

Development Review Committee

Staff Report

February 17th, 2021



Case No:	20-MPLAT-0172
Project Name:	Minor Subdivision Plat
Location:	1933 Lower Hunters Trace & 2006 White Oak Ln
Owner(s):	David & Sharon Barker
Applicant:	Kathy Matheny, Cardinal Surveying
Jurisdiction:	Louisville Metro
Council District:	12 – Rick Blackwell
Case Manager:	Molly Clark, Planner I

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 is proposing to create 5 lots from one lot. The subject lot is located in the R-4 Single Family Zoning District within the Neighborhood Form District. Each lot meets the minimum lot width (60 ft), minimum lot area (9,000 sf) and FAR (.5) allowed in the R-4, Neighborhood Form District. The applicant is proposing to create one new lot that will access Lower Hunters Trace which is a primary collector level road. The proposed lot with an existing single family house currently accesses Lower Hunters Trace as well.

STAFF FINDING

- 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 as 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, MetroSafe, and the Pleasure Ridge Park Fire Department.

INTERESTED PARTY COMMENTS

Staff has not received any comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 7.8.60.B.4 TO ALLOW ACCESS TO SINGLE-FAMILY LOTS FROM PRIMARY COLLECTOR LEVEL ROADWAYS.

- (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 Plan 2040; and

STAFF: Guideline 1, Policy 4 strives ensure new development and redevelopment are compatible with scale and site design of nearby existing development with the desired pattern of development within the Form district. The waiver will not violate specific guidelines of Cornerstone 2040 as the proposed subdivision will accommodate single-family residences and traffic will be the minimum necessary to serve them.

- (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. The new proposed lot would be difficult to connect to the existing driveway on the other proposed tract since there is an existing house.

- (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 because Transportation Planning has preliminarily approved the proposed additional single-family access on this primary collector level roadway. The lots resulting from the subdivision conform to the zoning and form district regulations applicable to the property.

REQUIRED ACTIONS:

- The Development Review Committee must **APPROVE** or **DENY** the **WAIVER** of Land Development Code (LDC) section 7.8.60.B.4 to allow individual single-family driveway access to a collector level roadway.

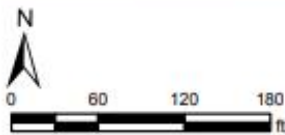
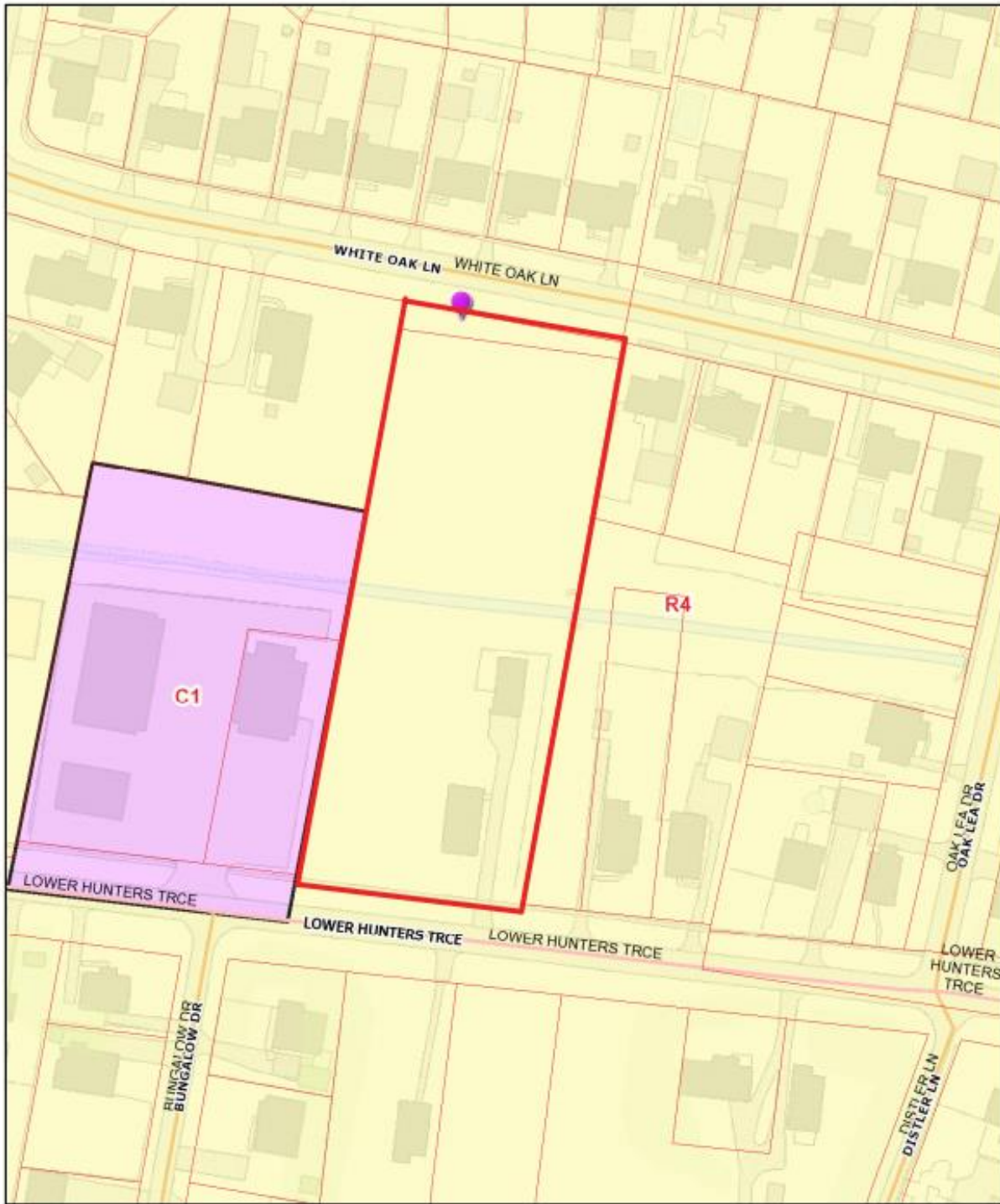
NOTIFICATION

Date	Purpose of Notice	Recipients
02/03/21	Hearing before Development Review Committee	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 12

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



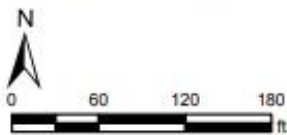
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2. Aerial Photograph



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