

# Board of Zoning Adjustment

## Staff Report

June 4, 2018



<b>Case No:</b>	18VARIANCE1046
<b>Project Name:</b>	907 Grace Court Residence
<b>Location:</b>	907 Grace Court
<b>Owner(s):</b>	River Glen Landis II LLC
<b>Applicant:</b>	Michael Hill – Land Design & Development
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	20 – Stuart Benson
<b>Case Manager:</b>	Dante St. Germain, Planner I

### REQUEST

- **Variance** from Land Development Code table 5.3.1 to allow a structure to encroach into the required front yard setback.

Location	Requirement	Request	Variance
Front Yard	30 ft.	22.64 ft.	7.36 ft.

### CASE SUMMARY/BACKGROUND

The subject property is located at the corner of Glendower Drive and Grace Court in the Reserve of Landis Springs subdivision, recorded in 2014 in plat book 54, page 84. The site is currently undeveloped. The applicant proposes to construct a new one-story single-family home with a walk-out basement on the lot. The proposed footprint of the residence encroaches into the front yard setback by 7.36 feet. The applicant requests a variance to allow the encroachment.

### STAFF FINDING

Staff finds that the requested variance is adequately justified and meets 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 table 5.3.1 to allow a structure to encroach into the required front yard setback.

### TECHNICAL REVIEW

- No technical review was undertaken.

### INTERESTED PARTY COMMENTS

No interested party comments were received.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM TABLE 5.3.1**

- (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 proposed encroachment is relatively small and will not affect the public.

- (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 as the proposed encroachment is small enough to not be noticeable given the curvature of the street.

- (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 proposed encroachment will not obstruct sight lines for turning vehicles at the corner.

- (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 lot is irregular in shape with challenging topography, and the encroachment is necessitated by the unusual shape and topography of the lot.

### **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 arises from special circumstances which do not generally apply to land in the general vicinity or the same zone because the lot is irregular in shape with a concave curve along the Glendower Avenue frontage.

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 may deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant by requiring the applicant to construct a much smaller home on the lot.

3. 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.

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 as the applicant is requesting the variance and has not begun construction.

