

Development Review Committee

Staff Report

March 02, 2022



Case No:	21-MPLAT-0101
Project Name:	McKinley Trace Farm Minor Plat
Location:	7701 and 7705 Old Heady Road
Owner(s):	Alex Mundt and Julie Mundt
Applicant:	Richard Matheny, Cardinal Surveying
Jurisdiction:	Louisville Metro
Council District:	20- Stuart Benson
Case Manager:	Heather Pollock, Planner 1

REQUEST(S)

- **WAIVER** of Land Development Code (LDC) section 7.8.60.B.4 to allow individual single-family driveway access to a collector level roadway.

CASE SUMMARY/BACKGROUND

The applicant proposes to create 8 tracts from 3 along Old Heady Rd. The subject properties are zoned R-4 single family and are in the Neighborhood form district. They are surrounded by single family residential zoning. The subject properties are located on the north side of Old Heady Rd. with approximately 2,263 feet of frontage on this secondary collector roadway. Tracts 6 and 7 currently have single-family residences. Proposed tracts 3 and 4 will have shared access. The proposed plat is creating 5 new single family lots and the applicant is requesting to add 4 new driveways.

STAFF FINDING

Staff finds that the request is adequately justified and meets the standard of review

TECHNICAL REVIEW

The minor subdivision plat is in order and has received approval from Fern Creek Fire Department and preliminary approval from the Metropolitan Sewer District. The Urban Design and Health Department approvals are pending.

Transportation Planning approval is pending per the DRC decision.

INTERESTED PARTY COMMENTS

None received.

RELATED CASES

15926: Minor Plat to create 3 lots and dedicate ROW, approved 06/20/11

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 7.8.60.B.4 TO ALLOW ACCESS TO SINGLE-FAMILY LOTS FROM SECONDARY COLLECTOR LEVEL ROADWAYS.

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

STAFF: The waiver will not adversely affect adjacent property owners as access will serve single-family residences and traffic will be the minimum necessary to serve them.

- (b) The waiver will not violate specific guidelines of Cornerstone 2040; and

STAFF: Guideline 1, Policy 4 strives ensure new development and redevelopment are compatible with scale and site design of nearby existing development with the desired pattern of development within the Form district. The waiver will not violate specific guidelines of Cornerstone 2040 as the proposed subdivision will accommodate single-family residences and traffic will be the minimum necessary to serve them. The communities abutting Old Heady Rd. are currently low-density single family zoning.

- (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. The new proposed lots would be difficult to connect to the existing driveways due to the size of the proposed lots and the sharp curve Old Heady Rd. takes adjacent to the subject properties

- (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 because the size of the lots would make it difficult to create shared access on this secondary collector level roadway. The lots resulting from the subdivision conform to the zoning and form district regulations applicable to the property.

REQUIRED ACTIONS:

