



**OFFICE OF PLANNING & DESIGN SERVICES
DEVELOP LOUISVILLE**

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Variance Justification

In accordance with KRS 100.241 through 251, and Chapter 11.5B.1 of the Land Development Code, the Board of Zoning Adjustment must consider, but is not limited to, the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The requested variance will not adversely affect the public health, safety or welfare as the structure will be constructed to comply with all building codes, including fire codes.

2. Explain how the variance will not alter the essential character of the general vicinity.

The requested variance will not alter the essential character of the general vicinity as the garage and addition design will be in the same scale and style as many of the adjoining properties.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The requested variance will not cause a hazard or nuisance to the public as the proposed rear yard is not accessible to the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The requested variance will not allow an unreasonable circumvention of the zoning regulations as the private rear yard will be similar in size to those across the street and across the alley. There will also be a significant area of private yard on the east side of the property.

5. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

Existing garage is extremely shallow and will not accommodate modern vehicles.

6. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant by preventing the applicant from constructing a garage that will accommodate modern vehicles.

7. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

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 applicant is requesting the variance and has not begun construction.