

**19-CUP-0159 and  
19-WAIVER-0059  
St. Agnes Catholic School**



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

**Zach Schwager, Planner I  
November 4, 2019**

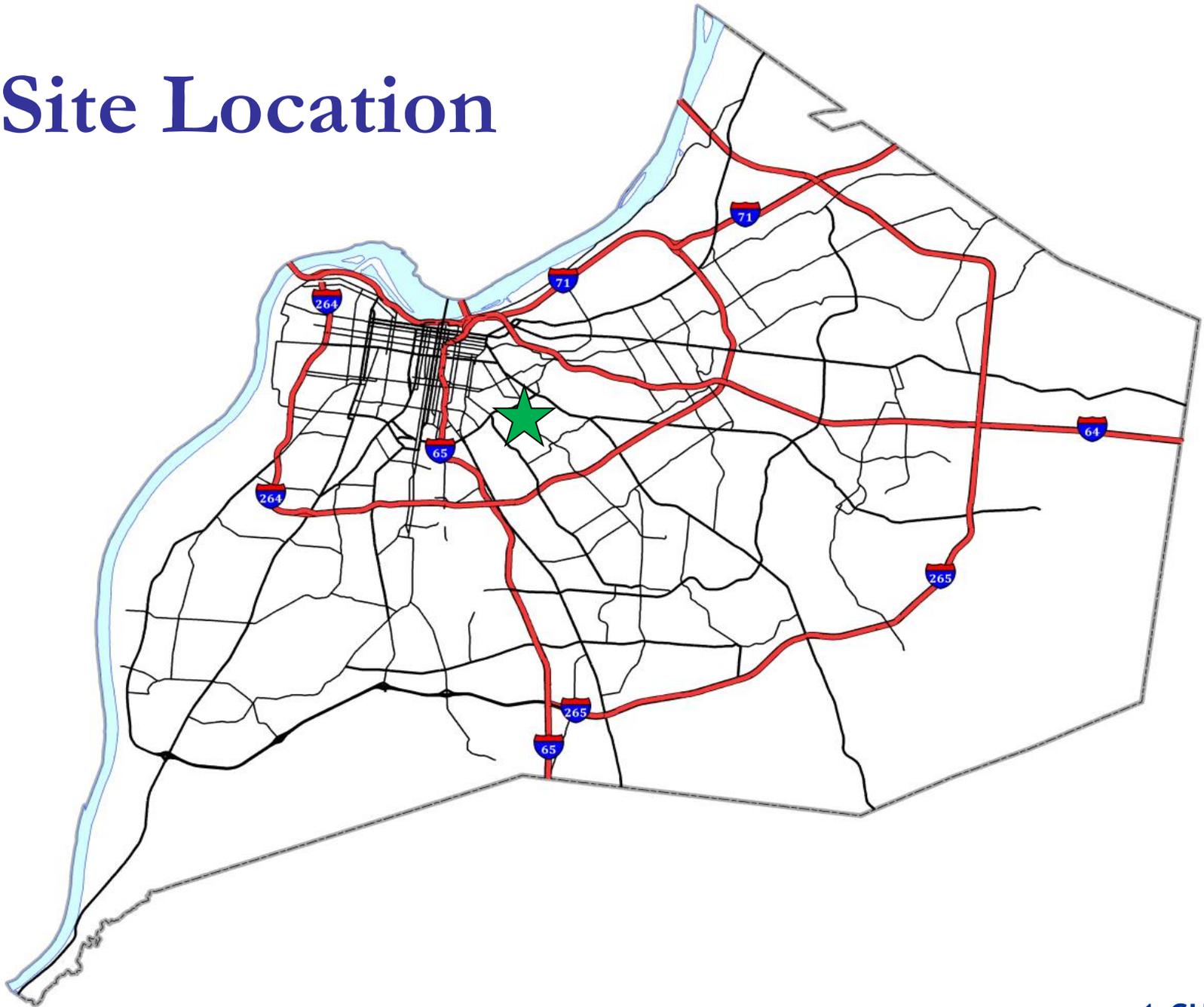
# Request

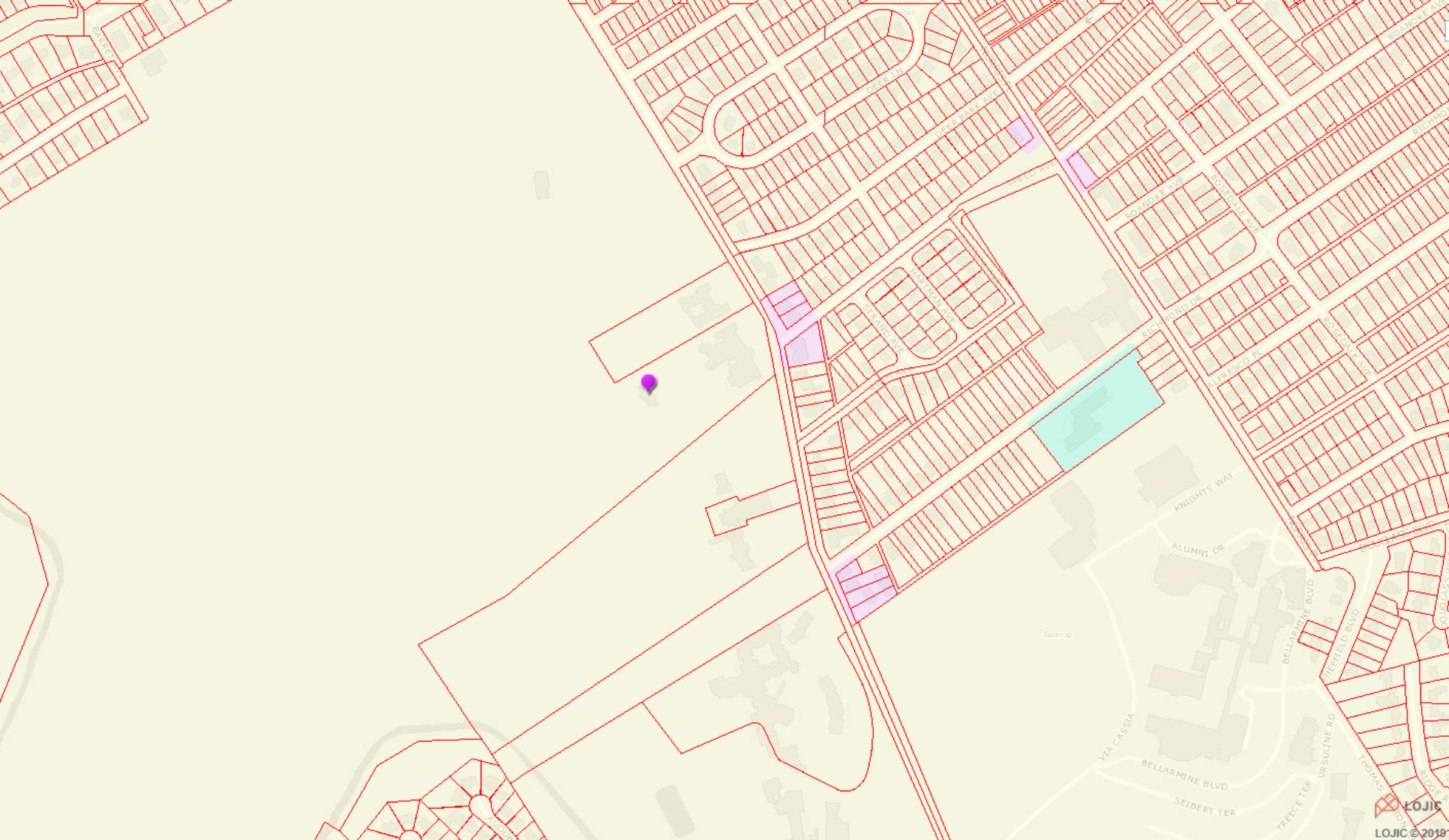
- Conditional Use Permit to allow a private institutional use in an R-1 zoning district and a waiver to not provide the required vehicular use area (VUA) landscape buffer areas (LBA).

# Case Summary/Background

- The applicant is proposing to construct a 4,077 square foot addition to an existing 31,202 sq. ft. private institutional building and to remove an existing accessory structure to be replaced by a 6,104 sq. ft. office/multi-purpose space accessory structure.
- A waiver is required to not provide the VUA LBA, which is to keep the existing conditions of the parking area. Additionally, the applicant requests relief from section 4.2.65.A to allow the existing building, parking, and proposed addition to encroach into the 30 ft. setback from a residentially zoned property.

