

Development Review Committee

Staff Report

April 20, 2016



Case No:	16WAIVER1004
Project Name:	Sidewalk Waiver
Location:	8120 Red Stone Hill Road
Owner:	Donna and Larry Ledington
Applicant:	Donna and Larry Ledington
Representative:	Donna and Larry Ledington
Project Area/Size:	1.21710
Existing Zoning District:	R-4, Residential
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	25 – David Yates
Case Manager:	Ross Allen, Planner I

REQUEST

- Waiver from Section 5.8.1 of the Land Development Code (LDC) to not provide a sidewalk along the street frontage located at 8120 Red Stone Hill Road in Louisville Metro.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is located along 8120 Red Stone Hill Road, a local roadway, in Louisville Metro. The owner is constructing a new residence at the aforementioned address and is requesting a waiver from LDC section 5.8.1 to construct a sidewalk along the street frontage on Red Stone Hill Road for an approximate linear distance of 165 feet. There are currently no sidewalks along the entirety of Red Stone Hill Road until the intersection of Red Stone Hill Road and Allanwood Road which is a distance of approximately 1,800 linear feet located in the Parkridge Woods Subdivision.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Vacant Residential Land	R-4	Neighborhood
Proposed	Single Family Home	R-4	Neighborhood
<i>Surrounding Properties</i>			
North	Single Family Home	R-4	Neighborhood
South	Single Family Home	R-4	Neighborhood
East	Single Family Home	R-4	Neighborhood
West	Single Family Home	R-4	Neighborhood

PREVIOUS CASES ON SITE

No previous cases.

INTERESTED PARTY COMMENTS

Staff has not received any inquiries or interested party comments to date.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of section 5.8.1.B. to not provide a sidewalk along :

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

STAFF: The waiver will not adversely affect adjacent property owners since there are no sidewalks along the entirety of Red Stone Hill Road from the intersection with Allanwood Road with a linear distance of approximately 1,800 linear feet from the Parkridge Woods Subdivision. Furthermore, neighboring residences have not provided sidewalks along their street frontage in the general vicinity.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide, where appropriate, for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. However, the entire length of Red Stone Hill Road has no sidewalks and is at a distance of approximately 1,800 linear feet from the closest sidewalks which are located in the Parkridge Woods Subdivision.

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

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since the north/south portion of Red Stone Hill Road where the subject property lies has no sidewalks and current residents have not been required to provide sidewalks.

- (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 or would create an unnecessary hardship on the applicant since adjacent residences and neighbors in the general vicinity have not provided sidewalks. This would be the only property on the north/south portion of Red Stone Hill Road that would have a sidewalk with no adjacent sidewalks in existence.

TECHNICAL REVIEW

N/A

STAFF CONCLUSIONS

- The sidewalk waiver appears to be adequately justified based on staff analysis in the staff report. Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC and comprehensive plan for approving the waiver.

REQUIRED ACTION

- **APPROVE** or **DENY** the sidewalk waiver to not provide sidewalks along their street front located at 8120 Red Stone Hill Road in Louisville Metro.