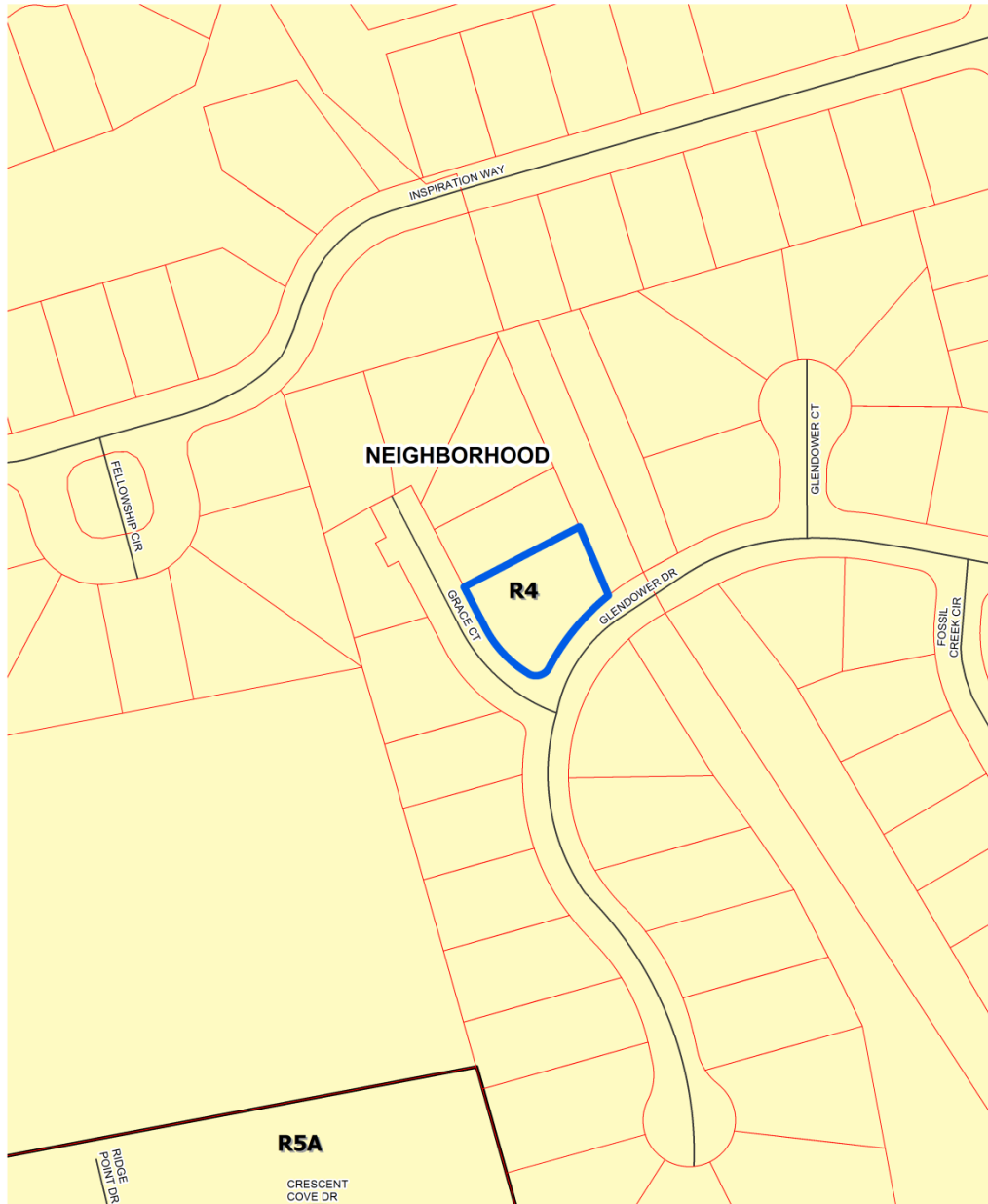
**NOTIFICATION**

Date	Purpose of Notice	Recipients
05/18/2018	Hearing before BOZA	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 20
05/18/2018	Hearing before BOZA	Notice posted on property

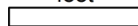
**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Elevations
5. Site Photos

