

# 16VARIANCE1071

## 715 Shelby Parkway



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

**Ross Allen, Planner I**

**Oct. 17, 2016**

# Request(s)

- **Variance:** from the Land Development Code section 5.4.1.E.5 to allow steps from an unenclosed fenced deck to encroach into the 3 foot side yard setback as determined by LDC section 5.2.2, table 5.2.2 for an R-6 zoned parcel located within the Traditional Neighborhood Form District.

Location	Requirement	Request	Variance
Side Yard Setback	3 ft.	1 ft.	2 ft.

# Case Summary / Background

- Applicant is proposing to construct a deck onto the rear of the principal structure which is detached but anchored and setting on pier footers.
- The deck will be in a “L” (90 degree turn) shape and has an area of approximately 432 sf.
- The deck is level with the first floor of the home and will be open to the sky.
- The deck will have steps that encroach into the side yard setback along the eastern property line.

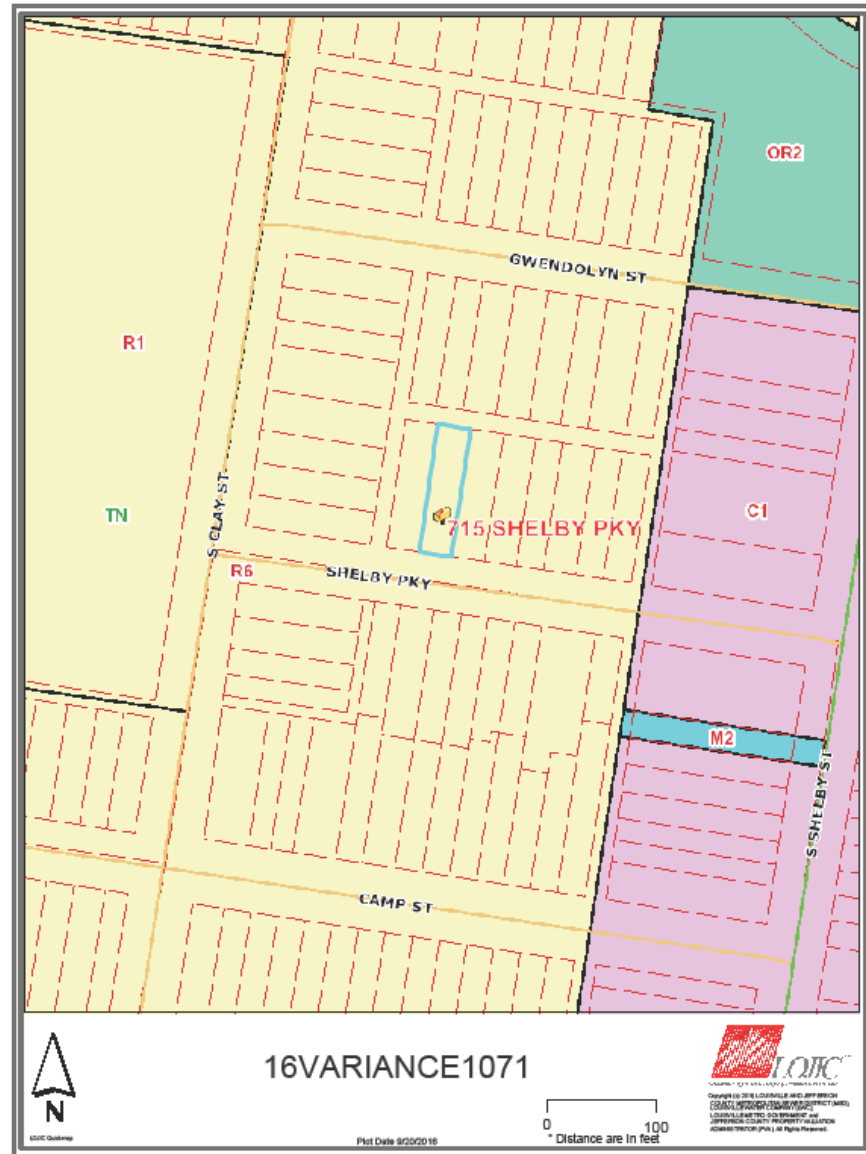
# Zoning/Form Districts

## Subject Property:

- Existing: R-6/Traditional Neighborhood
- Proposed: R-6/Traditional Neighborhood

## Adjacent Properties:

- North: R-6/Traditional Neighborhood
- South: R-6/Traditional Neighborhood
- East: R-6/Traditional Neighborhood
- West: R-6/Traditional Neighborhood



# Aerial Photo/Land Use

## Subject Property:

- Existing: Residential Multi-Family
- Proposed: Residential Multi-Family

## Adjacent Properties:

- North: Residential Multi-Family
- South: Residential Multi-Family
- East: Residential Multi-Family
- West: Residential Multi-Family



