



26-VARIANCE-0105

Board of Zoning Adjustment
Staff Report
September 28, 2026

Lampton Residence Variance

Location: 1038 Lampton St
Applicant: Frank Ford
Representative: Frank Ford
Jurisdiction: Louisville Metro
Council District: 6 – JP Lyninger
Case Manager: Catherine Gomez, Planner I

REQUESTS & RECOMMENDED ACTIONS

1. **Variance** from Land Development Code (LDC) Section 5.4.1.E.2 and 5.4.1.E.2.5 to allow an accessory structure to encroach into the rear yard and street side yard setbacks. The required rear yard setback is 5 feet, the requested setback is 0 feet, for a variance of 5 feet. The required street side yard setback is 15 feet, the requested setback is 0 feet, for a variance of 15 feet.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Variance.
2. **Variance** from Land Development Code (LDC) Section 5.2.2 to allow a principal structure to encroach into the required street side yard setback. The required setback is 15 feet, the requested setback is 0 feet, for a variance of 15 feet.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Variance.
3. **Variance** from Land Development Code (LDC) Section 4.4.3.A.1.a.i to permit a fence to exceed the maximum permitted height of 3.5 feet in the street side yard setback in the Traditional Neighborhood Form District. The requested height is 9 feet for a variance of 5.5 feet.
 - Staff finds the request is adequately justified and recommends the Board of Zoning Adjustment **APPROVE** the Variance.

CASE SUMMARY

The subject site is zoned R-6 Multi-Family Residential within the Traditional Neighborhood Form District and consists of an approximately 0.05-acre corner lot located at the intersection of Lampton Street and Vine Street. The site is developed with an existing single-family residence with an attached deck. The applicant is requesting a variance for an existing 50 square foot accessory structure encroaching into the rear yard and street side yard setbacks, as well as an existing deck attached to the principal structure constructed in 2020. The applicant additionally requests a variance for an existing 6 foot wooden fence that sits on a 3 foot retaining wall, for a total height of 9 feet.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR VARIANCE #1

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect public health, safety, or welfare as the existing accessory structure, deck and fence does not interfere with pedestrian or vehicular traffic.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity or allow an unreasonable circumvention of the zoning regulations. The property is developed with an existing single-family residence, and like many of the homes along Vine Street, is built to the street side yard property line. Many homes along Vine Street and Lampton Street have similar accessory structures encroaching into either the rear or street side yards. Homes that are on corner lots are encroaching into both along Vine Street.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance arises from circumstances that generally apply to land in the general vicinity as many lots within the area have a similar size and are within the same zoning and form district.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the required rear and street side yard setbacks would deprive the applicant of reasonable use of the land and would create unnecessary hardship for the applicant. The lot is only 25.5 feet wide, so complying with the street side yard would leave 5 feet of buildable land. The lot size constrains the applicant from building an accessory structure that would be of reasonable use.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations. The applicant received a Notice of Violation which is why the Variances are being requested.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR VARIANCE #2

5. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect public health, safety, or welfare as the existing accessory structure, deck and fence does not interfere with pedestrian or vehicular traffic.

6. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity or allow an unreasonable circumvention of the zoning regulations. The property is developed with an existing single-family residence, and like many of the homes along Vine Street, is built to the street side yard property line.

7. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance arises from circumstances that generally apply to land in the general vicinity as many lots within the area are of a similar size and are within the same zoning and form district.

8. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the required street side yard setback would deprive the applicant of reasonable use of the land and would create unnecessary hardship for the applicant. The lot is only 25.5 feet wide, so complying with the street side yard would not leave room for the applicant to construct the attached deck. The applicant could have built the deck to be in line with the principal structure, however, the deck is slightly smaller, so it does not further encroach into the street side yard.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are the result of actions of the applicant taken after the adoption of the zoning regulations. The applicant received a Notice of Violation which is why the Variances are being requested.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR VARIANCE #3

9. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect public health, safety, or welfare as the existing accessory structure, deck and fence does not interfere with pedestrian or vehicular traffic.

10. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity or allow an unreasonable circumvention of the zoning regulations. The property is developed with an existing single-family residence, and like many of the homes along Vine Street, has a fence taller than 3.5 feet in the street side yard setback.

11. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance arises from circumstances that generally apply to land in the general vicinity as many lots within the area have a similar size and are within the same zoning and form district.

12. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the required street side yard setback would deprive the applicant of reasonable use of the land and would create unnecessary hardship for the applicant. Many of the homes along Vine Street have built fences taller than 3.5 feet on top of the retaining wall. Unlike other homes, the applicant built a wooden panel fence that is not completely opaque.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations. The applicant received a Notice of Violation which is why the Variances are being requested.

INTERESTED PARTY COMMENTS

As of the date of this report, Staff has received thirteen (13) interested party comment submitted via email, which has been provided to the Board Members.

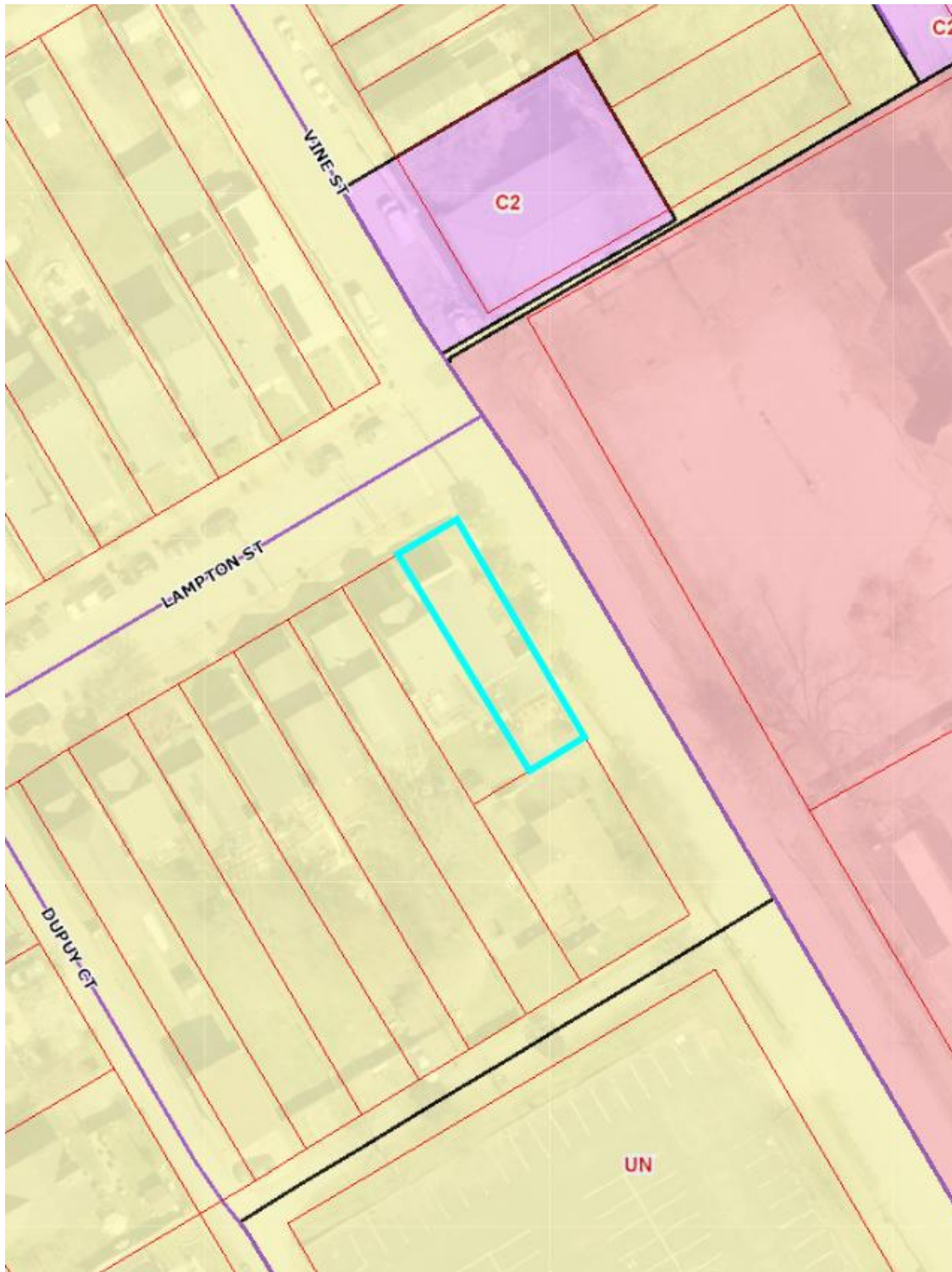
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
9/11/2026	Board of Zoning Adjustment Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 6; Sign Posting on Property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