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

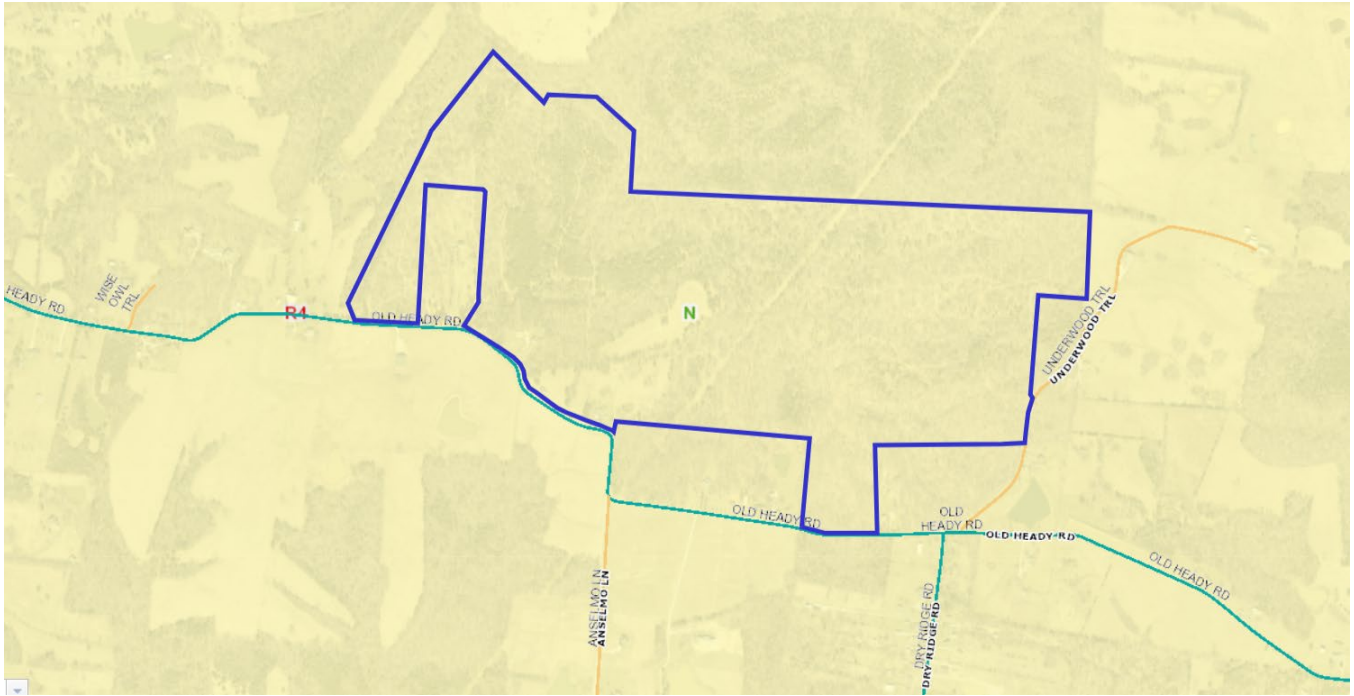
NOTIFICATION

Date	Purpose of Notice	Recipients
02/18/2022	Hearing before DRC on 03/02/2022	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 20

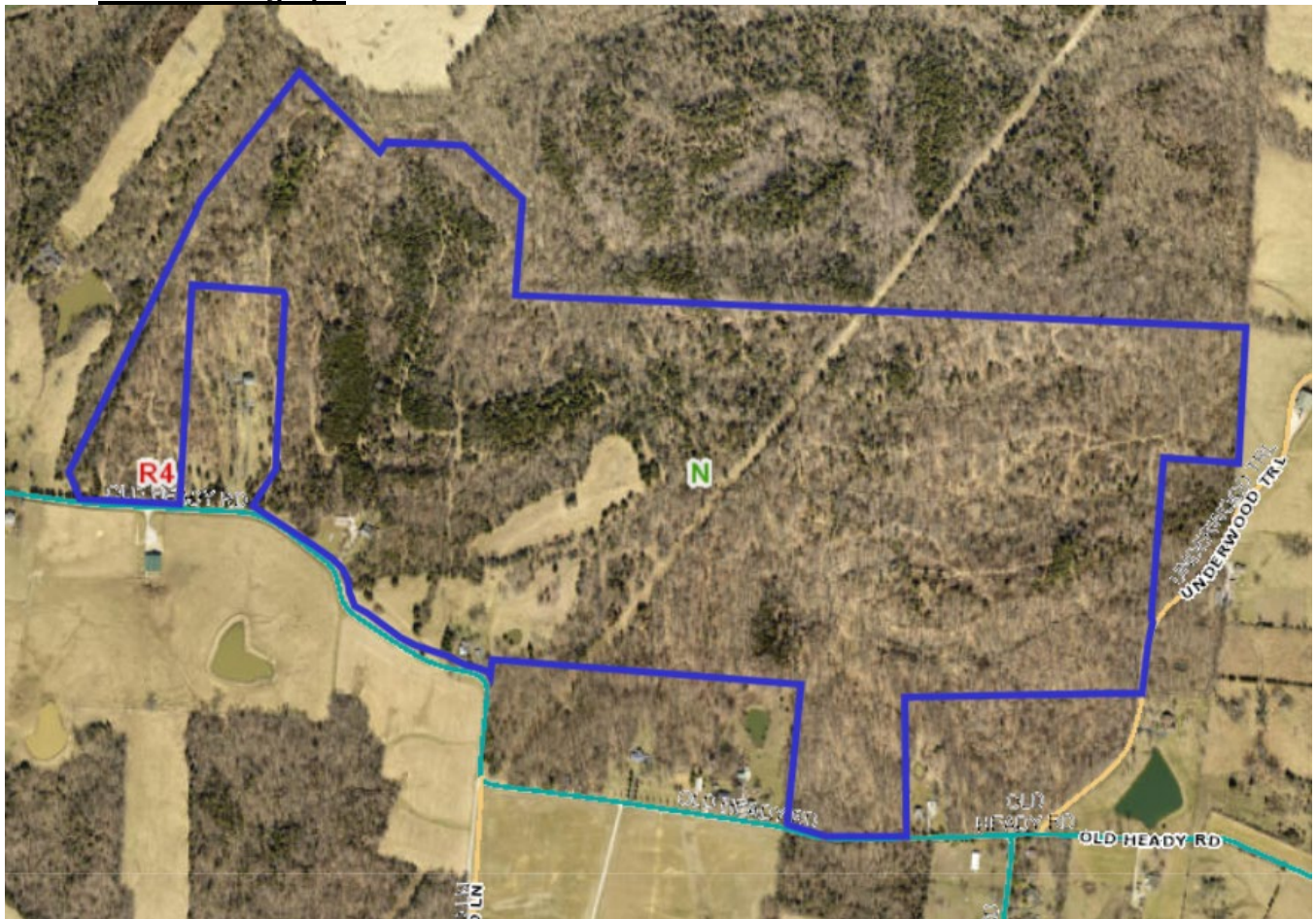
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Minor Plat

1. Zoning Map



2. Aerial Photograph



3. Minor Plat