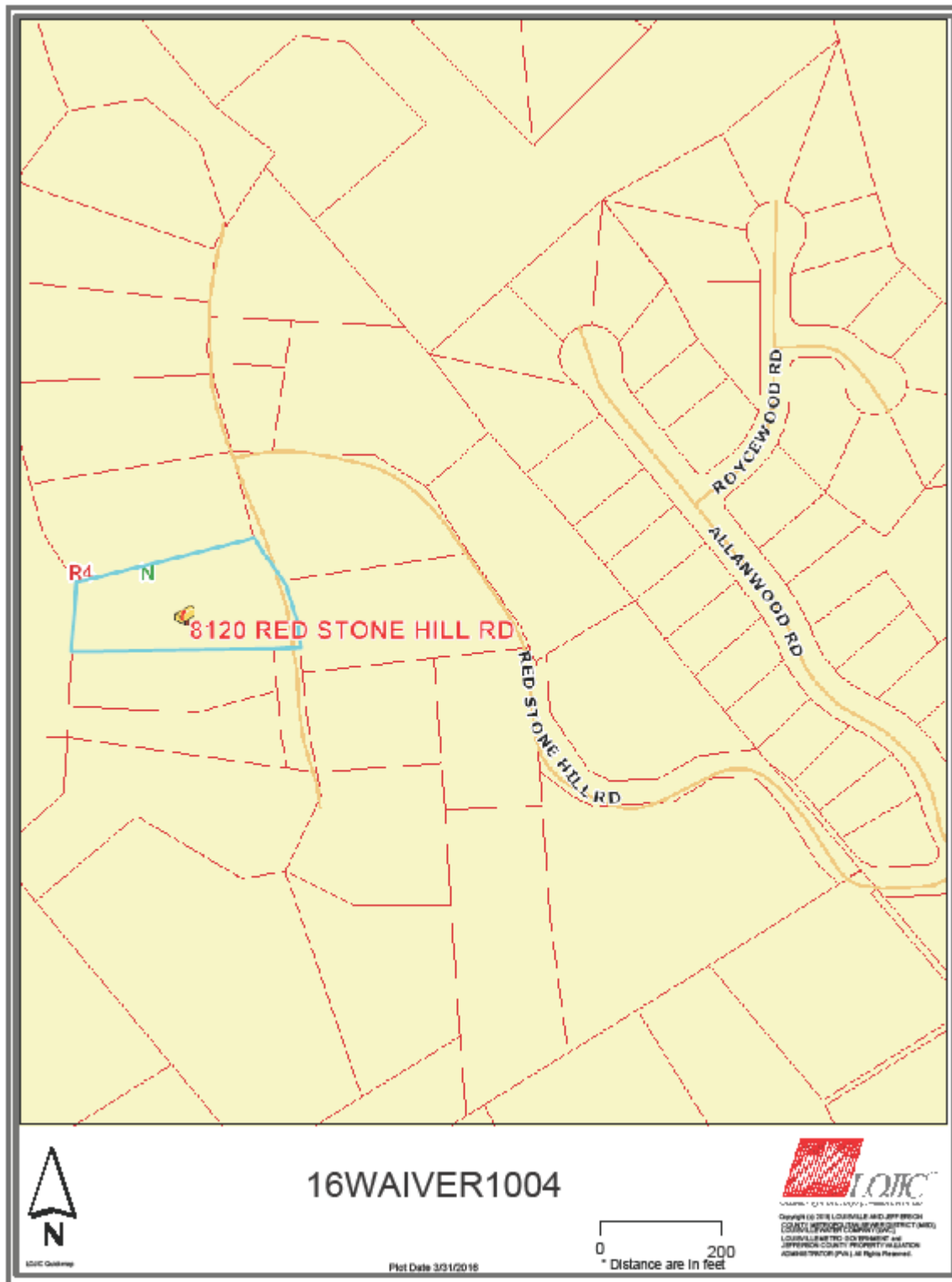
NOTIFICATION

Date	Purpose of Notice	Recipients
4/8/16	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan

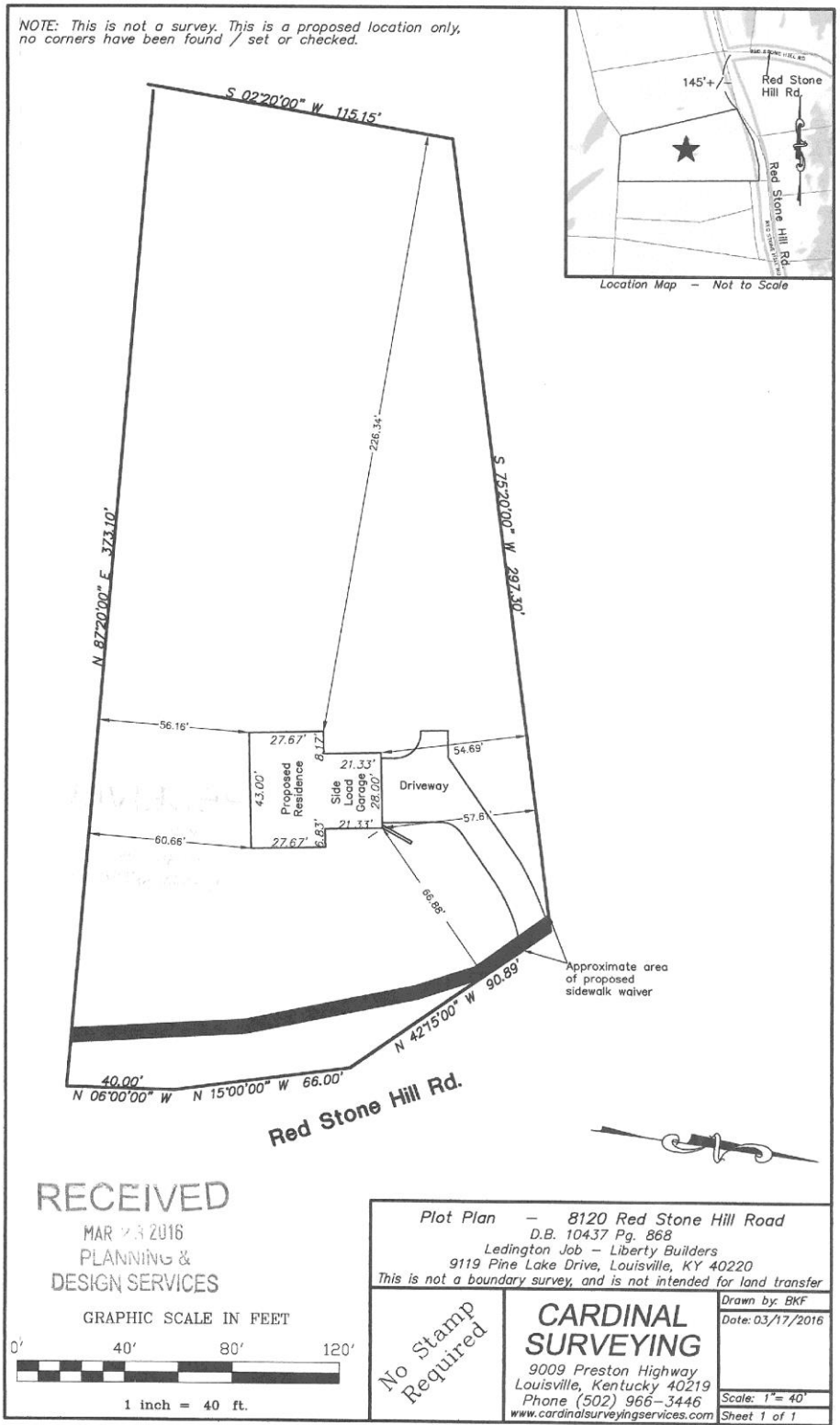
1. Zoning Map



2. Aerial Photograph



Site Plan



16 WAIVER 1004