



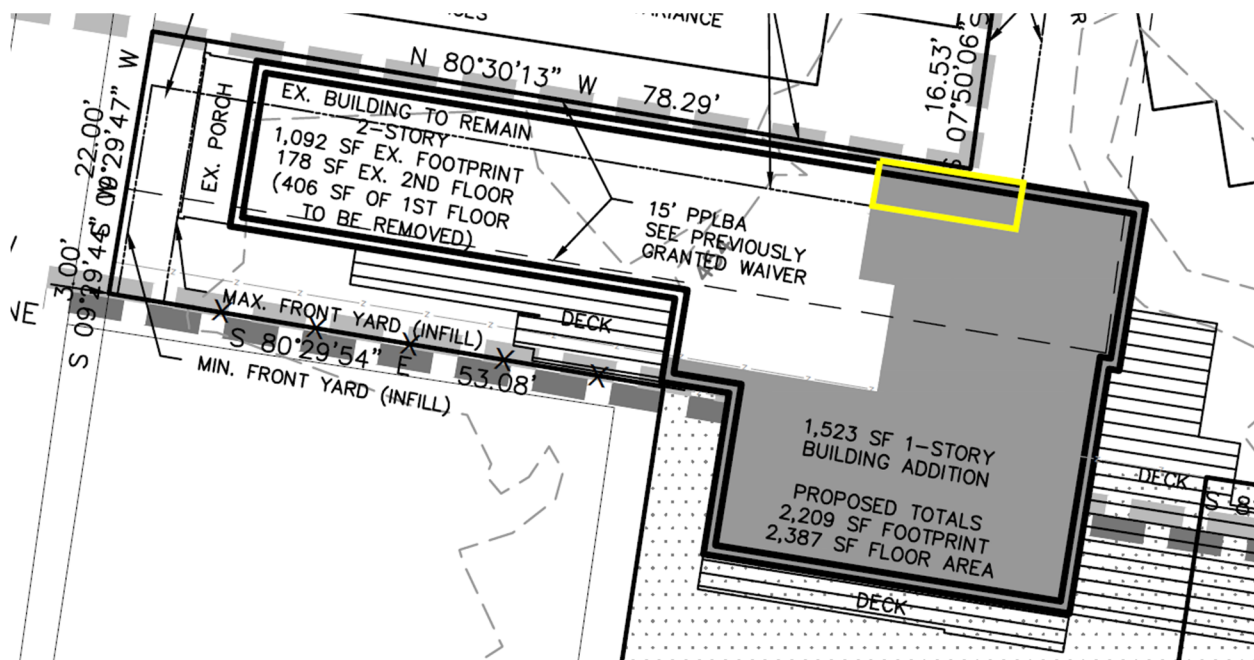
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## VARIANCE JUSTIFICATION STATEMENT

### **YachtSea – 111 N Wenzel**

**Variance from LDC table 5.2.2 to allow the proposed addition to encroach into the required side yard.**

This variance is required where the existing addition encroaches into the required side yard adjacent to 113 N Wenzel as outlined in yellow in the image below. This encroachment is consistent with the setback of the existing building along a majority of the northern property line. (NOTE: Variances aren't required where existing buildings encroach into required yards per LDC 5.1.2.)



Regarding the specific justification statement, please note the following:

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

This variance request is interior to the site and the proposed condition mimics the existing condition so there will be no adverse effect to the public.

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

Again, this variance is internal to the site and mimics an existing condition. Therefore, it will not alter the essential character of the general vicinity.

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

This variance is interior to the site and will have no effect on the public.

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

This variance will allow the extension of an existing building wall. Therefore, this variance will not allow an unreasonable circumvention of the regulations.

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

This variance arises due to the proximity of the existing building to the property line. The structures in this area were built long before the current Land Development Code regulations.

**6. *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 strict application of the regulations would require to applicant to have a strange jog in the exterior wall of the building rather than being able to continue the encroachment that already exists along the north property line today. This is an unnecessary hardship for the applicant.

**7. *Are the circumstances the result of actions of the applicant taken after the adoption of the regulation from which relief is sought?***

No. This variance is being requested prior to construction.

**1. 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 strict application of the provisions of the regulation would mean no parking spaces could be added along the alley and therefore eliminate the need to make improvements to the alley. This would create an unnecessary hardship for the owner as well as other users of the alley.

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

The circumstances of this variance are the result of the applicant's desire to provide parking and improve the usability of an existing alley.