

Development Review Committee

Staff Report

Date



Case No:	18MINORPLAT1071
Project Name:	Pendleton Road
Location:	6301 Pendleton Road
Owner(s):	Don Thornberry
Applicant:	Eric Spurrier/Kathy Matheny
Jurisdiction:	Louisville Metro
Council District:	14—Marianne Butler
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Waiver** of Land Development Code Section 7.8.60.B.4 to allow access to collector level roadway.

CASE SUMMARY/BACKGROUND

The subject property is located in Metro Louisville between E Orell Road, and Dixie Highway. The site in which the applicant is requesting access from is approximately 0.982 acres, located in the R-4 zoning district in the Neighborhood form district. The property contains a small shed, and is adjacent to a property that contains a one-story single family residence. The applicant proposes to demolish the existing shed and construct a new single family home. The adjacent Tract 4 currently has existing access. The applicant is requests access from Tract 5 to a collector level roadway.

STAFF FINDING

The minor plat is in order and the waiver request is adequately justified and meets the standards of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

No interested parties contacted staff concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The requested waiver will not adversely affect the public health, safety or welfare because there are other single family residences on E Orell Road that also have access to the roadway.

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

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. The waiver is consistent with previous waivers granted to the site, and the development pattern of the area.

(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.

(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.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waiver**

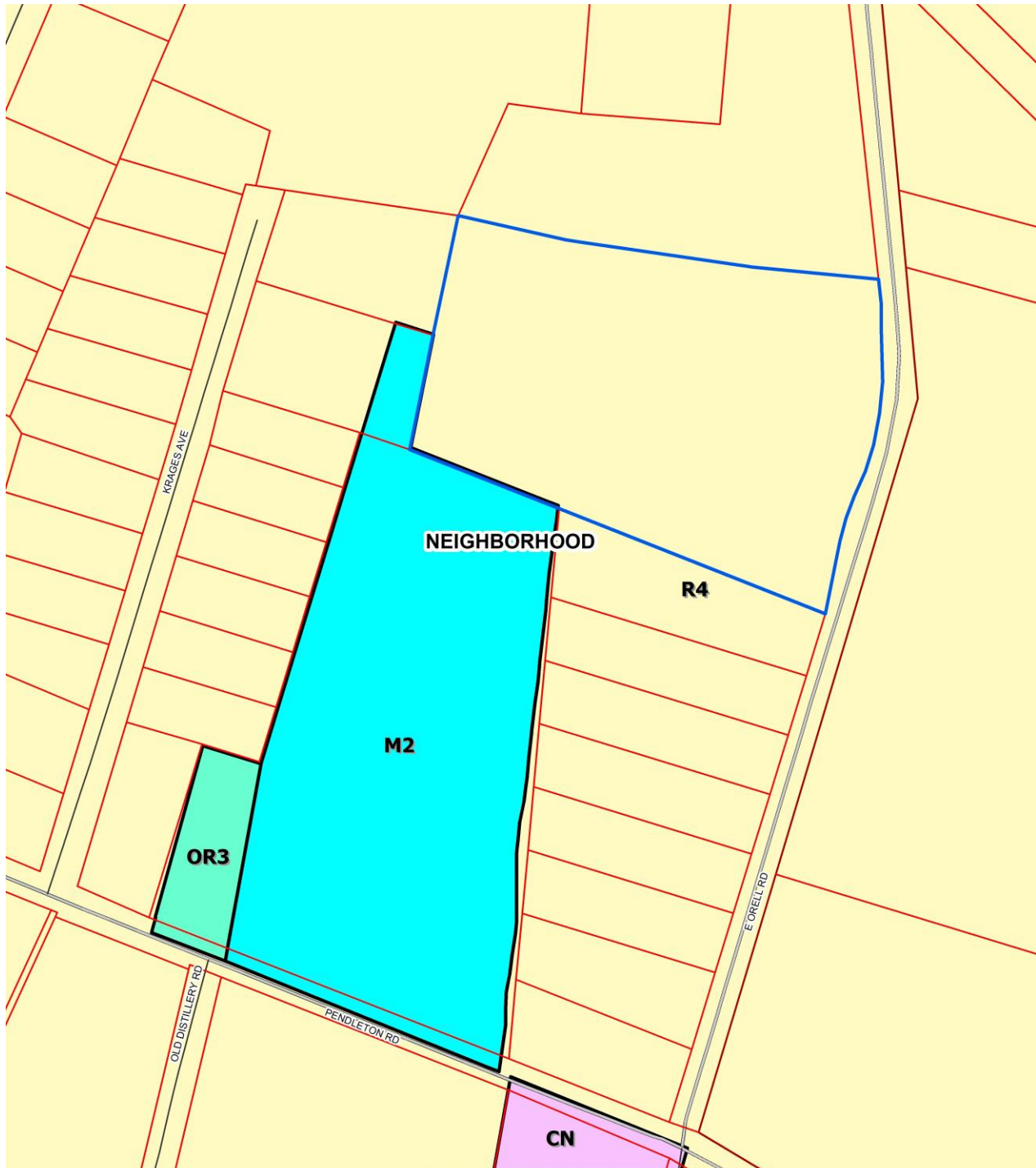
NOTIFICATION

Date	Purpose of Notice	Recipients
8/15/2018	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 14

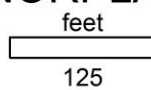
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



18MINORPLAT1071



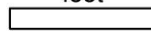
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2. Aerial Photograph



18MINORPLAT1071

feet



125



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