

Development Review Committee

Staff Report

June 6, 2018



Case No:	18WAIVER1016
Project Name:	7411 St. Andrews Church Road Pole Barn
Location:	7411 St. Andrews Church Road
Owner(s):	LNB Properties LLC
Applicant:	LNB Properties LLC
Jurisdiction:	Louisville Metro
Council District:	25 – David Yates
Case Manager:	Dante St. Germain, Planner I

REQUEST

- **Waiver** from Land Development Code section 5.4.2.C.1 to allow the footprint of an accessory structure to exceed the footprint of the principal structure on a lot.

CASE SUMMARY/BACKGROUND

The subject property is located on the southern side of St. Andrews Church Road, between Windemere Drive and Quillman Drive. The lot is approximately 0.9 acres in area, and currently contains a single-family residence with a detached garage. The applicant proposes to construct a new 5,000 square foot pole barn on the rear of the property behind the garage. The principal structure has a footprint of approximately 960 square feet, and so the applicant requests a waiver from Land Development Code section 5.4.2.C.1 to allow an accessory structure to have a footprint which exceeds the footprint of the principal structure. The applicant's site plan proposes the installation of several new trees at various locations on the lot.

This property is being used residentially, but is zoned C-1 Commercial in the Neighborhood form district. The proposed use of the structure is to store vehicles (cars and boats) in a secure manner.

STAFF FINDING

Staff finds that the requested waiver is adequately justified and meets the standard of review, on condition that the proposed new trees shall be installed and maintained, and replaced if the installed material dies. The trees shall be installed no later than the first planting season following issuance of a building permit and prior to occupation of the structure.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for granting a waiver established in the Land Development Code from section 5.4.2.C.1 to allow the footprint of an accessory structure to exceed the footprint of the principal structure.

TECHNICAL REVIEW

- The plan has received preliminary approval from MSD and Transportation Planning.

INTERESTED PARTY COMMENTS

Staff received a comment from neighbor Charles Ryan. Please see Attachment #5 for the neighbor comment.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 5.4.2.C.1

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

STAFF: The waiver will not adversely affect adjacent property owners as the proposed pole barn will be minimally visible from the right-of-way, and the proposed new trees will help to screen the structure from neighboring properties.

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

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 as Cornerstone 2020 does not address accessory structures except for accessory dwelling units. The proposed pole barn will be used to store vehicles, and not as a dwelling unit.

- (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 applicant needs a large structure to store a number of vehicles.

- (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 applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived by proposing new trees to be installed on the property, with some of the trees screening the proposed structure.

