SECTION 5.5.5.B.1

(a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as it is very small and will help add security to the area. Pedestrian and vehicular circulation will not be impacted.

(b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policies 1 and 2 call for the compatibility of all new development and redevelopment with the scale and site design of nearby existing development and with the pattern of development within the form district. The structure is less than 20 SF and will not cause the site to be out of character with the area.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as the location in front of the primary structure is determined by security needs.

(d) Either:

(i) The applicant has 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

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

STAFF: The strict application of the provisions of the regulation would cause an unnecessary hardship on the applicant, as the security situation of the site could not be served by a booth located behind the primary structure.

REQUIRED ACTIONS:

- **Approve** or **Deny** the proposed **Waiver** of LDC Section 5.5.5.B.1.

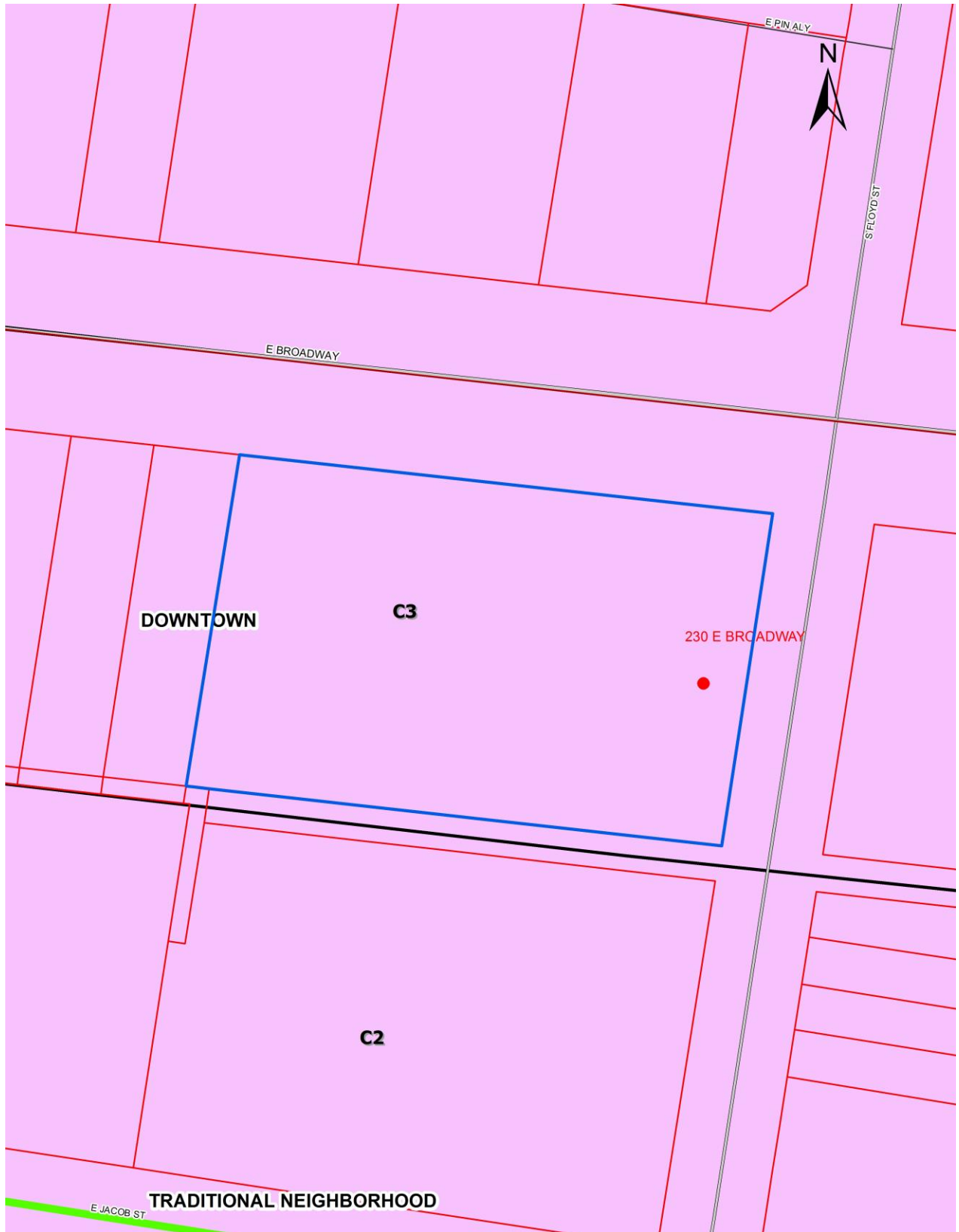
NOTIFICATION

Date	Purpose of Notice	Recipients
11-15-17	Hearing before LD&T	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