# Site Location





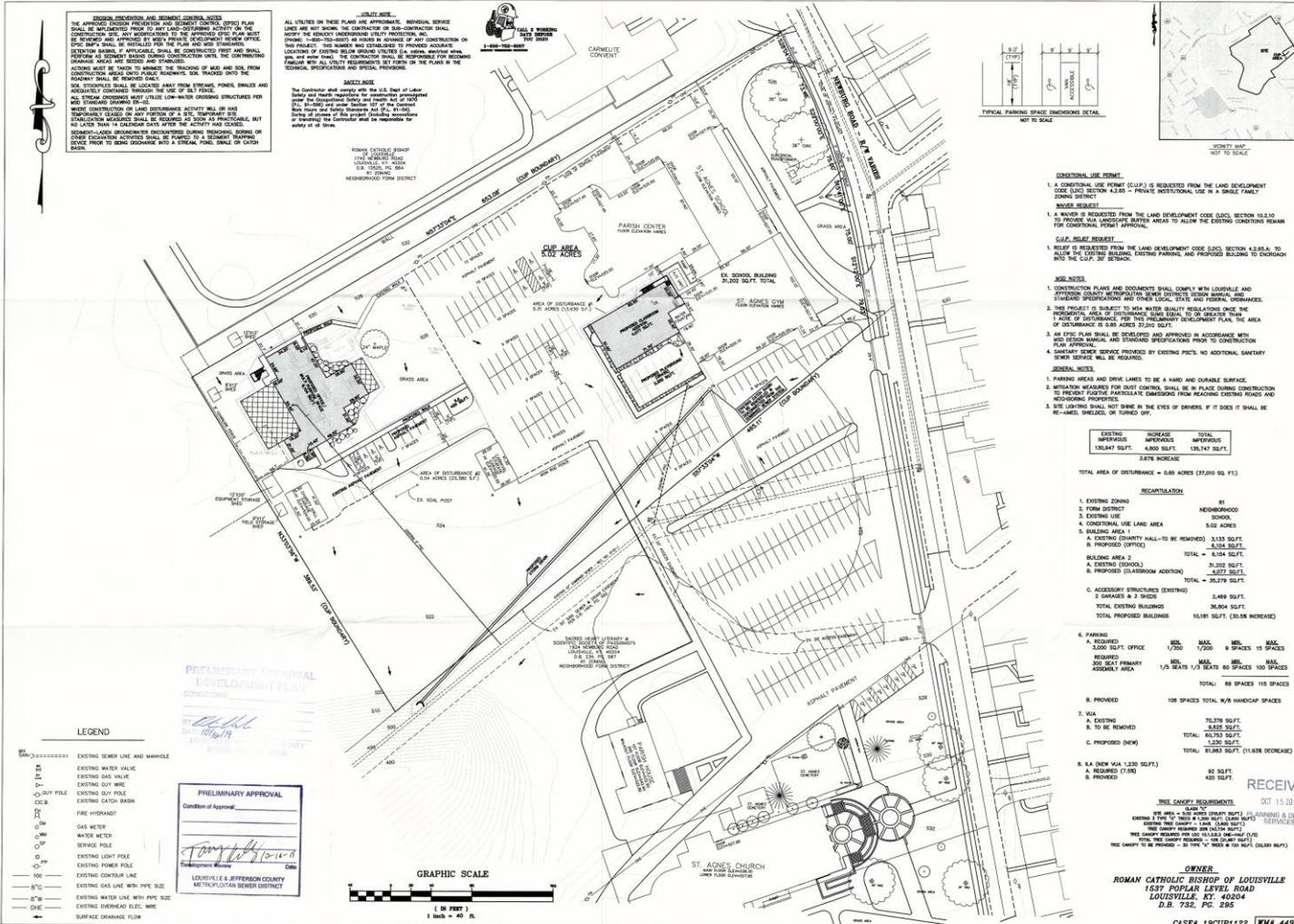
LOJIC  
LOJIC © 2019



LOJIC  
L.O.J.I.C © 2019



# Site Plan



**EROSION PREVENTION AND SEDIMENT CONTROL NOTES**  
 THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (E.P.S.C.) PLAN SHALL BE SATISFIED PRIOR TO ANY CONSTRUCTION ACTIVITY ON THE CONSTRUCTION SITE. THE E.P.S.C. PLAN SHALL BE REVIEWED AND APPROVED BY THE DISTRICT ENGINEER PRIOR TO THE START OF CONSTRUCTION. THE E.P.S.C. PLAN SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE E.P.S.C. PLAN SHALL BE REVISED AS NECESSARY TO MAINTAIN THE PROTECTION OF THE ADJACENT AREAS. THE E.P.S.C. PLAN SHALL BE REVIEWED AND APPROVED BY THE DISTRICT ENGINEER PRIOR TO THE START OF CONSTRUCTION. THE E.P.S.C. PLAN SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE E.P.S.C. PLAN SHALL BE REVISED AS NECESSARY TO MAINTAIN THE PROTECTION OF THE ADJACENT AREAS.

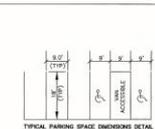
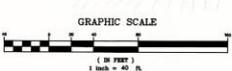
**UTILITY NOTES**  
 ALL UTILITIES ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OF GAS CONSTRUCTION SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

**NOTICE**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

**LEGEND**  
 EXISTING SEWER LINE AND MANHOLE  
 EXISTING WATER VALVE  
 EXISTING GAS VALVE  
 EXISTING OUT FOLE  
 EXISTING GATCH BARN  
 FIRE HYDRANT  
 GAS METER  
 WATER METER  
 SERVICE POLE  
 EXISTING LIGHT POLE  
 EXISTING POWER POLE  
 EXISTING CONDUIT LINE  
 EXISTING GAS LINE WITH PIPE SIZE  
 EXISTING WATER LINE WITH PIPE SIZE  
 EXISTING OVERHEAD ELEC. WIRE  
 SURFACE DRAINAGE FLOW

PRELIMINARY APPROVAL  
 DEVELOPMENT PLAN  
 CONFORMANCE  
 DATE: 10/16/19

PRELIMINARY APPROVAL  
 Condition of Approval  
 DATE: 10/16/19



REVISIONS:  
