

# Planning Commission Staff Report

November 19, 2015



<b>Case No:</b>	15MINORPLAT1089
<b>Project Name:</b>	5466 Bruce Avenue
<b>Location:</b>	5466 Bruce Avenue
<b>Owners/Applicants:</b>	Two Studs, LLC
<b>Representative:</b>	Two Studs, LLC – Charlie Wendell Jr.
<b>Project Area/Size:</b>	1.0 Acre
<b>Existing Zoning District:</b>	R-5, Single Family Residential
<b>Existing Form District:</b>	N, Neighborhood
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	25 – David Yates
<b>Case Manager:</b>	Joel P. Dock, Planner I

## REQUEST

- Amendment to Record Plat

## CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to create two lots from one lot. The rear lot (Lot 18B) being served by a 30' private access easement with connection to Bruce Avenue. The subject site is located in the Iroquois Park Subdivision of record in PB 1, PG 176 South of Palatka Road.

Case continued from November 4, 2015 meeting of the Development Review Committee as the vote was not unanimous; see Planning Commission Bylaws Article VII, Section 1.A.4.d.3.

## LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Single Family Residential Lot	R-5	N
<b>Proposed</b>	Single Family Residential Lot	R-5	N
<b>Surrounding Properties</b>			
<b>North</b>	Single Family Residential	R-5	N
<b>South</b>	Single Family Residential	R-5	N
<b>East</b>	Single Family Residential	R-5	N
<b>West</b>	Single Family Residential	R-4	N

## PREVIOUS CASES ON SITE

PB 1, PG 176:                      Iroquois Park Subdivision (1904)

## INTERESTED PARTY COMMENTS

Staff has received inquiries and comments from Legislative Assistant of District 25, Brian Boles, for neighbors and nearby residents Ms. Doss (followed-up with phone call), Mr. Crider, Mr. Williams, and Mr. MacFarland requesting clarification of the proposal. Parties voiced concerns for multi-family units. It was explained that the proposed lots are for single-family uses only and a zoning change request would be required for multi-family on either lot.

A petition signed by fifty-six individuals was received on November 4, 2015 stating their opposition to the proposal as they find it to be contrary and harmful to the neighborhood. The petition has been included herein as Attachment 3.

Legislative assistant Brian Boles followed up on this case on November 9, 2015 requesting clarification of an original document submitted with the application showing three homes on three lots. It was explained that the minor subdivision had been revised to show only two lots and no proposed structures as only existing conditions of structures and pavement are to be shown and recorded on a minor subdivision plat.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code (LDC)

## 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 record plat amendment.

The minor subdivision plat is in order and has received preliminary approvals from Transportation Planning, the Metropolitan Sewer District, Construction Review, and the Louisville Metro Fire Department.

The applicant is working with Transportation Review staff on construction plan and bond in accordance with LDC section 7.8.90 prior to the recording of the minor plat. The request complies with all other zoning and subdivision regulations.

## STAFF CONCLUSIONS

### Record Plat Amendment

- The proposed plat has received preliminary approvals from Transportation Planning, the Metropolitan Sewer District, Construction Review, and the Louisville Metro Fire Department.
- The request complies with all zoning and subdivision regulations, except those noted in the Technical Review.
- This case was noticed in accordance with Policy 3.03 of the Louisville Metro Planning Commission.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Planning Commission must determine if the proposal meets the standards established in the LDC for amending the recorded plat.

Required Actions:

- **APPROVE** or **DENY** the record plat amendment.

