

# Development Review Committee

## Staff Report

April 1, 2015



<b>Case No:</b>	15MINORPLAT1022
<b>Project Name:</b>	Minor Plat for Mann
<b>Location:</b>	10302 Long Home Road
<b>Owners/Applicants:</b>	William Mann Jr. & Kate Mann
<b>Representative:</b>	Cardinal Surveying
<b>Project Area/Size:</b>	12,459 sq. ft. with residual tract of 16.360 Acres
<b>Existing Zoning District:</b>	R-4, Single Family Residential
<b>Existing Form District:</b>	N, Neighborhood
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	22 – Robin Engel
<b>Case Manager:</b>	Matthew R. Doyle, Planner I

### REQUEST

- Minor subdivision plat to shift property line
- Amendment to Record Plat

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to shift the rear property line of Lot 35 (10302 Long Home Road) into Recreation Area “B” (Glenmary Country Club) as designated on the plat of record in PB 37, PGS 48-50. A building limit line shift is also being requested from 30’ to 28’ for an existing encroachment. This request does not involve the creation of any new lots for development. Under section 7.8.12.K of the Land Development Code an amendment to record plat for minor corrections/shifting lot lines may be approved by staff. Full text of 7.8.12.K has been copied below:

*“Amending a record plat for minor corrections/shifting of lot lines; for revisions to lot lines where all signatures of adjoining property owners are obtained; for revisions to easements where consent letters from utility companies are received; or for revisions to building limit lines where a variance has been granted for the same encroachment.”*

Those areas labeled as “Recreation Area” on the recorded plat have no associated conditions of approval, Docket 10-34-88, or notes of record permanently preserving these areas. For this case, however, staff approval has been refused and DRC approval has been requested in accordance with LDC section 7.8.13 and Planning Commission Policy 4.05.14.

### LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The existing use of each lot is single family residential and recreation/golf course. The existing and proposed zoning and form districts are R-4 Residential and N Neighborhood, respectively. The area of the lot encompassed by the previous rear property line and the proposed property lines is requested to be changed from recreation area to single family residential use. Surrounding uses are single family residential in the R-4 zoning district and N form district.

## PREVIOUS CASES ON SITE

Docket 9-67-88 / 10-34-88: Rezoning and preliminary subdivision plan for Glenmary Subdivision, approved November 3, 1988.

Plat Book 37 Pages 48-50: Record Plat of Glenmary Subdivision Section 1, recorded July 12, 1989.

## INTERESTED PARTY COMMENTS

Staff has not received any formal comments.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code (LDC)

## TECHNICAL REVIEW

While a minor subdivision plat to shift property lines in a recorded subdivision would not ordinarily be subjected to the provisions set out in section 7.1.91 of the LDC, stating that 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 proposal at hand has been referred to the Development Review committee in accordance with LDC section 7.8.13 and Planning Commission Policy 4.05.14. Section 7.8.13 and Policy 4.05.14 have been copied below, respectively:

*“No staff member shall be required to approve any delegated item if they have reason to question its accuracy, or its compliance with good planning principles, subdivision, zoning or other regulation(s). The property owner may request any minor plat, for which staff approval has been refused, to be placed on the docket of the LD&T Committee.”*

*“No staff member shall be required to approve any delegated items/proposals if he/she has reason to question its accuracy, or its compliance with any subdivision, zoning or other regulations. The property owner may request any plan or minor plat, for which staff approval has been refused, to be placed on the docket of the appropriate sub-committee”*

The minor subdivision plat is in order and has received preliminary approvals from Transportation Planning, the Metropolitan Sewer District, Construction Review, and the Fern Creek Fire Department.

The request complies with all zoning and subdivision regulations.

## STAFF CONCLUSIONS

### Amendment to Record Plat to Shift Property Line and Build Limit Line

- The proposed plat has received preliminary approvals from Transportation Planning, the Metropolitan Sewer District, Construction Review and the Fern Creek Fire Department.
- The request complies with all zoning and subdivision regulations.

- This case was noticed in accordance with Policy 3.03 of the Louisville Metro Planning Commission.

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 a minor subdivision plat and amendment to the recorded plat.

Required Actions

- **APPROVE** or **DENY** the amendment to Record Plat.