1. **Zoning Map**



907 Grace Court  
feet



Map Created: 5/23/2018

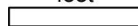


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## 2. Aerial Photograph



907 Grace Court  
feet



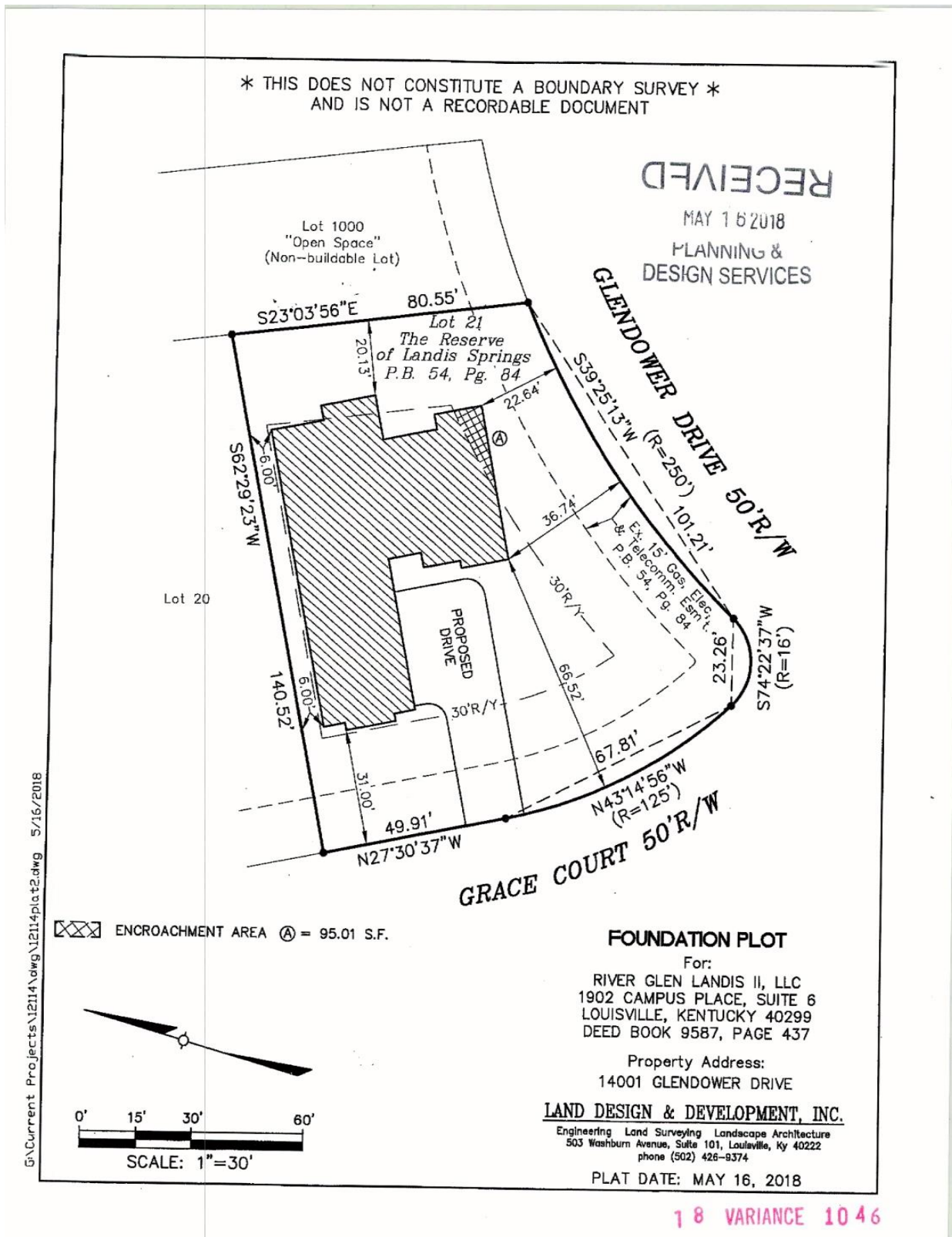
Map Created: 5/23/2018



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### 3. Site Plan



## 4. Elevations

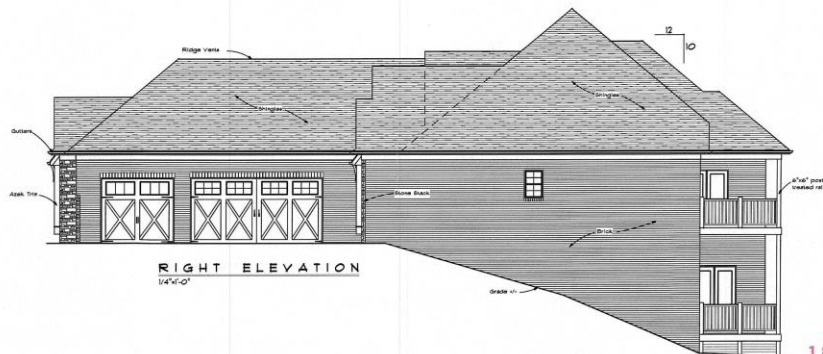
DOAN  
DESIGN  
SCOTT DOAN  
(502) 553-4970

NOTE:  
Builder must verify all  
dimensions, drawings and  
code compliance before  
starting construction



FRONT ELEVATION  
1/4"=1'-0" 2,360 Sq Ft +/-

Lot # 21 Reserve at Landia Springs  
RiverGlen Builders



RIGHT ELEVATION  
1/4"=1'-0"

18 VARIANCE 1046 1.



LEFT ELEVATION  
1/4"=1'-0"



REAR ELEVATION  
1/4"=1'-0"

18 VARIANCE 1046 4.

5. Site Photos



The front of the subject property and the location of the requested variance.





The property across Glendower Drive.



The properties across Grace Court.