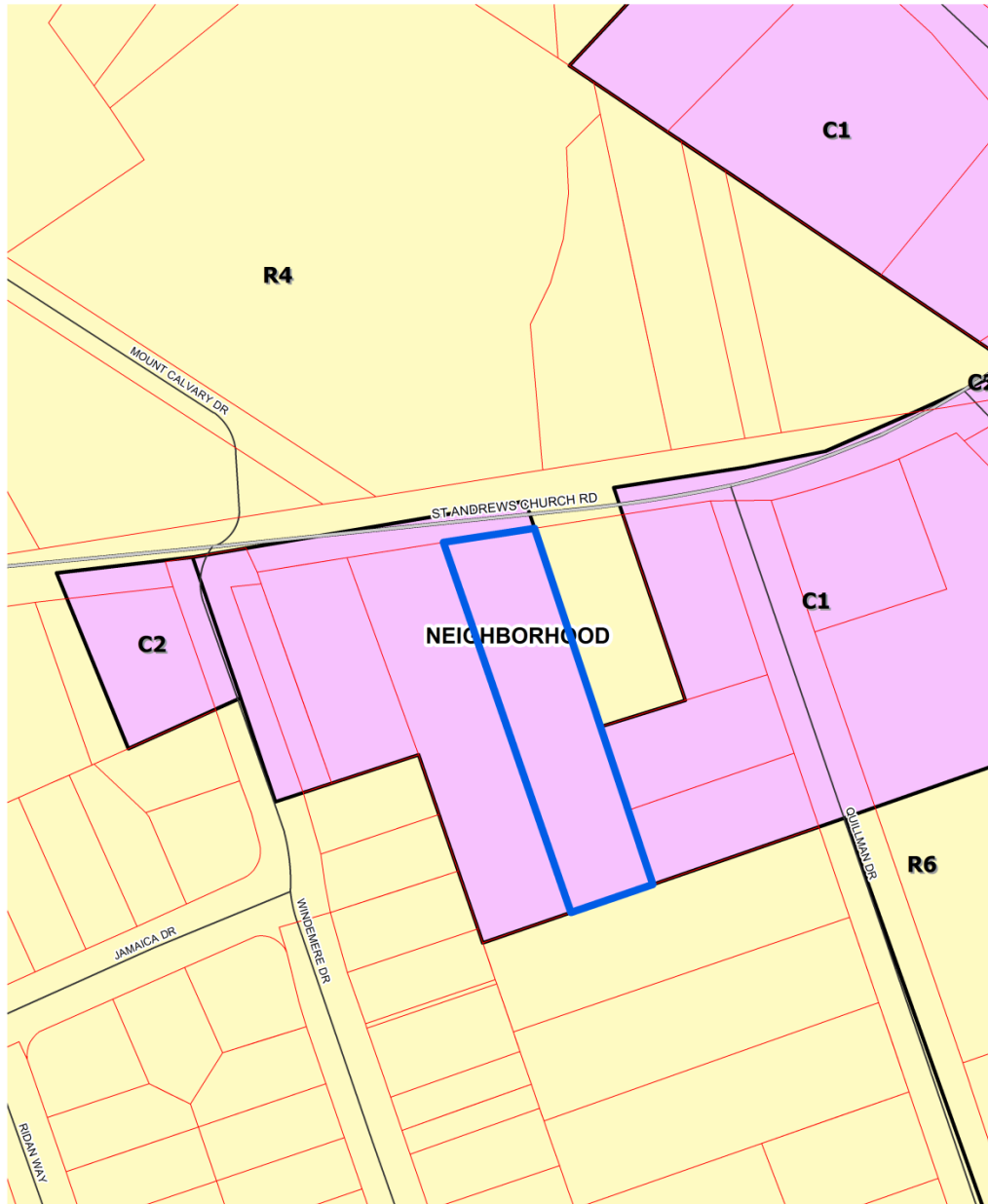
NOTIFICATION

Date	Purpose of Notice	Recipients
05/18/2018	DRC Public Meeting	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 25

ATTACHMENTS

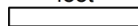
1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Elevations
5. Interested Party Comment

