

Board of Zoning Adjustment Non-Hearing Staff Report

August 17, 2015



Case No:	15VARIANCE1050
Project Name:	Residence
Location:	230 S. Hite Avenue
Owner:	Ted Bressoud
Applicant:	Ted Bressoud
Representative:	Ted Bressoud
Project Area/Size:	4,356 sq. ft.
Existing Zoning District:	R-5, Single Family Residential
Existing Form District:	TN, Traditional Neighborhood
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Matthew R. Doyle, Planner II

REQUESTS

- Variance from the Land Development Code to allow an addition to encroach into the required side yard.

Location	Requirement	Request	Variance
Side yard	3'	0.5'	2.5'

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant wants to build an addition onto the rear of the principal structure and maintain the current setback. All adjoining property owners have given their consent and do not object to the planned construction or to the variance that will be required.

The site is located in the Crescent Hill neighborhood.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Single family residential	R-5	TN
Proposed	Single family residential	R-5	TN
Surrounding Properties			
North	Single family residential	R-5	TN
South	Single family residential	R-5	TN
East	Single family residential	R-5	TN
West	Single family residential	R-5	TN

PREVIOUS CASES ON SITE

10221: Variance request for a proposed garage to encroach into the required yard.

INTERESTED PARTY COMMENTS

Staff has not received any comments on the proposal.

APPLICABLE PLANS AND POLICIES

Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE to allow an addition to encroach into the required side yard.

(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 since the addition will maintain the current setback of the principal structure.

(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 since the addition will maintain the current setback of the principal structure, which is consistent with the area.

(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 since the addition will maintain the current setback of the principal structure.

(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 since the addition will maintain the current setback of the principal structure, which is consistent with the area.

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 variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone as the lot is substandard.

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 deprive the applicant of the reasonable use of the land since the addition will maintain the current setback of the principal structure, which is consistent with the area.

3. The circumstances are 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.

TECHNICAL REVIEW

N/A

STAFF CONCLUSIONS

The variance request appears to be adequately justified. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine whether the proposal meets the standards for granting a variance established in the LDC.

