

Development Review Committee

Staff Report

February 3, 2016



Case No:	15MINORPLAT1057
Project Name:	Two L Properties, LLC.
Location:	1662 W. Kentucky St.
Owners/Applicants:	Two L Properties, LLC.
Representative:	Bert M. Edwards
Project Area/Size:	4,450 SF (0.1 acres)
Existing Zoning District:	R-7, Multi-Family Residential
Existing Form District:	TN, Traditional Neighborhood
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Joel Dock, Planner I

REQUEST

- Substandard Minor Subdivision in a Traditional Neighborhood Form District

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to create two tracts from one tract at the intersection of W. Kentucky St. and 17th St. The current lot has two structures on 4,450 square feet (SF). Each structure contains one single-family unit. The proposal will create two single-family lots, one being 2,200 SF and the other 2,250 SF. While these lots are compliant with the density allowed in an R-7 zoning district, they are substandard with respect to the minimum lot area of 4,500 SF required for new lots in an R-7 district in the Traditional Neighborhood form district.

Planning Commission staff is not authorized to approve plats that do not meet the minimum regulations per 7.8.12.G of the LDC. However, specific authorization is given to the Planning Commission in 7.1.85 of the LDC to approve subdivisions resulting in substandard lots in the Traditional Neighborhood Form District. This section of the LDC reads as follows:

“Where the Planning Commission finds that subdivision or resubdivision of a legally created lot in the Traditional Neighborhood Form District, Traditional Workplace Form District, or Traditional Marketplace Corridor Form District will not conflict with the established pattern in the neighborhood and will promote the public health, safety, or welfare by facilitating development or rehabilitation of such property compatible with the surrounding neighborhood, then the Planning Commission may approve the requested subdivision notwithstanding the fact that one or more of the resulting lots do not conform to the applicable requirements relating to area or width or size of yards.

“Any request for approval of a subdivision under the provisions of this regulation shall, to the fullest extent practicable, show the lots resulting from said subdivision to be uniform in terms of those features which do not conform to the zoning and form district regulations applicable to the property. A subdivision of property in accordance with the terms of this provision shall not affect the preexisting nonconforming use status pertaining to the property. As a condition of approval, the Planning Commission may require restrictions to be placed on the subdivision plat.”

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Multi-Family Residential	R-7	TN
Proposed	Single Family Residential	R-7	TN
Surrounding Properties			
North	Residential	R-7	TN
South	Residential	R-7	TN
East	Residential	R-7	TN
West	Residential	R-7	TN

ASSOCIATED CASES ON SITE

15VARIANCE1089:

Variance to reduce the resultant private yards on each lot. Case is scheduled for the Board of Zoning Adjustment meeting on 2/15/16.

INTERESTED PARTY COMMENTS

Staff has not received any formal comments.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code (revised December 2015)

TECHNICAL REVIEW

The minor subdivision has received preliminary approvals from MSD, Transportation Review, Construction Review, and the Louisville Metro Fire Department.

A variance for a reduction in the resultant private yards will ultimately need to be granted to create the proposed lots. The variances for the proposed lots will be heard by the BOZA on February 15, 2016.

STAFF CONCLUSIONS

DRC has discretion in this case; this is not a ministerial action. Approval of the requested subdivision requires that this committee finds the request will not conflict with the established pattern in the neighborhood and will promote the public health, safety, or welfare by facilitating development or rehabilitation of such property compatible with the surrounding neighborhood. As a condition of approval, the DRC may require restrictions to be placed on the subdivision plat.

The foremost request is to create two single-family lots and homes for sale or rent and to be either owner-occupied or renter-occupied, as opposed to the existing status as a single multi-family lot with two multi-family units. Staff finds that the proposal will promote the public health, safety, or welfare by facilitating development or rehabilitation compatible with the surrounding neighborhood as it creates options for both sale or rent and for the parcels to be either owner-occupied or renter-occupied.

Required Actions

- **APPROVE** or **DENY** the substandard Minor Subdivision in a Traditional Neighborhood form district in accordance with LDC 7.1.85.

