

Development Review Committee

Staff Report

May 5, 2021



Case No:	21-WAIVER-0027
Project Name:	728 E Chestnut Waiver
Location:	728 E Chestnut St
Owner(s):	McKree Properties LLC
Applicant:	McKree Properties LLC
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Waiver** of Land Development Code section 5.4.1 to permit a primary structure in the accessory structure area.

CASE SUMMARY

The applicant has proposed to create 3 additional dwelling units in a new structure on a site currently developed with 2 dwelling units. As the new structure would be larger than the existing structure, it cannot be considered an accessory structure and the applicant has requested the waiver to allow it to be constructed in the accessory structure area of the lot. The subject site is zoned OR-2 in the Traditional Neighborhood form district and is located in the Phoenix Hill area of Louisville Metro.

STAFF FINDING

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

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

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 will not adversely affect adjacent property owners, as all required setbacks will be met on the subject site.

- b. The waiver will not violate the Comprehensive Plan; and,

STAFF: The waiver will not violate the comprehensive plan, as it will allow for additional housing options within an existing mixed-use area. The site has access to transit and pedestrian networks and is in proximity to employment areas and services.

- c. The extent of 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. All other requirements of the Land Development Code will be met on the subject site.

- d. Either: 1. 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 2. 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 it is zoned appropriately for the proposed density. The applicant does not wish to remove or alter the existing structure on site.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waiver**

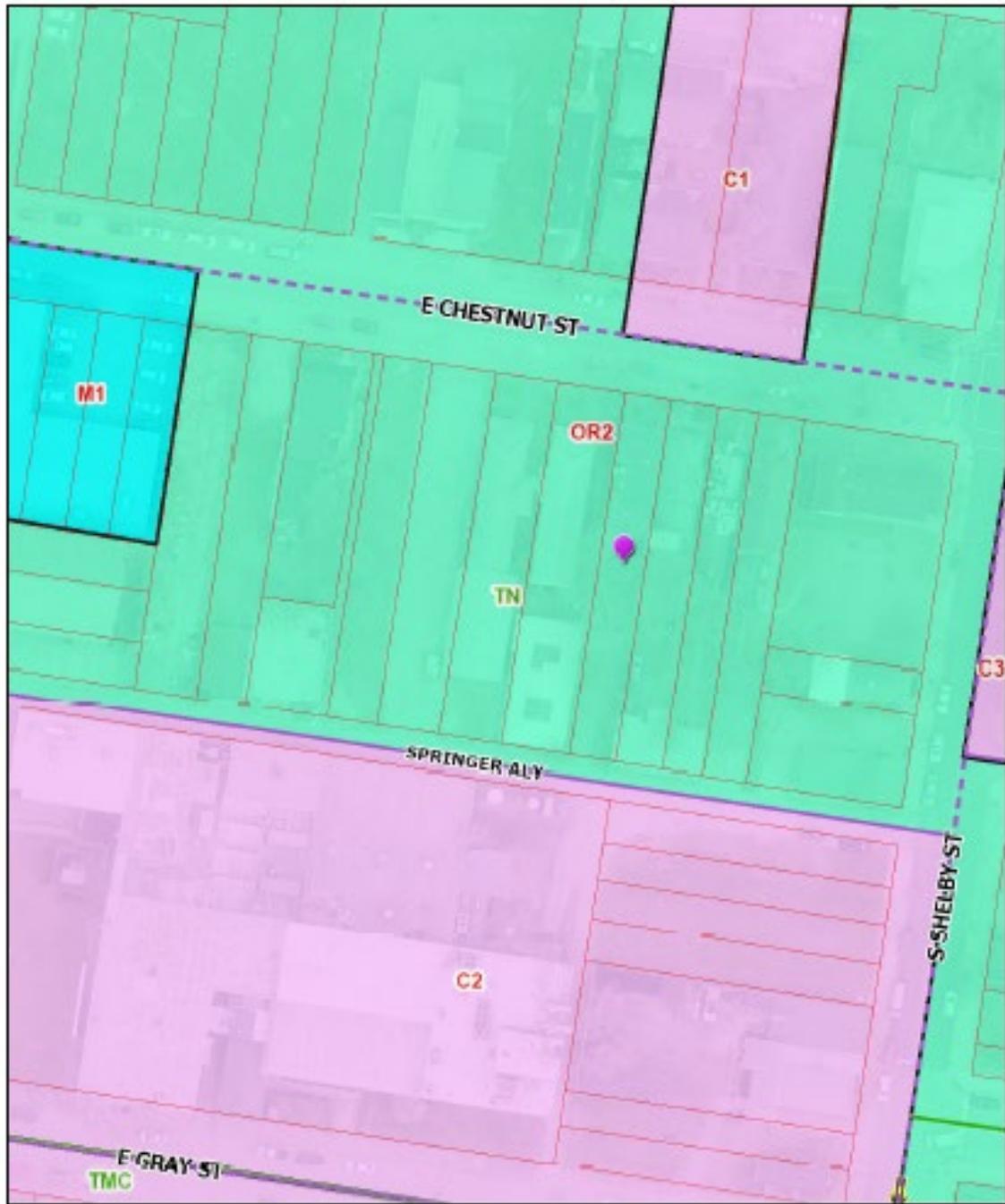
NOTIFICATION

Date	Purpose of Notice	Recipients
4-20-21	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



