

Development Review Committee

Staff Report

October 19, 2022



Case No:	22-MPLAT-0070
Project Name:	416 Washburn Avenue
Location:	416 Washburn Avenue
Owner(s):	Andrew D. Ernsperger Jr.
Applicant:	Land Design & Development Inc.
Jurisdiction:	City of Lyndon
Council District:	7 – Paula McCraney
Case Manager:	Clara Schweiger, Planner I

REQUEST(S)

- Waiver from 7.8.60.B.4 to allow a direct access to a collector level roadway.

CASE SUMMARY/BACKGROUND

The proposal is a minor subdivision plat create two lots from one, and would require the new lot to have direct access to a collector level roadway (Washburn Avenue). The subject site contains approximately 0.49 acres and is zoned R-5. The site is located near the intersection of Washburn Avenue and New La Grange Road and is in the City of Lyndon.

STAFF FINDING

Staff finds that the proposal is adequately justified and meets the standard of review.

TECHNICAL REVIEW

Land Development Code (2015) Lyndon

Transportation Planning has approved a Right of Way waiver for Washburn Ave.

INTERESTED PARTY COMMENTS

Please see attached correspondence from the Mayor of Lyndon.

From: Brent Hagan <lyndonmayor@cityoflyndon.org>
Sent: Friday, July 15, 2022 2:41 PM
To: David Winkler <winkler@idd-inc.com>
Subject: RE: 416 Washburn Avenue

Good afternoon David,

The City of Lyndon does not oppose a driveway for Lot 2, provided that the Lot 2 parcel has been properly separated from Lot 1, thus generating an independent parcel number and serves as a private residence.

Brent Hagan

Thank you,



Brent Hagan | Mayor | City of Lyndon
515 Wood Rd. Lyndon, KY 40222
P. 502.423.0932 | F. 502.339.9722
lyndonmayor@cityoflyndon.org
www.cityoflyndon.org



CONFIDENTIALITY NOTICE: This email message, including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please notify the sender by email and destroy all copies of the original message.

1



22-MPLAT-0070

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 because the direct access to the lot will be in keeping with the established pattern along Washburn Avenue.

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

STAFF: Mobility Goal 2 of the comprehensive plan calls to plan, build and maintain a safe, accessible and efficient transportation system. Policy 1 call to provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts.

The new access isn't going to interfere with a safe, accessible and efficient transportation system.

- (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 because all other Land Development Code requirements are being met. Additionally, this is a double lot and all the other houses on the street have direct access to Washburn Avenue, and the alley abutting the property is unimproved.

- (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 because it would require the applicant to improve the unimproved alley, or it would require a driveway to be constructed through the back yard of the neighboring parcel.

REQUIRED ACTIONS:

- **APPROVE or DENY the waiver.**

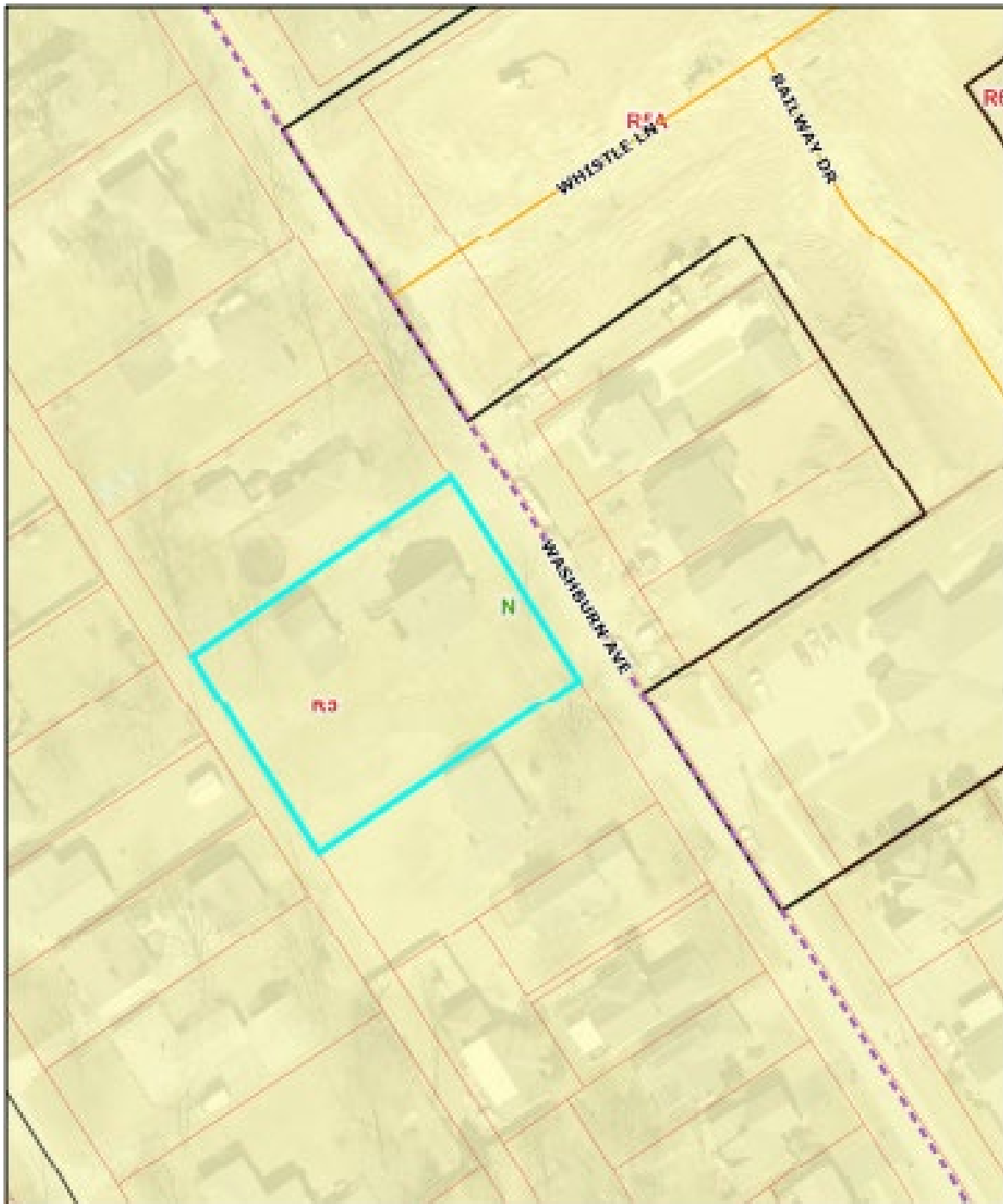
NOTIFICATION

Date	Purpose of Notice	Recipients
09/19/22	Hearing before DRC	1 st tier adjoining property owners and current residents City of Lyndon Registered Neighborhood Groups in Council District 7

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