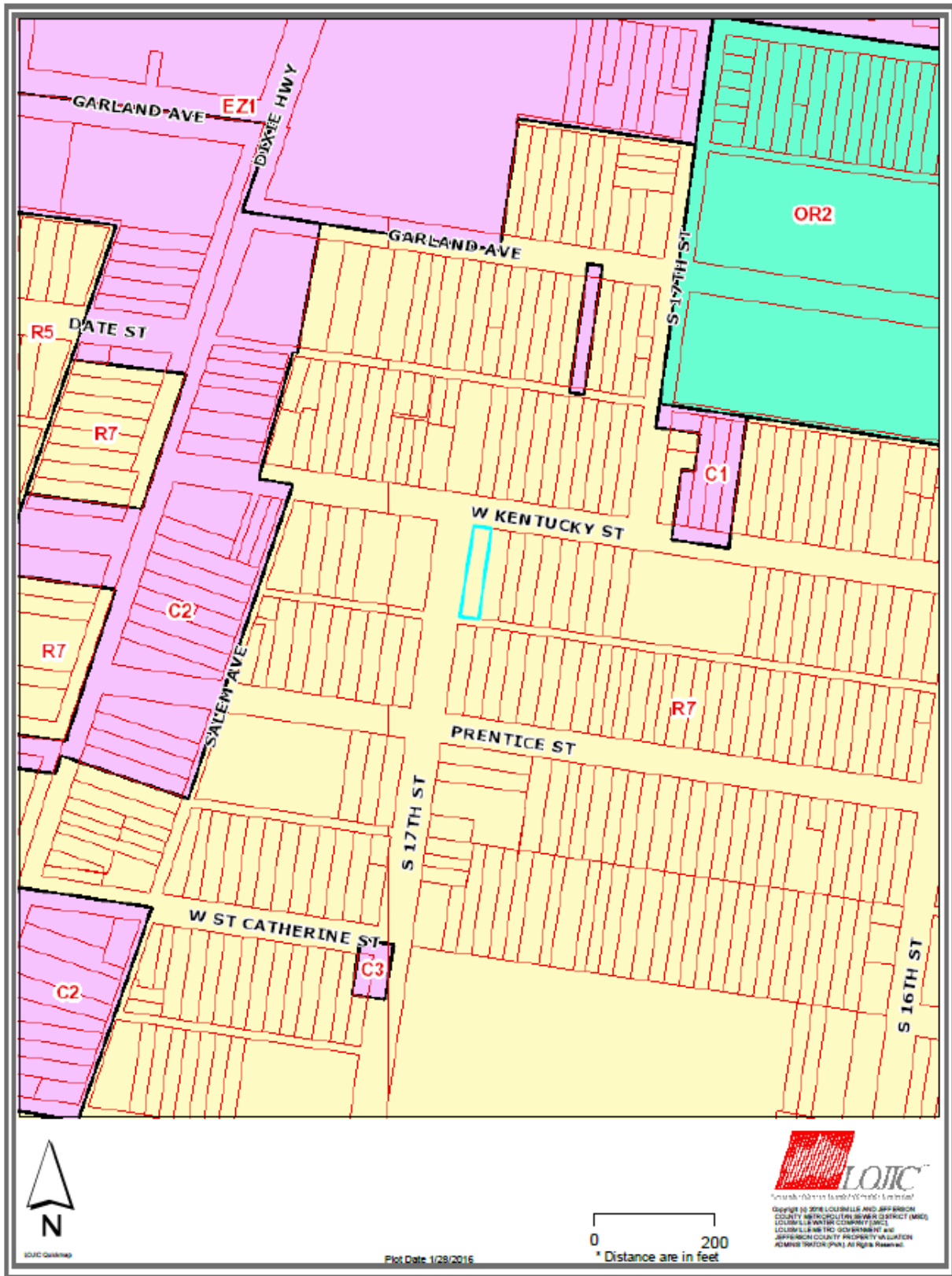
NOTIFICATION

Date	Purpose of Notice	Recipients
1/21/16	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups