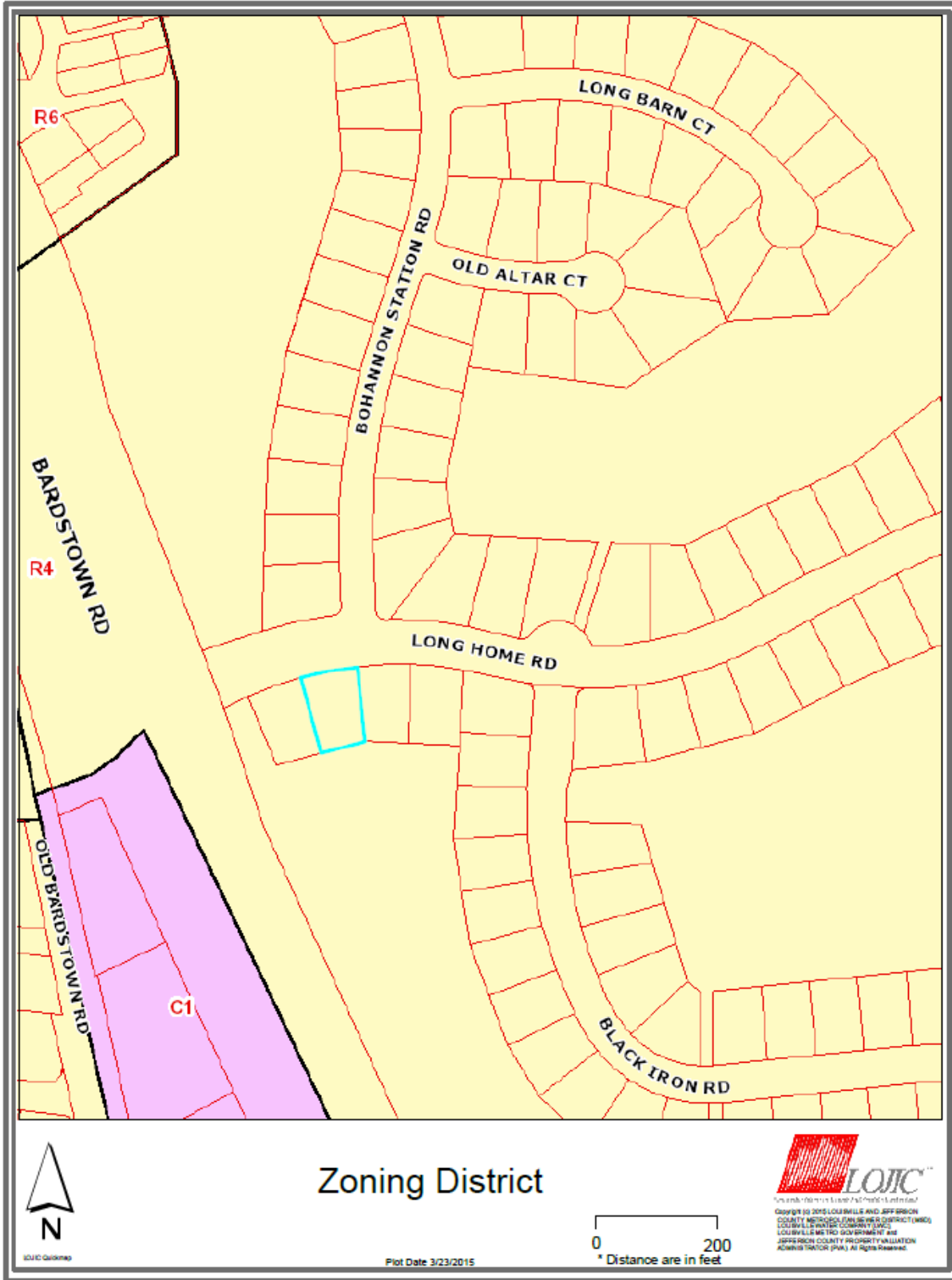
**NOTIFICATION**

Date	Purpose of Notice	Recipients
3/20/15	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered neighborhood groups Properties afforded a view of the rear yard of 10302 Long Home Road

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Noticed Property Map
4. Existing Conditions of Approval

1. **Zoning Map**



2. Aerial Photograph





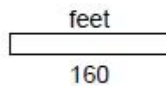
### 3. Notification



**Legend**

- Subject Site**
- Notified Property\***

\*Properties noticed include all those properties which adjoin the subject site, as well as those properties which would be afforded a view of the property



Map Created: 3/17/2015



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**4. Existing Conditions of Approval**

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby APPROVE the preliminary plan for Docket No. 10-34-88, Glenmary Subdivision, marked, "Received September 15, 1988, Louisville and Jefferson County Planning Commission" and does hereby GRANT waivers as provided for under the Innovative Residential Development Section of the Development Code as follows:

1. Side yard requirement reduced from 5 feet minimum, 10 feet total to 2 feet minimum and 7 feet total.
2. Street side yard requirement reduced from 25 feet to 20 feet.