

19-VARIANCE-0081

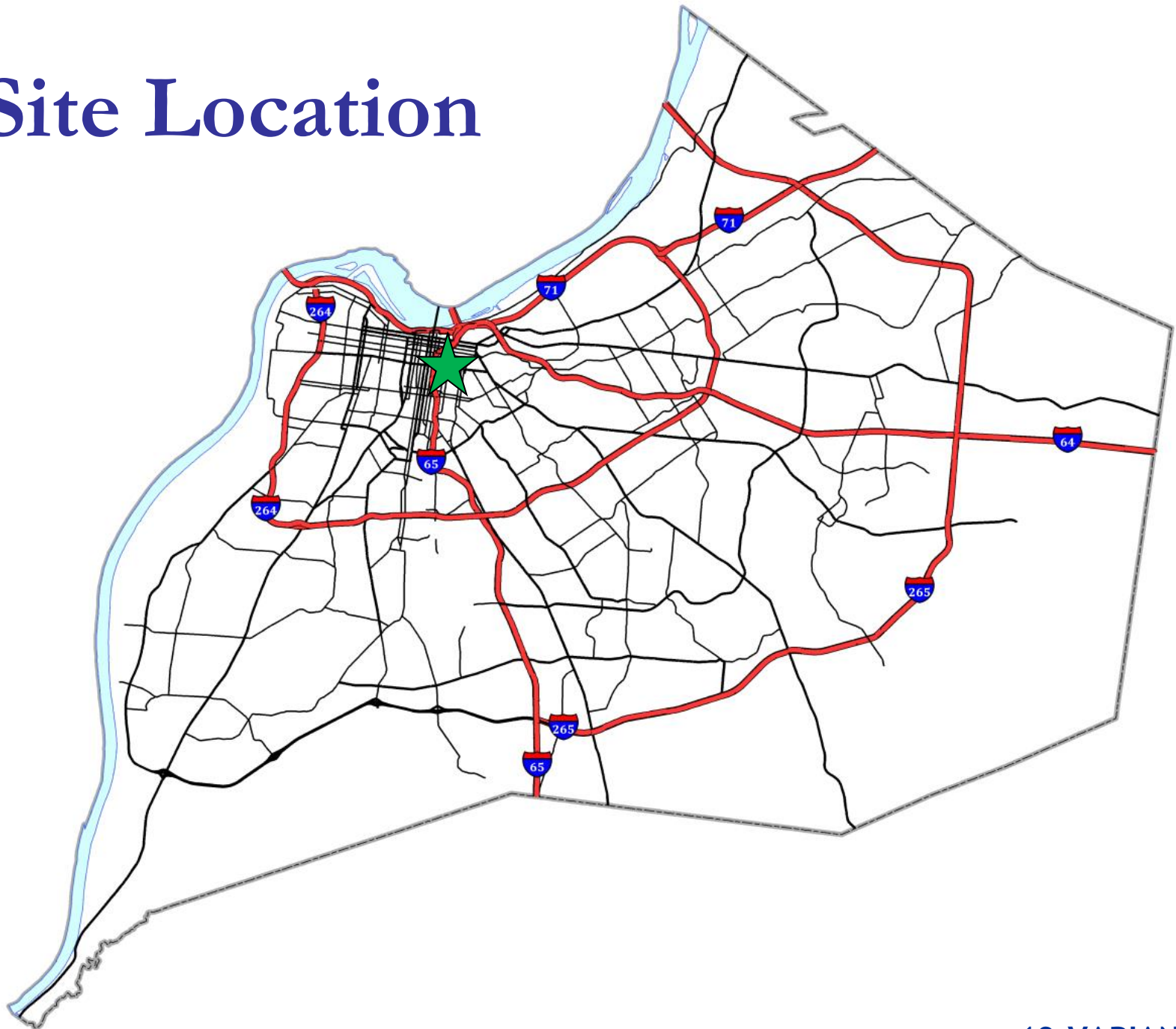
1201 Rogers Street



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

**Nia Holt, Planner I
January 27, 2020**

Site Location



Case Summary / Background

- The subject site is zoned R-6 Multi-Family Residential in the Traditional Neighborhood Form District. It is a single-family structure located in the Irish Hill neighborhood.
- The applicant is proposing to construct a one-story addition on the rear of the existing structure with a deck.
- The applicant has also replaced an existing wooden privacy fence with a new fence. The new fence is a 72-inch wooden fence on the street side yard.

