19-VARIANCE-0052
Winter Avenue Variance

Louisville Metro Board of Zoning Adjustment

Public Hearing

Zach Schwager, Planner I

October 28, 2019

Request

- **Variance:** from Land Development Code table 5.1.10.F to allow a structure to encroach into the required eastern side yard setback.

Location	Requirement	Request	Variance
Side Yard	21 in.	13.8 in.	7.2 in.

Case Summary / Background

- The subject property is zoned R-5B and is in the Traditional Neighborhood Form District. It is located in the Original Highlands neighborhood on the north side of Winter Avenue and contains a 1 ½ -story single-family residence.

- The applicant is proposing a second story addition to the rear of the residence that will encroach into the eastern side yard the same distance as the existing structure.

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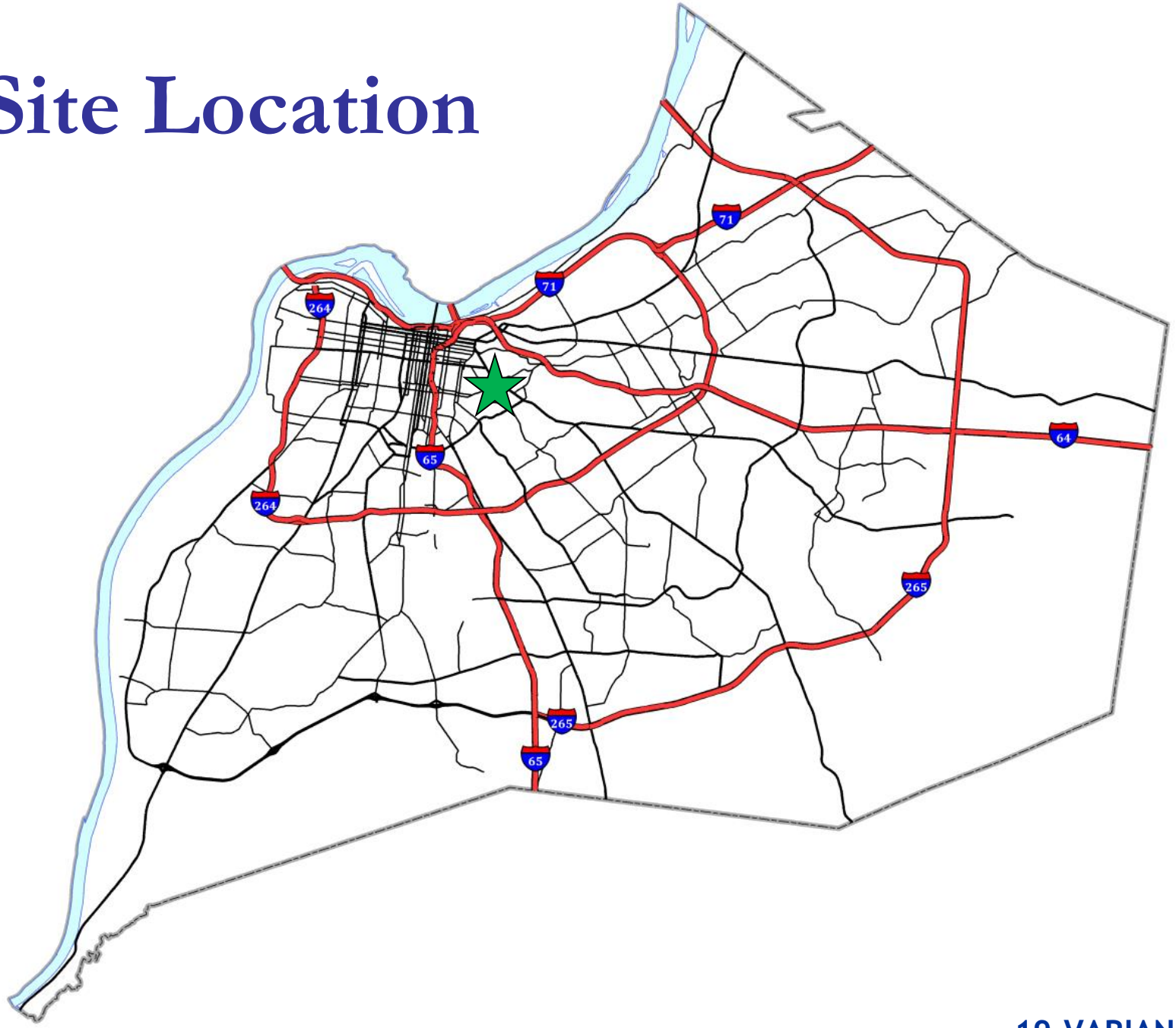
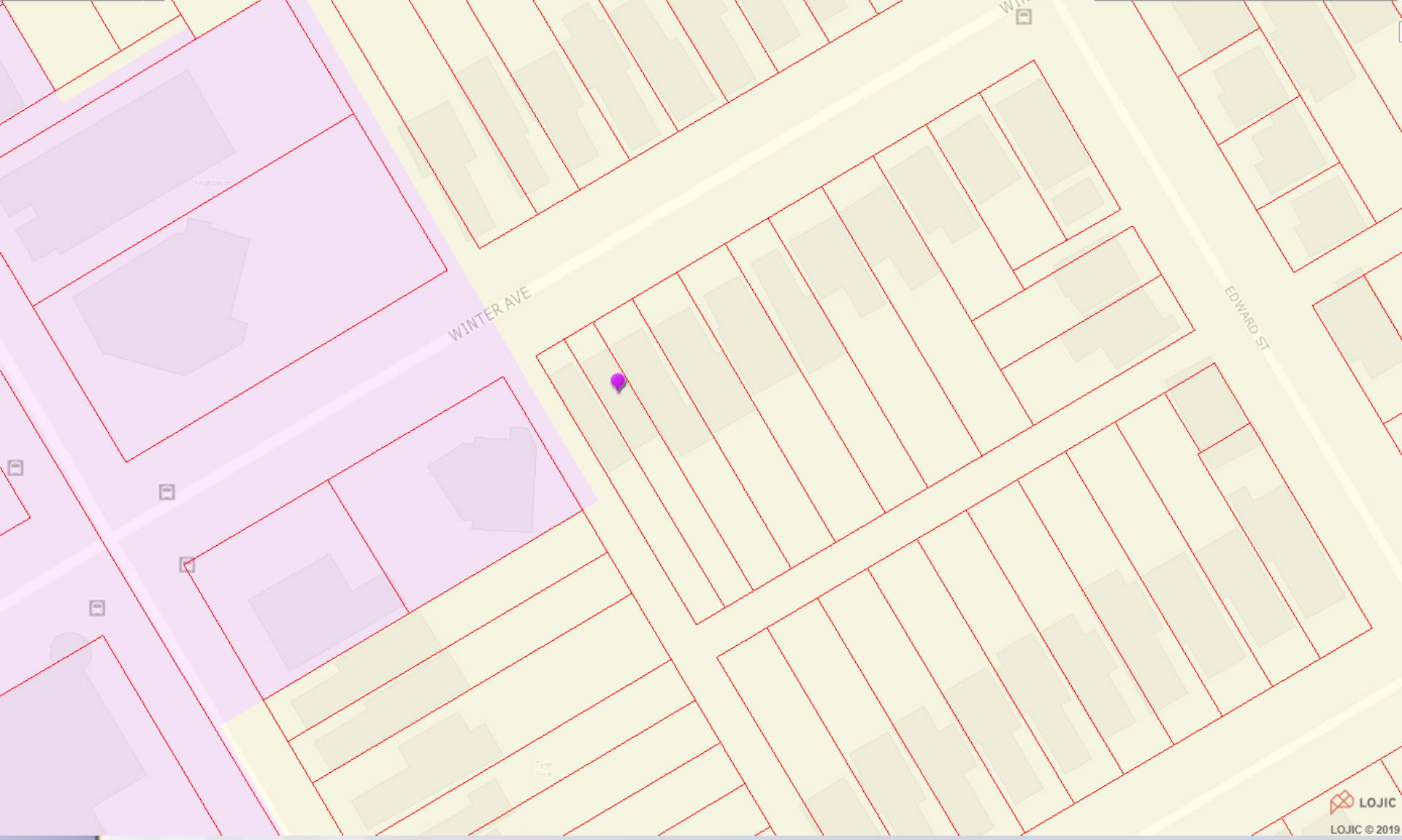
Case Summary / Background

