

Development Review Committee

February 5, 2020



Case No:	19-MPLAT-0092
Location:	3020 Eastern Avenue
Owner(s):	1218 Payne Street, LLC
Applicant:	Richard Matheny
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Heather Pollock
Presented By:	Jay Lockett, Planner I

REQUEST(S)

- A **Waiver** from the Land Development Code section 5.3.1.C to reduce the required width from 50 feet to 49.75 feet.

CASE SUMMARY/BACKGROUND

The applicant proposes to create four lots from one on .69 acres in the R-5 zoning district. The subject site is located 375 feet or more northeast from Country Club Road in Louisville Metro. The site is currently has one single family home and the applicant proposes to build a single family home on each tract. The resultant tracts will be 7,464.06 square feet, 7,461.74 square feet, 7,540.92 square feet, and 7,505.83 square feet, all fronting Eastern Avenue. The proposed minor subdivision plat meets the minimum square feet required for lots with R-5 zoning in the Neighborhood form district.

STAFF FINDING

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

TECHNICAL REVIEW

This minor subdivision plat has received preliminary approvals from Transportation Planning, MSD and from the Louisville Metro Fire Department.

INTERESTED PARTY COMMENTS

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 since the resulting lots will be consistent with the lot sizes in the area and the form district standards.

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

STAFF: Community Form Guideline 1 policy B.3 of Cornerstone 2020 calls for a mix of residential housing choices and densities for the neighborhood; Community Form Guideline 3 policy A.3 calls for a development that is compatible with adjacent residential areas; Community Form Guideline 3 policy A.23 calls for the creation of lot patterns and setbacks that are compatible with those of nearby developments that meet form district standards; Livability/Environment Guideline 10 calls for development that is approved by MSD and is compatible with floodplain guidelines. The proposed waiver would allow creation of lots that are consistent with the pattern of development in the area. MSD has approved the plat and will review construction plans for compliance with local regulatory floodplain standards.

- (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 since all other requirements of the Land Development Code will be met.

- (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 provision of the regulation would deprive the applicant of the reasonable use of the land because the width requirement would prevent the creation of 4 lots even though the existing lot large enough for subdivision under the form district standards.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the Minor Subdivision Plat in accordance with LDC 7.1.85.

