

Development Review Committee

Staff Report

October 19, 2016



Case No:	16MINORPLAT1108
Project Name:	Gilliland Minor Plat
Location:	2402 S. English Station Road
Owner(s):	Raymond & Evelyn Gilliland
Applicant(s):	Raymond & Evelyn Gilliland
Representative(s):	Raymond & Evelyn Gilliland
Project Area/Size:	55.33 acres
Existing Zoning District:	R-4, Single-Family Residential
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **WAIVER** of Land Development Code (LDC), section 7.8.60.B.4 to allow individual single-family access to a collector level roadway

CASE SUMMARY

The applicant proposes to create five lots from one lot of 55.33 acres in Eastern Louisville Metro along S. English Station Road. Lots 1 & 2 will share a 30' driveway easement, and Residual Lot 5 and Lot 3 will grant a 30' private access easement; thus, meeting access requirements for single-family lots on a collector level roadway. The waiver is necessary to allow Lot 4 to use an existing access point to S. English Station Road which is a collector level roadway. Each lot being created is greater than five acres with frontage exceeding two-hundred feet on Lots 3 through 5 and three-hundred feet on Lots 1 & 2.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The subject site is a vacant parcel in the R-4, Single-Family Residential zoning district within the neighborhood form district. The frontage of the site lies within the Floyd's Fork Review Overlay (FFRO).

PREVIOUS CASES ON SITE

Staff found no previous or associated cases on site.

INTERESTED PARTY COMMENTS

Staff has not received any inquires or comments on the proposal.

APPLICABLE PLANS AND POLICIES

Land Development Code
Cornerstone 2020

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners as the lots are for single-family residential use with lot sizes that are compatible with the rural surroundings. The widths of the proposed lots allow driveway access to be sufficiently spaced for safe access to/from S. English Station Road.

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

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 8, Policy 9 stresses the avoidance of access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. Guideline 8, Policy 10 encourages road designs that should provide sight distances consistent with probable traffic speed, terrain, alignments and climatic extremes. The proposed development is for low-density lot creation in a rural, but slowly developing area where individual single-family driveway access will not cause a nuisance to surrounding residents. A combination of existing access points and shared driveway access will be utilized where feasible.

- (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 an environmental constraint places limitations on the configuration of the lots and safe access to these lots along the public road.

- (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 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 as a combination of existing access points and shared driveway access are to be utilized where feasible.

TECHNICAL REVIEW

Transportation Review staff finds that the shared access across Lots 1 & 2, private access easement to be granted from Residual Lot 5 to Lot 3, as well as the existing access to Lot 4 to be acceptable locations for lot access to the public road.

The minor subdivision plat is not in order. It will need to be revised prior to staff-approval to meet all agency comments. This does not prohibit the Development Review Committee from taking action on the waiver request.

The frontage of the site lies within the Floyd's Fork Development Review Overlay. The overlay does not significantly impact this request. All future development within the overlay shall comply with the guidelines established in the Land Development Code for new construction within the overlay, if applicable.

STAFF CONCLUSIONS

The waiver request appears to be adequately justified and meets the standard of review. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standard for approving a waiver established in the Land Development Code.

Required Actions

- **APPROVE** or **DENY** the waiver of LDC 7.8.60.B.4 to allow individual single-family access to a collector level roadway for Lot 4 which is an existing access point with gate.

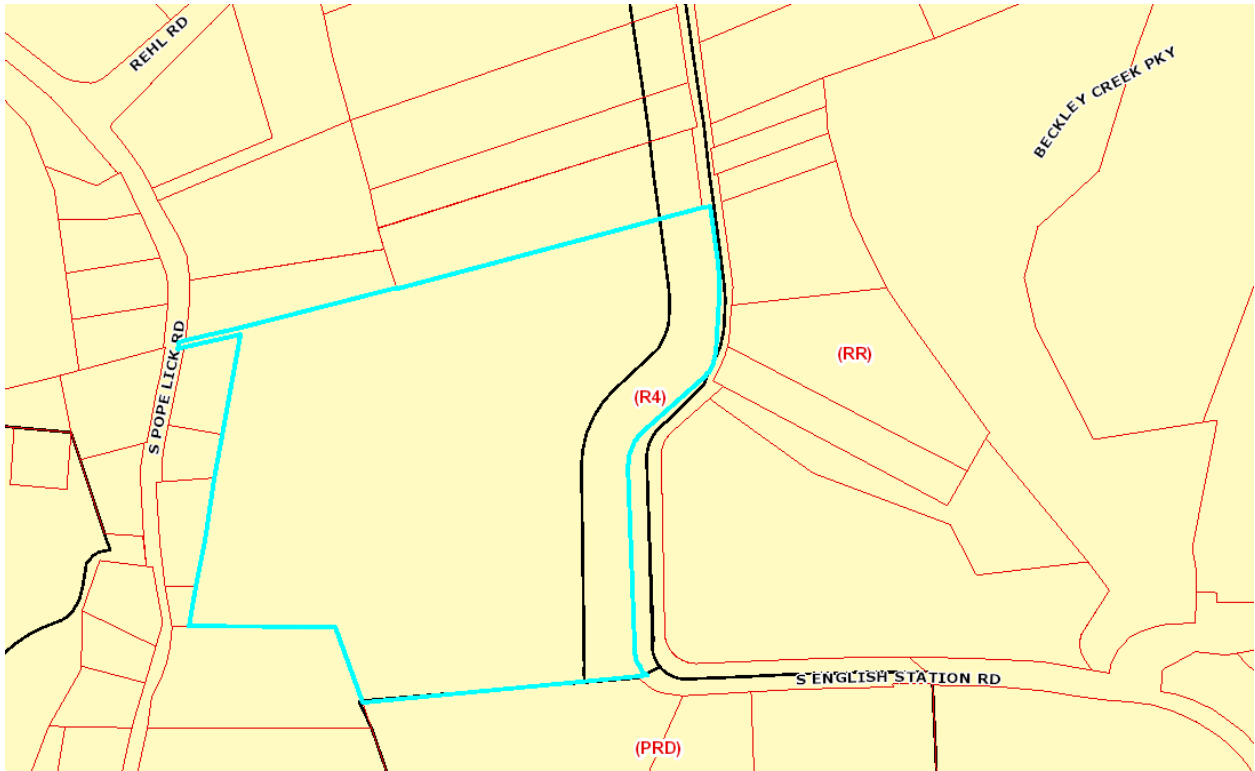
NOTIFICATION

Date	Purpose of Notice	Recipients
12/21/15	DRC	Adjoining property owners, applicant, representative, case manager, and registered users of Council District 20.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Approximate Location of Driveways

1. **Zoning Map**



2. **Aerial Photograph**



3. Approximate Location of Driveways

