

Development Review Committee

Staff Report

Date: February 2nd, 2022



Case No:	21-WAIVER-0173
Project Name:	Proposed Pole Barn/Garage
Location:	8915 Admiral Drive
Owner(s):	James Burkhead
Applicant:	James Burkhead
Jurisdiction:	Louisville Metro
Council District:	23- James Peden
Case Manager:	Molly Clark, Planner I

REQUEST(S)

- Waiver from 5.4.2.C.1 to allow an accessory structure for single family residential buildings to exceed the footprint of the principal structure.

CASE SUMMARY/BACKGROUND

This site is zoned R4 zoning district in the Neighborhood form district. The applicant is proposing to build a 48 Ft x 120 Ft pole barn/garage that is larger than the existing single-family house. The property owner proposing to use this accessory structure to store equipment used to maintain their large acreage lots and other personal items.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

The Legislative Assistant for Councilperson James Peden reached out to get clarification on what is being requested.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER FROM 5.4.2.C.1 TO ALLOW AN ACCESSORY STRUCTURE TO BE LARGER THAN THE PRINCIPLE STRUCTURE:

- a. The waiver will not adversely affect adjacent property owners; and,

STAFF: The waiver will not adversely affect adjacent property owners since the proposed pole barn will be placed within an existing wooded area with adequate access off of the private access easement.

- b. The waiver will not violate the Comprehensive Plan; and,

STAFF: Plan 2040 calls for protection of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate, appropriate transitions between uses that are substantially different in scale and intensity or density, and to mitigate the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances, that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered and ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. The intent of landscape buffer areas is to create suitable transitions where varying forms of development adjoin, to minimize the negative impacts resulting from adjoining incompatible land uses, to decrease storm water runoff volumes and velocities associated with impervious surfaces, and to filter airborne and waterborne pollutants. The proposed pole barn will still be adequately screened from adjacent residential properties.

- c. The extent of 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 since the site is 5 acres and the adjacent site owned by the same owner is 4 acres, bringing a total of 9 acres that the property owner has to maintain. This pole barn, garage is being used to store equipment that is used to maintain the property and store other items owned by the property owner.

- d. Either: 1. 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 2. 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 create an unnecessary hardship on the applicant, as it would require the to store equipment used to maintain 9 acres of land being stored outside and not properly screened.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **WAIVER**

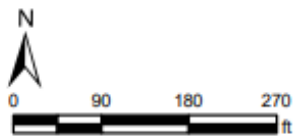
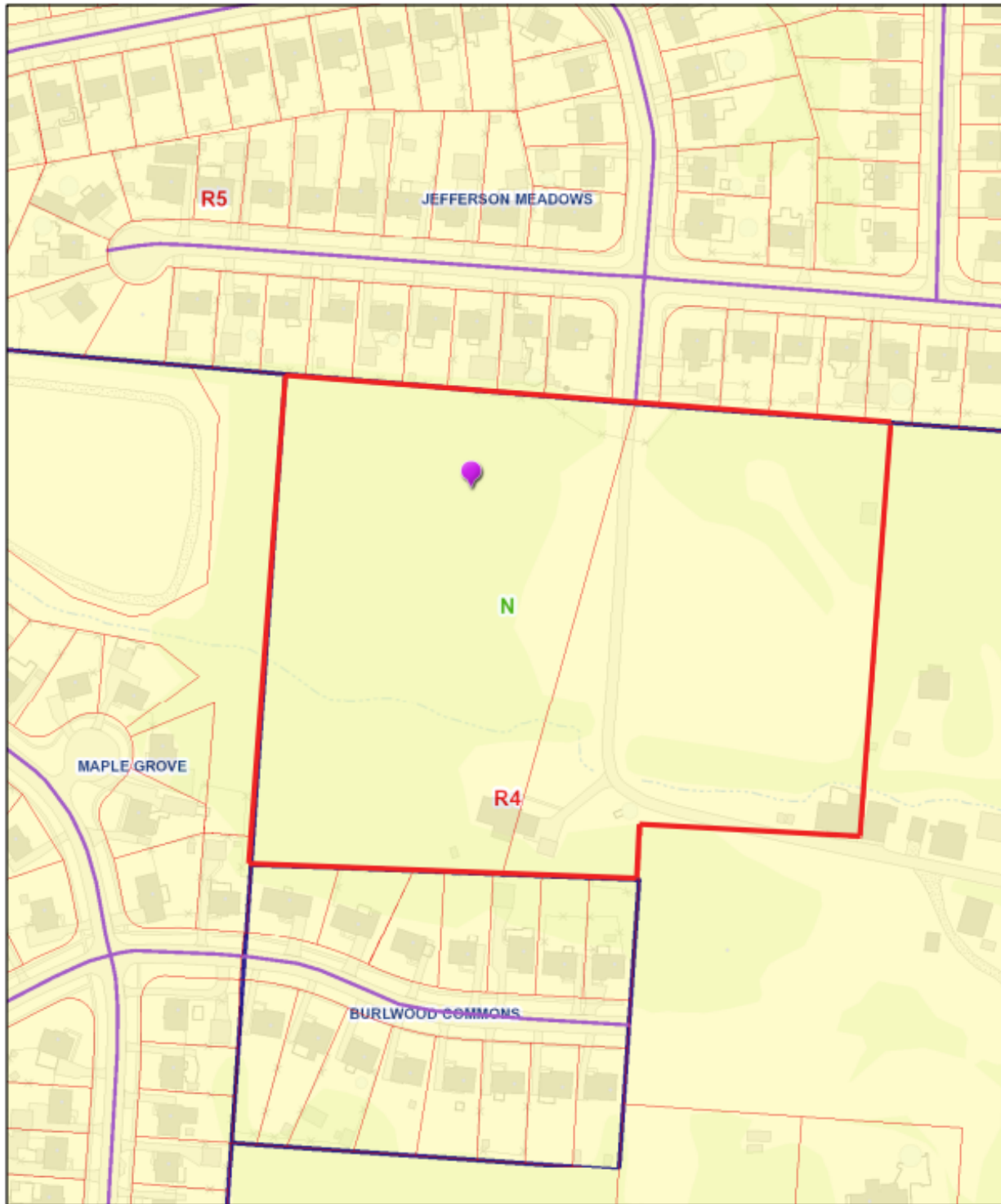
NOTIFICATION