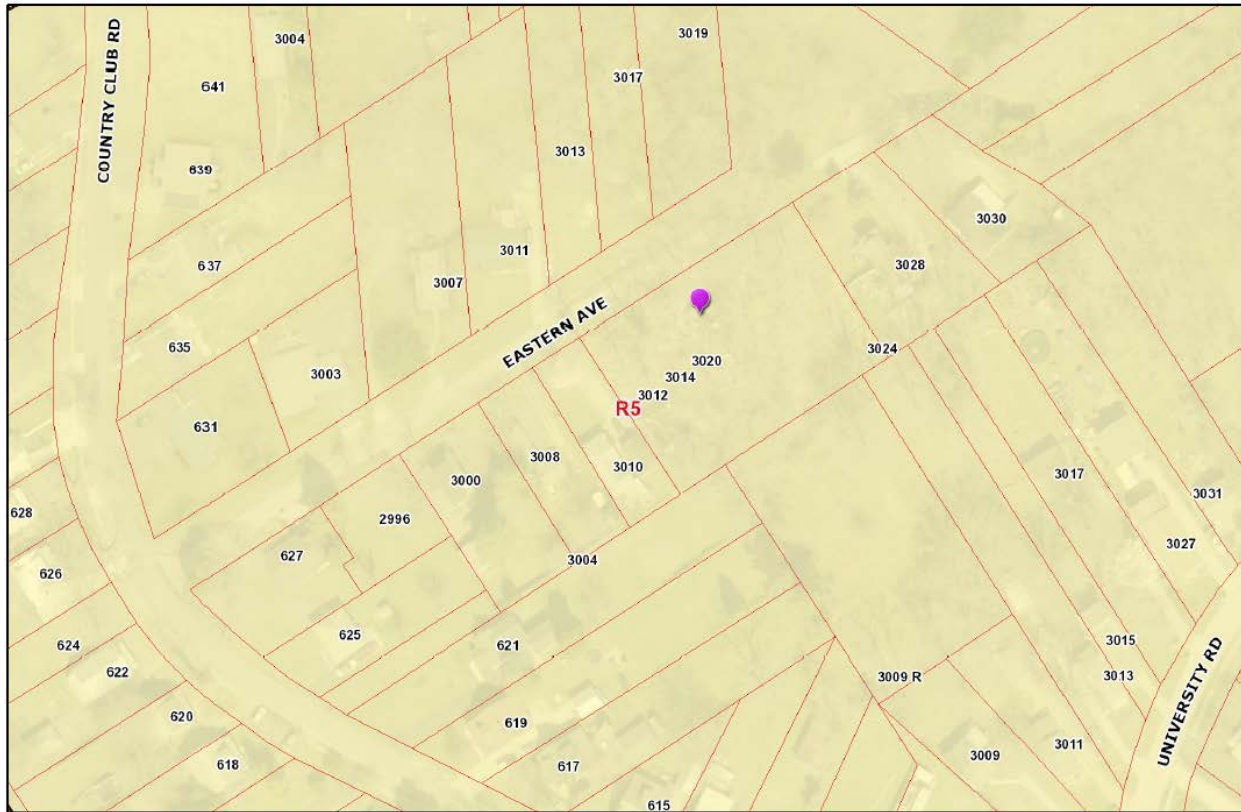
NOTIFICATION

Date	Purpose of Notice	Recipients
1/24/2020	Hearing before DRC	1 st tier adjoining property owners.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan

1. Zoning Map



3020 Eastern Ave

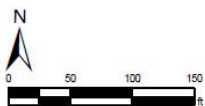
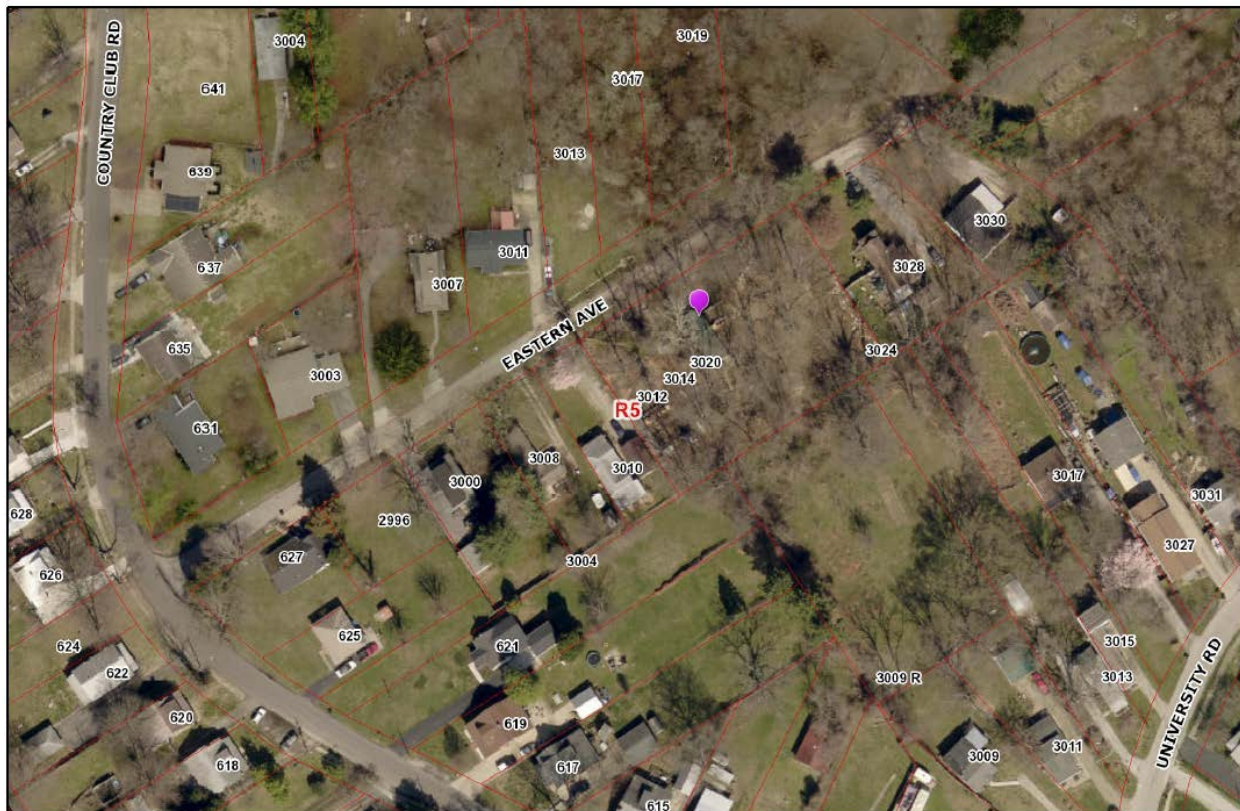
Thursday, January 30, 2020 | 12:47:23 PM



LOJIC © 2020

This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



3020 Eastern Ave

Thursday, January 30, 2020 | 12:49:51 PM



LOJIC © 2020

This map is not a legal document and should only be used for general reference and identification.

3. **Site Plan**

