

**18VARIANCE1093**  
**Smyrna Parkway Variance**



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

**Zach Schwager, Planner I**  
**November 5, 2018**

# Request

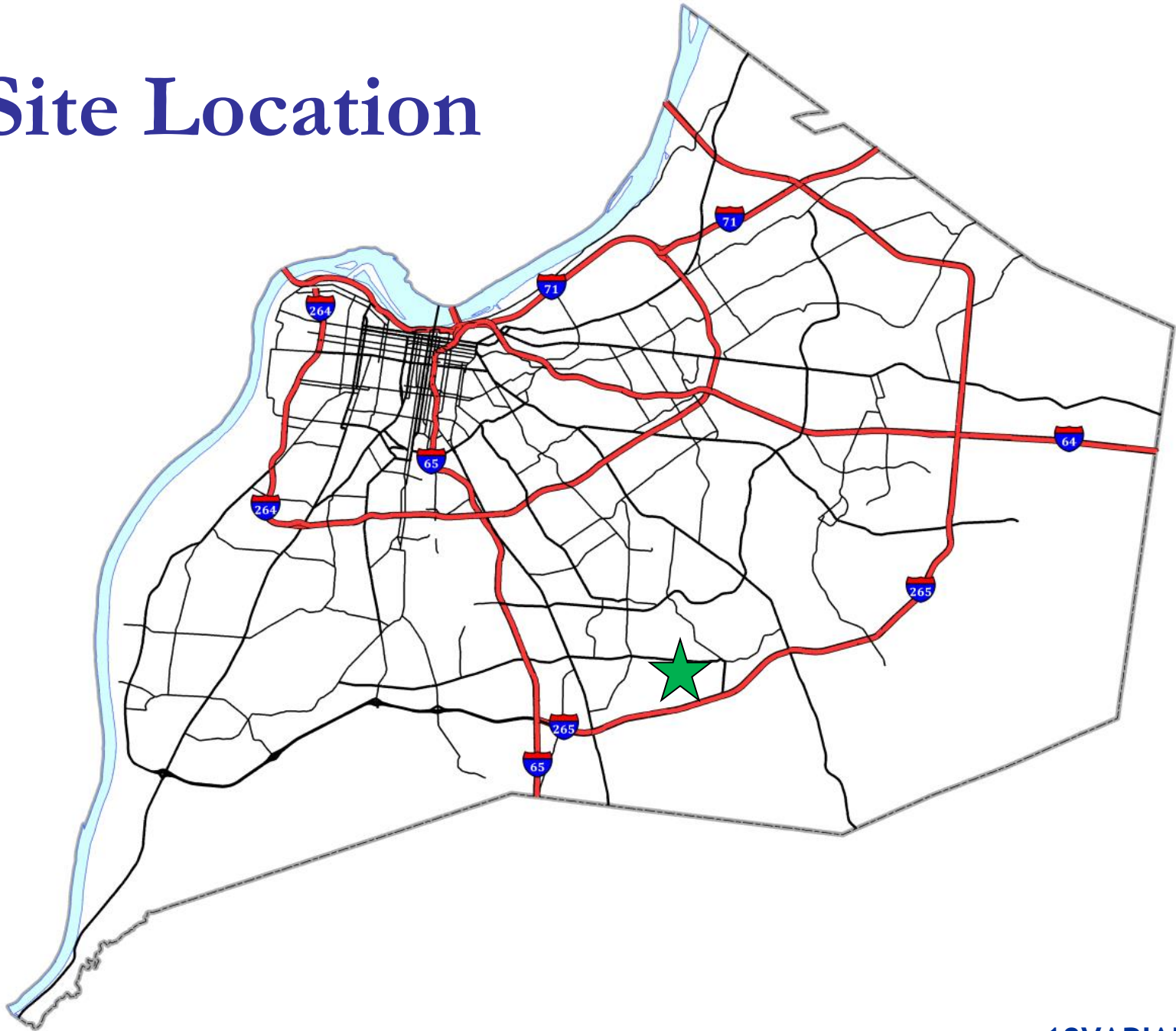
- **Variance:** from Land Development Code table 5.3.1 to allow structures to encroach into the required front yard setback.

Location	Requirement	Request	Variance
Front Yard	25 ft.	20 ft.	5 ft.