1. Zoning Map



7411 St. Andrews Church Road

feet



140

Map Created: 5/23/2018

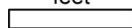


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2. Aerial Photograph



7411 St. Andrews Church Road
feet

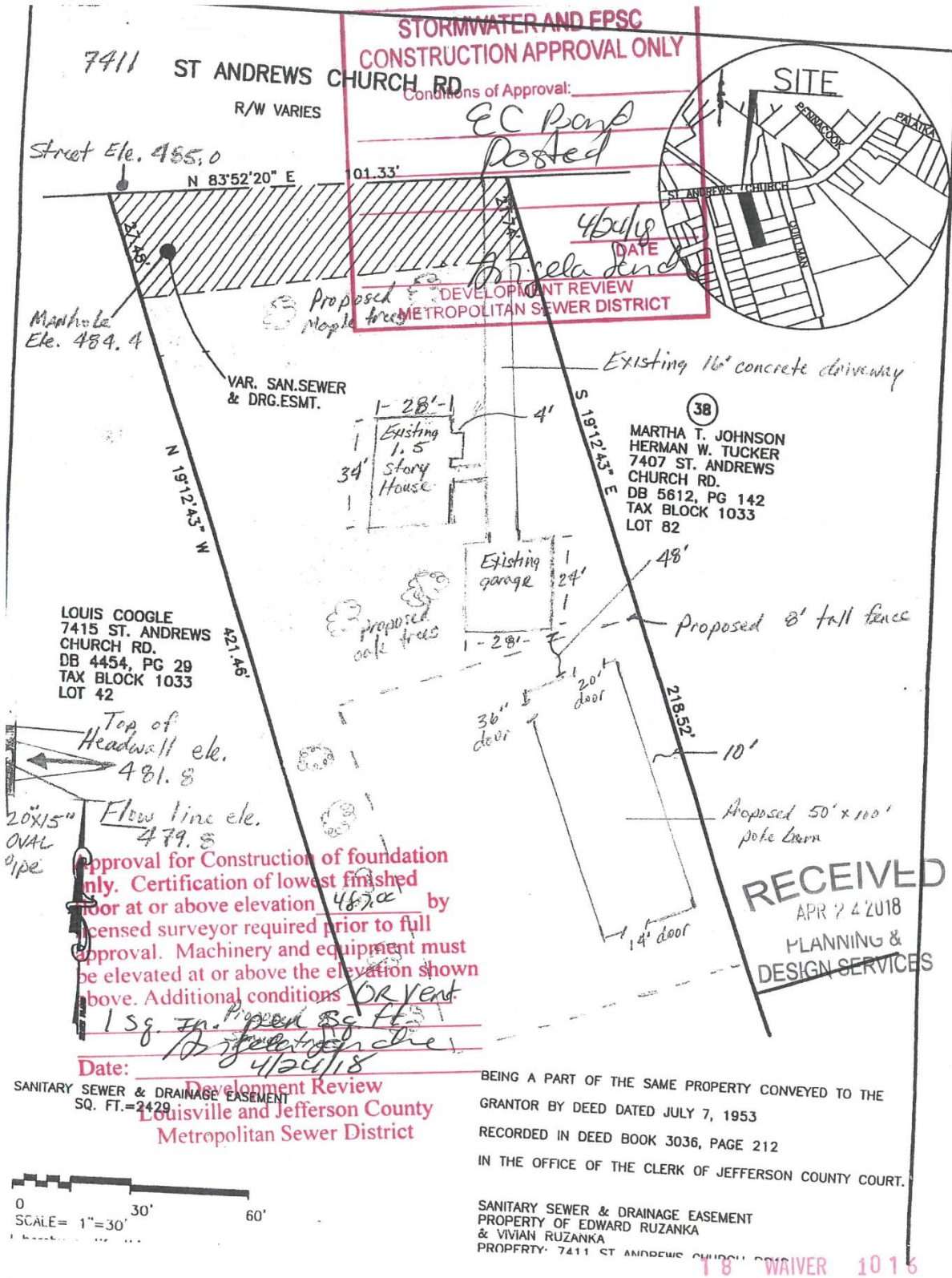


Map Created: 5/23/2018



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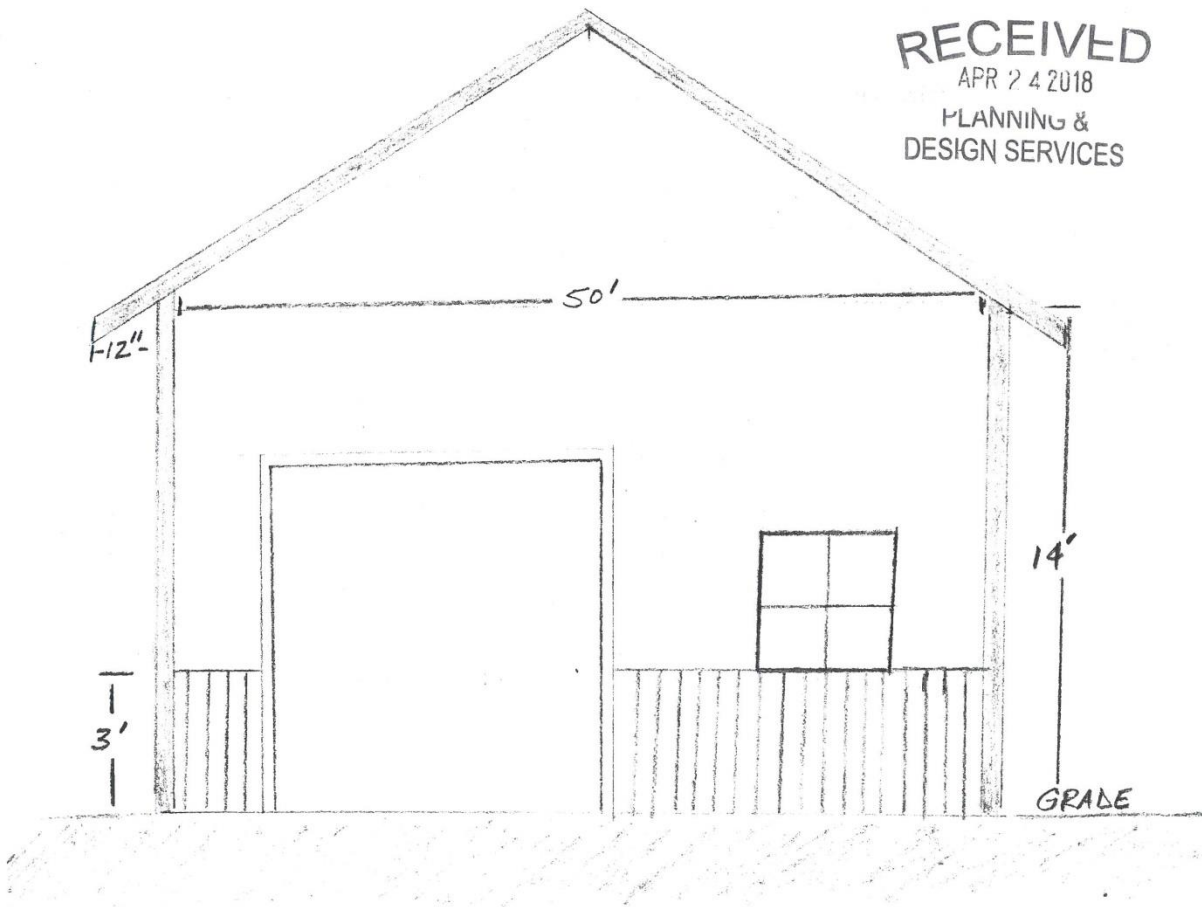
3. **Site Plan**



