

Board of Zoning Adjustment

Staff Report

June 7, 2021



Case No:	21-VARIANCE-0040
Project Name:	Todd's Place Lot 2
Location:	4409 Bardstown Rd
Owner(s):	AD Properties, LLC
Applicant:	AD Properties, LLC
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- Variance to exceed the maximum 80-foot front setback by up to 26.5 feet as shown on the development plan.

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a 4,800 SF auto repair facility with 7 repair bays. The subject site is approximately .74 acres in the C-2 zoning district within the Neighborhood form district. The subject site was rezoned under docket 10374 for a larger auto repair facility. A portion of the site was developed as a car wash under revised detailed district development plan docket 14DEVPLAN1092.

STAFF FINDING

The request is adequately justified and meet the standards of review. The proposed development is in keeping with the original rezoning plan and is compatible with other development in the area. All required screening will be provided adjacent to residential properties.

TECHNICAL REVIEW

The Development Review Committee approved a Revised Detailed District Development plan with Binding Elements at the May 19, 2021 meeting.

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, and the proposed development will be in keeping with the development pattern of the area.

- (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 mix of residential and commercial designs within 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 site in the area.

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 not arise from special circumstances not generally applicable to land in the vicinity.

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 not deprive the applicant of reasonable use of the 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**

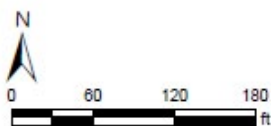
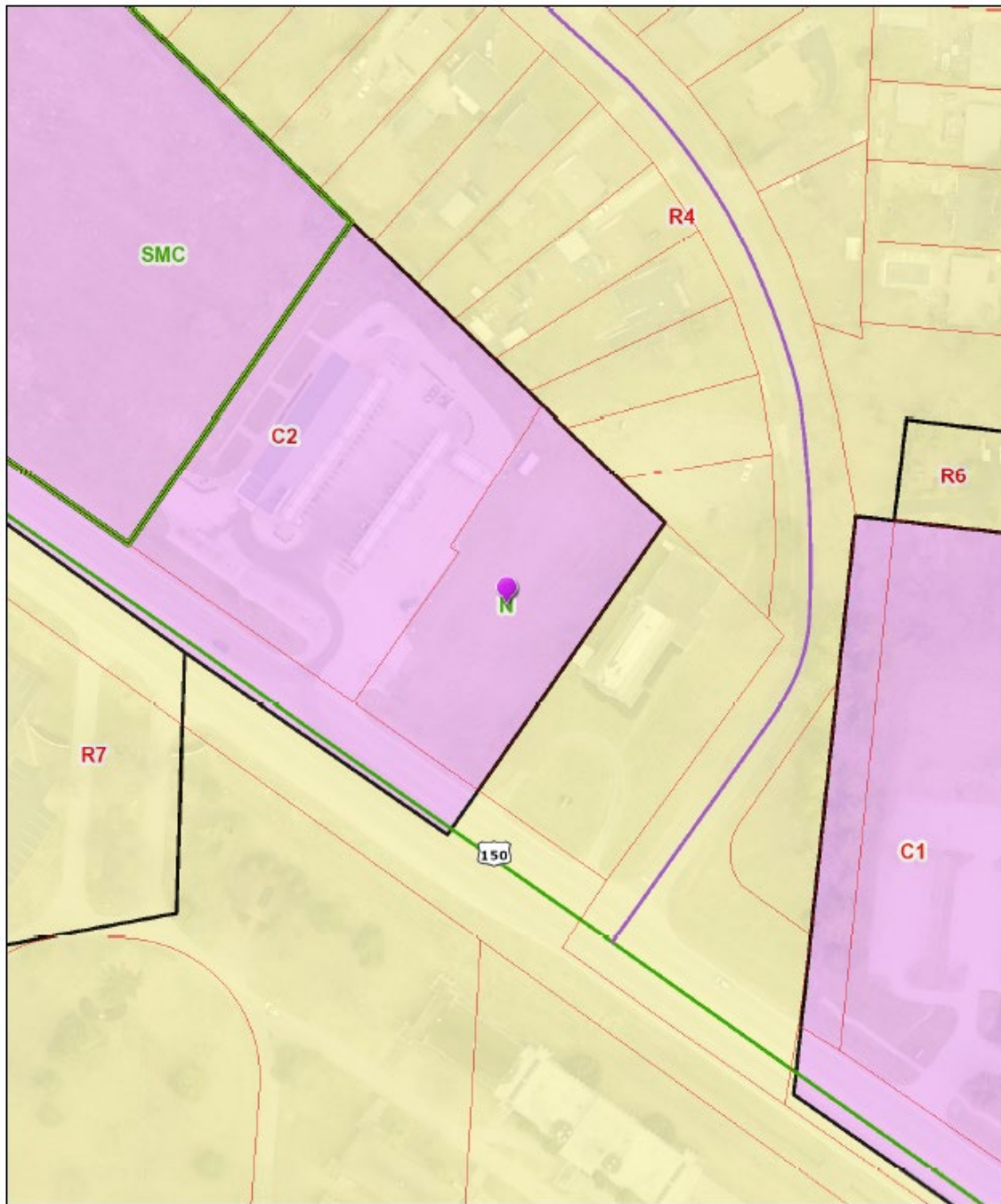
NOTIFICATION

Date	Purpose of Notice	Recipients
5-7-21	Hearing before BOZA	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 2

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



21-ddp-0009

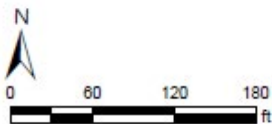
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2. Aerial Photograph



21-ddp-0009

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