

TITLE XV: LAND USAGE

Chapter

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CHAPTER 150: BUILDING CODE

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§ 150.01 ADOPTION OF BUILDING CODE.

The city does hereby adopt the Kentucky Building Code, as amended and supplemented from time to time, as the official building code within the city for all buildings located within the city, including but not limited to single-family dwellings.
(1997 Code, § 950.3)

§ 150.02 BUILDING PERMITS.

It shall be unlawful for any person, firm, or corporation to excavate for, wreck, construct, build, erect, equip, or cause to be constructed, erected, built, or equipped, any structure or any excavation therefor, or to make any addition thereto or alteration thereon, or to change the class of occupancy or use of any such structure now erected, or standing in this city on any lot or portion of a lot lying within the city, without first applying to the City Commission for the city, or to its duly designated representative, for a permit so to do, except as to any such activity caused by Louisville Metro government and state regulations. All applications to build or to add to any building or lot in this city, shall be accompanied by a certified check covering the permit fee in the sum of \$25 for a residence, and \$5 for all other types of improvements.

(Ord. 8-1950, passed - -; Ord. 15-1951, passed - -; Ord. 31-1954, passed - -; Ord. 13-2000, passed - -; Ord. 12 Series 2003, passed 6-10-2003) Penalty, see § 150.99

§ 150.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) The penalties for violation of the Kentucky Building Code (Uniform State Building Code) as established in § 150.01, shall be those penalties provided by KRS 198B.990, as amended from time to time.

(1997 Code, § 990.1)

CHAPTER 151: RESIDENTIAL STANDARDS

Section

- 151.01 Title
- 151.02 Application
- 151.03 Review procedure prescribed

§ 151.01 TITLE.

This chapter is titled and popularly shall be known as the “Residential Standards Resolution”.
(Res. 10, Series 2006, passed - -)

§ 151.02 APPLICATION.

The standards recited and referred to in this chapter do and shall apply to any and all applications, plans, and proposals to use, lay down upon, excavate from, or otherwise occupy or disturb public property within the city, and to construct, improve, or otherwise situate upon a subdivided lot zoned for single-family residential use within said city any improvement thereto, except to the extent any of said is caused by Louisville Metro government or state regulations.
(Res. 10, Series 2006, passed - -)

§ 151.03 REVIEW PROCEDURE PRESCRIBED.

It is the prevailing sentiment of the owners and occupants of residential properties in the city, as expressed in this chapter through their elected representatives, that the City Commission take into consideration and ensure compliance with, and the City Commission hereby resolves that it shall so consider and ensure compliance with, the following criteria and standards, to-wit.

(A) *Building setbacks.* All building setbacks fronting public ways as shown on the official plat of the city in plat and subdivision book 6, pages 56 and 57, in the offices of the Clerk of the County Court, shall be strictly observed, without exception (a copy of aforementioned page 56 is “Attachment A”, attached to the resolution codified herein, and a copy of aforementioned page 57 is “Attachment B”, attached to the resolution codified herein).

(B) *Driveways intersections with public ways.* The private driveway providing access to and from any parcel or parcels of subdivided land improved with a single-family residence shall intersect the

adjoining public way at only a single location, and its dimensions and other considerations shall be as prescribed in Ord. 11, Series 2006 (a copy of the aforementioned ordinance being “Attachment C”, attached to the resolution codified herein).

(C) *Nurturing urban forest.* The city, in cooperation with and assistance from forestry personnel of the commonwealth, officially has been designated as an urban forest, extending to residents of the city the shared value and burdens of its precious natural resource, the natural beauty, shade, oxygen replenishment, and wildlife habitat provided by the canopy of its mature trees. The maintenance, removal, and replacement of trees is regulated by the provisions of the city’s Ord. 20, Series 2003 (a copy of the aforementioned ordinance being “Attachment D”, attached to the resolution codified herein).

(D) *Infill construction; setbacks.* Any and all construction of new buildings or additions to existing ones, on vacant or underutilized subdivided lots zoned for single-family residential use, shall be built within the building setback lines of the two nearest existing residential structures, as extended, in accordance with Ch. 5, part 4, subsec. F(2)(a) of the Metro Louisville Land Development Code (a copy of which is “Attachment E”, attached to the resolution codified herein). The height of such buildings or additions shall be limited as provided in Ch. 5, part 4, subsec. F(2)(b) of the aforementioned Land Development Code (a copy of which is “Attachment F”, attached to the resolution codified herein).

(E) *Building bulk; related to lot size.* The “footprint” (area of coverage in horizontal plane) of any principal residential structure is limited by the aforementioned Land Development Code to one-half the number of square feet contained within the fixed boundaries of the building lot (see “Attachment G”, attached to the resolution codified herein, for maximum floor area ratio, and “Attachment H”, attached to the resolution codified herein, for definition of **FLOOR AREA RATIO**). Additionally, the maximum such ratio recommended by the City Commission is 35%.

(F) *Fences.*

(1) The location of fences, and limitations upon the heights thereof, is regulated by Ch. 4, part 4, § 3(A)(1) of the aforementioned Land Development Code (a copy of which is “Attachment J”, attached to the resolution codified herein).

(2) Additionally, the location limitation recommended by the City Commission is the following: No fence shall be situated closer to the common boundary between the public right-of-way and the private lot fronting thereon, than is the front line of the front load-bearing wall of the principal structure, as extended.