# Case Summary / Background

- The subject property was part of a rezoning and subdivision case that was approved by Planning Commission on July 5 ,2018 under the project name Smyrna Parkway Subdivision.
- The applicant requests a variance for six lots to allow structures to encroach into the “Street A” front yard setback.

# Site Location



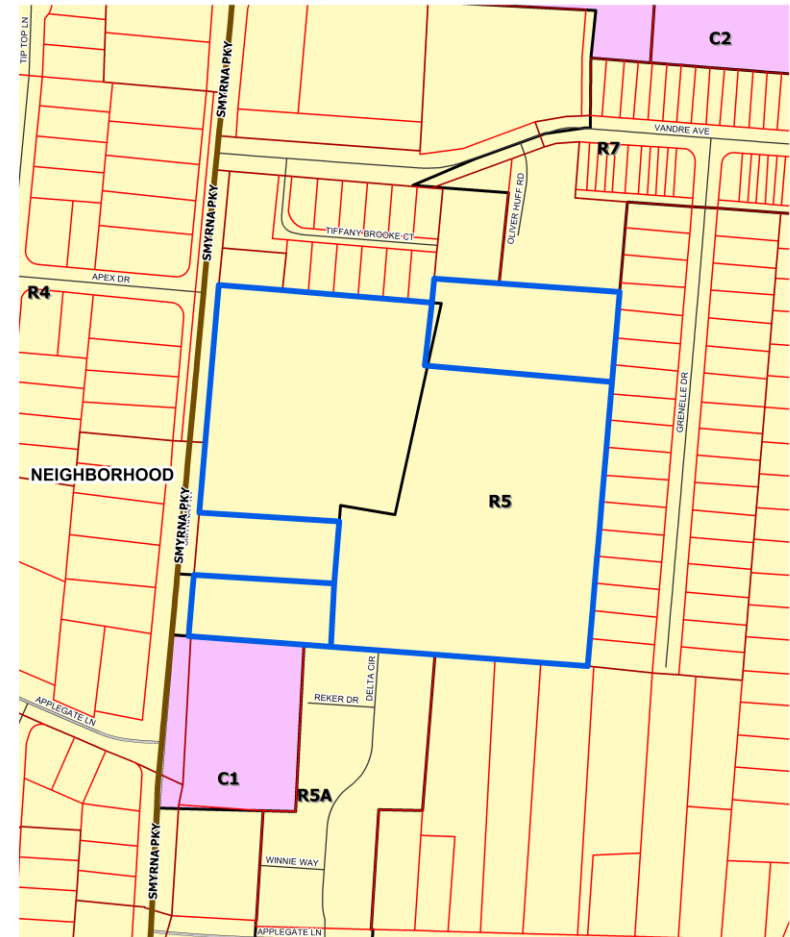
# Zoning/Form Districts

## Subject Property:

- Existing: R-5/Neighborhood

## Adjacent Properties:

- North: R-4 and R-7/Neighborhood
- South: C-1, R-5A, and R-4/Neighborhood
- East: R-4/Neighborhood
- West: R-4/Neighborhood



Smyrna Parkway Variance  
feet



230

Map Created: 10/26/2018



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# Aerial Photo/Land Use

## Subject Property:

- Existing: The Believers Church Inc. & Undeveloped
- Proposed: Single Family Residential

## Adjacent Properties:

- North: Single Family Residential & Institutional
- South: Single Family Residential, Institutional, and Undeveloped
- East: Single Family Residential
- West: Single Family Residential & Undeveloped