- The subject property is 17.5 feet in width. Land Development Code section 5.1.10.F allows for a lot less than 50 feet in width to have a side yard setback requirement of 10% of the width of the lot. The required side yard setback is therefore 1.75 feet (21 in.).

Site Location



19-VARIANCE-0052



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19-VARIANCE-0052

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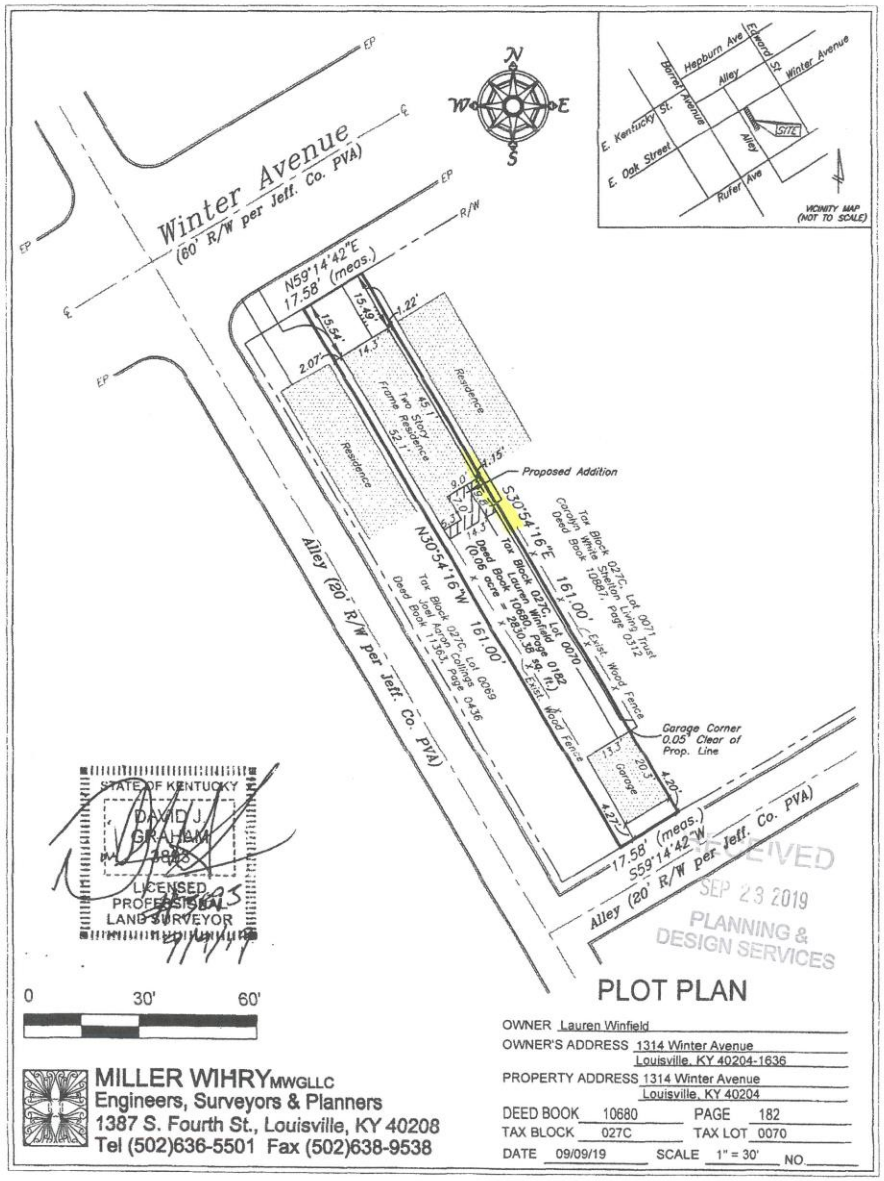
19-VARIANCE-0052

Site Plan


Winter Avenue
(60' R/W per Jeff. Co. PVA)
N59°14'42"E
17.58' (meas.)
Residence
Two Story Frame Residence
Proposed Addition
S30°54'16"E 161.00'
N30°54'16"W 161.00'
Alley (20' R/W per Jeff. Co. PVA)
Garage Corner 0.05' Clear of Prop. Line
Garage
S59°14'42"W
17.58' (meas.)
Alley (20' R/W per Jeff. Co. PVA)
VICINITY MAP (NOT TO SCALE)
Hepburn Ave
Edward St.
Winter Avenue
Garrett Avenue
Alley
E. Kentucky St.
E. Oak Street
Rufer Ave
STATE OF KENTUCKY
DAVID J. GRAHAM
LICENSED PROFESSIONAL LAND SURVEYOR
RECEIVED
SEP 23 2019
PLANNING & DESIGN SERVICES
PLOT PLAN
0 30' 60'
MILLER WIHRY MWGLLC
Engineers, Surveyors & Planners
1387 S. Fourth St., Louisville, KY 40208
Tel (502)636-5501 Fax (502)638-9538
OWNER Lauren Winfield
OWNER'S ADDRESS 1314 Winter Avenue
Louisville, KY 40204-1636
PROPERTY ADDRESS 1314 Winter Avenue
Louisville, KY 40204
DEED BOOK 10680 PAGE 182
TAX BLOCK 027C TAX LOT 0070
DATE 09/09/19 SCALE 1" = 30' NO.
19 - VARIANCE - 0052

Site Photos-Subject Property

The front of the subject property.

Site Photos-Subject Property

The property to the left.

Site Photos-Subject Property

The property to the right.

Site Photos-Subject Property

Properties across Winter Avenue.

Site Photos-Subject Property

Variance area.

Site Photos-Subject Property

Variance area.

Conclusion

- The variance request appears to be adequately justified and meets the standard of review.

- Condition of Approval:

#1) A survey of the western property line shall be completed prior to the commencement of construction activity and shall be staked in the field. No projections from the façade or building foundation shall cross the property line; any such projections shall be accommodated by stepping back the proposed structure from the property line.

Required Action

- **Variance:** from Land Development Code section 5.1.10.F to allow a structure to encroach into the required eastern side yard setback. Approve/Deny

Location	Requirement	Request	Variance
Side Yard	21 in.	13.8 in.	7.2 in.

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