 8/28/19

DRWN BY: KAL/DLL  
 CHKD BY: EMY  
 ST AGNS CUP1.DWG

**LJB, INC.**  
 FORMERLY EVANS/CHURCH, INC.  
 Engineer & Land Surveyor  
 8011 DuPont Circle  
 Louisville, KY 40207  
 (502) 499-9611  
 LJBinc.com

**ST. AGNES CATHOLIC SCHOOL**  
 1800 NEWBURG ROAD  
 LOUISVILLE, KY. 40207

RECEIVED  
 OCT 15 2019  
 ST. AGNES CATHOLIC SCHOOL  
 1800 NEWBURG ROAD  
 LOUISVILLE, KY 40207

DATE: 8/28/19  
 PROJECT NO.: 0117590A.00

CASE# 18CUP1122 WM# 4480 Sheet 1 of 1  
 R-14P-0159

- CONDITIONAL USE PERMIT**
- A CONDITIONAL USE PERMIT (C.U.P.) IS REQUESTED FROM THE LAND DEVELOPMENT CODE (LDC) SECTION 4.2.05 - PRIVATE, INSTITUTIONAL USE IN A SINGLE FAMILY ZONING DISTRICT.
  - A WAIVER IS REQUESTED FROM THE LAND DEVELOPMENT CODE (LDC) SECTION 10.3.10 TO PROVIDE FOR LANDSCAPE WATER AREAS TO ALLOW THE EXISTING CONDITIONS REMAIN FOR CONDITIONAL PERMIT APPROVAL.
  - PERMIT IS REQUESTED FROM THE LAND DEVELOPMENT CODE (LDC) SECTION 4.2.04.A TO ALLOW THE EXISTING BUILDING, EXISTING PARKING, AND PROPOSED BUILDING TO ENOUGH INTO THE ZONE OF DISTRICT.

- USE NOTES**
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND APPROPRIATE COUNTY INTERNATIONAL BUILDING CODES, LOCAL, STATE AND FEDERAL ORDINANCES.
  - THE PROJECT IS SUBJECT TO ALL APPLICABLE REGULATIONS, ORDINANCES, AND STANDARDS. THE PROJECT SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH THE LDC AND THE LDC. THE PROJECT SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH THE LDC AND THE LDC.
  - THE SITE PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH THE LDC AND THE LDC. THE PROJECT SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH THE LDC AND THE LDC.
  - ADDITIONAL OTHER SERVICE PROVIDED BY EXISTING PLOTS. NO ADDITIONAL SANITARY SERVICE SHALL BE REQUIRED.