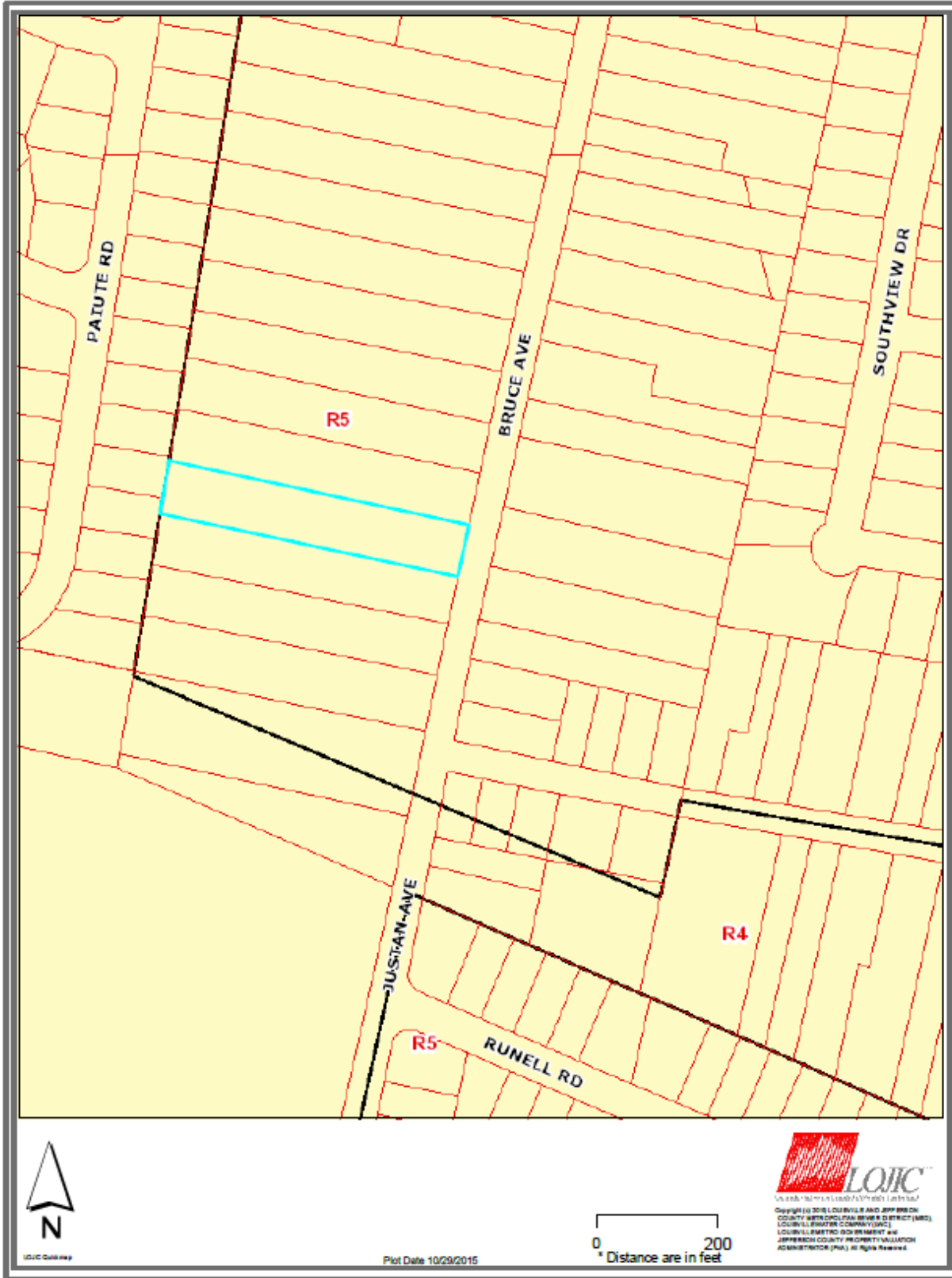
**NOTIFICATION**

Date	Purpose of Notice	Recipients
10.23.15	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered neighborhood groups

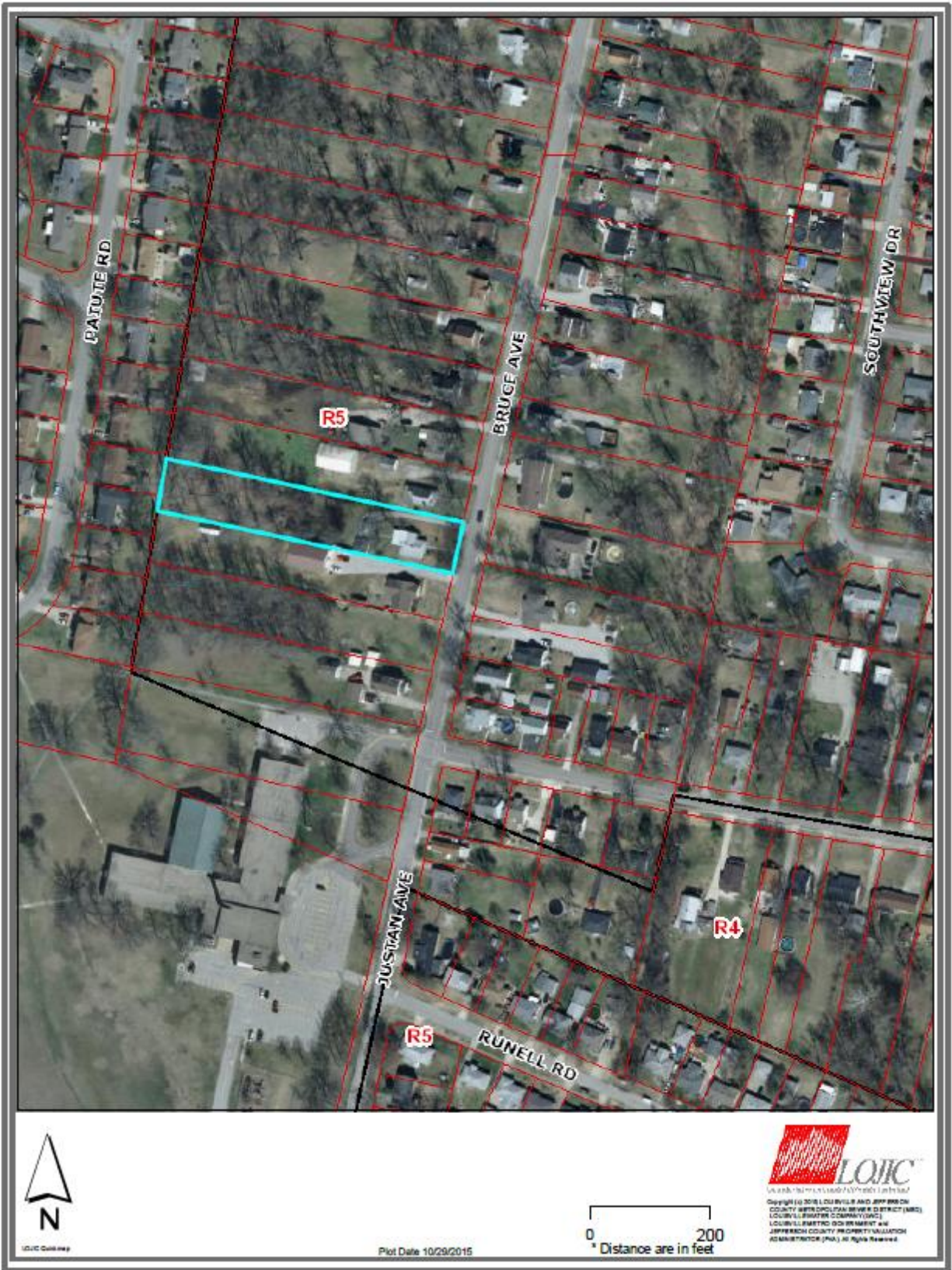
**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Opposition Petition

