

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The placement of the proposed garage is over 18 feet from the street, which exceeds the 15 foot setback distance that has been determined to be a safe distance for Metro Louisville residents.

2. Explain how the variance will not alter the essential character of the general vicinity.

The garage has been designed by an architect to match the renovated home. It will be brick and have architectural garage doors. Professionally installed tall, ornamental bushes will be planted next to the garage to largely obscure it from Massie Avenue.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The garage will be well back from the road and will be a very attractive improvement to the home, which is currently very dated and in disrepair.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The placement of the proposed garage complies with the 15 foot setback distance that has been determined to be appropriate for Metro Louisville residents. It simply does not meet the more stringent St. Matthews regulations.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The property is a corner lot that has a dense buffer of trees along the Massie Avenue side as does the property behind it. As such, the placement of the garage will not interfere with the site lines normally associated with traditional neighborhoods.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The new owners of the property are in their mid fifties and suffer from arthritic joints and foot problems. Steps are particularly painful and the homes current garage is in the basement.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No.

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