



26-WAIVER-0084

Development Review Committee
Staff Report
August 5, 2026

Landscape Waiver

Location: Parcel ID# 008602270000 & 008602280000
Applicant: Jarls Business Group, LLC
Representative: Mindel Scott
Jurisdiction: Louisville Metro
Council District: 23 – Jeff Hudson
Case Manager: Mollie Share, Planner I

REQUEST & RECOMMENDED ACTION

1. **26-WAIVER-0084:** Wavier of Land Development Code (LDC) Section 10.2.4.B.1 to allow a retaining wall to exceed 4 feet in height within the Landscape Buffer Area.
 - Staff finds the justification for the request is adequate and recommends the Development Review Committee **APPROVE** the Waiver.

CASE SUMMARY

The subject site is approximately 11.1 acres and is zoned R-5A Multi-Family Residential within the Neighborhood form district. The subject site is located at the southern edge of the county line, off Cedar Creek Rd. The applicant is proposing to construct a retaining wall along a majority of the western property line, with a maximum height of 8 feet. Since this retaining wall is located within the Landscape Buffer Area, a waiver is required.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)

STANDARD OF REVIEW AND STAFF ANALYSIS

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

STAFF FINDING: The waiver will not adversely affect adjacent property owners as the proposed retaining wall will provide even more screening of potential visual and noise impacts than the required landscaping alone. The required plantings and buffer width along that Landscape Buffer Area will still be provided.

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

STAFF FINDING: The waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1 Policy 9 ensures an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The proposed retaining wall serves as a height transition between the multi-family and single-family zoning, while still providing landscape buffers and appropriate building setbacks. Community Form Goal 3 Policy 9 encourages development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems. The addition of this retaining wall along the western property line will ensure that this development avoids substantial changes to the topography with minimal environmental degradation.

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

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the applicant's request is limited to a wall on one side of the property while still maintaining the required buffer width and plantings.

(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 FINDING: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant as this is the only change from the existing and approved development plan. Elimination of this retaining wall would result in the need for a complete redesign of the site and a possible loss in housing units.

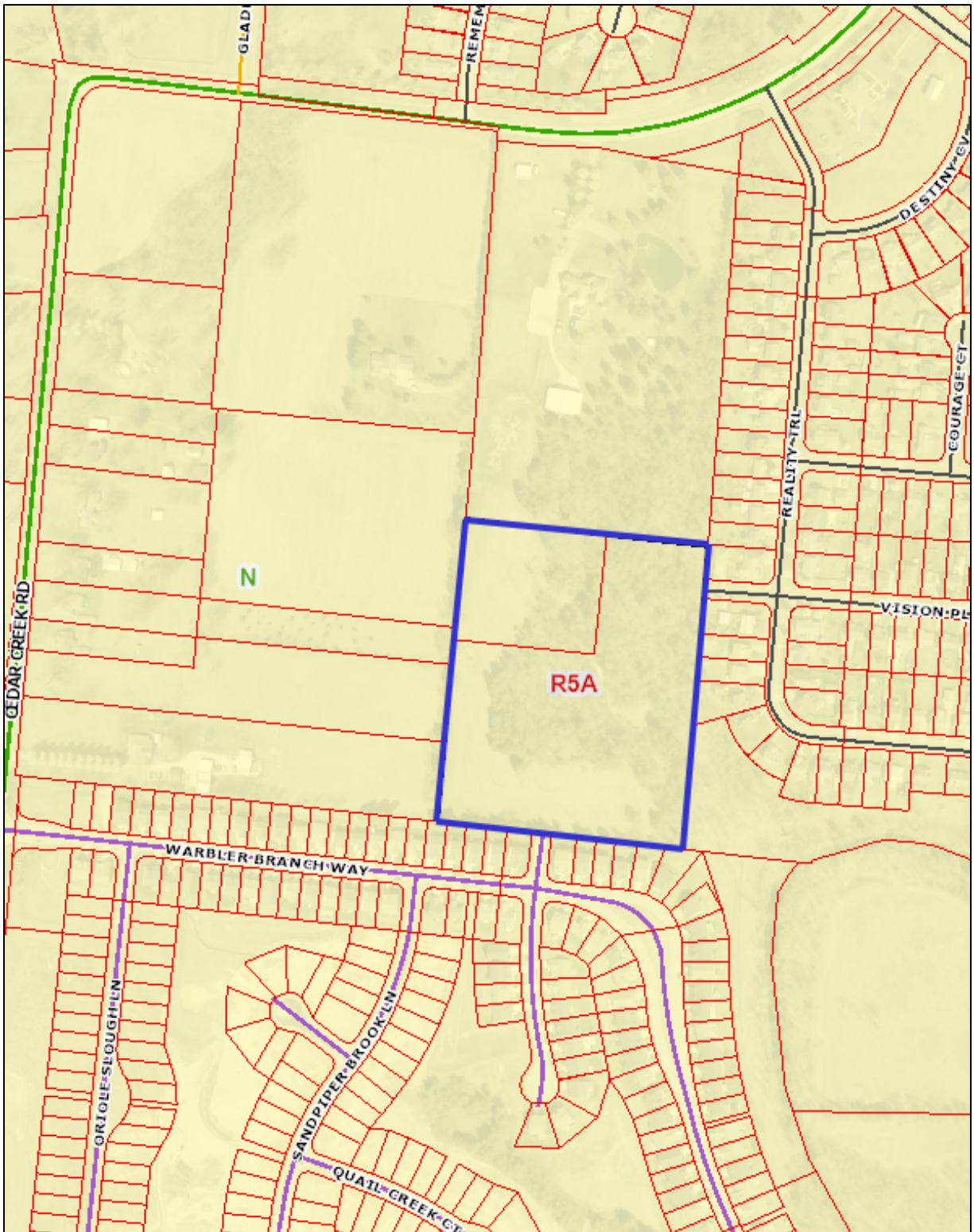
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/24/2026	Development Review Committee Public Hearing	1 st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 23

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