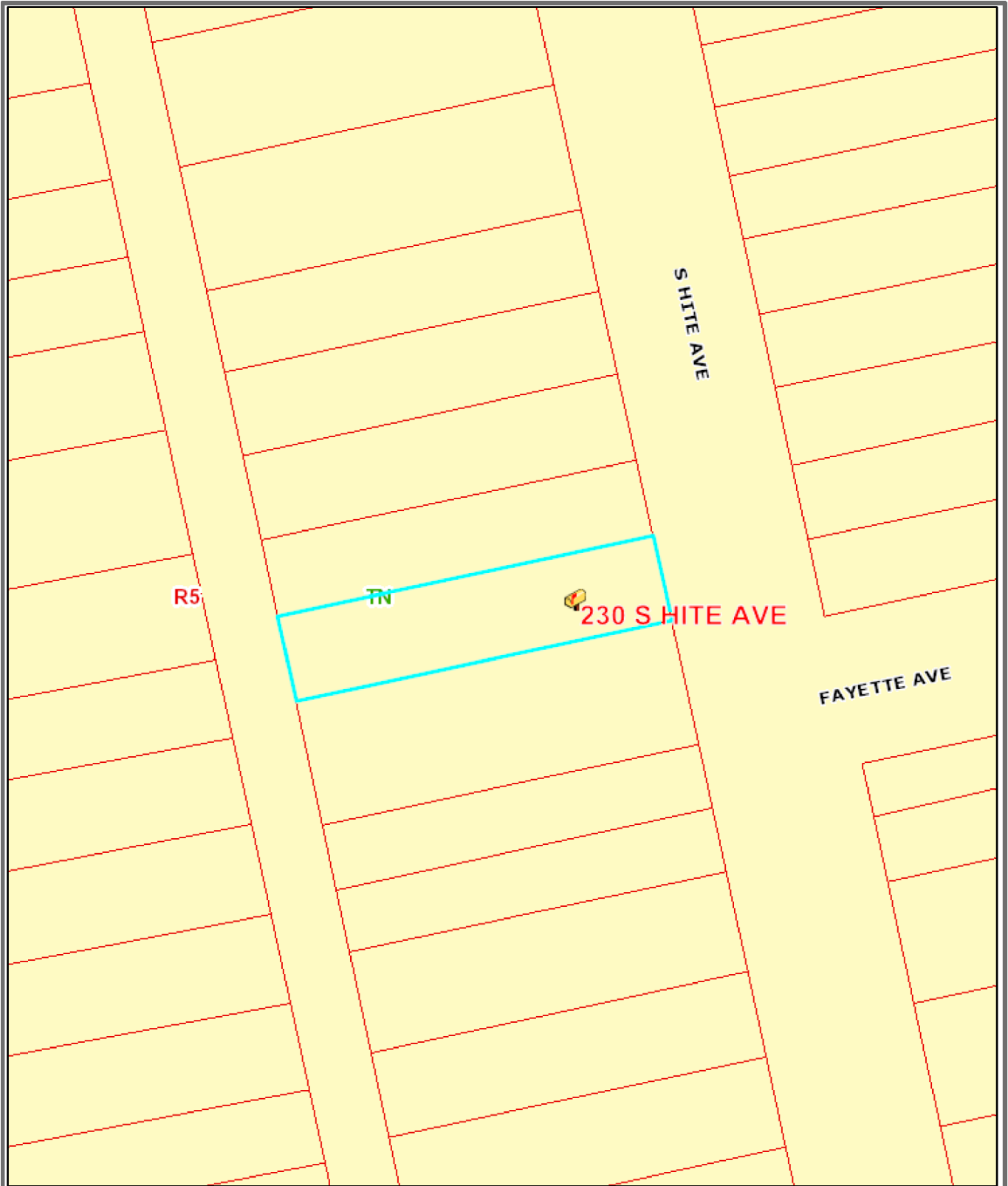
NOTIFICATION

The applicant obtained the required signatures of the adjoining property owners.

ATTACHMENTS

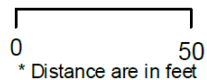
1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



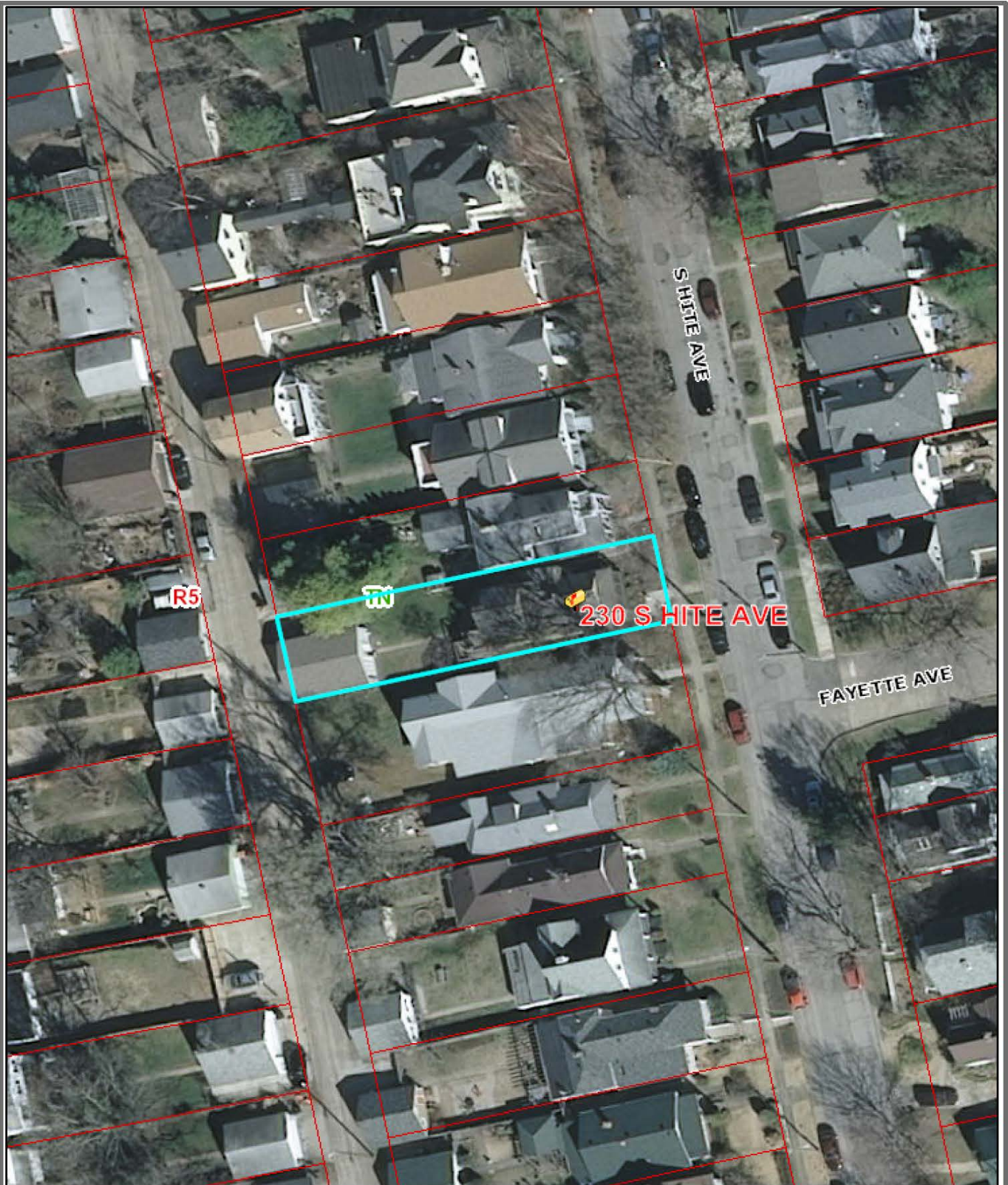
LOJIC Quickmap

230 S. Hite Ave.



Plot Date 8/11/2015

2. Aerial Photograph



LOJIC Quickmap

230 S. Hite Ave.

Plot Date 8/11/2015

