

Board of Zoning Adjustment Staff Report

August 1, 2022



Case No:	22-VARIANCE-0089
Project Name:	Logsdon Residence
Location:	3015 Taylor Blvd
Owner:	William Logsdon
Applicant:	Joel T. Gano
Jurisdiction:	Louisville Metro
Council District:	3 – Keisha Dorsey
Case Manager:	Joel Dock, AICP, Planning Coordinator

REQUEST:

- **Variance** from Land Development Code, Section 5.4.1.D to reduce required private yard area

Required	Variance	Provided
1,914 sq. ft. (30% net lot area)	1,480 sq. ft.	434 sq. ft. (6% net lot area)

CASE SUMMARY

The subject property is located at the intersection of Burton Ave and Taylor Blvd, 1 block north of Central Avenue. The subject property is in the Traditional Neighborhood form district and subject to the four areas of residential site design – public realm, principal structure, private yard, and accessory use/structure areas. The applicant has requested to reduce the private yard to allow for the construction of a second dwelling on the property. The proposed second dwelling will be to the rear of the existing dwelling. It will be located in line with the street side setback established along Burton Ave. There will be a deck shared between the 2 residences. Orientation for entry is provided towards Burton Ave for the second unit and the existing structure has entries facing both Burton Ave and Taylor Blvd.

STAFF FINDINGS

The requested variance has been adequately justified based on staff's analysis contained in the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the Land Development Code.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

- (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 as the reduction of the private yard area does not impede the safe movement of vehicles or pedestrians or result in environmental degradation.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The proposed variance will not alter the essential character of the general vicinity as the street side yard setback will be provided in line with the established setback of the block along Burton Avenue and the angle of the lots fronting Taylor Blvd gradually decrease resulting in 0 private yard for the property at 3011 Taylor Blvd. Further, orientation towards Burton Ave is provided for the second dwelling.

- (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 as the reduction of the private yard area does not impede the safe movement of vehicles or pedestrians or result in environmental degradation.

- (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 as the street side yard setback will be provided in line with the established setback of the block along Burton Avenue and the angle of the lots fronting Taylor Blvd gradually decrease resulting in 0 private yard for the property at 3011 Taylor Blvd.

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 requested variance does not arise from special circumstances which do not generally apply to the land in the generally vicinity or the same zone.

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 create an unnecessary hardship on the applicant as the street side yard setback will be provided in line with the established setback of the block along Burton Avenue and the angle of the lots fronting Taylor Blvd gradually decrease resulting in 0 private yard for the property at 3011 Taylor Blvd.

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.

VARIANCE PLAN REQUIREMENT

In accordance with LDC Section 11.5B.1.C (Requirement to Follow Approved Plan), a variance shall be approved only on the basis of the plan approved by the Board and shall be valid only for the location and area shown on the approved plan. All construction and operations must be conducted in accordance with the approved plan and conditions attached to the variance.

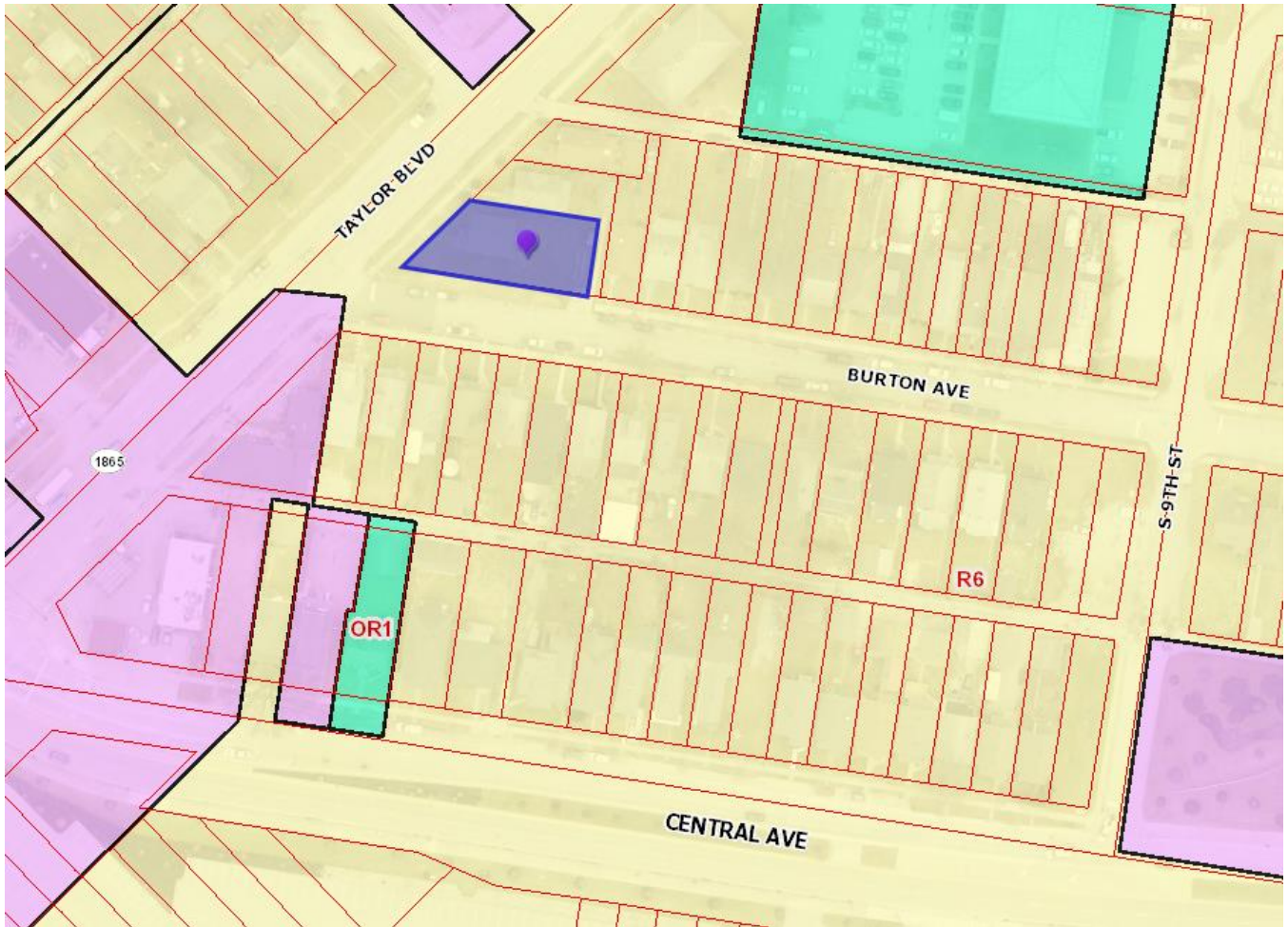
NOTIFICATION

Date	Purpose of Notice	Recipients
07/13/22	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 3
	Hearing before BOZA	Notice posted on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

