

17VARIANCE1026

2005 Lakeland Road



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

**Dante St. Germain, Planner I
July 10, 2017**

Requests

- **Variance:** from Land Development Code section 5.1.12.B.2.e.i.1 to allow a structure to encroach into the required infill street side yard setback
- **Variance:** from Land Development Code section 5.1.12.B.2.e.i.1 to allow a structure to encroach into the required infill front yard setback

Location	Requirement	Request	Variance
Street Side Yard Setback	50 ft.	21.5 ft.	28.5 ft.
Front Yard Setback	65 ft.	36 ft.	29 ft.

Case Summary / Background

- This case is continued from the June 19, 2017 meeting of the Board of Zoning Adjustment.
- The applicant is renovating and expanding a one-story residence that exists on the subject property. The renovations have been partially completed under building permit BL984032.
- As part of the renovation, a garage has been constructed on the corner of the residence. The garage was not included in the building permit, and a stop-work order was issued on 05-11-2017 when an inspection discovered that the construction had not been built to plan.

Case Summary / Background

- The renovations fall under the infill standards in Land Development Code section 5.1.12. Infill standards for suburban form districts require front and street side yard setbacks to fall within the setbacks of the two nearest lots containing principal structures.
- The front yard setback (along Lakeland Road) per infill requirements is 65 feet. The street side yard setback (along Garr Avenue) per infill requirements is 50 feet.
- The applicant requests variances from these setbacks.

Zoning/Form Districts

Subject Property:

- Existing: R-4/Village
- Proposed: R-4/Village

Adjacent Properties:

- North: R-4/Village
- South: R-4/Village
- East: R-4/Village
- West: R-4/Campus



Aerial Photo/Land Use

Subject Property:

- Existing: Single Family Residential
- Proposed: Single Family Residential

Adjacent Properties:

- North: Single Family Residential
- South: Single Family Residential
- East: Single Family Residential
- West: E. P. "Tom" Sawyer State Park



2005 Lakeland Road
feet

110

Map Created: 6/7/2017



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COUNTY METROPOLITAN SEWER DISTRICT (MSD),
LOUISVILLE WATER COMPANY (LWC),
LOUISVILLE METRO GOVERNMENT and
JEFFERSON COUNTY PROPERTY VALUATION
ADMINISTRATOR (PVA). All Rights Reserved.

Site Photos-Subject Property



The front of the subject property with the garage as the point of greatest encroachment

Site Photos-Subject Property



The residence across Garr Avenue

Site Photos-Subject Property



E. P. “Tom” Sawyer State Park is across
Lakeland Road

Site Photos-Subject Property



The garage and the next two principal structures down Lakeland Road

Site Photos-Subject Property



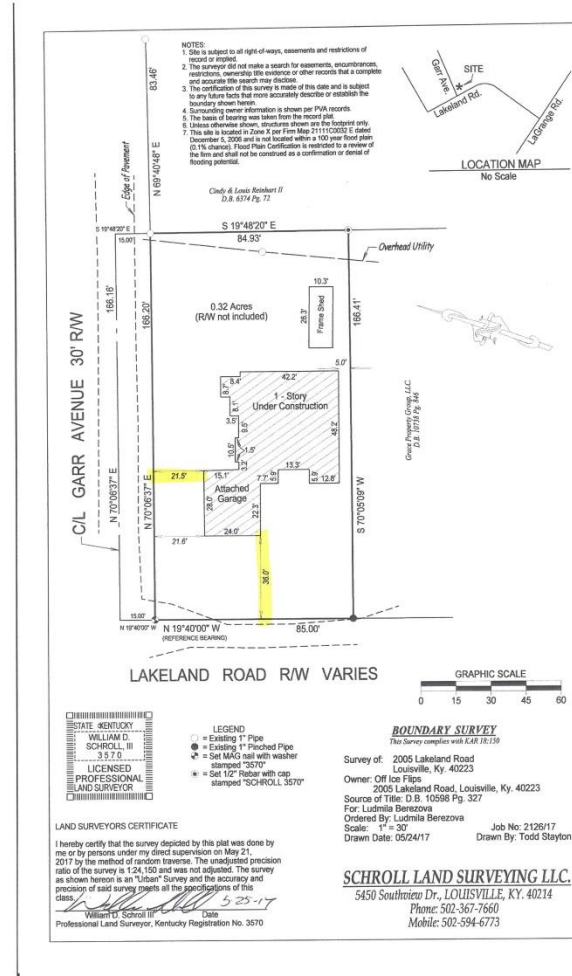
The street side yard and the next residence
down Garr Avenue

Site Photos-Subject Property



The side of the residence and front of the garage

Applicant's Site Plan



Conclusions

- Must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code (May 2017) from section 5.12.1.B.2.e.i.1 to allow a structure to encroach into the required infill street side yard setback, and from section 5.12.1.B.2.e.i.1 to allow a structure to encroach into the required infill front yard setback.

Required Actions

- **Variance:** from Land Development Code section 5.1.12.B.2.e.i.1 to allow a structure to encroach into the required infill street side yard. Approve/Deny
- **Variance:** from Land Development Code section 5.1.12.B.2.e.i.1 to allow a structure to encroach into the required infill front yard. Approve/Deny

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