

Development Review Committee

Staff Report

May 4th, 2016



Case No:	16WAIVER1008
Project Name:	Access Waiver 11704 Seatonville Road
Location:	11704 Seatonville Road
Owner:	David Weis, Meridian Construction, LLC
Applicant:	David Weis, Meridian Construction, LLC
Representative:	Mark Madison, Milestone Design Group, Inc
Project Area/Size:	7.08
Existing Zoning District:	RR, Single Family Residential
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	20-Stuart Benson
Case Manager:	Laura Mattingly-Humphrey, Planner I

REQUEST

- Waiver of Section 6.1.3 to allow new single family access to a collector level road.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is proposing a new single family home with individual access on a 7.08 acre lot located on the south side of Seatonville Road. The site is located in a low-density residential area in southeast Louisville within the Floyd's Fork Overlay, less than a mile south of I-265. Section 6.1.3 prohibits single family access to a collector level road. The applicant is applying for relief from this requirement due to the fact that the Fern Creek Fire Department denied approval of the original shared access with the abutting property to the east due to issues with maneuverability.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	RR	N
Proposed	Single Family Residential	RR	N
Surrounding Properties			
North	Single Family Residential	R-4/RR	N
South	Agricultural	RR	N
East	Single Family Residential/Agricultural	RR	N
West	Single Family Residential	RR	N

PREVIOUS CASES ON SITE

15DEVPLAN1122 – Floyd's Fork Overlay Review for new single family home.

INTERESTED PARTY COMMENTS

Staff has received one neutral inquiry.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

Of Section 6.1.3 to allow new single family access to a collector level road.

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

STAFF: The waiver will not adversely affect adjacent property owners as site distance does not appear to be an issue and the new access will not have a significant impact on surrounding homes.

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

STAFF: Guideline 7, Circulation, which calls for the proposal's transportation facilities to be compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. This guideline is not violated with this waiver as this private access is compatible with surrounding uses and has little impact on adjacent homes.

- (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 all other aspect of the development are in conformance with the Land Development Code.

- (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 land or create an unnecessary hardship as the new proposed single family home would have no means of access due to the fire department's denial of the use of shared access with the abutting driveway to the east.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF CONCLUSIONS

- The proposed waiver appears to be adequately justified based on staff analysis in the staff report.

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 granting an LDC Waiver established in the Land Development Code.

REQUIRED ACTION

- **APPROVE** or **DENY** the requested waiver of LDC Section 6.1.3.

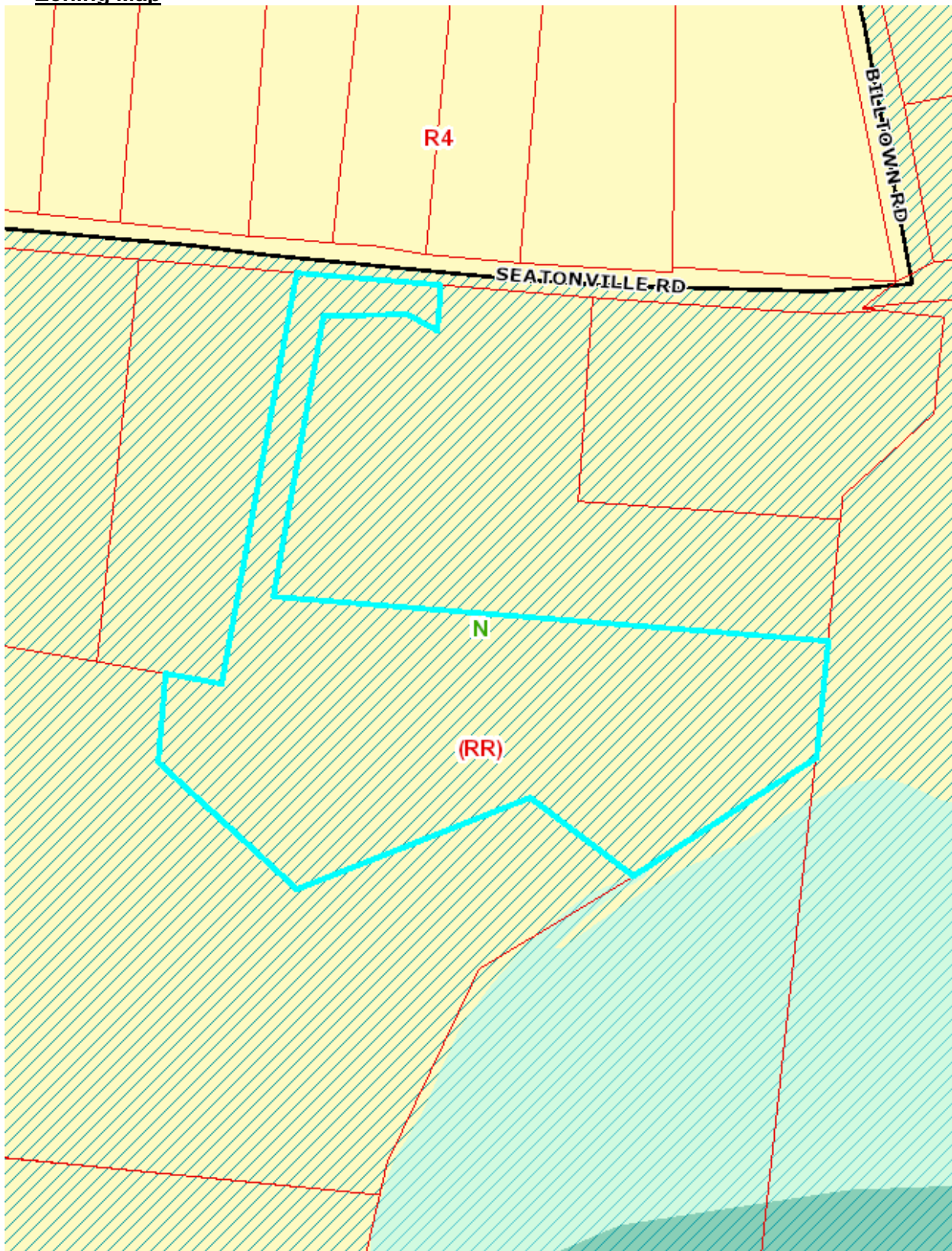
NOTIFICATION

Date	Purpose of Notice	Recipients
4/19/16	Hearing before DRC	Registered neighborhood groups
4/20/16	Hearing before DRC	1 st tier adjoining property owners

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

