

Development Review Committee
Staff Report
August 2, 2017



Case No:	17MINORPLAT1048
Project Name:	Gilezan Minor Plat
Location:	16608 Dry Ridge Road
Owner(s):	Gilezan Properties, LLC
Applicant:	James C. Florence, Kevin Young - Land Design
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Brian Mabry, Planning & Design Supervisor

REQUEST(S)

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

CASE SUMMARY/BACKGROUND

The applicant proposes to create five lots from two on Dry Ridge Road in between Visser Drive and Routt Road in Southeastern Louisville Metro (part of the rear of the property is located in Bullitt County). The subject property is surrounded by low density single family homes. The lot is located on the south side of Dry Ridge Road having about 1,200 feet of frontage on this secondary collector roadway. The only structures currently on the property are two metal barns located on proposed Tracts 4 and 5 and two gravel drives located on proposed Tract 4. There are also two inactive Landfill Areas on site as well as five ponds and a creek that runs in the rear of the property (mostly located in Bullitt County). The current parcels are a combined 60.6 acres and are proposed to be subdivided into parcels that range from 7.82 to 24.1 acres.

STAFF FINDING

- This case was noticed in accordance with Policy 3.03 of the Louisville Metro Planning Commission.
- Aside from the requested waiver, the request complies with all zoning and subdivision regulations.

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 for approving a waiver of Section 7.8.60.B.4 established in the LDC.

TECHNICAL REVIEW

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

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 access will serve single-family residences and traffic will be the minimum necessary to serve them.

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

STAFF: Guideline 3, Policy A.6 strives to mitigate adverse impacts of traffic from proposed development on nearby existing communities. The waiver will not violate specific guidelines of Cornerstone 2020 as the proposed subdivision will serve single-family residences and traffic will be the minimum necessary to serve them. The community abutting Dry Ridge Road is currently a low-density community.

- (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 existing property is vacant and will be used for low-density development. Requiring a shared driveway with an easement between the five lots would create an unnecessary hardship on the applicant, thus depriving the applicant of reasonable use of 60.6 acres of land.

- (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 they would be prevented from using a large piece of property in a manner that meets LDC and Cornerstone 2020 guidelines. LDC section 7.8.60.B.4 prohibits Planning Commission staff from approving the minor subdivision, unless a waiver is granted.

