

# Land Development and Transportation Committee Staff Report

June 25, 2020



<b>Case No:</b>	20-MPLAT-0064
<b>Project Name:</b>	Minor Subdivision Plat
<b>Location:</b>	995 Vine Street
<b>Owners/Applicants:</b>	Creek Alley Properties, LLC.
<b>Representative:</b>	Max Onan
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	4 – Barbara Sexton Smith
<b>Case Manager:</b>	Molly Clark, Associate Planner

## REQUEST

- Substandard Minor Subdivision in a Traditional Neighborhood Form District

## CASE SUMMARY

The applicant proposes to create two tracts from one tract at 995 Vine Street. The current lot has a primary structures that is 963.9 square feet (SF) as well as a small 84.8 SF accessory structure. The proposal will create two single-family lots, one being 2,699.89 SF and the other 1,900 SF. While these lots are compliant with the density allowed in an R-6 zoning district, they are substandard with respect to the minimum lot area of 4,500 SF and minimum lot width of 35 feet required for new lots in an R-6 zoning district in the Traditional Neighborhood form district.

Planning Commission staff is not authorized to approve plats that do not meet the minimum regulations per 7.8.12.G of the LDC. However, specific authorization is given to the Planning Commission in 7.1.85 of the LDC to approve subdivisions resulting in substandard lots in the Traditional Neighborhood Form District. This section of the LDC reads as follows:

“Where the Planning Commission finds that subdivision or resubdivision of a legally created lot in the Traditional Neighborhood Form District, Traditional Workplace Form District, or Traditional Marketplace Corridor Form District will not conflict with the established pattern in the neighborhood and will promote the public health, safety, or welfare by facilitating development or rehabilitation of such property compatible with the surrounding neighborhood, then the Planning Commission may approve the requested subdivision notwithstanding the fact that one or more of the resulting lots do not conform to the applicable requirements relating to area or width or size of yards.

“Any request for approval of a subdivision under the provisions of this regulation shall, to the fullest extent practicable, show the lots resulting from said subdivision to be uniform in terms of those features which do not conform to the zoning and form district regulations applicable to the property. A subdivision of property in accordance with the terms of this provision shall not affect the preexisting nonconforming use status pertaining to the property. As a condition of approval, the Planning Commission may require restrictions to be placed on the subdivision plat.”

## INTERESTED PARTY COMMENTS

Staff has not received any formal comments.

## TECHNICAL REVIEW

The minor subdivision has received preliminary approvals from MSD, MetroSafe and the Louisville Metro Fire Department. Right of way dedication is still pending with Transportation Planning

## STAFF CONCLUSIONS

Land Development and Transportation Committee has discretion in this case; this is not a ministerial action. Approval of the requested subdivision requires that this committee finds the request will not conflict with the established pattern in the neighborhood and will promote the public health, safety, or welfare by facilitating development or rehabilitation of such property compatible with the surrounding neighborhood. As a condition of approval, the LD&T may require restrictions to be placed on the subdivision plat. The proposal meets the requirement since it will be in character with surrounding lots in the neighborhood. The lot next door was subdivided in a similar fashion.

### Required Actions

- **APPROVE** or **DENY** the substandard Minor Subdivision in a Traditional Neighborhood form district in accordance with LDC 7.1.85.

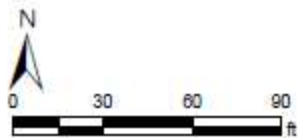
## NOTIFICATION

Date	Purpose of Notice	Recipients
6-11-20	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners

## ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



Tuesday, June 16, 2020 | 8:21:35 PM

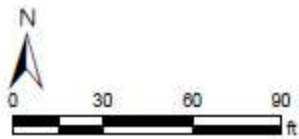


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Aerial Photograph



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