Smyrna Parkway Variance  
feet

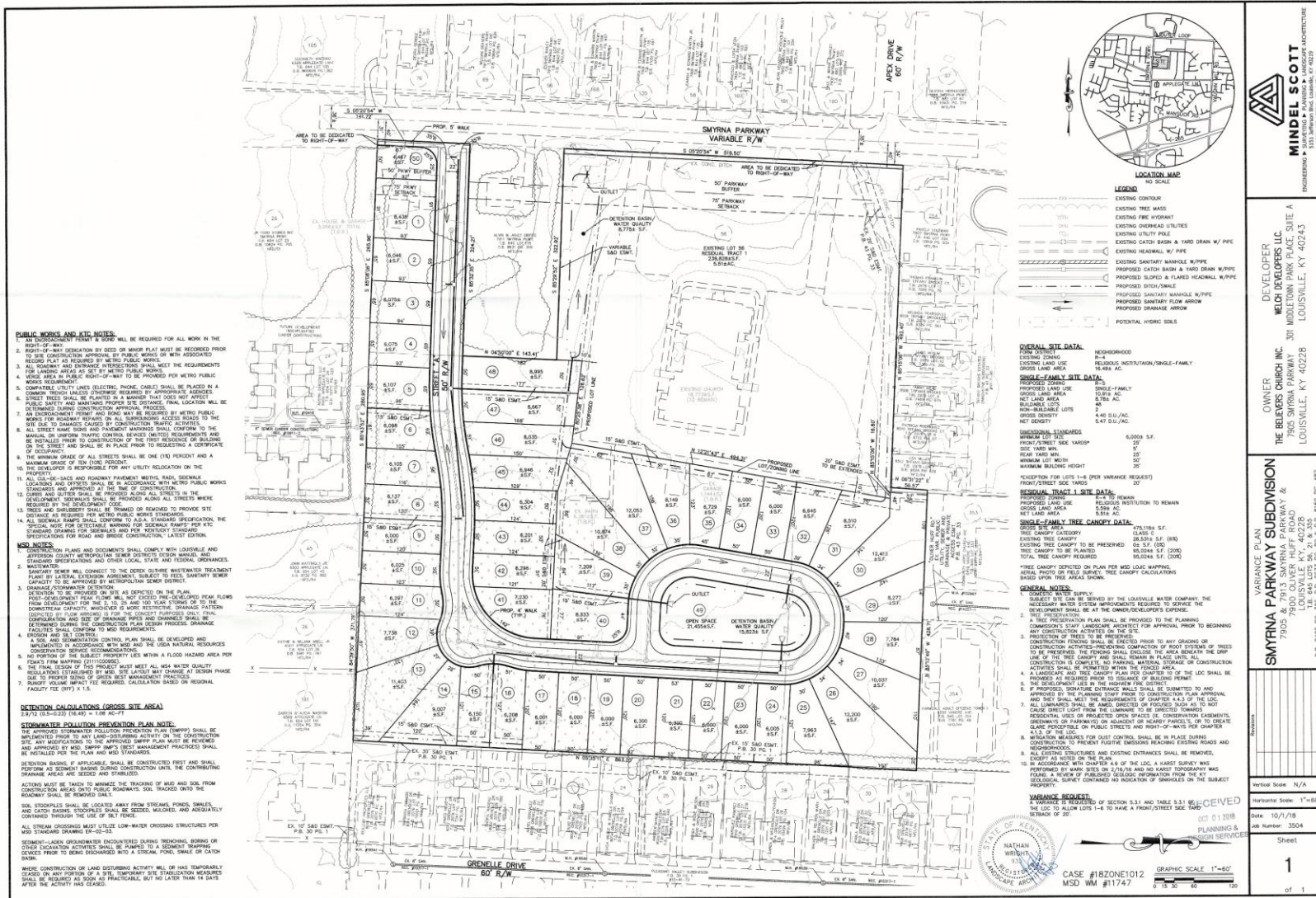
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Map Created: 10/26/2018



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# Site Plan



**PUBLIC WORKS AND ETC. NOTES:**  
 1. ALL EROSION CONTROL MEASURES SHALL BE PROVIDED FOR ALL WORK IN THE RIGHT-OF-WAY.  
 2. ALL CONSTRUCTION APPROVED BY THE CITY OF LOUISVILLE SHALL BE IN ACCORDANCE WITH THE CITY OF LOUISVILLE PUBLIC WORKS AND ETC. CODE.  
 3. ALL CONSTRUCTION APPROVED BY THE CITY OF LOUISVILLE SHALL BE IN ACCORDANCE WITH THE CITY OF LOUISVILLE PUBLIC WORKS AND ETC. CODE.  
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**GENERAL NOTES:**  
 1. THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.  
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LOUISVILLE PUBLIC WORKS AND ETC. CODE.  
 3. ALL CONSTRUCTION APPROVED BY THE CITY OF LOUISVILLE SHALL BE IN ACCORDANCE WITH THE CITY OF LOUISVILLE PUBLIC WORKS AND ETC. CODE.  
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**DETENTION CALCULATIONS (GROSS SITE AREA)**  
 2,872 (19,323) (16,490) 1.08 AC. 20%

**STORMWATER POLLUTION PREVENTION PLAN NOTE:**  
 THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE DEVELOPED PRIOR TO THE START OF CONSTRUCTION AND SHALL BE APPROVED BY THE CITY OF LOUISVILLE. THE SWPPP SHALL BE IN ACCORDANCE WITH THE CITY OF LOUISVILLE SWPPP MANUAL AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE SWPPP SHALL BE REVISED AS NECESSARY TO REFLECT CHANGES TO THE CONSTRUCTION PLAN OR TO ADDRESS NEW INFORMATION. THE SWPPP SHALL BE SUBMITTED TO THE CITY OF LOUISVILLE FOR APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION.

