

Land Development and Transportation Committee
Staff Report
June 28, 2018



Case No:	18WAIVER1019
Project Name:	2413 Irish Bend Ct
Location:	2413 Irish Bend Ct
Owner(s):	Shakes Run Development Section 8, LLC.
Applicant:	Elite Homes
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Waiver** of Land Development Code 9.1.4 to allow a driveway to exceed 20 feet in width within the required front yard setback.

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a single family home with an attached 3-car garage. Due to the size of the lot, the home is proposed to be built at the minimum setback line. The applicant wants to build a driveway that is 30' wide at the garage entrance. The apron at the right-of-way will be 20 feet wide, as required by the Land Development Code.

STAFF FINDING

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

TECHNICAL REVIEW

There are no outstanding technical issues associated with this review.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties associated with this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LDC SECTION 5.8.1.B TO NOT PROVIDE SIDEWALKS FOR THE CONSTRUCTION OF A SINGLE FAMILY HOME

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

STAFF: The waiver will not adversely affect adjacent property owners, as the proposed garage and driveway are similar to in the other homes in the area.

(b) The waiver will not violate specific guidelines of Cornerstone 2020; and

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. The waiver would allow the site to be developed in keeping with the general character of the area, and build a driveway the adequate serves the proposed attached garage.

(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 regulation is the minimum necessary to afford relief to the applicant, as all other provisions of the Land Development Code will be met on 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 this regulation as would deprive the applicant of the reasonable use of the land, as they could not adequately utilize their proposed garage.

REQUIRED ACTIONS:

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

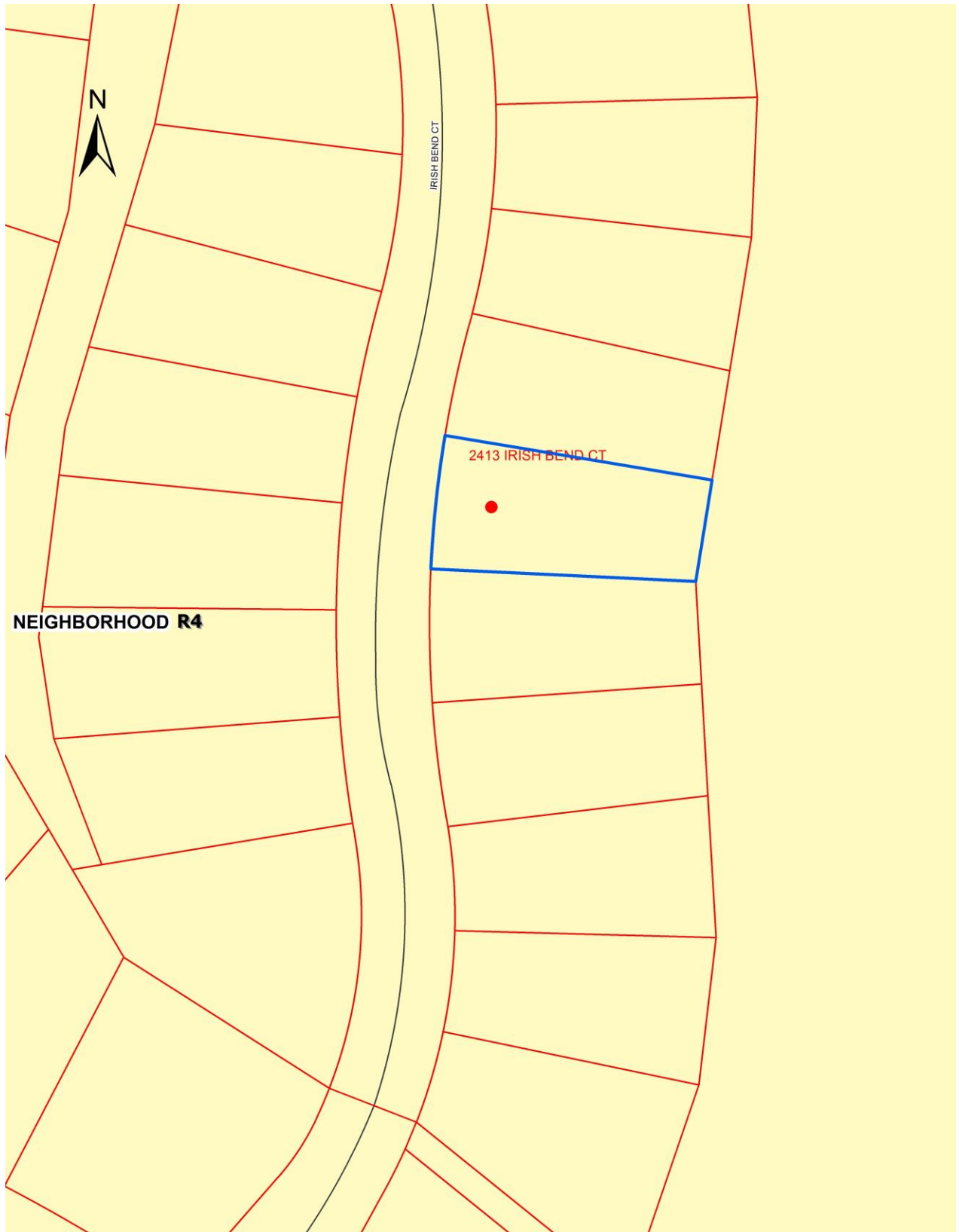
NOTIFICATION

Date	Purpose of Notice	Recipients
6-12-18	Hearing before LD&T	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 20

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