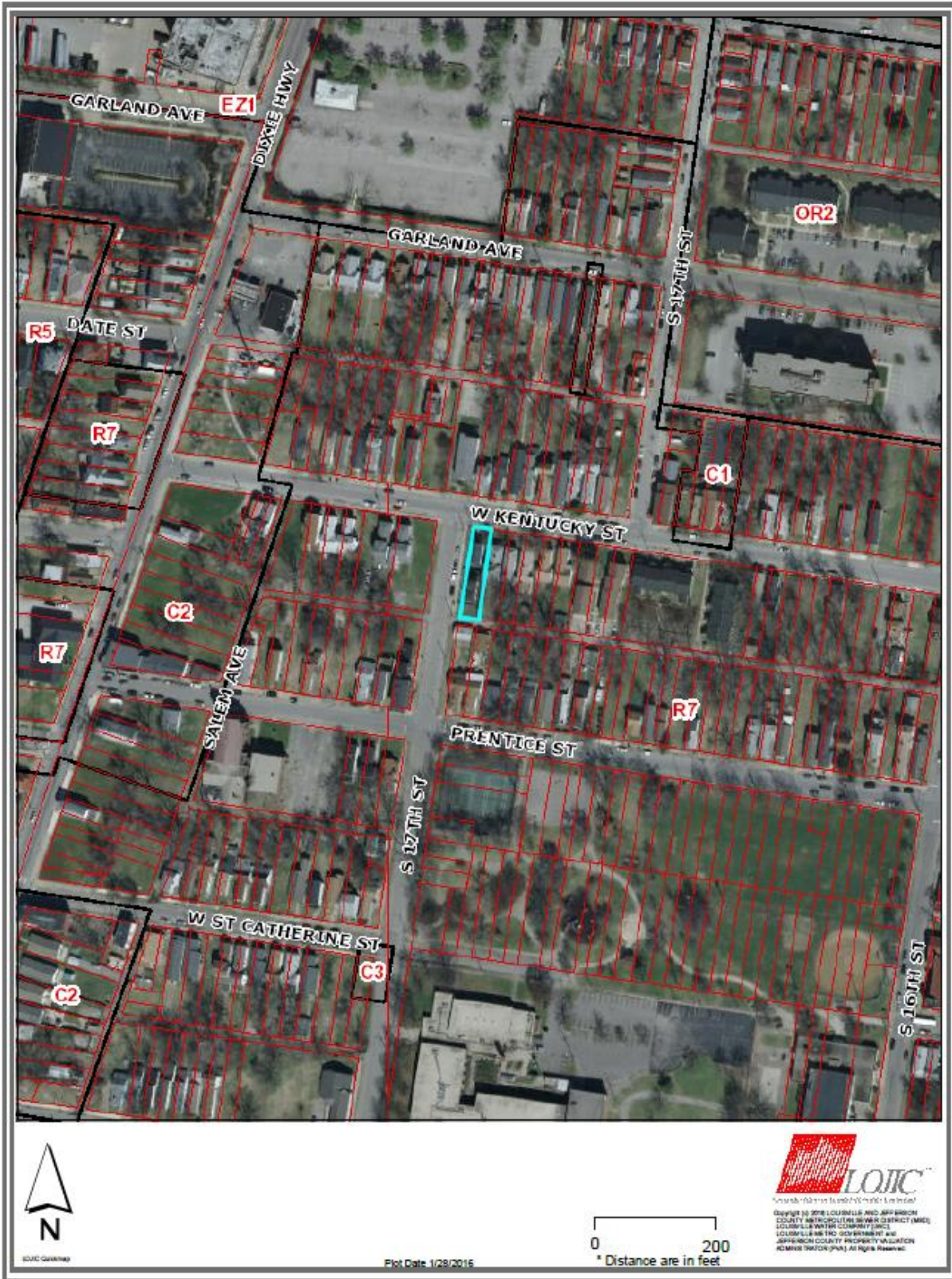
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Aerial of Subject Site

1. **Zoning Map**



2. Aerial Photograph



3. Aerial of Subject Site

