



SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
THE HENRY CLAY • 608 S. THIRD STREET
LOUISVILLE, KY 40202
PHONE : (502) 584-6271 • FAX : (502) 584-6292

VARIANCE JUSTIFICATION
KENTUCKY HUMANE SOCIETY
1110 MEADOW AVE

The applicant is requesting a variance from LDC 5.3.2.C.2.a to exceed the 275' maximum setback for the property. This maximum setback is only applicable in the Suburban Marketplace Corridor portion of the property which is at the corner of Preston Highway and Orchard Avenue. Due to the flag type shape of the property, meeting this setback from Preston Highway is not practical.

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

The way this site is designed, the KHS building is a second-tier space. There are still several commercial uses between Preston Highway and a majority of the subject site, with just a small break in the pattern where our detention basin is located. Therefore, this will not alter the character of the general vicinity.

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

This variance is internal to the property and will have no impact on the general public.

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

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The subject properties have to be consolidated in order to provide frontage on the LWC line in Preston Highway so this site can have water service. That creates an oddly shaped lot and makes it difficult to comply with this regulation for this type of use.

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

This site is oddly shaped, and contains two form districts and two zoning districts which create some overlapping requirements. Therefore this variance arises from special circumstances which do not generally apply to land in the general vicinity.

5. 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 provisions of the regulations would require either a change in zoning to allow the KHS building to be built in the front corner of the property where it isn't currently properly zoned or it would require another type of use to be constructed on the property which isn't a part of the vision of the KHS for this property.

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

No. The circumstances are the result of multiple regulations for multiple zoning & form districts and the shape of the existing properties that are owned by the applicant.