

Land Development & Transportation Committee

Staff Report

August 24, 2017



Case No:	16MINORPLAT1091
Project Name:	Ernspiker Lots
Location:	1248 Helck Ave
Owner:	Andrew Ernspiker, Jr., Inc.
Applicant:	Land Design & Development
Representative:	Land Design & Development
Jurisdiction:	Louisville Metro
Council District:	21 – Dan Johnson
Case Manager:	Laura Mattingly, AICP, Planner II

REQUEST

- **Record Plat Amendment**
- **Waiver** of Section 5.3.1.C.2 (Table 5.3.1) to allow lot width less than 60'

CASE SUMMARY

The applicant proposes to create three lots from one in the Lynnview neighborhood. All lots meet minimum area requirements but are 50' in width. The requirement for R-4, Neighborhood lot width is 60'. All lots will have shared access from Helck Avenue. This minor subdivision also creates more lots than what was originally approved for Record Plat 07-103, Gladstone Addition and Shadowlawn Farms Subdivision.

STAFF FINDINGS

Staff finds that the waiver for lot width will not adversely affect adjoining property owners as the three new lots will be using a shared access easement and will remain single family residential. The proposed subdivision will remain compatible with surrounding uses, as it is a predominantly single family area and the lots are still low to medium density, being well above the required area for R-4, Single Family Residential within the Neighborhood Form district.

Record Plat Amendment

- The proposed plat has received preliminary approvals from Transportation Planning, the Metropolitan Sewer District, and the Camp Taylor Fire Department
- The request complies with all zoning and subdivision regulations, with the exception of lot width requirements.
- This case was noticed in accordance with Policy 3.02 of the Louisville Metro Planning Commission.

TECHNICAL REVIEW

- Per section 7.1.91 of the LDC, the Planning Commission shall have the power to amend any recorded plat, if reasonable notice and an opportunity to express objections or concerns have been given to all persons affected by the record plat amendment.

- The minor subdivision plat is in order and has received preliminary approvals from Transportation Planning, the Metropolitan Sewer District, and the Camp Taylor Fire Department.
- The request complies with all zoning and subdivision regulations, with the exception of the lot width requirement.

INTERESTED PARTY COMMENTS

Staff has not received any formal comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of Section 5.3.1.C.2 to allow lot width less than 60'

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

STAFF: The waiver will not adversely affect adjacent property owners as the use remains low to medium single family residential with shared driveway access.

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

STAFF: Guideline 3, policy 1 strives to have compatibility of all new development and redevelopment with the scale and site design of nearby existing development and with the pattern of development within the form district. The waiver will not violate specific guidelines of Cornerstone 2020 as the new lots are for single family residential with access to Helck Avenue. The size and orientation are compatible with adjacent and nearby lots having frontage along Helck Avenue, and meet all other form district standards pertaining to this minor subdivision request.

- (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 the parent parcel has sufficient area to create three lots but is only 100' wide, making it difficult to subdivide without the need for relief.

- (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 applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived as there will be only one shared drive for the three lots. Additionally two of the three lots will be setback from the road which will aide in maintaining the character of Helck Avenue.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the record plat amendment
- **APPROVE** or **DENY** the waiver of Section 5.3.1.C.2 (Table 5.3.1) to allow lot width less than 60'

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 amending the recorded plat and granting a waiver of Section 5.3.1.C.2

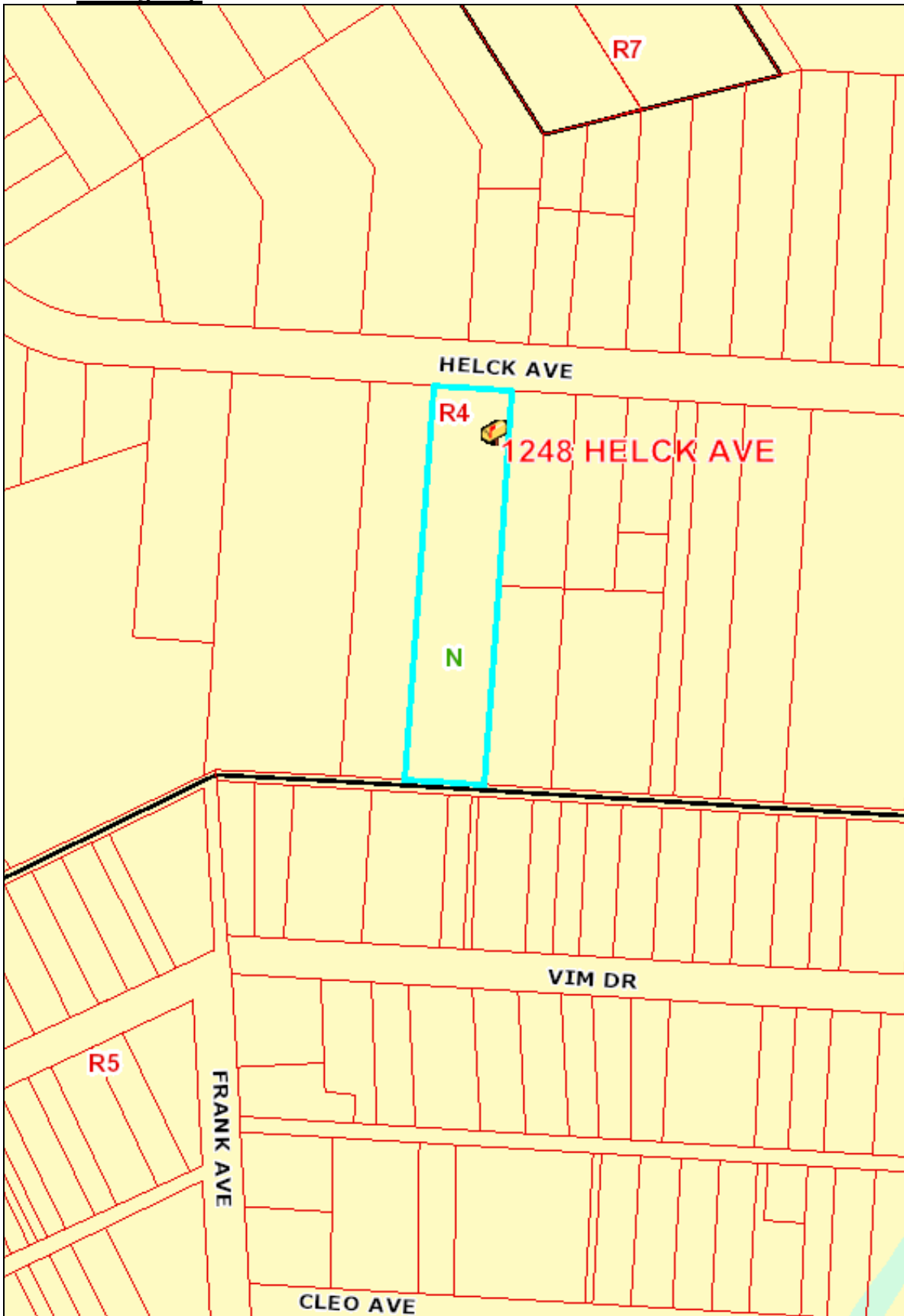
NOTIFICATION

Date	Purpose of Notice	Recipients
08/14/2017	Hearing before LDT	1 st tier adjoining property owners Registered neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

