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**WAIVER JUSTIFICATION STATEMENT
LDC Chapter 5.9.2.A.1.a.iii**

Wetherly Springs Subdivision

CASE NO: 18SUBDIV1000

February 26, 2018

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The subject property is located at 1698, 1700 and 1704 N. Beckley Station Road. The accompanying standard R-4 subdivision plan proposes 46 residential lots. Access is provided from North Beckley Station Road. The shape of the subject property can be described roughly as a long, narrow rectangular-shaped parcel averaging 2400 feet in length and 420 feet in width. Due to the shape of the subject property, a single roadway is proposed through the middle of the site with residential lots on both sides

Abutting property to the South (Lake Forest Sections 25, 41, and 44) and West (Lake Forest Country Club) are fully developed. No stub streets through Lake Forest to the subject property were provided. A mid-block pedestrian connection is not a viable alternative due to the fully-developed adjoining properties to the South. Along the subject property's northern property line, Lake Forest Section 42 and the Estates Section abut the property along approximately 50% of the western-most part of the property line. Similar to the Lake Forest Sections to the South, no stub street connections were provided to the subject property. The remaining adjacent property along the eastern-most portion of the north property line is an undeveloped tract owned by Schmitt Family Properties, LLC. A roadway stub connection to this property is provided from Wetherly Springs, in accordance with current LDC requirements.

As a result of the fully-developed property to the South, and the long, narrow shape of the subject property, the block length exceeds the 1600-ft maximum block length required under LDC Chapter 5.9.2.A.1.a.iii. Therefore, the applicant is seeking a waiver of LDC Chapter 5.9.2.A.1.a.iii. With regard to the specific justification for this waiver, please note the following:

1. Will the waiver adversely affect adjacent property owners?

No. The waiver is required largely because no street connections were provided to the Wetherly Springs property when Lake Forest was developed. If Lake Forest were to be developed in accordance with current LDC requirements, stub streets would have been provided to the subject property, eliminating the need for the waiver. Wetherly Springs will also provide R-4 lots with the min 25-ft lot depths similar the abutting the existing Lake Forest Sections. As a result, the waiver will not adversely affect adjacent property owners.

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2. *Will the waiver violate the Comprehensive Plan?*

No. There is no viable alternative to provide a break in the block length along the southern property line, due to the developed Lake Forest Sections abutting the subject property. The applicant is proposing a roadway street connection to undeveloped property to the north owned by Schmitt Family Properties, LLC., in accordance with current subdivision policy. This connection will provide a mid-block break along the northern property line and supports internal roadway connectivity, encouraged by the Comprehensive Plan. The internal streets will also provide sidewalks. Finally, a mid-block landscape island is proposed approximately 600 feet west of the North Beckley Station Road entrance to create an enhanced streetscape experience for the subdivision residents. Therefore, the waiver will not violate the Comprehensive Plan.

3. *Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?*

Yes. There is no viable alternative to provide a break in the block length along the southern property line, due to the developed Lake Forest Sections abutting the subject property. Therefore, the requested waiver is the minimum relief necessary.

4. *Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of land or would create an unnecessary hardship on the applicant?*

The applicant has incorporated a mid-block landscape median along Street "A" approximately 600 feet west of the North Beckley Station entrance. This landscape median will provide an enhanced streetscape experience for abutting residents and provide an attractive break to what could have been an otherwise straight and rather monotonous street. A slight shift in the roadway alignment of Street "A" at the western end of the property also creates some relief to the proposed streetscape. These voluntary design measures help compensate for non-compliance with the provisions of LDC Chapter 5.9.2.A.1.a.iii.