

Board of Zoning Adjustment Staff Report

June 6, 2016



Case No:	16VARIANCE1025
Request:	Reduction in the Private Yard Area.
Project Name:	142 Coral Court
Location:	142 Coral Court
Area:	.14500 acres
Owner:	Joseph Oldham
Applicant:	Emily Fisher – Architect at Rock Paper Hammer
Representative:	Emily Fisher – Architect at Rock Paper Hammer
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Ross Allen, Planner I

REQUEST

- Variance from the Land Development Code section 5.4.1.D. 2 to allow the private yard area to be less than the required 30% for a lot greater than 6000 sf.

Location	Requirement	Request	Variance
Private Yard Area	30% (approx. 1,891 sf.)	22% (approx. 1,387 sf.)	8% (approx. 504 sf.)

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is located within an R-5A zoning district within a Traditional Neighborhood Form District within the Clifton Historic Preservation District. The applicant is proposing to remove an earlier one story addition (approx. 133 sf.) and rebuild a one story addition in the same area that is slightly larger at approximately 228 sf. onto the rear of the principal structure. The proposed addition has been approved by the Urban Design Team with a Certificate of Appropriateness (Case No: 16COA1031-CL March 1, 2016); please see pages 7-9 of the staff report.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Residential Single Family	R-5A	Traditional Neighborhood
Proposed	Residential Single Family	R-5A	Traditional Neighborhood
Surrounding Properties			
North	Residential Single Family	R-5A	Traditional Neighborhood
South	Residential Single Family	R-5A	Traditional Neighborhood
East	Residential Single Family	R-1	Traditional Neighborhood
West	Residential Single Family	R-5	Traditional Neighborhood

PREVIOUS CASES ON SITE

No previous cases associated with the subject property.

INTERESTED PARTY COMMENTS

No comments were received from concerned citizens.

APPLICABLE PLANS AND POLICIES

Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCES

- (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 proposed reduction in private yard area is approximately 127 sf. which is not visible to the public and is enclosed by a fence currently.

- (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 be similar in scale to two properties to the North of 142 Coral Court.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will cause a hazard or nuisance to the public since the rear addition and the approximate 127 sf. of reduction to the private yard area would not be visible to the general public.

- (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 many homes within the general vicinity have additions similar in size and scale of the addition proposed by the applicant.

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 arise from special circumstances which do not generally apply to land in the general vicinity or the same zone since the house is setback upon a hill approximately 55' ft. from the front property line as a result the public realm is larger than the private yard area resulting in the variance request.

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 any addition in the private yard area would require that homes in the general vicinity obtain a variance. Furthermore, as stated previously the home is situated atop a hill with

a front setback of approximately 55' ft. resulting in a private yard area that is small so any addition to the rear of the principal structure would require a variance.

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 since the applicant had made no attempt to construct or undertake construction prior to approval from the Board of Zoning Adjustment.

TECHNICAL REVIEW

- No technical review undertaken.

STAFF CONCLUSIONS

Based upon the information in the staff report, 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 from section 5.4.1.D.3 allowing the private yard area to be less than the required minimum of 30% as the result of an addition to the rear of the principal structure.

