

Planning Commission
Staff Report
September 3, 2020



Case No:	20-WAIVER-0063
Project Name:	Meremont Heights Waiver
Location:	17915 Meremont Heights Way
Owner(s):	Jim Boland
Applicant:	Nathan Wright, PLA
Jurisdiction:	Louisville Metro
Council District:	19 – Anthony Piagentini
Case Manager:	Zach Schwager, Planner I

REQUESTS:

Waiver from 10.3.6 to allow a building to encroach into the scenic corridor setback.

CASE SUMMARY/BACKGROUND

The subject site is located Northeast corner of Meremont Heights Way and Long Run Road. It is zoned R-4 Single-Family Residential in the Neighborhood Form District. The site is currently a vacant lot in the Meremont at Long Run Subdivision. The applicant proposes to construct a 2,450 sf single-family residence on the on the 0.499 acre site. The proposed design encroaches 15 ft into the required 50 ft scenic corridor setback.

Previous cases:

- 10-08-05: Preliminary Subdivision Approval for 170 buildable lots.
- 9456: Revised Preliminary Subdivision Approval & Waiver of 10.3.6 to reduce the required 50' Scenic Corridor Building Setback to 30' along Long Run Rd. Waiver was denied.

STAFF FINDINGS

The request is not adequately justified and does not meet all the standards of review. The waiver request is not the minimum relief needed to accommodate the development.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received general questions about this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The request will not adversely affect adjacent property owners, as the structure will be setback further away from the property lines than the minimum setback required.

- (b) The waiver will not violate the Comprehensive Plan; and,

STAFF: The waiver will violate the comprehensive plan, as the plan calls for the preservation and protection of scenic corridors through specific standards to be implemented through the Land Development Code. The requested waiver would allow this structure to be built without meeting the setbacks outlined in the LDC.

- (c) The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant; and,

STAFF: The extent of the waiver is not the minimum necessary to afford relief to the applicant. The structure can be moved to meet the minimum side yard setback and out of the scenic corridor setback. This change in design will not alter the essential character of the general vicinity.

- (d) Either: 1. 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 2. 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 will provide all required scenic corridor buffer and landscape planting requirements.

REQUIRED ACTIONS:

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

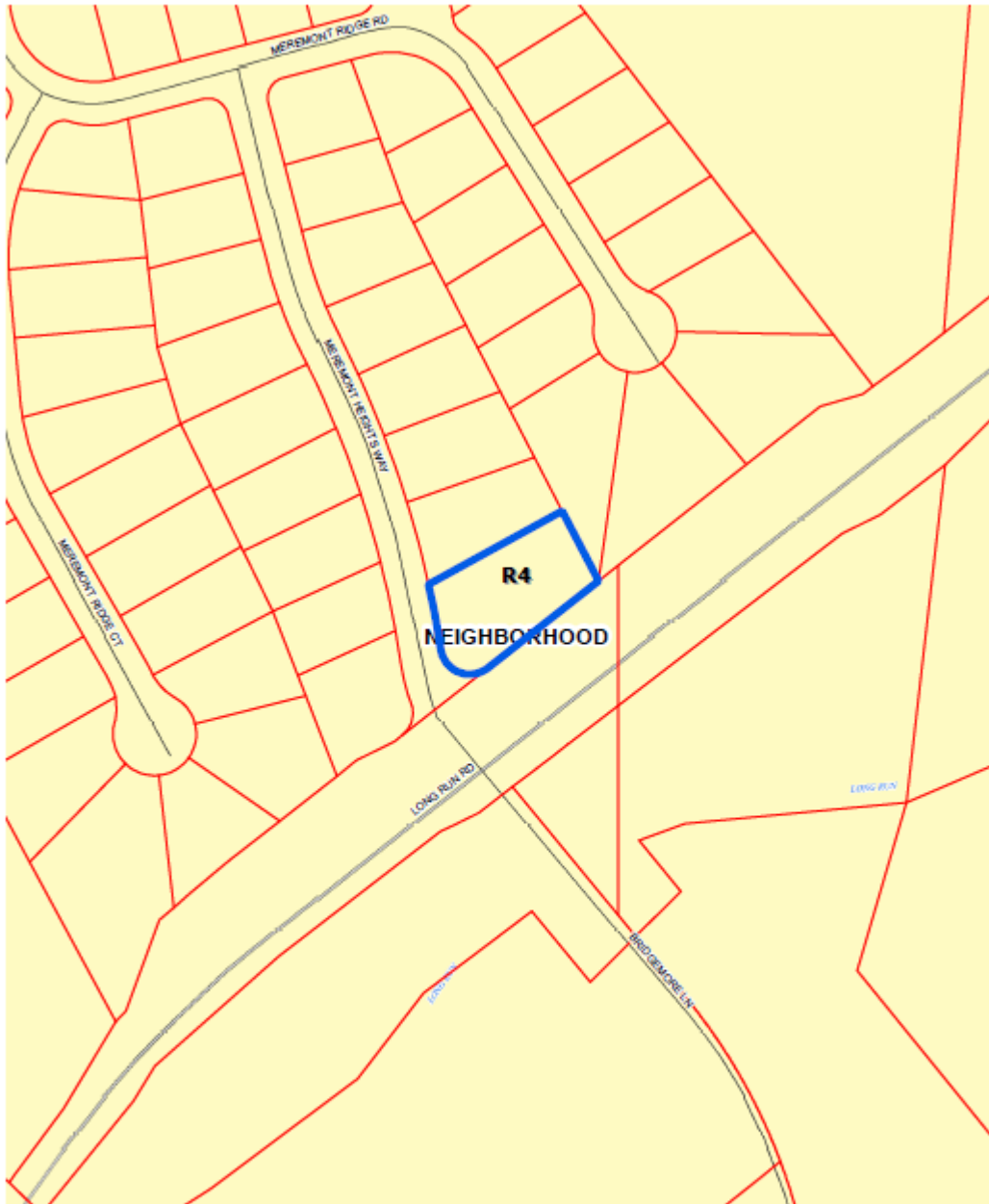
NOTIFICATION

Date	Purpose of Notice	Recipients
N/A	Hearing before PC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 19

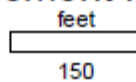
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



17915 Meremont Heights Way



Map Created: 8/8/2020

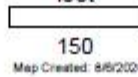


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2. Aerial Photograph



17915 Meremont Heights Way
feet



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