1. **Zoning Map**



2. Aerial Photograph



3. Opposition Petition

To whom it may Concern,

I have learned that there is a proposal to subdivide or split the lot which is at 5466 Bruce Ave., Louisville, KY 40214.

I find the proposal to be contrary and harmful to the neighborhood. I suspect the value of the new houses as being built for maximum resale profit as opposed to a permanent single family residence as the rest of the block. The owner was spoken with and he stated he intended to more of these on the block as well.

We the undersigned do not approve of this proposal:

Name	Address
Connetta Don	5470 Bruce Ave
Jay Don	5470 Bruce Ave
Bob Rogers	5465 Bruce Ave
John Jones	5461 Bruce Ave.
Dexter Jones	5461 Bruce Ave.
Kerry Decker	5460 Bruce Ave.
Brittany Blakeman	5449 Bruce Ave
Lee Blakeman	5449 Bruce Ave
Bob Dillon	5443 Bruce Ave
Jimmy Dossin	5445 Bruce Ave
Tom Dossin	5439 Bruce Ave
Mark Hine	5440 Bruce Ave
Stacy	5428 Bruce Ave
Will A. Fish	5428 Bruce Ave
Q.ita Lyons	5419 Bruce Ave
W. Lyons	5419 Bruce Ave
Katherine Wabato	5419 Bruce Ave
Brian Haly	5411 Bruce Ave

RECEIVED  
NOV 04 2015  
PLANNING &  
DESIGN SERVICES

Thomas E. Best  
 5412 BRUCE AVE  
 Louisville, KY 40214  
 C. Lynn Miller 5429 Bruce Ave  
 Mrs Evelyn Burchett 5450 Bruce Ave  
 Mrs M. D. Dible 5445 Bruce Ave  
 Mrs M. D. Dible 5463 Bruce Ave  
 Paul M. Kraft 1001 Franklin Rd  
 Ray Crider 1120 Franklin Rd.  
 Margaret M. Gantz 1001 Franklin Rd.  
 Harold H. Barfield 1047 Russell Rd.  
 Dennis Barfield 1047 Russell Rd.  
 Walt Jackson 5413 Hickory Hill Rd.  
 Janet Pearson 1032 Franklin Rd. 40214  
 Weldon L. Williams 1031 Franklin Rd.  
 E. L. L. Williams 1031 Franklin Rd.  
 Pamela McFarland 7520 Mullica Circle 40214  
 Robert Dawson 7305 Ticonderoga Dr 40214  
 Stephen Cotton 5454 BRUCE AVE  
 CRAIG COTTON 5454 BRUCE AVE  
 Barb Gonatas 5437 Bruce Ave.  
 Pete Gonatas 5437 Bruce Ave  
 Ashley Kralls 5437 Bruce Ave.  
 Linda Shemwell 1103 Franklin Rd.  
 Sarah Ruckmeyer 7409 Painters Rd  
 Anthony Ruckmeyer 7409 Painters Rd  
 Hazel Hala 7333 Painters Rd  
 John Beach 7329 Painters Rd  
 7330 Painters Rd.

RECEIVED  
 NOV 04 2015  
 PLANNING &  
 DESIGN SERVICES

Sharon Kremer 7328 Painte Rd. Lou Ky 402  
Quid Jutz 7326 PAINTE - 40214 291-5604  
Cinder Becken 7331 Painte Rd 40214  
Theresa (Harrigan) 7407 Painte Rd. 40214  
Mary Hunted 7302 Painte Rd 40214  
Lorha Powell 1128 Oneida Ave 40214  
Alan R. Powell 1128 ONEIDA AVE 40214  
Mary Smith 1127 Oneida Ave 40214  
Ken Catt 1126 Oneida Ave 40214  
Jack Tellell 1126 Oneida Ave 40214

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