

# Land Development and Transportation Committee Staff Report January 26, 2023



<b>Case No:</b>	22-WAIVER-0236
<b>Project Name:</b>	Bridgemore Lane
<b>Location:</b>	Bridgemore Lane - 002600320000
<b>Owner(s):</b>	John & Mary Smith
<b>Applicant:</b>	Mindel Scott
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	20 – Stuart Benson
<b>Case Manager:</b>	Clara Schweiger, Planner I

## **REQUEST(S)**

- Waiver of Land Development Code section 7.8.60.B.1 to allow for a private street to provide access to more than twenty lots.

## **CASE SUMMARY/BACKGROUND**

The applicant is proposing to create 5 lots from one by minor plat (22-MPLAT-0088). Since Bridgemore Lane is a private road and the subject site is adjacent to the Bridgemore Estates Subdivision, which includes more than 20 lots fronting on Bridgemore Lane, a waiver is required to create these additional 5 lots. When the Bridgemore Estates Subdivision was created in 1993, a waiver of section 3.40 of the Metropolitan Subdivision Regulations was approved under case number 10-39-93 to allow the creation of private streets and to allow the creation of lots fronting on a private street.

## **STAFF FINDING**

Staff finds that the proposal meets the requirements of the Land Development Code and the guidelines Comprehensive plan. Staff finds that the minor plat associated with this proposal is meeting all lot size requirements for the R-4 zoning district and Neighborhood form district.

## **INTERESTED PARTY COMMENTS**

Staff has not received any interested party comments for this case.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners as there are already lots existing on the private road and the proposed lots are meeting all lot size requirements.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: The waiver will not violate specific guidelines of Plan 2040 as the proposal will allow for development that is contextually appropriate in this area and that can be safely accessed as the roadway meets the width requirement

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the new lots proposed will be meeting all lot size requirements of the Land Development Code.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land. If the waiver is not approved the applicant would not have access to the lots being created.

#### **REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waiver**

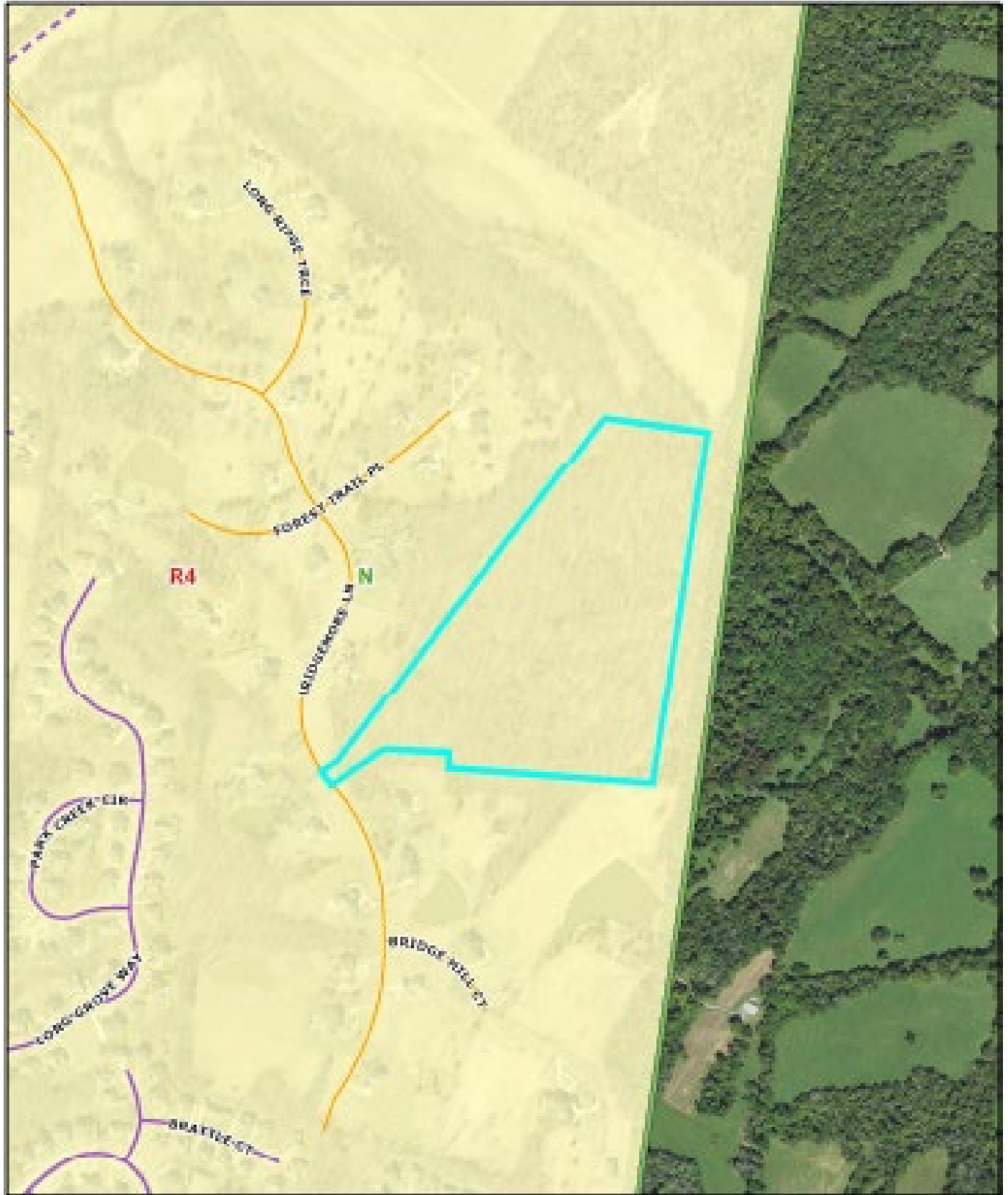
#### **NOTIFICATION**

Date	Purpose of Notice	Recipients
1/11/23	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 20

#### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