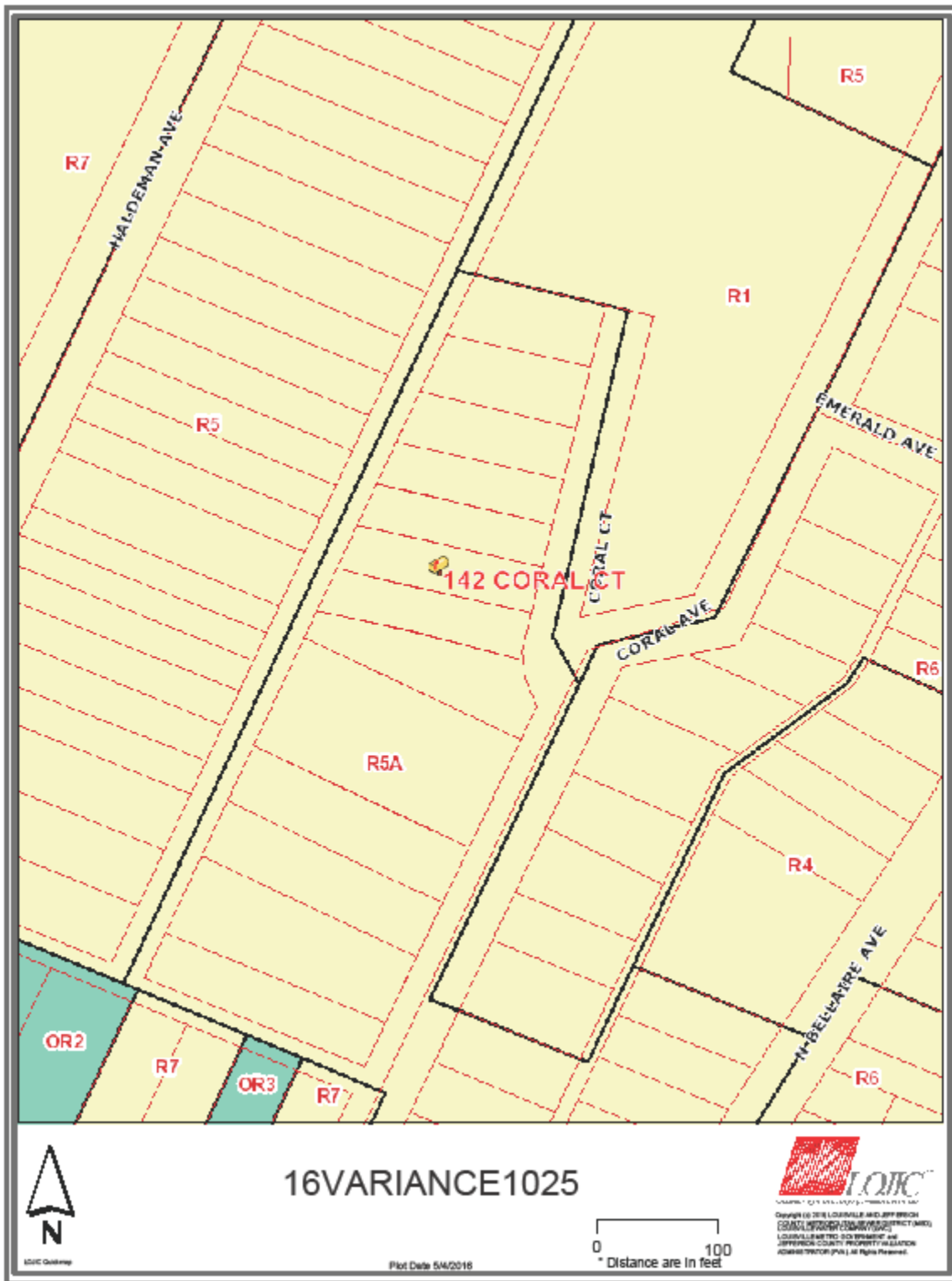
NOTIFICATION

Date	Purpose of Notice	Recipients
June 6, 2016	Non-Public Hearing before BOZA	1 st tier adjoining property owners have signed the Affidavit for Non-public hearing.
May 20, 2016	Sign Posting for BOZA	Sign Posting on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Certificate of Appropriateness (COA)

1. Zoning Map



2.



Site Plan

1 SITE PLAN

GENERAL NOTES

1. FOR THE RESIDENTIAL 40 CORAL COURT, LOUISVILLE, KENTUCKY, ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE UNAUTHORIZED USE OF THESE DRAWINGS AND SPECIFICATIONS.
2. THESE DRAWINGS ARE THE PROPERTY OF ROCK PAPER HAMMER, INC. AND WILL BE LOANED TO THE CLIENT FOR THE PROJECT ONLY. THEY ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
3. ALL WORK SHALL COMPLY WITH LOCAL, LOUISVILLE METRO CODES, JEFFERSON COUNTY ORDINANCES, AND ALL APPLICABLE STATE AND FEDERAL REQUIREMENTS. ANY VIOLATIONS SHALL BE THE RESPONSIBILITY OF THE CLIENT.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED OR OTHERWISE SPECIFIED. DIMENSIONS SHALL BE VERIFIED IN THE FIELD.
5. ALL DIMENSIONS OF EXISTING BUILDING ARE TO BE VERIFIED IN THE FIELD.
6. DO NOT SCALE DRAWINGS.
7. ARCHITECT IS NOT RESPONSIBLE FOR STRUCTURAL LOAD CALCULATIONS OR OTHER STRUCTURAL DESIGN CONSIDERATIONS.
8. CONTRACTOR MUST FOLLOW ALL CITY, STATE, AND FEDERAL REQUIREMENTS FOR THE PROTECTION OF THE ENVIRONMENT AND ALL APPLICABLE REQUIREMENTS FOR THE PROTECTION OF THE ENVIRONMENT.