Requests

Variance: from Land Development Code section 4.4.3.A.1.a.i to allow a fence in the street side yard in a Traditional Neighborhood Form District to exceed 42 inches in height

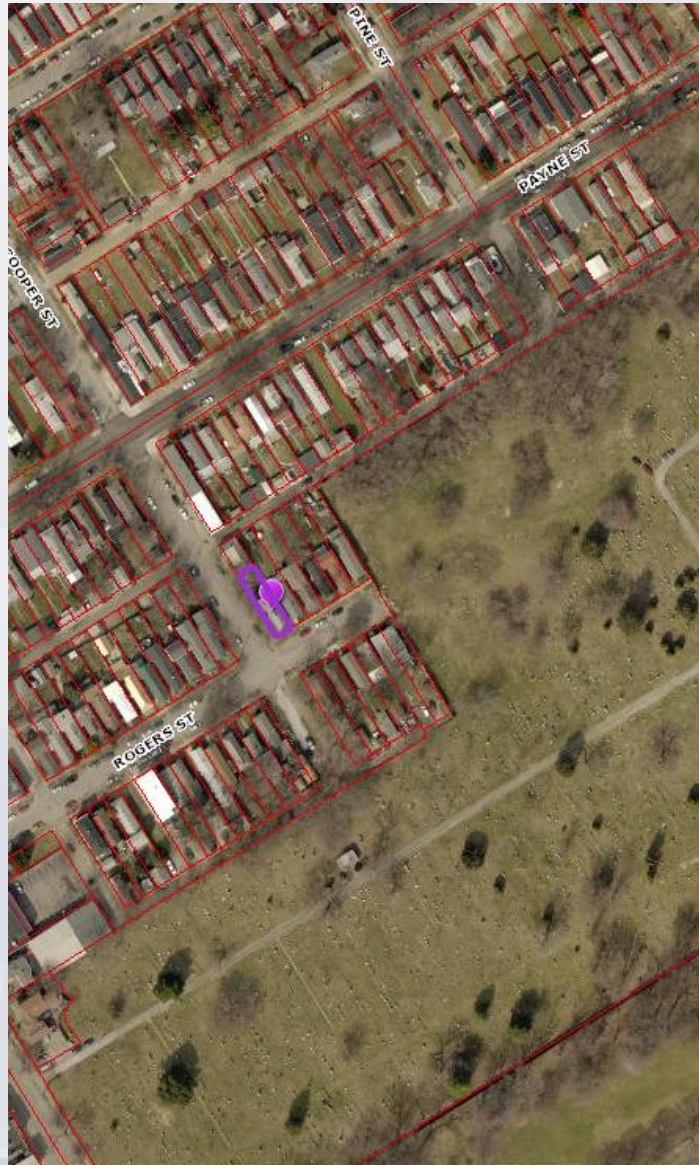
Variance: from Land Development Code to allow a principal structure to encroach into the side yard, Table 5.2.2

Location	Requirement	Request	Variance
Fence in Street Side Yard	42 in	72 in	30 in
Northeast Side Yard	3 ft.	0 ft.	3 ft.
Southwest Side Yard	3 ft.	2 ft.	1 ft.

Zoning/Form Districts



Aerial Photo/Land Use



Front of the house



Property to the East



East side of the house



West side of the House



Across Cooper St



Rear of the house



Conclusions

- The variance request from Table 5.2.2 does not appear to be adequately justified and does not meet the standard of review.
- The variance request from 4.4.3.A.1.a.i appears to be adequately justified and does meet the standard of review.
- Must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code.

Required Actions

- **Approve or Deny**
- **Variance**: from Land Development Code to allow a principal structure to encroach into the side yards, Table 5.2.2
- **Variance**: from Land Development Codes Section 4.4.3.A.1.a.i to allow a fence in the street side yard in a Traditional Neighborhood Form District to exceed 42 inches in height.

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Fence in Street Side Yard	42 in	72 in	30 in
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- **Condition of Approval**: A survey of the Northeast and Southwest property lines 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.