(G) *Air-conditioning compressor units.*

(1) Compressors for air conditioner units situated outdoors, must be situated at least ten feet to the rear of the front line of the principal structure’s front load-bearing wall (copy of Ord. 10, Series 2006, so providing, is “Attachment K”, attached to the resolution codified herein).

(2) On any subdivided lot within the city that is zoned for single-family residential use (except corner lots), any and all compressor units situated outdoors and used or to be used as part of in

connection with the central air-conditioning system(s) for the principal structure, whether a new installation or the replacement of an existing one, shall be situated on the exact location of the existing unit or, in the alternative, so as to be at least ten feet from and to the rear of the straight line that coincides with the front of the main load-bearing wall on the front of the residential structure (exclusive of porches and other appendages), as extended. On a corner lot, if the unit is placed on the side-street side, the unit shall be screened with appropriate landscaping.

(H) *Building materials.* The City Commission recommends that the choice of exterior-facing materials be limited as follows:

(1) On a principal residential structure, any and all additions, enlargements, or other alterations shall be identical with, and so as to match precisely, the material on the structure, or any portion thereof, as exists or existed before such addition, enlargement, or other alteration; or

(2) On any portion of a detached garage or other accessory structure, the materials shall be identical with, and so as to match precisely, the material on the front of the principal residential structure.

(I) *Decks, porches, handrails, and balusters.*

(1) Minimum construction standards for decks, porches, handrails, and balusters are regulated by appropriate building codes (a copy of two-page specifications illustration is “Attachment L”, attached to the resolution codified herein).

(2) Additionally, the following limitations are recommended by the City Commission.

(a) No unroofed deck or elevated patio shall project into a front yard; and, on a corner lot, no unroofed deck or elevated patio shall project into a side yard that fronts on a side street.

(b) Ramps intended and designed for use of handicapped persons are regulated by Ch. 5, part 1, § 7(G) of the aforementioned Land Development Code, (a copy of said regulation is “Attachment M”, attached to the resolution codified herein). Additionally, the City Commission recommends that any such ramp be landscaped appropriately, so as to soften the visual impact of the straight-lined structure of the ramp, and to conceal it if and to the extent reasonably possible.

(J) *Satellite dish antennae.* Any broadcast receiving device of the dish type greater than two feet in diameter, is prohibited.

(K) *Newspaper; flyer boxes.* The City Commission’s recommendation is that no exterior receptacle mounted on a pole, column, or other such device for the deposit of newspaper, magazine, or printed flyers, shall be allowed.

(L) *Refuse and recycling containers.* The placement for pickup, of containers of garbage, trash, and other refuse, is limited by § 50.01, to locations to the rear of the front of the principal structure (a copy of pertinent provision is “Attachment O”, attached to the resolution codified herein).

(M) *Elevated swimming pools.* The City Commission's recommendation is that no swimming pool, the top of the structure of which projects more than one foot above the mean elevation that surrounds the principal residential structure, be allowed.

(N) *Excavations; cuts in pavement on public ways.* No excavations or cuts into pavement upon any public way shall be undertaken or allowed without prior permission from the city.

(O) *Exterior lighting.* Limitations on intensity, placement, and direction of external lighting are set forth in the aforementioned Land Development Code (a copy of pertinent portions being "Attachment P", attached to the resolution codified herein, consisting of three pages). Additionally, the City Commission recommends that no exterior lighting be so positioned, so arranged, so elevated, so intensified, so directed, or otherwise so constructed, placed, or employed as unreasonably to interfere with the vision of any operator of any vehicle upon the city's streets or other rights-of-way, or with the vision, or with the peace and quiet, of any neighbor or other resident of the city at any time of day or night.

(P) *Prior performance assurances required for work on city property.* As a condition precedent to the issuance of a permit or other approval for work to be done on, in, above, or under city property, the City Commission at its sole discretion may require appropriate assurance of faithful performance, and in connection therewith may impose reasonable conditions to be met, including but not limited to regular and periodic removal of mud, gravel, debris, and other foreign material from paved surfaces of city streets and/or sidewalks, and from adjacent unpaved areas, avoidance of hazards to passersby, and emplacement of temporary notices to the public concerning same. Appropriate bond, insurance, or other assurances in reasonable form also may be required by the City Commission.

(Q) *Exterior colors.* The City Commission recommends that, prior to making any significant change in the color of paint or other matter used to cover, preserve, or decorate the structure on exterior wall-facing material of any residence, detached garage, or other accessory building, the owner of the property (hereafter, the "owner") provide written notice thereof to the City Clerk, together with a written statement confirming that notice of such proposal has been delivered or mailed pursuant to this chapter. Such notice shall be properly addressed to the residents of certain other parcels of residential property fronting upon the same public way as does the owner's property, and in either direction upon the aforementioned same public way, more specifically, to each of the four residences situated to either side. Thereupon, the City Commission shall make notation on its agenda for the next succeeding regular Commission meeting, that the person intending to make such change(s) shall be given time to appear thereat and to describe in detail his or her plan for such change; and the person so proposed, and any other person appearing at said meeting shall be heard, in favor or against.

(1997 Code, § 950.2) (Res. 10, Series 2006, passed - -; Ord. 10, Series 2006, passed 2-7-2006)