

**RECEIVED**

Variance Justification Statement

MAY 12 2026

OFFICE OF PLANNING

The requested variances to exceed the 80 ft. maximum front yard setback and 30 ft. maximum building height will not adversely affect public health, safety, or welfare. The proposed building has been intentionally positioned to minimize impacts on nearby residential properties. The front yard setback and building height variances do not create concerns related to traffic circulation or environmental conditions, as the proposed development is not located within a flood zone and the on-site parking and access on Whipps Mill Road are aligned with N. Whittington Parkway. The site design is compatible with the surrounding development and creates an appropriate transition between the Shelby Campus and adjacent residential properties while ensuring safe access and circulation.

Granting the requested variances will not alter the essential character of the surrounding area. The proposed building's location, scale, and appearance are consistent with nearby development and the proposed building is smaller in scale than the developments in Shelby Campus. The proposed development offers an appropriate transition between the Shelby Campus and adjacent residential properties and will not negatively impact the neighboring properties. Approval of the variances will maintain the existing character of the area.

The existing building does not create a hazard or nuisance to the public. The building is oriented away from Old Whipps Mill Road to minimize visual, noise, and operational impacts on nearby residents. Traffic circulation and access points are designed to avoid congestion and maintain safe movement on adjacent roadways. The minor increase in building height will not adversely affect light, air, or visibility for neighboring properties. Noise, lighting, and activity levels will comply with applicable regulations and will be oriented internally toward the site.

Approval of the variances will not constitute an unreasonable circumvention of zoning regulations because the Applicant has redesigned the proposed building to minimize its footprint and impact on the open space surrounding it. All other applicable zoning and Land Development Code requirements will be met. The variances are the minimum relief necessary to allow reasonable development of the site while adhering to the intent of the regulations.

The variances arise from special circumstances unique to this property, including its location within two different zoning jurisdictions, which creates dimensional and setback limitations. These constraints limit where the building can be placed in ways that don't apply to most nearby properties. Additionally, the building has been intentionally placed away from existing homes along Old Whipps Mill Road, which further narrows placement options without the requested variances.

Strict enforcement of the front yard and building height requirements would create an unnecessary hardship by preventing the Applicant from designing a building that reduces site disturbance and responds to area stakeholder concerns about the location of the proposed child care center. Without the requested variance, the applicant would be deprived of the reasonable use

of the property for a permitted use. The variances allow the development to proceed in a manner that is compatible and respectful of neighboring residents while avoiding unnecessary hardship.

The circumstances are not the result of actions taken by the applicant after adoption of the regulation. The need for the variances arises from the property's existing configuration, jurisdictional boundaries, and surrounding development patterns, and are not the result of actions taken by the applicant after adoption of the applicable regulations.



Would you rather apply electronically? Go to the address below to learn more about submitting applications online:
https://louisvilleky.gov/office-planning/document/pdssubmitting-applications-online

Staff Use Only in This Box

Case No.: \_\_\_\_\_ Intake Staff: \_\_\_\_\_
Date: \_\_\_\_\_ Fee: \_\_\_\_\_

Applications are due on Mondays at 2:00 pm to be processed that week. Once complete, please bring the application and supporting documentation to: Office of Planning, 444 S. Fifth Street #300. For more information, call (502) 574-6230 or visit https://louisvilleky.gov/government/office-planning.

PROJECT INFORMATION

Variance from Section: 5.3.2 of the Land Development Code to Allow to exceed the 80 ft. maximum setback and 30' maximum building height.

Project Name: LeafSpring School

Primary Project Address / Parcel ID: Whipps Mill Road / 002105890000

Additional Address(es) / Parcel ID(s):

Deed Book(s) / Page Number(s): 4313 x 80

Acreage of Subject Property: 18.19 Number of Adjoining Properties: 21

Current Zoning District: R4 Current Form District: NFD

Current Use: Vacant Proposed Use: Childcare Center

Please list previous Docket / Case Number(s): 26-CAT2-0012

Much of the property information above can be found on the Land Development Report via the LOJIC Online Map Tool: https://www.lojic.org/lojic-online. After searching the address in LOJIC, click the Parcel Report button or Land Development Report button to view the respective report.

RECEIVED

MAY 12 2026

OFFICE OF PLANNING

