

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 27, 2020

NEW BUSINESS

CASE NO. 19-ZONE-0032

Request: Change in zoning form R-5 to R-5B with detailed district development plan
Project Name: Roosey Duplex
Location: 1316 Bellwood Avenue
Owner: Roosey Holdings, LLC
Applicant: Roosey Holdings, LLC
Representative: Roosey Holdings, LLC
Jurisdiction: Louisville Metro
Council District: 8 – Brandon Coan
Case Manager: Joel P. Dock, AICP, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:03:27 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

00:05:22 Commissioner Carlson stated that binding element 3 is not valid and may need to be removed. Mr. Dock said it is standard and can stay. Commissioner Carlson said the applicant has to follow the binding element and in this case will not be able to comply. Why not take it out? Mr. Dock said he understands and will think about it.

00:07:54 Mr. Reverman asked if the change in zoning affects how the short-term regulations are applied on the property, other than changing it from 1 to 2 units. Mr. Dock said he doesn't think so because single family and duplex are both allowed to have short-term rentals.

The following spoke in favor of this request:

Jessie Redden, 2103 2nd Avenue West, Seattle, Washington 98119

Summary of testimony of those in favor:

00:08:56 Ms. Redden said the staircase isn't external. A wall was put up to cover the internal staircase and accessing the 2nd floor will not disturb the person living on the 1st floor.

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Ms. Redden gave some background information. Her parents wanted to stay in the Tyler Park neighborhood so the home was purchased. The home is setup for 2 different families to be able to live and that offsets the cost of the mortgage.

00:10:59 Chair Lewis asked if the plan is to split the home into 2 units. Also, putting up the wall in front of the staircase did result in an exterior entrance. Ms. Redden explained that the staircase is closed off like a vestibule and is entered through the back door into a room with a staircase. No exterior door was added. There is a person living on the 2nd floor as a long-term renter.

00:12:31 Commissioner Daniels asked if an anterior door (in back) was added. Ms. Redden said yes.

00:13:08 Ms. Redden said the previous owner used the home as 2 dwelling units as well.

The following spoke in opposition to this request:

Deborah J. Donnellan, 1314 Bellwood Avenue, Louisville, Ky. 40204

Summary of testimony of those in opposition:

00:14:13 Ms. Donnellan stated within 10 days of the applicant taking possession of the subject property, the property was divided and new meters were put in without requesting a zoning change. The subject property was never used as a 2 family dwelling. The previous owner had family members living there sometimes (never charged). The property was advertised as a single family dwelling with an in-law suite. It should be converted back to a single family dwelling. It's not better to ask for forgiveness, it's better to ask for permission.

Rebuttal:

00:17:21 Ms. Redden said she spoke with the previous owner about what she intended to do and she was under the impression that it was zoned properly.

Ms. Redden said a complaint led to now trying to bring the property in compliance.

Deliberation

00:19:33 Planning Commission deliberation.

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An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

The Committee by general consensus placed this case on the March 19, 2020 public hearing at the Old Jail Building.