# Site Photos-Subject Property



# Site Photos-Subject Property



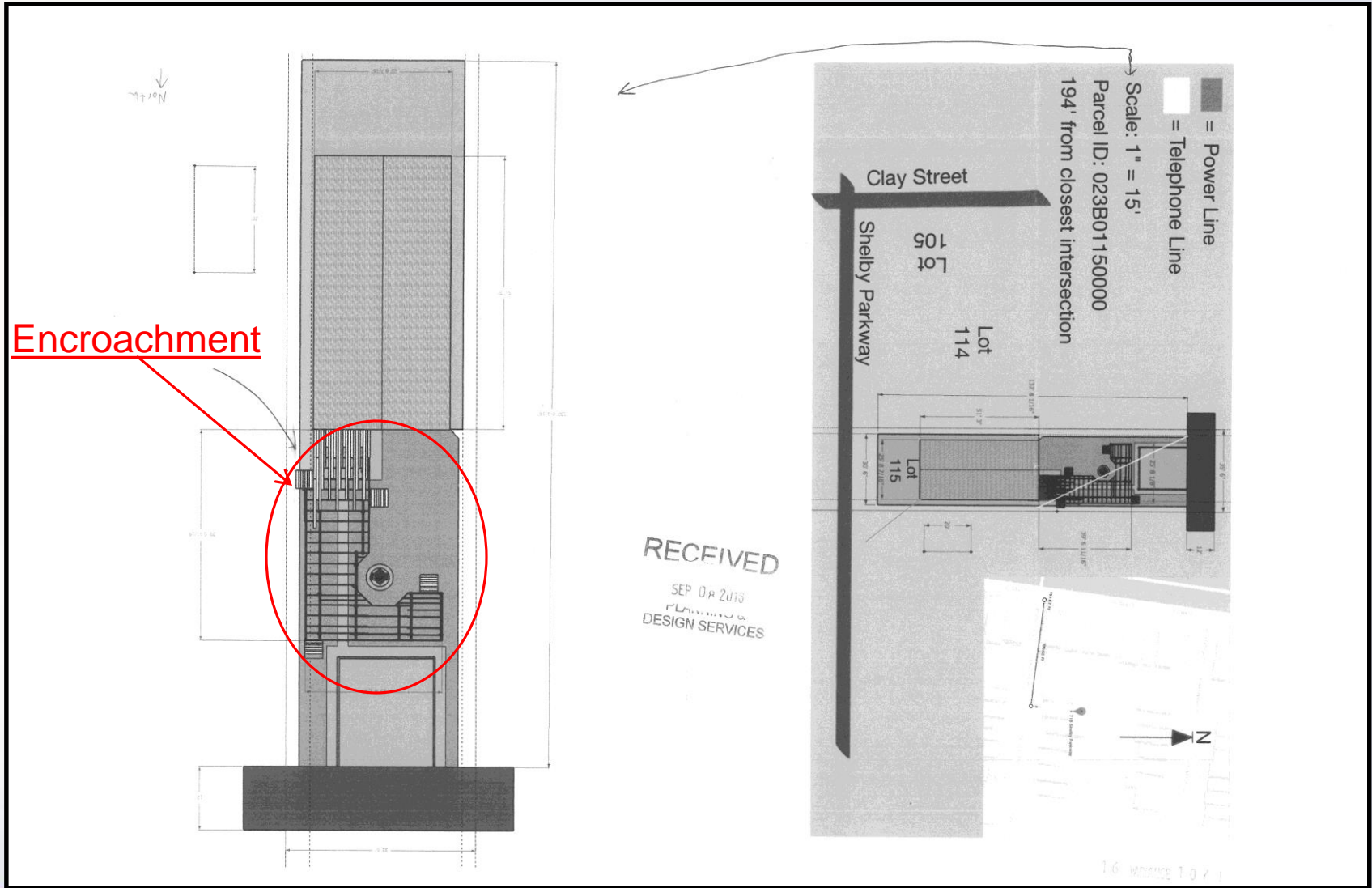
Looking South at the rear of the subject site where the deck is to be located, side yard encroachment would occur on the left hand side of the photo.

# Surrounding - Subject Property





# Applicant's Site Plan



# Conclusions

- Variance request appears to be adequately justified and meets the standard of review for granting a variance from LDC section 5.4.1.E.5 to allow steps leading from the proposed deck to encroach into the 3 foot side yard setback by approximately 2 feet.

# Required Actions

- **Variance:** from the Land Development Code section 5.4.1.E.5 to allow steps from an unenclosed fenced deck to encroach into the 3 foot side yard setback as determined by LDC section 5.2.2, table 5.2.2 for an R-6 zoned parcel located within the Traditional Neighborhood Form District. Approve/Deny

Location	Requirement	Request	Variance
Side Yard Setback	3 ft.	1 ft.	2 ft.