

Development Review Committee

Staff Report

April 15, 2015



Case No:	15MINORPLAT1009
Project Name:	10118 National Turnpike
Location:	10118 National Turnpike
Owner/Applicant:	Terri Lisa Ramsey
Representative:	Gary J. Dukes PLS
Project Area/Size:	0.84 acres (36,693 sq. ft.)
Existing Zoning District:	R-4, Single Family Residential
Existing Form District:	V, Village
Jurisdiction:	Louisville Metro
Council District:	13 – Vicki Welch
Case Manager:	Brian Davis, AICP, Planning Supervisor

REQUEST

- Minor Plat Waiver

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to create 2 lots from 1 and dedicate right-of-way to National Turnpike and Holly Avenue. Per section 5.4.2.C.2 of the Land Development Code (LDC) new lots in an Infill Context shall not be less than 80% of the established lot pattern (average lot width and depth) and shall comply with the minimum lot size of the applicable zoning and form districts. The waiver is necessary because Lot 3 has a depth of 160.15' which is less than 80% of the established lot pattern along Holly Avenue.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Single family residence	R-4	V
Proposed	New single family residential lot	R-4	V
Surrounding Properties			
North	Single family residential	R-4	V
South	Single family residential	R-4	V
East	Single family residential	R-4	V
West	Single family residential	R-4	V

PREVIOUS CASES ON SITE

Staff found no cases associated with this site.

INTERESTED PARTY COMMENTS

Staff received a phone call on 4/7/15 from Joyce Hudson at 1409 Holly Avenue who voiced her support of the waiver request.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of Chapter 5.4.2.C.2 to allow the creation of a lot that is less than 80% of the established lot pattern (lot width and depth)

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

STAFF: The waiver will not adversely affect adjacent property owners as Lot 2 is an existing single family residence with access to National Turnpike which is a minor arterial roadway and proposed Lot 3 will be for a single family residential use with new access from Holly Avenue which is a local roadway, thus, having little impact on the surrounding community. (Staff Note: Lots 1 and 4 are the areas to be dedicated, so there are only two developable lots being created.)

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

STAFF: Guideline 3, policy A.3 encourages residential character that is compatible with adjacent residential areas, as well as a mixture of different densities as long as their designs are compatible. The waiver will not violate specific guidelines of Cornerstone 2020 as the new lots are for single family residential use in an infill context and the proposed depth and density is consistent with the wide range of depths and densities within the general vicinity.

- (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 a depth of 230' would be the minimum depth permitted under LDC section 5.4.2.C.2 for Lot 3 and the proposed rear property line is being placed in a manner that divides the accessory structures on site for existing and future principal structures, eliminating the need for a waiver of LDC section 5.4.2.C.2 for Lot 2.

- (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 new single family residential lots are in a low to medium-density portion of Louisville Metro and the lots are consistent with the wide range of densities and depths of the surrounding community as characterized by the intent of the Village form district.

TECHNICAL REVIEW

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

STAFF CONCLUSIONS

- The proposed waiver appears adequately justified based on staff analysis in the staff report. With the exception of the necessary waiver the lots meet all other zoning district, form district, and subdivision regulations.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving the waiver.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the minor plat waiver of section 5.4.2.C.2 to allow the creation of a lot that is less than 80% of the established lot pattern (lot width and depth).

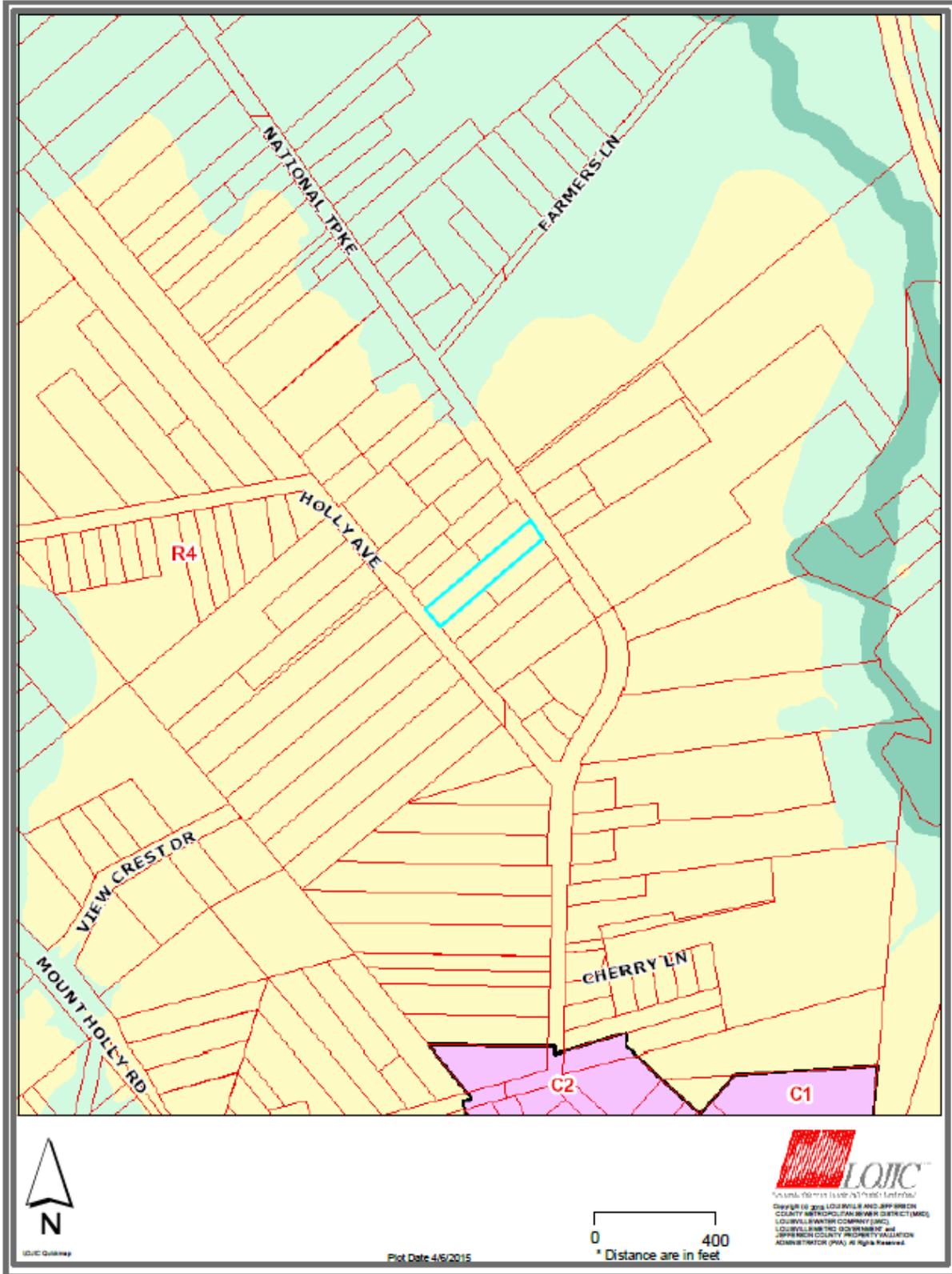
NOTIFICATION

Date	Purpose of Notice	Recipients
4/1/15	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

