

Development Review Committee
Staff Report
August 31, 2016



Case No.	16MINORPLAT1100
Project Name	Virginia Avenue Minor Plat
Location	7450 Virginia Avenue
Owner	Habitat for Humanity
Applicant	Schroll Land Surveying LLC
Representative	Bill Schroll
Jurisdiction	Louisville Metro
Council District	25 – David Yates
Case Manager	Beth Jones

REQUEST

- **Record Plat Amendment**
- **Waiver** of minimum lot width requirement

CASE SUMMARY/SITE CONTEXT

Applicant proposes to subdivide a single existing lot previously recorded as PB 06-075 (Greenwood Villa, Inc.). The lot, measuring 90.05' x 143.96", will be divided into two lots measuring 45.03' and 45.02' wide. The minimum lot width requirement for R5 residential lots within the Neighborhood Form District is 50'.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Undeveloped	R-5	Neighborhood
Proposed	Single-family housing	R-5	Neighborhood
Surrounding Properties			
North	Single-family housing	R-5	Neighborhood
South	Single-family housing	R-5	Neighborhood
East	Single-family housing	R-5	Neighborhood
West	Single-family housing	R-5	Neighborhood

PREVIOUS AND ASSOCIATED CASES ON SITE

None.

INTERESTED PARTY COMMENTS

Brian Boles, Legislative Assistant to Metro Council David Yates (District 25), inquired to confirm that the proposed subdivision divided the existing lot from front to rear rather than side to side. Case Manager Beth Jones forwarded to him a copy of this completed Staff Report.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code (July 2016)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF MINIMUM LOT WIDTH REQUIREMENTS (LDC TABLE 5.3.1)

The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the resulting lots will maintain neighborhood character and can be developed in a manner consistent with surrounding single-family residential development.

The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The proposed waiver meets Guideline 1 Community Form/Land Use which is intended “to ensure that new development will be designed to be compatible with the scale, rhythm, form and function of existing development as well as with the pattern of uses” and that “land use decisions...preserve...identified existing and emerging patterns of development”. It also complies with Guideline 1.A.2.a) which requires the evaluation of a proposal in the context of “the compatibility of the proposed use or uses with surrounding uses”.

C3.1 Neighborhood districts: are “generally characterized by a range of low to medium density residential uses” which “provide housing choice for people of differing ages and incomes”.

STAFF: The property owner plans to develop the lots with single-family housing that will provide affordable homeownership opportunities.

C4.4 Setbacks and lot dimensions: “Establish a range of ...lot dimensions to ensure compatibility with surrounding buildings while allowing for flexibility and creativity. Encourage new infill development to be of similar ...orientation as the existing pattern of development.”

STAFF: The proposed lot width offers flexibility to the property owner while maintaining the street orientation of adjoining properties.

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 since the existing lot is being subdivided equally, keeping both of the two resulting lots as near the minimum width requirement as possible.

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: Each lot resulting from the proposed subdivision will be 6,534 sq.ft. in size, which exceeds R5 minimum requirements of 6,000 sq.ft. Approval of the waiver request would allow Applicant to develop two currently vacant lots into housing consistent with patterns of development in the neighborhood and provide housing for a variety of income levels.

TECHNICAL REVIEW

Per section 7.1.91 of the LDC, the Planning Commission shall have the power to amend any recorded plat if reasonable notice and an opportunity to express objections or concerns have been given to all persons affected by the record plat amendment.

The proposed minor plat is in order and has received preliminary approval from Transportation Planning Review and the Metropolitan Sewer District.

The minor plat request complies with all zoning and subdivision regulations, with the exception of the waiver requested herein.

STAFF CONCLUSIONS

Based on the information contained within the staff report and testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposed minor plat and waiver meet LDC standards and Cornerstone 2020 guidelines.

REQUIRED ACTIONS

APPROVE or **DENY** the requested waiver.

APPROVE or **DENY** the requested record plat amendment.

