

# Development Review Committee

## Staff Report

October 4, 2017



<b>Case No:</b>	17WAIVER1027
<b>Project Name:</b>	7840 Whipperwill Sidewalk Waiver
<b>Location:</b>	7840 Whipperwill Rd
<b>Owner(s):</b>	Heather Ledbetter
<b>Applicant:</b>	Heather Ledbetter
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	25 – David Yates
<b>Case Manager:</b>	Jay Lockett, Planner I

### REQUEST(S)

- Waiver of 5.8.1.B to not provide sidewalks along Whipperwill Rd

### CASE SUMMARY/BACKGROUND

The applicant is constructing a new single family home on an existing lot in the Neighborhood form district. Land Development Code regulations state that all developments shall provide sidewalks in the abutting right-of-way. This section is applicable to new single family home construction on any existing lot containing less than 5 acres.

### STAFF FINDING

The waiver request is adequately justified and meets the standard of review.

### TECHNICAL REVIEW

Transportation Planning staff reviewed the site for sidewalk construction feasibility and had the following comment:

*“Whipperwill is a local road with no sidewalks currently on either side. The sidewalk placement would fall in an existing tree line for half of the frontage. There is also a small culvert for a creek that runs through the property. Towards the south side, the slope falls towards the property.”*

### INTERESTED PARTY COMMENTS

The office of Metro Council District 25 has emailed to express support for this waiver request.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 5.8.1.B TO NOT PROVIDE A SIDEWALK ALONG WHIPPERWILL RD:**

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

STAFF: The waiver will not adversely affect adjacent property owners since there is no existing sidewalk network to tie into on Whipperwill Rd.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. Not providing a sidewalk adjacent to this site will not alter the character of the area or the existing roadway system.

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

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant.

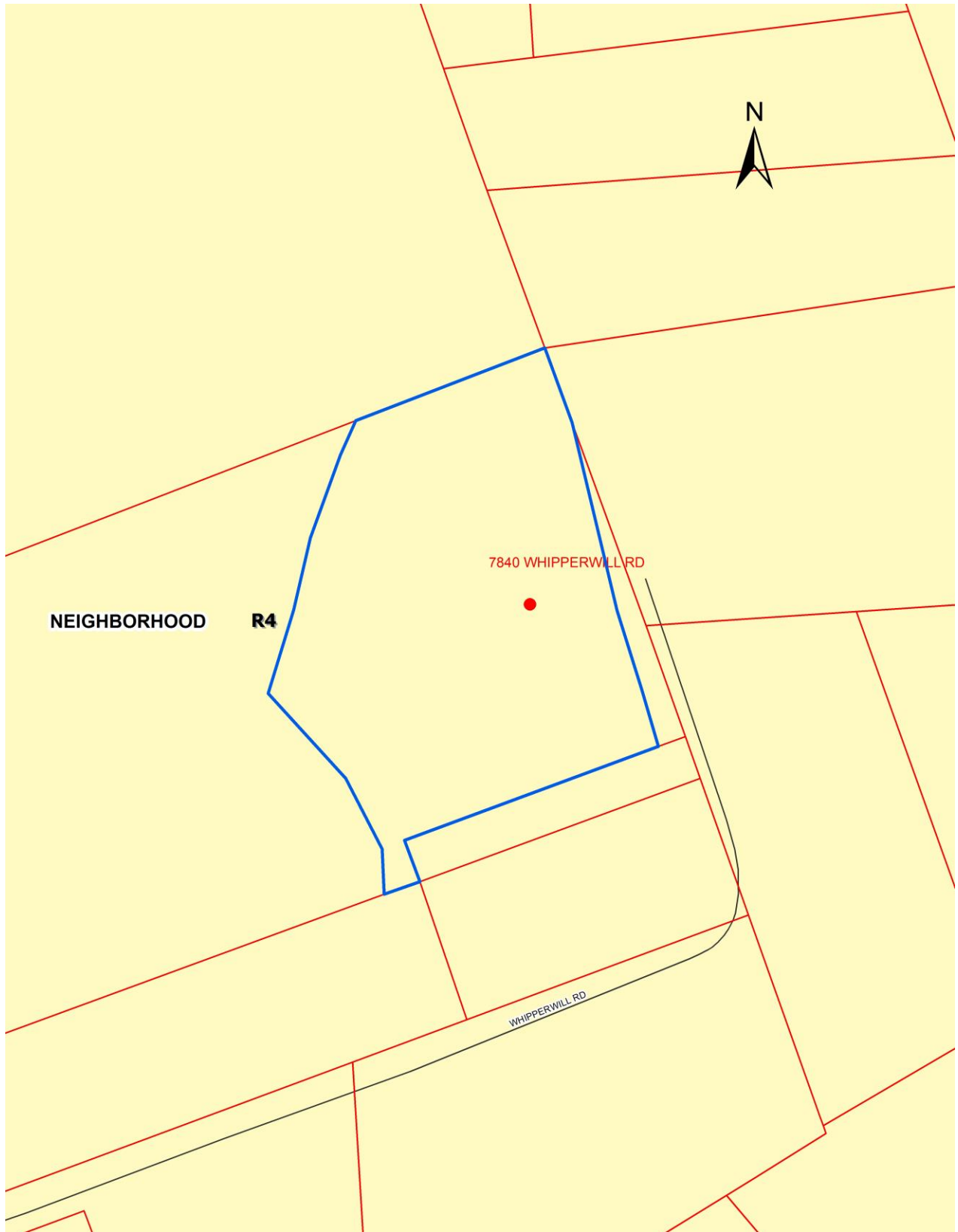
**NOTIFICATION**

Date	Purpose of Notice	Recipients
9-22-17	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 25

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**





2. Aerial Photograph

