

Board of Zoning Adjustment

Staff Report

November 16, 2020



Case No:	20-CAT3-0013/20-VARIANCE-0120
Project Name:	Mix Avenue Self Storage
Location:	632 Mix Ave and 660 Davies Ave
Owner(s):	CDK Development, LLC.
Applicant:	CDK Development, LLC.
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Variance** to exceed the maximum 5' corner lot setback for traditional form districts along S 7th St and Davies Ave by up to 50 feet as shown on the proposed development plan.
- **Category 3 Development Plan**

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a mini storage facility on approximately 4.09 acres across four buildings on two parcels. The subject site is zoned EZ-1 in the Traditional Workplace form district. The site is currently occupied by a mix of industrial structures and vacant land and is located near the Park Hill area of Louisville Metro along S 7th St. Some of the structures will be removed while others are to be incorporated into the proposed development. The variance request concerns buildings 3 and 4 as shown on the development plan.

STAFF FINDING

The request is adequately justified and meet the standards of review. The parcel at the corner of S 7th St and Davies Ave has significant slopes closest to those streets. The area along S 7th St also has mature tree canopy that is to be preserved per this development. The variance will allow the development with minimum unnecessary disturbance to the land and planted areas on the subject site. The Category 3 Development Plan is in order and has received preliminary approval from Transportation Planning and MSD.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The requested variance will not adversely affect public health, safety, or welfare as the proposed variance does not impede the safe movement of pedestrians or vehicles.

- (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 there are a wide variety of industrial, commercial and residential uses with varied setbacks in the area.

- (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 development will follow all building and safety requirements.

- (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 zoning regulations as there are a range of uses and site designs in the area. The variance will allow for minimal disturbance of existing slopes and mature trees in on the subject site.

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 does arise from special circumstances not generally applicable to land in the vicinity, as the slopes adjacent to S 7th and Davies Ave are steep and part of retaining structures in the area.

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 would create an unnecessary hardship on the applicant, as it would take significant and expensive engineering work to bring the buildings up to the street along S 7th St without affecting the stability of the surrounding land.

3. The circumstances are 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 site has not been developed and relief is being sought.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Variance**
- **APPROVE** or **DENY** the **Category 3 Development Plan**

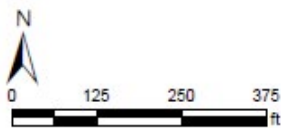
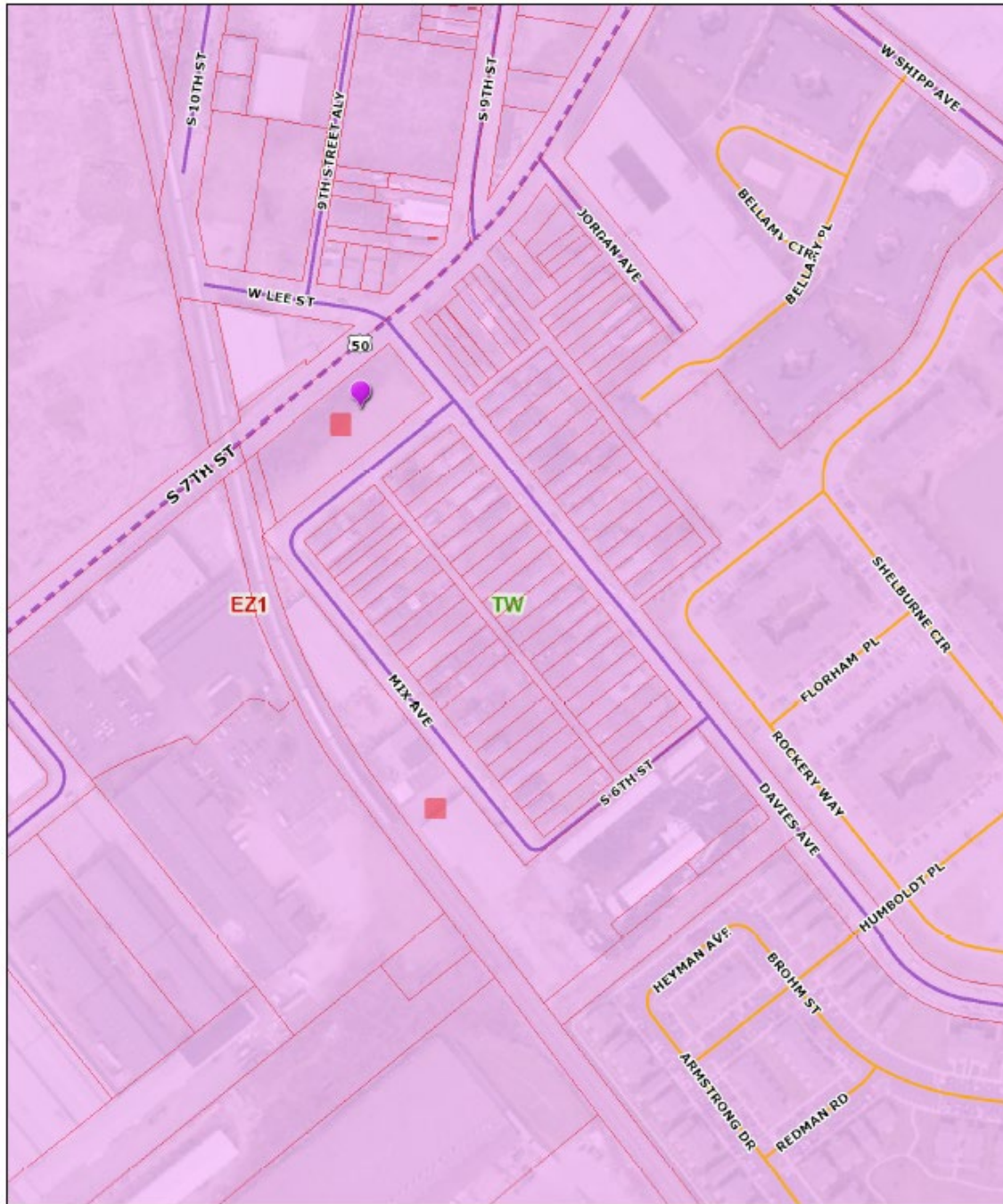
NOTIFICATION

Date	Purpose of Notice	Recipients
10-30-20	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 6

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



20-CAT3-0013

Thursday, November 5, 2020 | 2:23:12 PM



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2. Aerial Photograph



20-CAT3-0013

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