4. Elevations

FRONT ELEVATION

RECEIVED
APR 24 2018
PLANNING &
DESIGN SERVICES

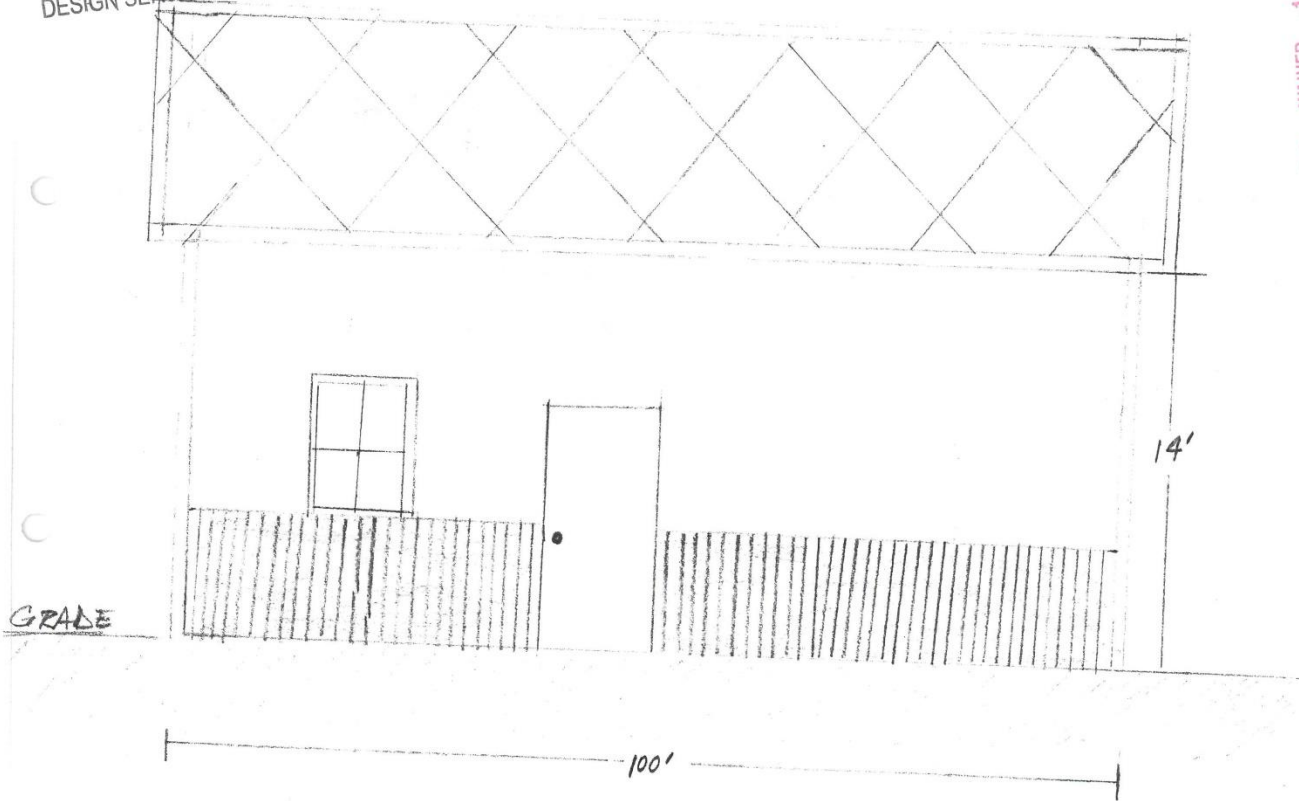


18 WAIVER 1016

RECEIVED
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SIDE ELEVATION (RIGHT)

18 WAIVER 1016



5. **Interested Party Comment**

St. Germain, Dante

From: Charles Ryan <CharlesRyan@mhsinc.net>
Sent: Tuesday, May 22, 2018 1:14 PM
To: St. Germain, Dante
Subject: RE: 18WAIVER1016

I do not wish to have a service line stretched across my front yard.
The transformer will have to be changed out to a 50K resulting
In my yard being dug up to replace the old pole. This inconvenience
should not be put on me. Just so someone else can prosper.