

DRCMINUTES
April 2, 2014

NEW BUSINESS:
CASE NO. 14WAIVER1006

Request: To allow an accessory structure to be built and exceed the size of the primary structure
Project Name: 6802 Concord Hill Road
Location: 6802 Concord Hill Road
Owner: Gaines, Margaret and Rodney Sr.
Applicant: Same
Representative: Same
Jurisdiction: Louisville
Council District: 24- Madonna Flood
Case Manager: Jessica Butler, Planner I

An audio/visual recording of the Development Review Committee related to this case is available in the Planning and Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a copy. The recording of this meeting will be found on the cd of the April 2, 2014 proceedings.

SUMMARY OF STAFF PRESENTATION:

54:02 The applicant requests a waiver of 5.4.2, to allow an addition to be made on one of the existing accessory structures on a lot, making the cumulative total of accessory structure size greater than the size of the primary structure.

This property has two accessory structures on the single-family residential property. One is currently 1750 square feet and the other is 1600 square feet. To the second structure, the applicant proposes a 1056 square foot addition. This makes the total square footage of accessory structures 4406. The primary structure is 2600 square feet and the property is 4.95 acres.

The applicant was issued a code violation for non-permitted use in a residential zone (improper keeping of a recreational vehicle).

The following spoke in favor of this request:

Rodney Gaines, 6802 Concord Hill Road, Louisville, Ky.

The following spoke in opposition:

No one

SUMMARY OF TESTIMONY OF PROPONENTS:

57:45 Mr. Gaines showed pictures of the camper sitting by the existing building. "I've always been told it's a private road, just a one lane dead end road." The neighbors all signed in support of the waiver. Mrs. Butler added, "It would have been staff approvable if was less than 1.5 times the size of the primary structure."

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SUMMARY OF TESTIMONY OF OPPONENTS:

None

REBUTTAL:

None

ACTION

59:21 Commissioner Peterson moved to **APPROVE** the waiver of 5.4.2 to allow an addition to be made on one of the existing accessory structures on a lot, making the cumulative total of accessory structure size greater than the size of the primary structure. Commissioner Blake seconded the motion. Motion carried unanimously.

WHEREAS, The waiver will not adversely affect adjacent property owners because all setback requirements are adhered to for this accessory structure and the lot is nearly 5 acres; and

WHEREAS, The waiver meets the applicable guidelines of Cornerstone 2020. Residential Guideline 23 discusses the compatibility of the proposed addition, and staff determines the accessory structures fit the character of the residential area; and

WHEREAS, The extent of the waiver is the minimum necessary to afford relief to the applicant because the applicant has been notified that they need to enclose their camper, and this addition will allow them to do so; and

WHEREAS, The strict application of the Land Development Code standards would deprive the applicant of storage of their camper on their 5 acre lot.

RESOLVED, that the Development Review Committee does hereby **APPROVE** the waiver for Case No. 14WAIVER1006.

The vote was as follows:

YES: Commissioners Blake, Brown, Kirchdorfer, Peterson and Tomes

NO: No one

NOT PRESENT: Commissioner White

ABSTAINING: No one