Date	Purpose of Notice	Recipients
1-21-22	Hearing before 2-2-22	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 23

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



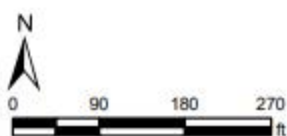
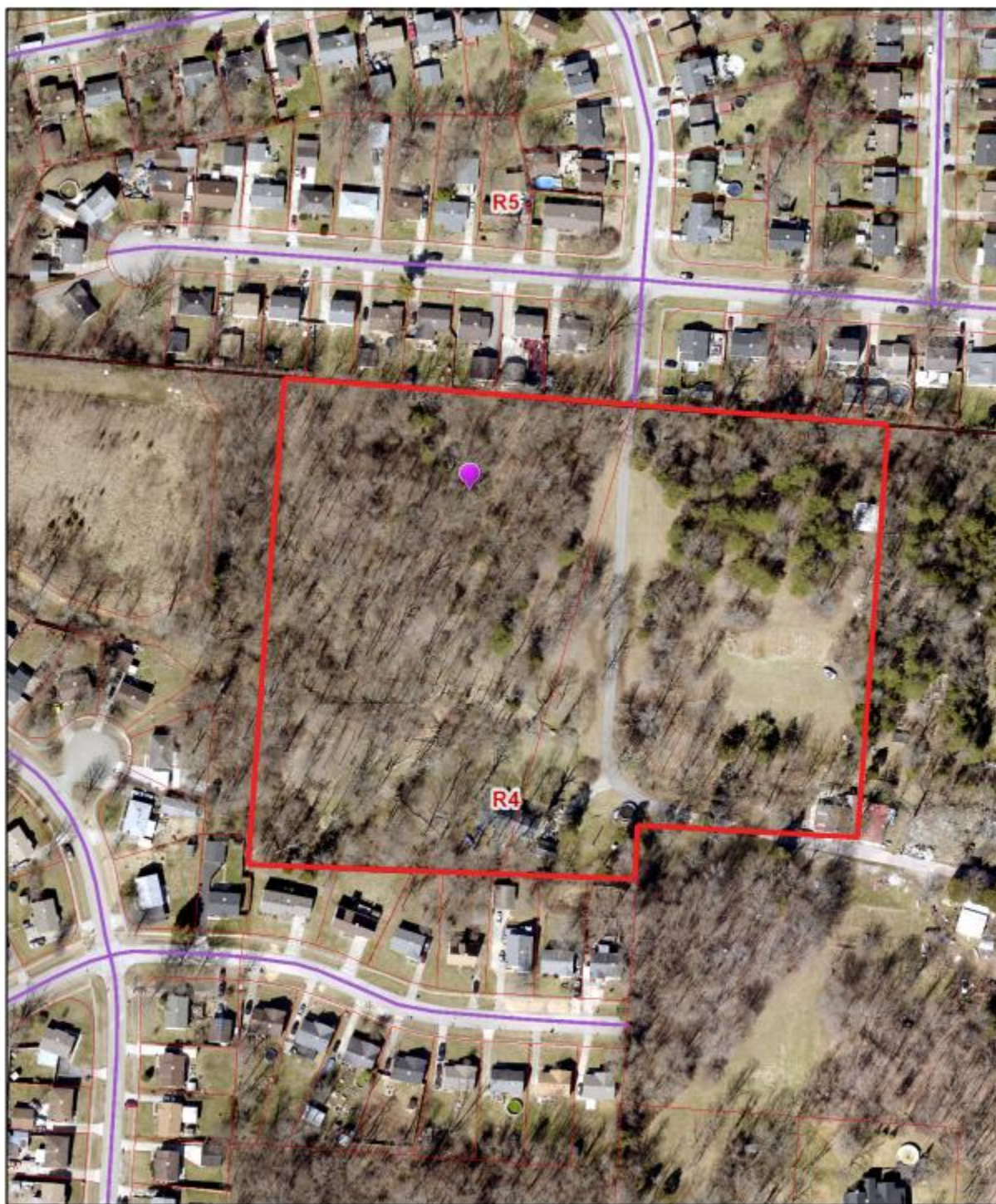
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2. Aerial Photograph



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