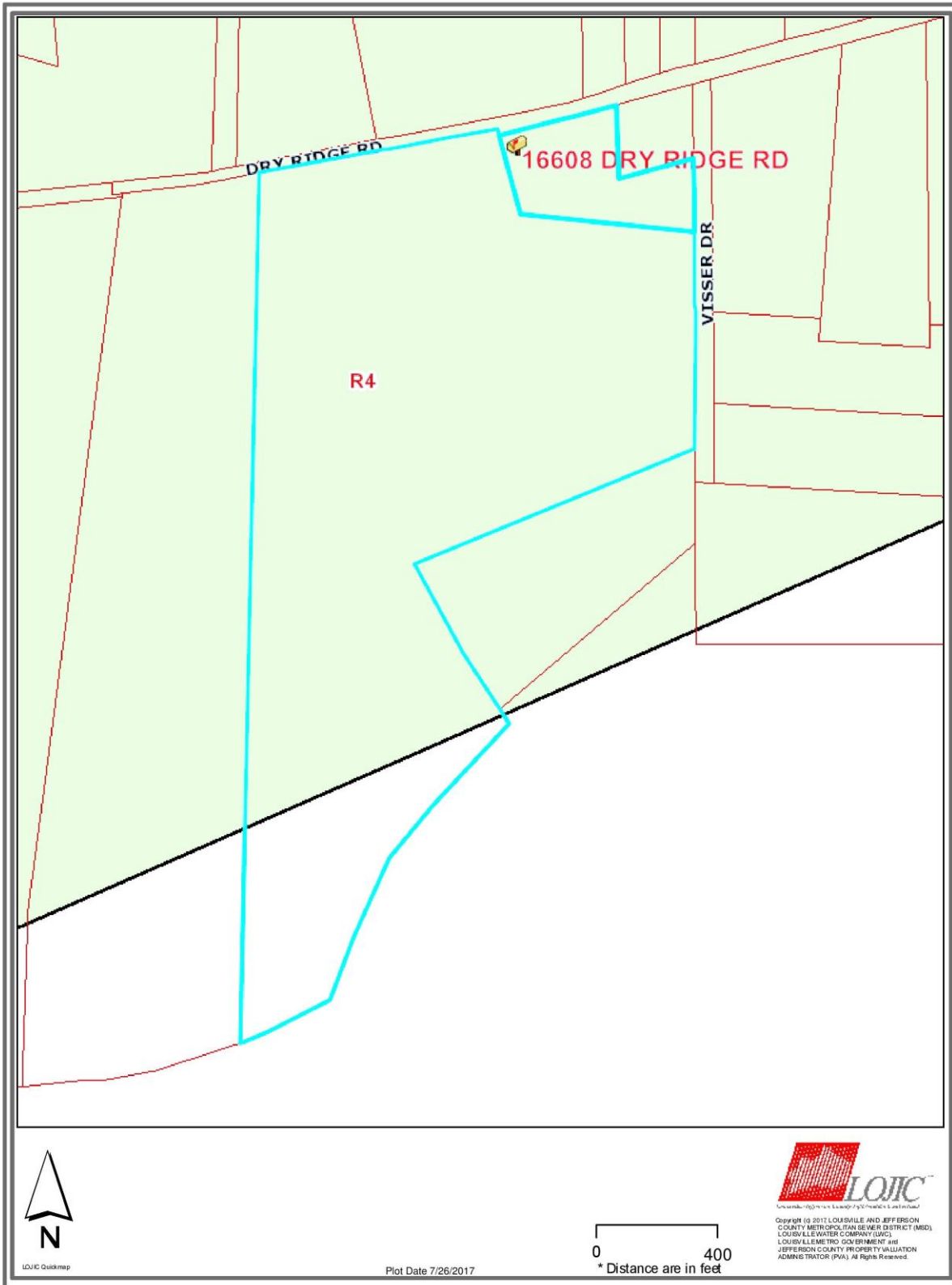
NOTIFICATION

Date	Purpose of Notice	Recipients
7/19/17	Hearing before Development Review Committee	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 20

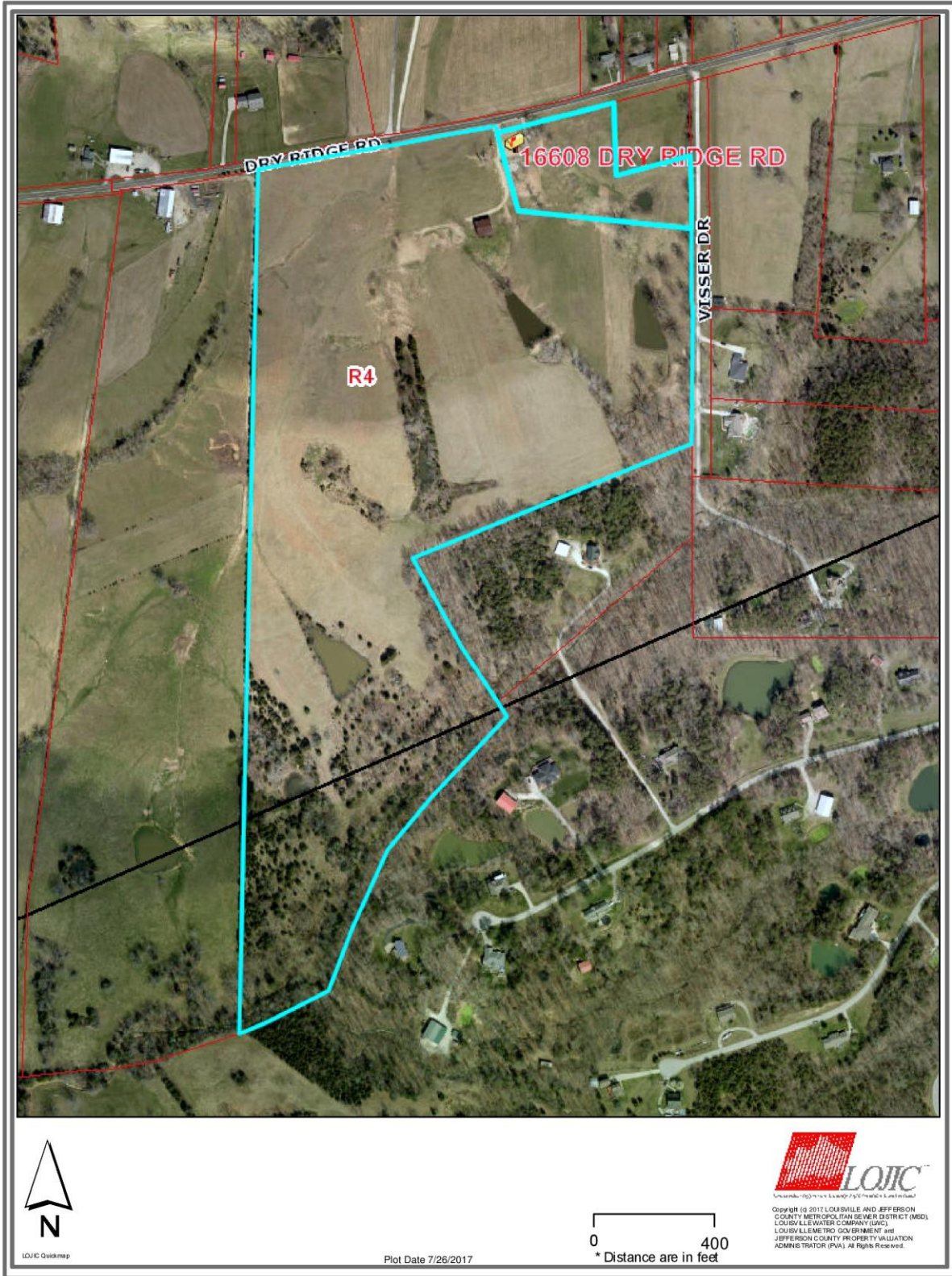
ATTACHMENTS

- 1. Zoning Map
- 2. Aerial Photograph
- 3. Proposed Plat

1. **Zoning Map**



2. Aerial Photograph



3. Proposed Plat

