

# Development Review Committee

## Staff Report

October 2, 2019



|                          |                              |
|--------------------------|------------------------------|
| <b>Case No:</b>          | 19-WAIVER-0054               |
| <b>Project Name:</b>     | Hetta Accesory Structure     |
| <b>Location:</b>         | 4610 Poplar Level Rd         |
| <b>Owner(s):</b>         | Hetta, LLC.                  |
| <b>Applicant:</b>        | Hetta, LLC.                  |
| <b>Jurisdiction:</b>     | Louisville Metro             |
| <b>Council District:</b> | 21 – Nicole George           |
| <b>Case Manager:</b>     | Jay Lockett, AICP, Planner I |

### REQUEST(S)

- Waivers:
  1. **Waiver from 5.4.2.C.1** (19-Waiver-0054) to allow the footprint of an accessory structure to exceed the footprint of the primary structure.

### CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a 2,880 SF accessory storage building. The primary residential structure on the lot is approximately 1,850 SF. The lot is zoned R-4 in the Neighborhood form district and is approximately 9.24 acres. The proposed structure would be a minimum of 81 feet from the nearest adjacent neighboring residential property.

### STAFF FINDING

The request is adequately justified and meets the standard of review. The lot is large enough that the proposed accessory structure can be set back a significant distance from neighboring properties.

### TECHNICAL REVIEW

The subject property currently has two residential structures on it and is proposed to be subdivided via minor plat under docket 19-MPLAT0043.

### INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

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

STAFF: The waiver will not adversely affect adjacent property owners, as the structure will be setback a minimum of approximately 81 feet from the nearest adjacent residential property.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the guidelines of the Comprehensive Plan, as the structure will have adequate setbacks, and is in keeping with the varied pattern of development in the area.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as all other residential site design standards will be met on the subject site.

- (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: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the property is large enough to support the proposed structure which will allow the property owner to store securely store equipment.

## **REQUIRED ACTIONS:**

- **APPROVED** or **DENY** the **Waiver**

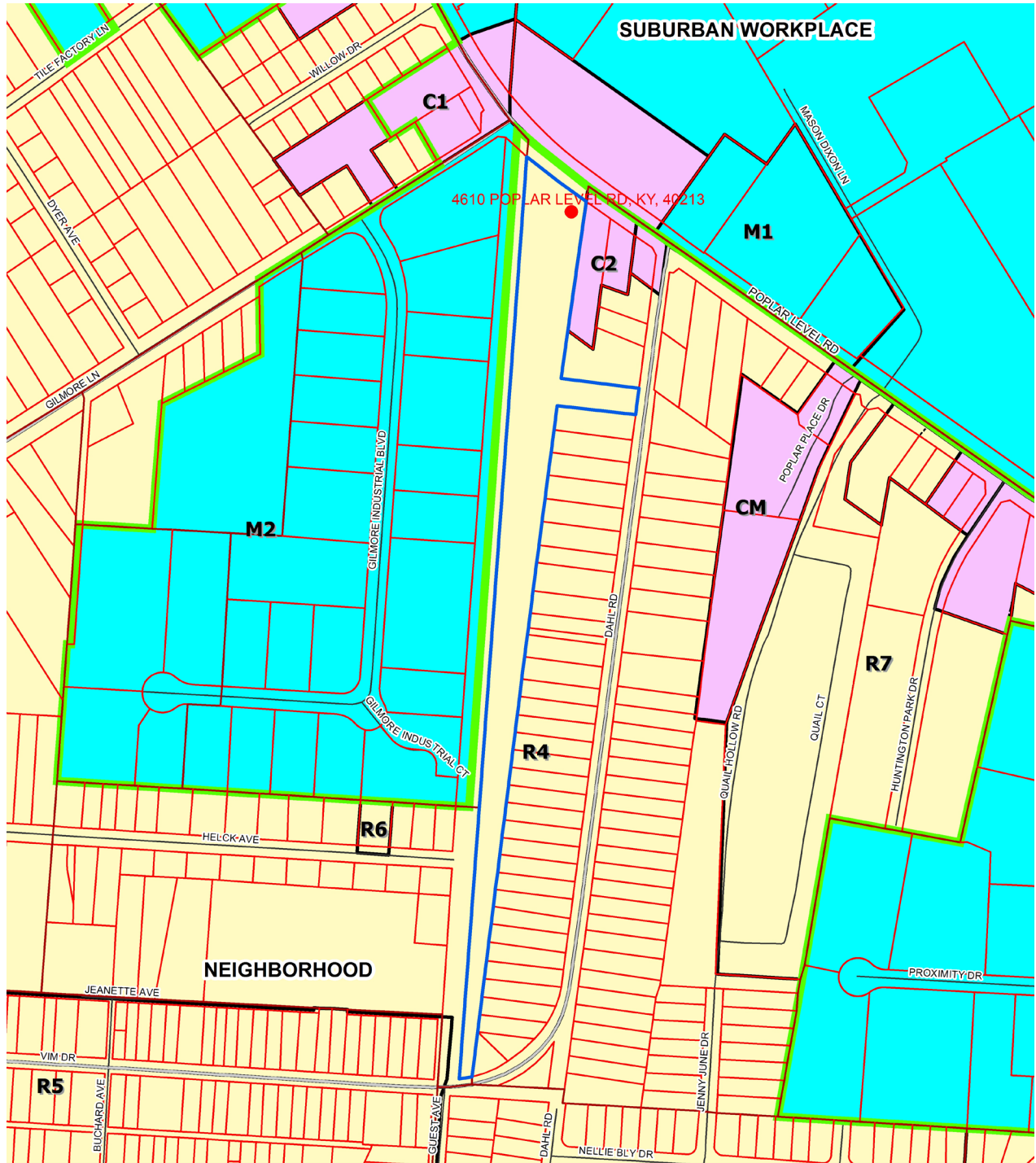
## **NOTIFICATION**

| Date    | Purpose of Notice  | Recipients                                                                                             |
|---------|--------------------|--------------------------------------------------------------------------------------------------------|
| 9-18-19 | Hearing before DRC | 1 <sup>st</sup> tier adjoining property owners<br>Registered Neighborhood Groups in Council District 6 |

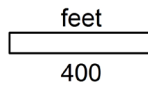
## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



19-WAIVER-0054



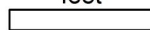
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## 2. Aerial Photograph



19-WAIVER-0054

feet



400

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