INDEX OF DRAWINGS

- A1.0 COVER SHEET/ DRAWING INDEX, SITE PLAN
- A1.1 EXISTING/PROPOSED FIRST FLOOR PLAN
- A1.2 PROPOSED FIRST FLOOR PLAN
- A1.3 FOUNDATION PLAN AND ROOF PLAN
- A2.1 EXTERIOR ELEVATIONS
- A2.2 EXTERIOR ELEVATIONS
- A3.1 BUILDING SECTIONS
- A4.1 INTERIOR ELEVATIONS

AREA SUMMARY

EXISTING 1ST FLOOR 780 SF
PROPOSED 1ST FLOOR 220 SF
TOTAL 1ST FLOOR 1000 SF
TOTAL 2ND FLOOR 1200 SF
TOTAL 3RD FLOOR 1200 SF
TOTAL 4TH FLOOR 1200 SF
TOTAL 5TH FLOOR 1200 SF
TOTAL 6TH FLOOR 1200 SF
TOTAL 7TH FLOOR 1200 SF
TOTAL 8TH FLOOR 1200 SF
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4. Certificate of Appropriateness



**Historic Landmarks and Preservation
Districts Commission**

Certificate of Appropriateness

To: Emily Fisher
Thru: Robert Keesaer, AIA, NCARB – Planning Supervisor
From: Andrea Lauago, Planning Supervisor
Date: March 1, 2016

RWK

Case No: 16COA1031-CL

Classification: Staff Review

GENERAL INFORMATION

Property Address: 142 Coral Ct

Owner: Will Oldham
P.O. Box 4097
Louisville, KY 40204
bonnyhind@hotmail.com

Applicant: Emily Fisher, Architect
Rock Paper Hammer
135 Blackburn Avenue
Louisville, KY 40206
Emily@rockpaperhammer.com

Estimated Project Cost: \$20,000

Description of proposed exterior alteration

The applicant requests approval to demolish the existing rear addition and replace with a new slightly larger addition. The new addition will feature wood siding to match the existing home, standing seam metal shed roof, Wood-Ultrex windows by Marvin and French-style door. The applicant also requests approval to replace all of the existing 1st-floor side windows. On the south side of the home, a non-original double-hung window will be replaced with a wider Marvin wood casement window. On the north side of the home, a new horizontal Marvin wood decorative window will be added (side at front of home). The two existing

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double-hung windows (side at rear of home) will be replaced with two larger Marvin wood double hung windows and another horizontal Marvin wood decorative window will be added in between.

Communications with Applicant, Completion of Application

The application was received by Planning and Design Services on February 18, 2016. The application was determined to be complete and needing staff level review on February 25, 2016.

FINDINGS

The following design review guidelines, approved for the Clifton Preservation District, are applicable to the proposed exterior alteration: **Addition, Demolition and Windows**. The report of the Commission Staff's findings of fact and conclusions with respect to these guidelines are attached.

The following additional findings are incorporated in this report:

Site Context/Background

The property is located in the R-5A Single Family Residential zoning district and the Traditional Neighborhood form district on Coral Ct. There is a significant grade difference between the street and the lot and also a deep setback between the home and the street. The structure on the site is a 2.5-story wood-sided side entry home with standing seam metal roof. The home features a front porch that has been screened in and a non-historic rear addition, likely a rear porch that was enclosed.

CONCLUSIONS

The proposed demolition and new addition meet the Clifton design guidelines. The demolition is for a non-historic addition to the home. The proposed new addition is slightly larger than the existing one but it is subordinate in size to the home and the side walls are slightly inset from the walls of the historic building. The proposed window changes generally meet the guidelines but will bring more consistency to the size of the windows for the entire structure. There is precedent for decorative windows in the district and all changes are for side non-street-facing elevations. Additionally, the significant differences in grade between the lot and the street and the deep setback of the building from the front property line make all of the proposed changes unlikely to be visible from the street.

DECISION

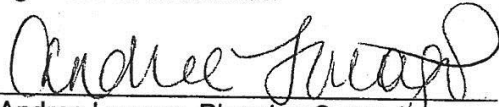
On the basis of the information furnished by the applicant, the application for a Certificate of Appropriateness is **approved on the conditions**:

1. That the applicant ensures that the requirement for Private Yard Area is met or a variance from the Board of Zoning Adjustment granted before proceeding to Construction Review.
2. That the materials used for the new addition match the existing historic home as proposed.

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3. That the proposed changes are implemented as per the plans and application submitted on February 18, 2016 under Case 16COA1031.

The foregoing information is hereby incorporated in the Certificate of Appropriateness as approved and is binding upon the applicant, his successors, heirs or assigns. This Certificate does not relieve the applicant of responsibility for obtaining the necessary permits and approvals required by other governing agencies or authorities.



Andrea Lauago, Planning Supervisor

3/1/16
Date

Attachments:

1. Staff checklist.