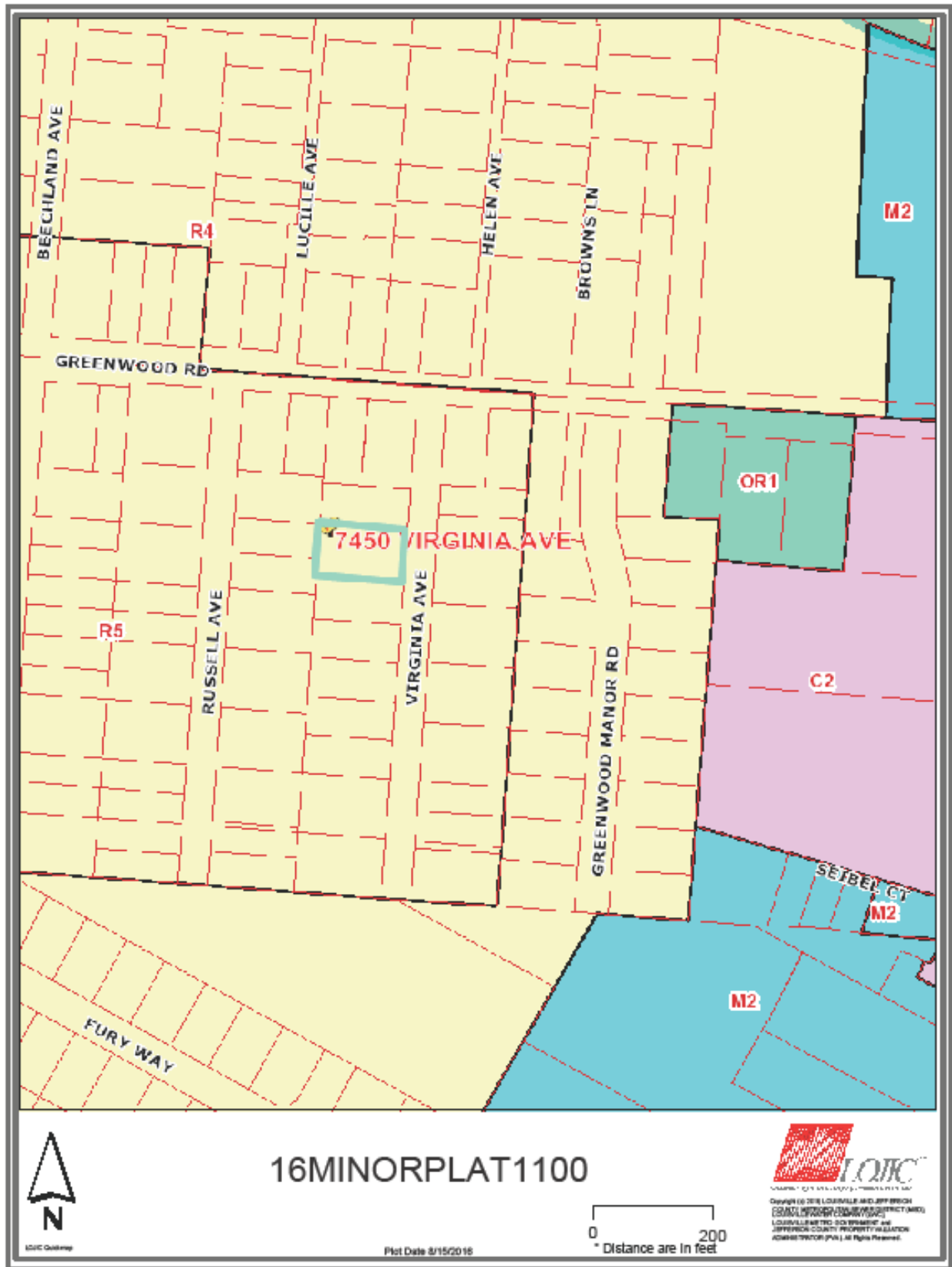
NOTIFICATION

Date	Purpose of Notice	Recipients
8/19/16	DRC	Adjoining property owners, applicant, owner, and registered users of Council District 25.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

