

Development Review Committee

Staff Report

September 15, 2021



Case No:	21-MPLAT-0122
Project Name:	Minor Subdivision Plat
Location:	125 Indian Hills Trail
Owner/ Applicant:	Bruce and Barbara Ferguson
Representative:	David Winkler, LD&D INC
Jurisdiction:	Indian Hills
Council District:	7- Paula McCraney
Case Manager:	Heather Pollock, Planner I

REQUEST(S)

- Record Plat Amendment to create 2 lots from 1 in the Indian Hills Subdivision in Plat Book 6, Page 2.

CASE SUMMARY/BACKGROUND

The applicant is requesting to create two lots, 4.3 acres and 1.64 acres. This property is in the R-2 zoning district, in the Neighborhood Form District. The two lots are compliant with density and dimensional requirements. There is an existing 2798 Square Foot (SF) single family dwelling and three accessory structures that are to remain.

STAFF FINDING

The plat is in order and complies with all zoning and subdivision regulations. The committee will need to determine whether reasonable notice was given to all affected parties.

TECHNICAL REVIEW

Per section 7.1.91 of the LDC, the Planning Commission shall have the power to amend any recorded plat, if reasonable notice and an opportunity to express objections or concerns have been given to all persons affected by the recorded plat amendment.

Notices were sent out to all first tier adjacent property owners and registered citizens in Council District 7. If the Committee determines that this is not sufficient notice, they shall determine the following:

- Who may be affected;
- Who should be given notice;
- The nature of the notice;
- The manner by which the opportunity to express objections or concerns will be accommodated.

This minor subdivision plat has received preliminary approvals from Transportation Planning, 911, MSD, and the St. Matthews Fire Department.

INTERESTED PARTY COMMENTS

Staff received comments from several interested parties concerning this request. Several neighbors, including an Indian Hills City Councilwoman submitted a letter expressed concerns about impacts the subdivision will cause with flooding and drainage, reduction in tree canopy, conflicting with the neighborhood essential nature, and the potential historical significance of the site.

Counsel for the City of Indian Hills submitted a letter and Indian Hills ordinances 13-04, Title 15, Section 15.10.110:

Specifically, City of Indian Hills Ordinance 13-04, Title 15, Section 15.10.110, entitled Subdivision, provides the following:

- A. No existing lot may be subdivided or its lines altered without prior approval of the City Council, which approval shall be by ordinance.
- B. Every lot resulting from the subdivision of an existing lot shall be no smaller than the average size of all lots abutting the lot being subdivided.
- C. Once a lot is subdivided, the resulting lots cannot be subdivided again for a minimum of ten (10) years.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Record Plat Amendment**

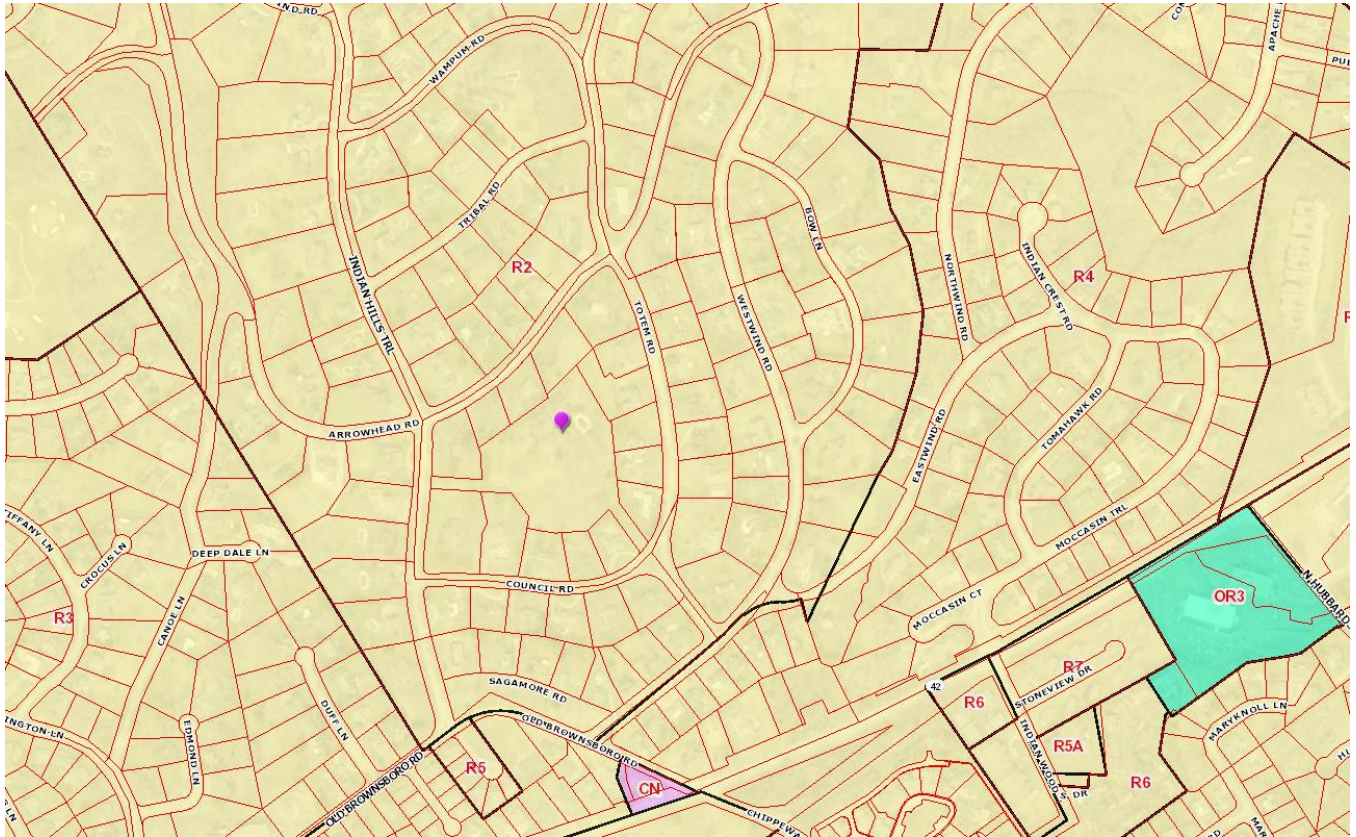
NOTIFICATION

Date	Purpose of Notice	Recipients
09/03/21	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 7

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