**DETENTION BASINS:**  
 DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL BE OPERATIONAL PRIOR TO THE START OF CONSTRUCTION. DETENTION BASINS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOUISVILLE DETENTION BASIN DESIGN MANUAL AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. DETENTION BASINS SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. DETENTION BASINS SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. DETENTION BASINS SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. DETENTION BASINS SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. DETENTION BASINS SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION.

**SOIL STABILIZATION:**  
 SOIL STABILIZATION SHALL BE LOCATED AWAY FROM STREAMS, PONDS, Ditches, AND CATCH BASINS. SOIL STABILIZATION SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. SOIL STABILIZATION SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. SOIL STABILIZATION SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. SOIL STABILIZATION SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. SOIL STABILIZATION SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. SOIL STABILIZATION SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION.

**SEEDING AND SOIL CONSERVATION:**  
 SEEDING AND SOIL CONSERVATION MEASURES SHALL BE PROVIDED FOR ALL EXPOSED SOILS. SEEDING AND SOIL CONSERVATION MEASURES SHALL BE IN ACCORDANCE WITH THE CITY OF LOUISVILLE SEEDING AND SOIL CONSERVATION MANUAL AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. SEEDING AND SOIL CONSERVATION MEASURES SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION. SEEDING AND SOIL CONSERVATION MEASURES SHALL BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION. SEEDING AND SOIL CONSERVATION MEASURES SHALL BE REVIEWED AND APPROVED BY THE CITY OF LOUISVILLE PRIOR TO THE START OF CONSTRUCTION.

**CONSTRUCTION OF LAND DISTURBING ACTIVITY:**  
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**OVERALL SITE DATA:**  
 EXISTING ZONING: RESIDENTIAL MEDIUM-DENSITY (RM-1)  
 EXISTING LOT SIZE: 12,000 S.F.  
 GROSS LAND AREA: 16.86 AC.  
 PROPOSED ZONING: RESIDENTIAL MEDIUM-DENSITY (RM-1)  
 PROPOSED LOT SIZE: 12,000 S.F.  
 GROSS LAND AREA: 16.86 AC.  
 NET LAND AREA: 16.86 AC.  
 BUILT-UP AREA: 16.86 AC.  
 NON-BUILDABLE LOTS: 2  
 TOTAL LOTS: 60  
 MET SETBACK: 5.47 S.U./AC.

**PROPOSED LOT DATA:**  
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**MINDEL SCOTT**  
 ARCHITECTS  
 5113 JEFFERSON AVENUE, SUITE 100  
 LOUISVILLE, KY 40202  
 (502) 261-1111

**DEVELOPER**  
**WELT DEVELOPERS LLC**  
 301 MIDLETOWN PARK PLACE, SUITE A  
 LOUISVILLE, KY 40228

**OWNER**  
**THE BEVERLY CHURCH INC.**  
 7905 SMOYLA PARKWAY  
 LOUISVILLE, KY 40228

**VARIANCE PLAN**  
**SMYRNA PARKWAY SUBDIVISION**  
 7905 SMOYLA PARKWAY  
 LOUISVILLE, KY 40228  
 D.B. #488 PC 206, 014, 015, 016, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060

Version: 1/18  
 Date: 10/7/18  
 Author: 3504  
 Sheet: 1  
 of 1



# Site Photos-Subject Property



Front of subject property.



# Site Photos-Subject Property



Property to the left.

# Site Photos-Subject Property



Property to the right.

# Site Photos-Subject Property



Property across Smyrna Parkway.

# Site Photos-Subject Property



Location of variance.

# Site Photos-Subject Property



BOZA public hearing notice sign.

# Conclusion

- The variance request does appear to be adequately justified and does meet the standard of review.

# Required Action

- **Variance:** from Land Development Code table 5.3.1 to allow structures to encroach into the front yard setback. Approve/Deny

Location	Requirement	Request	Variance
Front Yard	25 ft.	20 ft.	5 ft.