21-WAIVER-0027

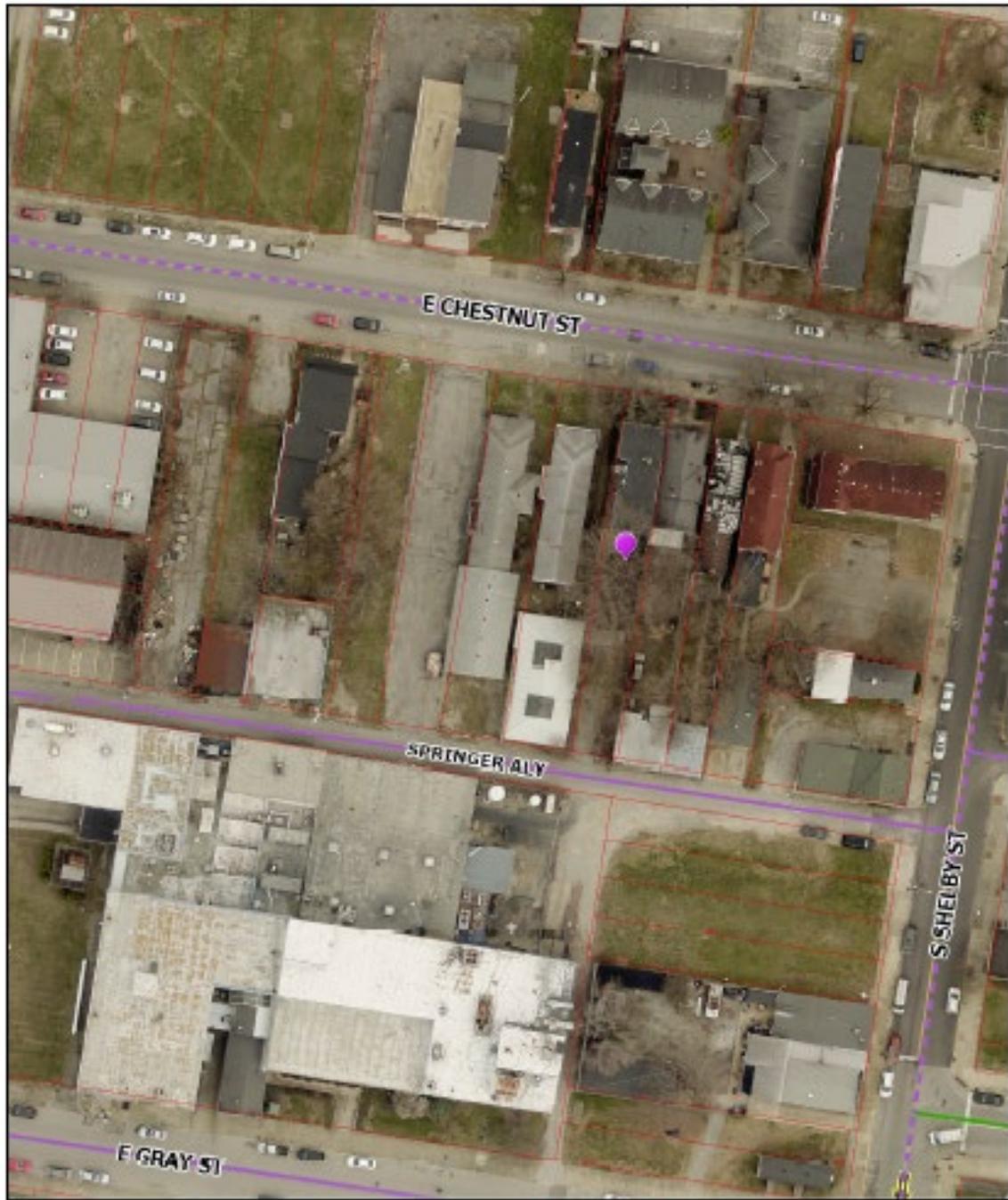
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2. Aerial Photograph



21-WAIVER-0027

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