**JOB NOTES**

- PARKING AREAS AND DRIVE LAMES TO BE A HARD AND DURABLE SURFACE.
- MITIGATION MEASURES FOR SOIL CONTROL, SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FURTHER PARTICULATE EMISSIONS FROM READING EXISTING ROADWAY AND RECONSTRUCTED PROPERTIES.
- SOIL EROSION SHALL NOT BE IN THE EYES OF DRIVERS IF IT DOES IT SHALL BE RE-PAVED, SHELTERED, OR TURNED OFF.

EXISTING	INCREASE	TOTAL
INFERIORS	INFERIORS	INFERIORS
1.800 SQ. FT.	4.800 SQ. FT.	1.324.00 SQ. FT.
3.576 INCREASE		
TOTAL AREA OF DISTURBANCE = 0.88 ACRES (37,820 SQ. FT.)		

**RECAPITULATION**

	EXISTING	PROPOSED	TOTAL
1. EXISTING ZONING	R1	NEIGHBORHOOD	
2. EXISTING USE	SCHOOLS	SCHOOLS	
3. EXISTING USE LAND AREA	5.02 ACRES	5.02 ACRES	
4. BUILDING AREA 1	3,139 SQ. FT.	3,139 SQ. FT.	
5. EXISTING BARN	3,139 SQ. FT.	3,139 SQ. FT.	
6. PROPOSED (OFFICE)		3,139 SQ. FT.	3,139 SQ. FT.
TOTAL = 6,134 SQ. FT.			
7. BUILDING AREA 2	3,139 SQ. FT.	3,139 SQ. FT.	
8. EXISTING (BARN)	3,139 SQ. FT.	3,139 SQ. FT.	
9. PROPOSED (CLASSROOM ADDITION)		3,139 SQ. FT.	3,139 SQ. FT.
TOTAL = 9,411 SQ. FT.			
10. ACCESSORY STRUCTURES (EXISTING)	3,139 SQ. FT.	3,139 SQ. FT.	
11. 2 BARNES & 2 SHEDS	3,139 SQ. FT.	3,139 SQ. FT.	
TOTAL EXISTING BUILDINGS = 30,804 SQ. FT.			
TOTAL PROPOSED BUILDINGS = 10,181 SQ. FT. (33.0% INCREASE)			

**PARKING**

	REQUIRED	MIN. MAX.	MIN. MAX.
A. REQUIRED	17,700	17,700	17,700
B. PROVIDED	17,700	17,700	17,700
TOTAL: 69 SPACES 115 SPACES			
C. PROVIDED	108 SPACES	108 SPACES	108 SPACES
TOTAL: 108 SPACES TOTAL N/B HANDICAP SPACES			

**VA**

	REQUIRED	MIN. MAX.	MIN. MAX.
1. VA	76,378 SQ. FT.	76,378 SQ. FT.	76,378 SQ. FT.
2. TO BE REMOVED	76,378 SQ. FT.	76,378 SQ. FT.	76,378 SQ. FT.
3. PROPOSED (NEW)	1,330 SQ. FT.	1,330 SQ. FT.	1,330 SQ. FT.
TOTAL: 76,378 SQ. FT. (114.8% INCREASE)			

**OWNER**  
 ROMAN CATHOLIC BISHOP OF LOUISVILLE  
 1537 POPULAR LEVEL ROAD  
 LOUISVILLE, KY 40204  
 D.B. 732, PG. 295



# Site Photos-Subject Property



# Site Photos-Subject Property



# Site Photos-Subject Property



# Site Photos-Subject Property



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# Site Photos-Subject Property



# Site Photos-Subject Property



# Site Photos-Subject Property



# Staff Findings

There are five listed requirements. Items B. and C. do not apply. Item E. is to be determined by the Board of Zoning Adjustment. 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 established in the LDC for a Conditional Use Permit.

# Required Actions

## Approve or Deny:

- Conditional Use Permit to allow a private institutional use in an R-4 zoning district.